

MAR 09 2018

SENATE RESOLUTION

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

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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

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

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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

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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

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28 WHEREAS, a first-use nuclear strike from the United States
29 would constitute a major act of war; and

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31 WHEREAS, President Donald Trump has repeatedly used
32 inflammatory rhetoric about the use of nuclear weapons against
33 North Korea, escalating conflict between the two nations; and
34



S.R. NO. 115

1 WHEREAS, North Korea is an established nuclear power,
 2 according to the consensus of the United States military,
 3 intelligence, and diplomatic communities; and

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 5 WHEREAS, a false threat of a ballistic missile strike was
 6 issued to Hawai'i citizens on January 13, 2018, causing
 7 widespread fear and revealing the extent to which the State is
 8 unprepared to defend against or respond to a nuclear attack;
 9 now, therefore,

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

18
 19 BE IT FURTHER RESOLVED that certified copies of this
 20 Resolution be transmitted to the Majority Leader of the United
 21 States Senate, Speaker of the United States House of
 22 Representatives, Minority Leader of the United States Senate,
 23 Minority Leader of the United States House of Representatives,
 24 and members of Hawaii's congressional delegation.
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