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Date: June 26, 2025



Reassert Congressional War Powers With H. Con. Res. 38 and S. J. Res. 104

URGENT: The U.S. Senate is expected to take a procedural vote this week on S. J. Res. 104, a war-powers resolution that would direct the president to withdraw U.S. Armed Forces from hostilities involving Iran. *Meanwhile, U.S. Representative Thomas Massie (R-Ky.) announced, "When Congress reconvenes, I will work with [Representative Ro Khanna (D-Calif.)] to force a Congressional vote on war with Iran."* ***Contact your U.S. representative and senators, and urge them to support these efforts to enforce the U.S. Constitution.***

Members of Congress have introduced legislation directing President Donald Trump to withdraw U.S. Armed Forces from hostilities involving Iran unless expressly authorized by Congress — an important step toward reasserting congressional war powers.

H. Con. Res. 38 is sponsored by U.S. Representative Thomas Massie (R-Ky.), and is co-sponsored by Representative Ro Khanna (D-Calif.) and 71 other representatives. Companion resolutions, S. J. Res. 59 and S. J. Res. 104, have been introduced in the Senate. H. Con. Res. 38 declares, in part:

> Congress hereby directs the President to terminate the use of United States Armed Forces from hostilities against the Islamic Republic of Iran or any part of its government or military, unless explicitly authorized by a declaration of war or specific authorization for use of military force against Iran.

In a press release, Massie noted the importance of enacting H. Con. Res. 38:

> The Constitution does not permit the executive branch to unilaterally commit an act of war against a sovereign nation that hasn't attacked the United States. Congress has the sole power to declare war

> against Iran. The ongoing war between Israel and Iran is not our war. Even if it were, Congress must decide such matters according to our Constitution.

The concurrent resolution represents a critical step in restoring the constitutional boundaries of American war powers that the Founding Fathers originally intended. The Framers specifically sought to prevent the Executive Branch from making war or taking the U.S. into a war unilaterally. They intentionally vested the power to declare war exclusively to the Legislative Branch, i.e., Congress, not the president.

Additionally, Americans and the current president would do well to heed the advice of the country's first president under the Constitution. In his Farewell Address in 1796, President George Washington wrote:

> The great rule of conduct for us, in regard to foreign Nations is in extending our commercial relations to have with them as little political connection as possible.

Contact your U.S. representative and senators, and urge them to follow Washington's advice and reassert Congress' constitutional war powers by enacting H. Con. Res. 38 and S. J. Res. 104.