



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 16, 2026
(House)

STATEMENT OF ADMINISTRATION POLICY

H. Con. Res. 40 – Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove United States Armed Forces from hostilities with Iran.

(Rep. Meeks, D-NY, and 90 cosponsors)

The Administration strongly opposes passage of H. Con. Res. 40, a resolution that would purport to direct the removal of U.S. Armed Forces from hostilities within or against the Islamic Republic of Iran that have not been authorized by Congress.

Although concurrent resolutions such as H. Con. Res. 40 lack the force of law and should be deemed unconstitutional legislative vetoes under controlling Supreme Court precedent, *I.N.S. v. Chadha*, 462 U.S. 919 (1983), it is nevertheless important to highlight its many deficiencies.

For decades, Iran has supported terrorism and pursued policies that have threatened U.S. personnel and interests and undermined regional stability, including through support to armed proxy groups, direct attacks and attacks through proxies and partners, and development of advanced missile capabilities. For example, the regime's Islamic Revolutionary Guard Corps (IRGC) and its partners and proxies have attacked U.S. personnel and facilities in Syria and Iraq more than one hundred and fifty times since 2021. Since June 2025, the regime has also massively expanded its ballistic missile production for the purpose of overwhelming regional air defenses in order to provide a shield for its efforts to reconstitute its nuclear program, which it refuses to relinquish. Iran's nuclear activities, including enrichment beyond levels consistent with exclusively peaceful purposes and its limits on International Atomic Energy Agency monitoring remain a serious concern. These challenges underscore the need for the President to retain the flexibility and authorities necessary to protect U.S. forces, deter escalation, and advance U.S. interests in the Middle East, including through diplomacy backed by credible deterrence.

Congress has repeatedly affirmed the bipartisan Executive Branch commitment to preventing the Iranian regime from developing or acquiring a nuclear weapon. A nuclear-armed Iran poses an unacceptable and urgent threat to the U.S. homeland and to U.S. military personnel deployed across the Middle East: it would embolden the regime's aggression against U.S. allies and partners, enable the regime to escalate terrorism under a nuclear umbrella, trigger a regional arms race, and potentially lead to a nuclear exchange.

The President has the Constitutional authority to defend the United States and our citizens from the danger posed by the Iranian regime. This requires the ability to act decisively to ensure it never

obtains a nuclear weapon. Further, protecting U.S. forces and interests could foreseeably require the President to respond to Iranian threats beyond “defending against an imminent attack” on the United States or our allies, especially given the ongoing international armed conflict with Iran. Yet the resolution’s narrow exception for defending against an imminent attack would not encompass these operations and would unconstitutionally purport to prevent the President from protecting U.S. forces and vital national interests until after Iran has already acted, exposing the United States to immediate and material dangers. The President needs to have the flexibility to take action necessary to disrupt attack preparations that threaten U.S. forces or interests.

The resolution attempts to legislate away essential Article II authority and would create immediate, material risks to U.S. forces, allies, and missions. In addition, the broad scope of the resolution risks creating uncertainty and operational paralysis in a crisis, while emboldening the Iranian regime and undermining the United States’s ability to speak with one voice in the midst of sensitive international negotiations.

H. Con. Res. 40 should be rejected, as it fails to recognize the significant and ongoing national security threats posed by Iran.
