

To the office of U.S. Representative Pramila Jayapal

Re: HCONRES 89 (119th Congress), Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces from hostilities with Iran. • Latest action (2026-09-24): Failed of passage in Senate by Yea-Nay Vote. 49 - 50. Record Vote Number: 244.

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Office of record (Congress.gov): 2346 Rayburn House Office Building, Washington, DC • (202) 225-3106

SI Bipartisan War Powers Compliance and Force Protection Proposal for Iran Hostilities

The measure, as described from the official record: Prevent an unauthorized United States war with Iran by ending direct hostilities unless Congress votes to declare war or authorize force, while preserving self-defense.

THE PROPOSAL

Congress decides whether the nation goes to war. Article I, Section 8, Clause 11 gives Congress the power to declare war, and Article I, Section 8, Clause 14 gives Congress power over the forces. That is why sustained offensive combat with Iran would require a vote of Congress. The supplied source states H.Con.Res. 89 was introduced 2026-04-23 and Failed of passage in Senate by Yea-Nay Vote 49-50 on 2026-09-24.

The VFA proposal would restate that rule in a binding joint resolution with presentment. It would bar sustained offensive hostilities against Iran, its government, or its military without a declaration of war or specific authorization. It would require removal of forces from such offensive operations within 30 days after enactment.

The strongest objection is that a withdrawal order would infringe the President's command authority under Article II, Section 2. The proposal would answer it by preserving a narrow right of self-defense. It would allow defense of the United States, its forces, its diplomatic posts, and allied states from imminent attack, plus rescue, evacuation, and force protection during withdrawal. Each defensive act would be reported to Congress within 48 hours with location, purpose, and duration.

The proposal would enforce the limit through the spending power. After the 30-day deadline, no enacted funds could be spent on unauthorized offensive hostilities with Iran, except for listed defensive acts. The President would certify compliance in writing, with status reports every 30 days until complete. The Government Accountability Office would review costs and compliance for the Armed Services and Foreign Affairs committees.

The proposal would sunset after two years unless Congress renews it or authorizes force. It would use only existing Defense funds, capped at 50 million dollars for withdrawal and reporting, with no new appropriation. This keeps defense strong and returns the war decision to Congress where the Constitution places it.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Effective Date	Would take effect upon enactment as a joint resolution with presentment; withdrawal from unauthorized offensive operations complete within 30 days after enactment unless Congress declares war or enacts a specific authorization.
Enforcement Mechanism	Would require written presidential certification of removal, status reports every 30 days until complete, 48-hour reports on each defensive action, and cutoff of enacted funds for unauthorized offensive hostilities after the deadline except for listed defensive acts.
Funding Amount	No new appropriation; operations limited to existing enacted Defense funds with a \$50 million cap on redeployment and reporting costs.
Funding Source	Existing enacted Department of Defense operation and maintenance funds; no new taxes or borrowing authorized.
Oversight Body	House and Senate Armed Services and Foreign Affairs committees, with review by the Government Accountability Office.
Sunset Years	2 years

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 11
- Article I, Section 8, Clause 14
- Article I, Section 8, Clause 1
- Article I, Section 9, Clause 7
- Article I, Section 7, Clause 2
- Article II, Section 2, Clause 1

Concerns with the measure as written:

- A concurrent resolution does not have the force of law, so a binding withdrawal order through that vehicle raises separation-of-powers and presentment concerns under Article I, Section 7.
 - An open-ended removal directive without a defined scope of offensive hostilities, a reporting rule, and a sunset risks unclear application to defensive acts within the President's command authority under Article II, Section 2.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

VFA assesses this draft would give Republicans or conservatives a gain in fiscal restraint with no new spending and a capped withdrawal cost, a clear statutory bar on open-ended conflict, and full protection of command authority for self-defense. VFA assesses it would give Democrats or progressives a gain in preventing an unauthorized wider war with Iran, returning the war decision to Congress, and protecting service members and diplomats from mission creep while keeping a narrow defense exception for imminent attack.

Strongest objection, and the answer: The strongest objection is that a withdrawal order would infringe the President's command authority under Article II, Section 2. The proposal would answer it by preserving a narrow right of self-defense.

CHECK BEFORE RELYING ON THIS

Basis: Source basis is the supplied official summary excerpt for H.Con.Res. 89 in the 119th Congress, introduced 2026-04-23, which supports only that the measure would direct removal from hostilities with Iran absent a declaration of war or authorization and would preserve defense against imminent attack. Source states latest action as Failed of passage in Senate by Yea-Nay Vote 49-50, Record Vote Number 244, on 2026-09-24.

The full bill text, current deployments, current law, cost effects, eligibility rules, and waiver or appeal rules were not supplied and remain unverified. Proposed reports, certifications, funding cap, and sunset are new VFA proposals, not existing rights. Readers should verify the official Congress.gov text and record before acting.

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