

S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes

As reported by the Senate Committee on Foreign Relations on August 4, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	0
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

S.J. Res. 10 would repeal the statutory authorizations for U.S. military operations against Iraq. The Congress has authorized such operations twice over the past 30 years, first in 1991 and again in 2002.

S.J. Res 10 would repeal Public Law 102-1, which authorized the President to use U.S. Armed Forces to enforce U.N. Security Council resolutions regarding the 1991 Iraqi invasion of Kuwait. The President did not cite the legal authorities of P.L. 102-1 as the basis for launching U.S. military operations against Iraq but asserted that the deployment was consistent with the War Powers Act. The President subsequently reported to the Congress that combat operations had been suspended on February 28, 1991, following the liberation of Kuwait.

S.J. Res. 10 also would repeal Public Law 107-243, which in 2002 authorized the President to use U.S. Armed Forces to defend the United States against the threat posed by Iraq and to enforce all relevant U.N. Security Council resolutions regarding Iraq. The current Administration has stated that ongoing military operations in Iraq no longer rely solely on the legal basis of P.L. 107-243. Rather, the Department of Defense has asserted that operations to protect U.S. Armed Forces in a combat theater are justified under Article II of the Constitution. Additionally, the department has stated that Article 51 of the U.N. Charter provides the right of self-defense to member nations involved in ongoing military operations.

On the basis of that information, CBO estimates that repealing the authorizing legislation would not affect spending to support current military operations in Iraq; thus, enacting the joint resolution would not affect the federal budget.

On April 7, 2021, CBO transmitted a [cost estimate for H.R. 256](#), to Repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002, as ordered reported by the House Committee on Foreign Affairs on March 25, 2021. On June 9, 2021, CBO transmitted a [cost estimate for H.R. 3261](#), to Repeal the Authorization for Use of Military Force Against Iraq Resolution, as ordered reported by the House Committee on Foreign Affairs on May 19, 2021. Those two bills are similar to S.J. Res. 10, and CBO's estimates of their costs are the same.

The CBO staff contact for this estimate is Aldo Prospero. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.