

Name _____

"The Congress shall have Power To . . . Declare War."--**Article I Section 8, Clause 11 of the U.S. Constitution**

"No Money shall be drawn from the Treasury [for war or any other purpose], but in Consequence of Appropriations made by Law[passed by Congress]— Article I, section 9, clause 7 of the U.S. Constitution

"The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States."—**Article 2 Section 2 of the U.S. Constitution**

Road ahead: House [of Representatives to Debate Iran War Powers as Impeachment Articles Hold Continues Senate Moving Ahead with Regular Business While Awaiting Impeachment Articles to Start Trial

Roll Call, Lindsey McPherson, January 7, 2020

Lawmakers hope a partisan dispute over Senate trial procedures for considering the House's impeachment charges against President Donald Trump will be resolved this week. But a solution to the impasse could be complicated by another fight brewing in Congress over whether to restrain Trump's ability to go to war with Iran.

Speaker Nancy Pelosi is holding the impeachment articles in the House in an effort to force Senate Republicans to agree to Democrats' demands for certain witnesses and documents to be subpoenaed in the trial. The California Democrat has yet to indicate when she would transmit the articles to the Senate or lay out explicit conditions under which she would do so.

Pelosi has been more clear about her views on increasing U.S. tensions with Iran. The speaker announced Sunday that the House will vote this week on a war powers resolution to limit the president's military response to Iran. The move comes after Trump authorized the killing in Iraq of Gen. Qassem Soleimani, leader of the Quds Force of Iran's Islamic Revolutionary Guard Corps.

Trump and the administration say the drone strike that killed Soleimani — which comes after Iran led a rocket attack on a military base in Iraq that killed an American contractor and pro-Iranian militia groups swarmed the U.S. Embassy in Baghdad — was justified because the Iranian general was plotting an imminent attack on Americans.

Democrats say Trump lacked congressional authorization to launch such a "provocative and disproportionate" strike, as Pelosi called it, and are expressing concern that Trump could start a full-blown war with Iran.

The administration is expected to separately brief House and Senate members Wednesday on the Solemani killing and next steps regarding Iran.

The House war powers resolution, which would likely be voted on after the congressional briefings, will mandate that the administration cease military hostilities with regard to Iran within 30 days if no further congressional action is taken during that time, Pelosi said in a "Dear Colleague" letter Sunday announcing the vote.

The speaker said the House resolution will be led by Michigan freshman Rep. Elissa Slotkin, a former intelligence and defense analyst specializing in Shiite militias who served multiple tours in the Middle East. It will be similar to a Senate resolution introduced by Virginia Sen. Tim Kaine. Earlier Sunday, Reps. Ilhan Omar of Minnesota and Barbara Lee of California had announced plans to introduce a House companion to Kaine's resolution.

Kaine's resolution would direct the president to remove U.S. armed forces from hostilities with Iran within 30 days "unless specifically authorized by a declaration of war or specific authorization for use of military force." The resolution would provide an exception for the U.S. to defend itself from imminent attack.

The Democratic resolutions seem designed to force Congress to debate and pass a new authorization for use of military force, or AUMF, within 30 days. This is where the congressional debate over war powers could get mixed with the one over the impeachment trial.

If Pelosi wants the Senate to debate and consider an AUMF within 30 days, she may continue to hold the impeachment articles so they can do so. A Pelosi spokesman did not return a request for comment.

Senate Majority Leader Mitch McConnell has been unmoved, calling Pelosi's attempt to "dictate" how the Senate runs its trial a "non-starter." Senate's rules don't allow the body to hold a trial without the articles, the Kentucky Republican said in a tweet Monday. "So, for now, we are content to continue the ordinary business of the Senate while House Democrats continue to flounder," McConnell said. "For now."

McConnell is sticking with his promise that the Senate will return to ordinary business while they wait for the House to send the impeachment articles, which means more nominations are on the schedule this week.

On Monday, McConnell filed cloture on two nominees for the U.S. Federal Claims Court, Eleni Maria Roumel and Matthew H. Solomson, and the nomination of Michael DeSombre to be U.S. ambassador to Thailand, setting up votes later this week on all three.... Most Republicans have shown little interest in constraining Trump's authority to take action against Iran. Senate Judiciary Chairman Lindsey Graham, one of the few members of Congress who had advance notice about the plan to strike Soleimani, said in a tweet Monday that he opposes Pelosi's push for a war powers resolution.

"The last thing America needs is 535 Commanders in Chief," he said. "Americans elected one: @realDonaldTrump."

Another matter that could influence Pelosi's decision-making over when to transmit the impeachment articles to the Senate is the news from former national security adviser John Bolton on Monday that he will testify in the trial if subpoenaed.

Pelosi and Senate Minority Leader Charles E. Schumer both cited Bolton's willingness to testify as more reason the Senate should adopt trial procedures that allow for him and other key witnesses to appear.

"The President & Sen. McConnell have run out of excuses," Pelosi said in a tweet. "They must allow key witnesses to testify, and produce the documents Trump has blocked, so Americans can see the facts for themselves."

Schumer characterized the Bolton news as "momentum" for his demand that the Senate hear from four key witnesses, which besides Bolton includes acting White House Chief of Staff Mick Mulvaney, senior Mulvaney adviser Robert Blair and Michael Duffey, Office of Management and Budget associate director for national security.

"Given that Mr. Bolton's lawyers have stated he has new relevant information to share, if any Senate Republican opposes issuing subpoenas to the four witnesses and documents we have requested they would make absolutely clear they are participating in a cover up," the New York Democrat said in a statement.

"Make no mistake. There will be votes on each of the four witnesses we proposed," Schumer said on the floor Monday. "Your constituents and history are watching."

While the House has yet to formally dispense with impeachment, it is moving onto other legislative business. In addition to the war power resolution, the House this week will vote on legislation to require the EPA to designate per- and polyfluoroalkyl substances, known as PFAS, as hazardous substances.

"Many of us were deeply disappointed that Senate Republicans blocked the inclusion of provisions ... to clean up communities affected by PFAS contamination and protect Americans from these harmful 'forever' chemicals, which can cause cancer and other serious health problems."

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1. Where do things stand with the impeachment and trial of President Trump? If you are not clear from the article then do some additional research.

2. Describe the series of incidents that have occurred between the United States and Iran over the last several weeks:

3. Compare and contrast the war powers resolutions proposed by the Democrats in the House of Representatives and the U.S. Senate:

4. Referring to the appropriate sections of the Constitution listed just before the start of the article, in your opinion did President Trump have the constitutional authority to order the killing of Qassem Soleimani? Does he have the constitutional authority to launch additional attacks on Iran without approval by Congress?

5. What has former National Security Advisor John Bolton recently said he would do and how has that changed the dynamics over deciding how the Senate impeachment trial will be conducted?
