

107TH CONGRESS
2^D SESSION

H. J. RES. 118

To provide preliminary authorization for the use of force against Iraq.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2002

Mr. UDALL of Colorado introduced the following joint resolution; which was referred to the Committee on International Relations

JOINT RESOLUTION

To provide preliminary authorization for the use of force against Iraq.

Whereas under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter;

Whereas on numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687,

most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;

Whereas on numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Whereas Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;

Whereas since 1990, the United States has considered Iraq to be a state sponsor of terrorism; and

Whereas Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This joint resolution may be cited as the “Prelimi-
 5 nary Authorization for the Use of Force Against Iraq Res-
 6 olution of 2002”.

1 **SEC. 2. AUTHORIZATION FOR THE USE OF UNITED STATES**
2 **ARMED FORCES.**

3 (a) AUTHORIZATION FOR THE USE OF FORCE.—The
4 President, subject to subsection (b), is authorized to use
5 United States Armed Forces as he determines to be nec-
6 essary and appropriate—

7 (1) to enforce United Nations Security Council
8 Resolution 687, and other resolutions approved by
9 the Council which govern Iraqi compliance with Res-
10 olution 687, in order to secure the dismantlement or
11 destruction of Iraq’s weapons of mass destruction
12 program and its prohibited ballistic missile program;
13 or

14 (2) in the exercise of individual or collective
15 self-defense, to defend the United States or allied
16 nations against a grave threat posed by Iraq’s weap-
17 ons of mass destruction program or its prohibited
18 ballistic missile program.

19 (b) REQUIREMENT FOR DETERMINATION THAT USE
20 OF FORCE IS NECESSARY.—Before exercising the author-
21 ity granted by subsection (a)—

22 (1) the President shall make available to the
23 Speaker of the House of Representatives and the
24 President pro tempore of the Senate his determina-
25 tion that—

1 (A) the United States has attempted to
2 seek, through the United Nations Security
3 Council, adoption of a resolution after Sep-
4 tember 12, 2002, under Chapter VII of the
5 United Nations Charter authorizing the action
6 described in subsection (a)(1), and such resolu-
7 tion has been adopted; or

8 (B) the threat to the United States or al-
9 lied nations posed by Iraq's weapons of mass
10 destruction program or prohibited ballistic mis-
11 sile program is so grave that the use of force
12 is necessary pursuant to subsection (a)(2), not-
13 withstanding the failure of the Security Council
14 to approve a resolution described in paragraph
15 (1); and

16 (2) Congress shall approve the determination of
17 the President referred to in paragraph (1) in a joint
18 resolution enacted after the date of the enactment of
19 this joint resolution.

20 **SEC. 3. CONSULTATION.**

21 The President shall keep Congress fully and currently
22 informed on matters relevant to this joint resolution.

23 **SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS.**

24 (a) SPECIFIC STATUTORY AUTHORIZATION.—Con-
25 sistent with section 8(a)(1) of the War Powers Resolution,

1 the Congress declares that section 2 is intended to con-
2 stitute specific statutory authorization within the meaning
3 of section 5(b) of the War Powers Resolution.

4 (b) APPLICABILITY OF OTHER REQUIREMENTS.—
5 Nothing in this joint resolution supersedes any require-
6 ment of the War Powers Resolution.

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