

112TH CONGRESS  
1ST SESSION

# H. R. 3709

To amend the War Powers Resolution to limit the use of funds for introduction of the Armed Forces into hostilities, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2011

Mr. GIBSON (for himself, Mr. BARTLETT, Mr. BENISHEK, Mr. BROOKS, Mr. BURTON of Indiana, Mr. DAVIS of Kentucky, Mr. DUNCAN of Tennessee, Ms. FOXX, Mr. GOSAR, Mr. JOHNSON of Ohio, Mr. LABRADOR, Mr. LANKFORD, Mr. LATOURETTE, Mr. MILLER of Florida, Mr. MULVANEY, Mr. NUGENT, Mr. PENCE, Mr. REED, Mr. RIBBLE, Mr. ROONEY, Mr. ROSS of Florida, Mr. AUSTIN SCOTT of Georgia, Mr. SHIMKUS, Mr. SMITH of New Jersey, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the War Powers Resolution to limit the use of funds for introduction of the Armed Forces into hostilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “War Powers Reform  
5 Act”.

1 **SEC. 2. PURPOSE AND POLICY.**

2 Section 2(c) of the War Powers Resolution (50  
3 U.S.C. 1541(c)) is amended—

4 (1) in the matter preceding paragraph (1), by  
5 striking “are exercised” and inserting “may be exer-  
6 cised”; and

7 (2) in paragraph (3), by inserting after “at-  
8 tack” the following: “or imminent threat of attack”.

9 **SEC. 3. CONSULTATION AND REPORTING.**

10 Section 3 of the War Powers Resolution (50 U.S.C.  
11 1542) is amended—

12 (1) in the heading, by inserting “AND REPORT-  
13 ING” after “CONSULTATION”;

14 (2) by striking “The President” and inserting  
15 the following:

16 “(a) CONSULTATION.—The President”; and

17 (3) by adding at the end the following:

18 “(b) REPORTING.—The President in every possible  
19 instance shall submit to Congress before introducing  
20 United States Armed Forces into hostilities or into situa-  
21 tions where imminent involvement in hostilities is clearly  
22 indicated by the circumstances a report, in writing, setting  
23 forth the estimated scope and duration of the hostilities  
24 or involvement.”.

1 **SEC. 4. REPORTING.**

2 Section 4(a) of the War Powers Resolution (50  
3 U.S.C. 1543(a)) is amended by inserting “or a specific  
4 statutory authorization” after “a declaration of war”.

5 **SEC. 5. LIMITATION ON USE OF FUNDS FOR INTRODUCTION**  
6 **OF ARMED FORCES INTO HOSTILITIES.**

7 The War Powers Resolution (50 U.S.C. 1541 et seq.)  
8 is amended—

9 (1) by striking sections 5, 6, and 7;

10 (2) by redesignating sections 8, 9, and 10 as  
11 sections 6, 7, and 8, respectively; and

12 (3) by inserting after section 4 the following:

13 “LIMITATION ON USE OF FUNDS

14 “SEC. 5. (a) No funds available for the United States  
15 Armed Forces may be obligated or expended for introduc-  
16 tion of the Armed Forces into hostilities, or into situations  
17 where imminent involvement in hostilities is clearly indi-  
18 cated by the circumstances, in the absence of a declaration  
19 of war, specific statutory authorization, or a national  
20 emergency created by an attack or imminent threat of at-  
21 tack upon the United States, its territories or possessions,  
22 or the Armed Forces.

23 “(b) It shall not be in order in the House of Rep-  
24 resentatives or the Senate to consider any bill or joint res-

1 olution that would make funds available in violation of  
2 subsection (a).”.

○