

HR 464

Separation of Powers Restoration Act

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Jan 24, 2023

Current Status: Referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, an

Latest Action: Referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. (Jan 24, 2023)

Official Text: https://www.congress.gov/bill/118th-congress/house-bill/464

Sponsor

Name: Rep. Gosar, Paul A. [R-AZ-9]

Party: Republican • State: AZ • Chamber: House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Hageman, Harriet M. [R-WY-At Large]	R · WY		Jan 24, 2023
Rep. Massie, Thomas [R-KY-4]	R · KY		Jan 24, 2023

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Referred To	Jan 24, 2023
Judiciary Committee	House	Referred To	Jan 24, 2023
Rules Committee	House	Referred To	Jan 24, 2023

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

No related bills are listed.

Separation of Powers Restoration Act

This bill restricts the ability of the President to exercise certain powers, such as declaring a national emergency.

Specifically, the bill terminates all powers and authorities possessed by the President, any executive agency, or any federal officer that derive from a declaration of national emergency. It eliminates any statutory grant of authority allowing the President or any other officer or employee of the executive branch to declare a national emergency, specifying that such power is vested solely in Congress.

Furthermore, for each presidential order (i.e., executive order, presidential proclamation, presidential directive, or similar presidential or executive branch instructions), the President must include a statement specifying the statutory or constitutional provision that grants the President the authority to issue the order. It also limits the effect of a presidential order to the executive branch, with certain exceptions, such as if the order cites the specific congressional enactment from which it derives its authority.

The bill provides standing to challenge the validity of presidential orders to (1) certain federal, state, and local officials; and (2) persons adversely affected by the order.

This bill also repeals the War Powers Resolution, a joint resolution that outlines procedures for Congress and the President to participate in decisions to send Armed Forces into hostilities.

Actions Timeline

- **Jan 24, 2023:** Introduced in House
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