

MAR 09 2018

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# SENATE CONCURRENT RESOLUTION

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URGING HAWAII'S CONGRESSIONAL DELEGATION AND THE UNITED STATES  
CONGRESS TO ENACT LEGISLATION PROHIBITING THE PRESIDENT OF  
THE UNITED STATES FROM CONDUCTING A FIRST-USE NUCLEAR  
STRIKE WITHOUT AUTHORIZATION BY CONGRESS.

1 WHEREAS, section 2(c) of the War Powers Resolution of 1973  
2 states that "[t]he constitutional powers of the President as  
3 Commander-in-Chief to introduce United States Armed Forces into  
4 hostilities, or into situations where imminent involvement in  
5 hostilities is clearly indicated by the circumstances, are  
6 exercised only pursuant to (1) a declaration of war, (2)  
7 specific statutory authorization, or (3) a national emergency  
8 created by attack upon the United States, its territories or  
9 possessions, or its armed forces"; and

10  
11 WHEREAS, the framers of the United States Constitution  
12 believed that the decision to declare war should be made by  
13 representatives of the people, rather than a single person; and

14  
15 WHEREAS, the United States Constitution gives Congress the  
16 sole power to declare war; and

17  
18 WHEREAS, the framers of the United States Constitution  
19 understood the social, economic, military, and humanitarian  
20 costs of declaring war, including massive casualties, economic  
21 insecurity, and the erosion of civil order; and

22  
23 WHEREAS, nuclear weapons have the ability to instantly kill  
24 millions of people, create global health and environmental  
25 disasters, undermine international peace, and put the United  
26 States at existential risk from retaliatory nuclear strikes; and

27  
28 WHEREAS, a first-use nuclear strike from the United States  
29 would constitute a major act of war; and  
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1 WHEREAS, President Donald Trump has repeatedly used  
 2 inflammatory rhetoric about the use of nuclear weapons against  
 3 North Korea, escalating conflict between the two nations; and  
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5 WHEREAS, North Korea is an established nuclear power,  
 6 according to the consensus of the United States military,  
 7 intelligence, and diplomatic communities; and  
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9 WHEREAS, a false threat of a ballistic missile strike was  
 10 issued to Hawai'i citizens on January 13, 2018, causing  
 11 widespread fear and revealing the extent to which the State is  
 12 unprepared to defend against or respond to a nuclear attack;  
 13 now, therefore,  
 14

15 BE IT RESOLVED by the Senate of the Twenty-ninth  
 16 Legislature of the State of Hawaii, Regular Session of 2018, the  
 17 House of Representatives concurring, that Hawaii's congressional  
 18 delegation and the United States Congress are urged to enact  
 19 legislation prohibiting the President of the United States from  
 20 conducting a first-use nuclear strike unless Congress authorizes  
 21 such a strike pursuant to a formal declaration of war; and  
 22

23 BE IT FURTHER RESOLVED that certified copies of this  
 24 Concurrent Resolution be transmitted to the Majority Leader of  
 25 the United States Senate, Speaker of the United States House of  
 26 Representatives, Minority Leader of the United States Senate,  
 27 Minority Leader of the United States House of Representatives,  
 28 and members of Hawaii's congressional delegation.  
 29  
 30  
 31

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