

115TH CONGRESS
1ST SESSION

H. CON. RES. 81

Directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from unauthorized hostilities in the Republic of Yemen.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2017

Mr. KHANNA (for himself, Mr. MASSIE, Mr. POCAN, and Mr. JONES) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from unauthorized hostilities in the Republic of Yemen.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES**
4 **FROM HOSTILITIES IN THE REPUBLIC OF**
5 **YEMEN THAT HAVE NOT BEEN AUTHORIZED**
6 **BY CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Congress has the sole power to declare war
2 under article I, section 8, of the Constitution.

3 (2) A state of war has not been declared to
4 exist with respect to the conflict between forces led
5 by Saudi Arabia and the United Arab Emirates
6 against the Houthi-Saleh alliance in the Republic of
7 Yemen.

8 (3) United States Armed Forces have been in-
9 volved in hostilities between Saudi-led forces and the
10 Houthi-Saleh alliance, including through assisting
11 Saudi and United Arab Emirates warplanes con-
12 ducting aerial bombings in Yemen with selecting tar-
13 gets and by providing midair refueling services to
14 such warplanes, amounting to millions of pounds of
15 jet fuel delivered during thousands of Saudi and
16 United Arab Emirates airstrikes.

17 (4) According to the Department of State's
18 Country Reports on Terrorism 2016, the conflict be-
19 tween Saudi-led forces and the Houthi-Saleh alliance
20 is counterproductive to ongoing efforts by the United
21 States to pursue Al Qaeda and its associated forces
22 under the Authorization for the Use of Military
23 Force (Public Law 107-40; 50 U.S.C. 1541 note).

24 (5) No authorization for the use of United
25 States Armed Forces with respect to the conflict be-

1 tween Saudi-led forces and the Houthi-Saleh alliance
2 in Yemen has been enacted, and no provision of law
3 authorizes the provision of midair refueling services
4 to warplanes of Saudi Arabia or the United Arab
5 Emirates that are engaged in such conflict.

6 (6) The conflict between Saudi-led forces and
7 the Houthi-Saleh alliance in Yemen constitutes,
8 within the meaning of section 4(a)(1) of the War
9 Powers Resolution (50 U.S.C. 1543(a)(1)), either
10 hostilities or a situation where imminent involvement
11 in hostilities is clearly indicated by the cir-
12 cumstances into which United States Armed Forces
13 have been introduced.

14 (b) REMOVAL OF ARMED FORCES.—Pursuant to sec-
15 tion 5(c) of the War Powers Resolution (50 U.S.C.
16 1544(c)), Congress hereby directs the President to remove
17 United States Armed Forces from hostilities in the Repub-
18 lic of Yemen, except United States Armed Forces engaged
19 in operations directed at Al Qaeda in the Arabian Penin-
20 sula or associated forces, by not later than the date that
21 is 30 days after the date of the adoption of this concurrent
22 resolution (unless the President requests and the Congress
23 authorizes a later date), and unless and until a declaration

- 1 of war or specific authorization for such use of United
- 2 States Armed Forces has been enacted.

