

112TH CONGRESS
1ST SESSION

S. J. RES. 18

Prohibiting the deployment, establishment, or maintenance of a presence of units and members of the United States Armed Forces on the ground in Libya, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2011

Mr. WEBB (for himself and Mr. CORKER) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Prohibiting the deployment, establishment, or maintenance of a presence of units and members of the United States Armed Forces on the ground in Libya, and for other purposes.

Whereas the President has not sought, and Congress has not provided, authorization for the introduction or continued involvement of the United States Armed Forces in Libya; and

Whereas Congress has the constitutional prerogative to withhold funding for any unauthorized use of the United States Armed Forces, including for unauthorized activities regarding Libya: 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. STATEMENTS OF POLICY.**

4 Congress makes the following statements of policy:

5 (1) The United States Armed Forces shall be
6 used exclusively to defend and advance the national
7 security interests of the United States.

8 (2) The President has failed to provide Con-
9 gress with a compelling rationale based upon United
10 States national security interests for current United
11 States military activities regarding Libya.

12 (3) The President shall not deploy, establish, or
13 maintain the presence of units and members of the
14 United States Armed Forces on the ground in Libya
15 unless the purpose of the presence is limited to the
16 immediate personal defense of United States Gov-
17 ernment officials (including diplomatic representa-
18 tives) or to rescuing members of the United States
19 Armed Forces from imminent danger.

20 **SEC. 2. PROHIBITION ON UNITED STATES GROUND COM-**
21 **BAT PRESENCE IN LIBYA.**

22 No funds appropriated or otherwise made available
23 for the Department of Defense may be obligated or ex-
24 pended for the purpose of—

1 (1) deploying units or members of the United
2 States Armed Forces on to the ground of Libya for
3 the purposes of engaging in ground combat oper-
4 ations, unless the purpose of such deployment is lim-
5 ited solely to rescuing members of the United States
6 Armed Forces from imminent danger;

7 (2) awarding a contract to a private security
8 contractor to conduct any activity on the ground of
9 Libya; or

10 (3) otherwise establishing or maintaining any
11 presence of units or members of the United States
12 Armed Forces or private security contractors on the
13 ground of Libya, unless the purpose of such pres-
14 ence is limited to the immediate personal defense of
15 United States Government officials (including diplo-
16 matic representatives) or to rescuing members of the
17 United States Armed Forces from imminent danger.

18 **SEC. 3. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) the President should request authorization
21 from Congress for the continuation of United States
22 involvement in ongoing NATO activities in Libya;
23 and

24 (2) Congress should fully debate and consider
25 such request in an expeditious manner.

1 **SEC. 4. TRANSMITTAL OF EXECUTIVE BRANCH INFORMA-**
2 **TION RELATING TO OPERATION ODYSSEY**
3 **DAWN AND OPERATION UNIFIED PRO-**
4 **TECTOR.**

5 Not later than 14 days after the date of the enact-
6 ment of this joint resolution, the Secretary of State, the
7 Secretary of Defense, and the Attorney General shall each
8 transmit to Congress a copy of any official document,
9 record, memo, correspondence, or other communication in
10 the possession of such official that was created on or after
11 February 15, 2011, and refers or relates to—

12 (1) consultation or communication with Con-
13 gress regarding the employment or deployment of
14 the United States Armed Forces for Operation Od-
15 yssey Dawn or NATO Operation Unified Protector;
16 or

17 (2) the War Powers Resolution and Operation
18 Odyssey Dawn or Operation Unified Protector.

19 **SEC. 5. REPORT TO CONGRESS.**

20 (a) REPORT REQUIRED.—Not later than 14 days
21 after the date of the enactment of this joint resolution,
22 the President shall submit to Congress a report describing
23 in detail United States security interests and objectives,
24 and the activities of United States Armed Forces, in Libya
25 since March 19, 2011, including a description of the fol-
26 lowing:

1 (1) The President’s justification for not seeking
2 authorization by Congress for the use of military
3 force in Libya.

4 (2) United States political and military objec-
5 tives regarding Libya, including the relationship be-
6 tween the intended objectives and the operational
7 means being employed to achieve them.

8 (3) Changes in United States political and mili-
9 tary objectives following the assumption of command
10 by the North Atlantic Treaty Organization (NATO).

11 (4) Differences between United States political
12 and military objectives regarding Libya and those of
13 other NATO member states engaged in military ac-
14 tivities.

15 (5) The specific commitments by the United
16 States to ongoing NATO activities regarding Libya.

17 (6) The anticipated scope and duration of con-
18 tinued United States military involvement in support
19 of NATO activities regarding Libya.

20 (7) The costs of United States military, polit-
21 ical, and humanitarian efforts concerning Libya as
22 of June 3, 2011.

23 (8) The total projected costs of United States
24 military, political, and humanitarian efforts con-
25 cerning Libya.

1 (9) The impact on United States activities in
2 Iraq and Afghanistan.

3 (10) The role of the United States in the estab-
4 lishment of a political structure to succeed the cur-
5 rent Libyan regime.

6 (11) An assessment of the current military ca-
7 pacity of opposition forces in Libya.

8 (12) An assessment of the ability of opposition
9 forces in Libya to establish effective military and po-
10 litical control of Libya and a practicable timetable
11 for accomplishing these objectives.

12 (13) An assessment of the consequences of a
13 cessation of United States military activities on the
14 viability of continued NATO operations regarding
15 Libya and on the continued viability of groups op-
16 posing the Libyan regime.

17 (14) The composition and political agenda of
18 the Interim Transitional National Council (ITNC)
19 and its representation of the views of the Libyan
20 people as a whole.

21 (15) The criteria to be used to determine
22 United States recognition of the ITNC as the rep-
23 resentative of the Libyan people, including the role
24 of current and former members of the existing re-
25 gime.

1 (16) Financial resources currently available to
2 opposition groups and United States plans to facili-
3 tate their access to seized assets of the Libyan re-
4 gime and proceeds from the sale of Libyan petro-
5 leum.

6 (17) The relationship between the ITNC and
7 the Muslim Brotherhood, the members of the Libyan
8 Islamic Fighting Group, al-Qaeda, Hezbollah, and
9 any other group that has promoted an agenda that
10 would negatively impact United States interests.

11 (18) Weapons acquired for use, and operations
12 initiated, in Libya by the Muslim Brotherhood, the
13 members of the Libyan Islamic Fighting Group, al-
14 Qaeda, Hezbollah, and any other group that has
15 promoted an agenda that would negatively impact
16 United States interests.

17 (19) The status of the 20,000 MANPADS cited
18 by the Commander of the United States Africa Com-
19 mand, as well as Libya's SCUD-Bs and chemical
20 munitions, including mustard gas.

21 (20) Material, communication, coordination, fi-
22 nancing and other forms of support between and
23 among al-Qaeda operatives, its affiliates, and sup-
24 porters in Yemen, the Horn of Africa, and North Af-
25 rica.

1 (21) Contributions by Jordan, the United Arab
2 Emirates, Qatar, and other regional states in sup-
3 port of NATO activities in Libya.

4 (b) FORM.—The report required by this section shall
5 be submitted in unclassified form, but may include a clas-
6 sified annex.

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