

MIQDASH BETHEL COVENANT INSTITUTION

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✧ JUDAISM	† CHRISTIANITY	☪ ISLAM
The Written Tanakh — Torah, Nevi'im, Ketuvim — is the sole covenant authority. No rabbinic addition supersedes the written Word of Yahweh .	The Tanakh stands as primary authority. New Testament writings are historical witnesses to Tanakh fulfillment. No church council supersedes the written Word of Yahweh .	The Tanakh predates and informs the Quran. Yahweh's written covenant with Yisra'el is the foundation all Abrahamic traditions acknowledge.

THE U.S.-IRAN MEMORANDUM OF UNDERSTANDING: CONSTITUTIONAL VIOLATIONS, CONGRESSIONAL BYPASS, AND THE COVENANT WITNESS OF YAHWEH

A Covenant Deep Dive — Geopolitical / Constitutional / Three-Religion
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DOCTRINAL AUTHORITY

This document operates under sole Written Tanakh (Torah, Nevi'im, Ketuvim) authority. Commentary, tradition, and post-Tanakh texts are accepted only insofar as they conform to the Written Text. Where any tradition — Jewish, Christian, or Islamic — departs from the Written Tanakh, the Written Text governs. All matters of witness are evaluated under the Devarim (Deuteronomy) 19:15 two-or-three-witness evidentiary standard.

HOW TO READ THIS DOCUMENT

This document is produced under the covenant authority of Miqdash Bethel Covenant Institution (MBCI), a 508(c)(1)(a) Free Church operating under sole Written Tanakh authority. MBCI addresses Judaism, Christianity, and Islam simultaneously, holding that the Written Tanakh is the sovereign standard for nations as well as individuals.

The U.S.-Iran Memorandum of Understanding (MOU), signed June 15-17, 2026, and scheduled for formal ceremony on June 19, 2026 in Geneva, Switzerland, represents a significant geopolitical event. This document examines that MOU through two lenses: (1) the written constitutional law of the United States of America, and (2) the covenant principles of the Written Tanakh, specifically as they pertain to governance, war-making authority, treaty obligations, and the rule of law.

Legal and constitutional analysis is presented for informational purposes. Covenant observations are drawn from the Written Tanakh under sole Written Text authority.

SECTION 1 — BACKGROUND: THE U.S.-IRAN CONFLICT AND THE MOU

1.1 The Road to the MOU

On February 28, 2026, the United States and Israel launched military operations against Iran without a formal declaration of war by Congress. President Trump referred to the campaign as 'major combat operations' and acknowledged the possibility of U.S. casualties, yet the United States was not formally at war with Iran under any constitutional or statutory authorization.

After a ceasefire was declared in April 2026 and subsequent negotiations, the Trump administration announced a 14-point Memorandum of Understanding (MOU) with Iran. The MOU was signed digitally by Vice President JD Vance and Iran's Parliament Speaker Mohammad Bagher Ghalibaf, with President Trump signing the document during a dinner at the Palace of Versailles, France, on June 17, 2026. A formal signing ceremony in Geneva, Switzerland is scheduled for June 19, 2026, triggering a 60-day window for Phase 2 nuclear negotiations.

1.2 What the MOU Contains

The MOU, described as approximately one-and-a-half pages in length, is a broad framework document. Key reported provisions include:

- Paragraph 1: Immediate and permanent termination of military operations on all fronts, including in Lebanon
- Paragraph 8: Iran reaffirms it shall not procure or develop nuclear weapons
- Paragraph 9: Iran agrees to maintain the status quo of its nuclear program; the United States agrees not to impose new sanctions
- Provisions for lifting of all economic sanctions against Iran, including those imposed for terrorism and ballistic missiles (going beyond the 2015 JCPOA)
- A pledge to develop a plan, with Gulf partners, to raise at least \$300 billion for Iran's rehabilitation and economic development
- Deference of all enrichment limits, verification arrangements, and disposition of Iran's uranium stockpile to Phase 2 negotiations

The full text was withheld from Congress and the public until June 16-17, 2026, days before the signing ceremony. Senate Majority Leader John Thune stated publicly that he had not seen the MOU text.

SECTION 2 — CONSTITUTIONAL VIOLATIONS AND STATUTORY BREACHES

2.1 VIOLATION ONE: The War-Making Clause — Article I, Section 8, Clause 11

U.S. CONSTITUTION, Article I, Section 8, Clause 11: 'The Congress shall have Power... To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water.'

The Constitution expressly vests the power to declare war in Congress, not the executive. The United States initiated major combat operations against Iran on February 28, 2026 without any declaration of war, without any Authorization for the Use of Military Force (AUMF), and without any formal congressional authorization whatsoever.

President Trump did not seek congressional approval for Operation Epic Fury, the name given to the U.S. military campaign against Iran. He characterized the conflict variously as a 'skirmish,' a 'short-term excursion,' and 'major combat operations' — the latter characterization in particular acknowledging the scale of hostilities while simultaneously refusing to submit the conflict to congressional oversight.

Witnesses to the Constitutional Violation:

- Representative Shontel Brown (D-OH): 'Congress holds the power to declare war — not the executive branch.'
- Representative Tom Barrett (R-MI): 'Congress has the exclusive authority under the Constitution to declare war and authorize the use of force.'
- Senator Susan Collins (R-ME): 'The Constitution gives Congress an essential role in decisions of war and peace.'
- Representative Brian Fitzpatrick (R-PA): 'We have to follow the law... You can't violate the law. That's not an option.'
- Arms Control Association (March 2026): 'Such a war of choice against Iran, without congressional approval, would violate the Constitution and the 1973 War Powers Act.'

2.2 VIOLATION TWO: The War Powers Resolution of 1973 (50 U.S.C. §§ 1541–1548)

WAR POWERS ACT, 50 U.S.C. § 1544(b): The President shall terminate any use of the United States Armed Forces... unless Congress has declared war, enacted specific authorization, or extended the 60-day period.

The War Powers Resolution of 1973 (War Powers Act) limits presidential war-making authority to 60 days of unauthorized hostilities, after which the President must terminate military action unless Congress has declared war or provided specific statutory authorization. The administration never sought such authorization for its Iran military operations.

The 60-day statutory deadline expired on or around May 1, 2026, based on President Trump's notification to Congress of the commencement of hostilities on March 2, 2026. Despite this deadline, the administration advanced multiple arguments to avoid compliance:

- Defense Secretary Pete Hegseth claimed the 60-day clock 'reset' when a ceasefire was announced in April 2026 — a claim without statutory support.
- A senior administration official stated that 'the hostilities that began on Saturday, February 28 have terminated' based on the ceasefire — while simultaneously acknowledging that 'the threat posed by Iran to the United States and our Armed Forces remains significant.'
- The administration questioned the constitutionality of the War Powers Act itself, a position that does not exempt it from compliance with existing law.

Senator Richard Blumenthal (D-CT) stated plainly: 'There is no pause button in the Constitution, or the War Powers Act. We are at war. We have been at war for 60 days. The blockade alone is a continuing act of war.'

The House voted on June 3, 2026 — its fourth attempt — to pass a War Powers Resolution directing Trump to end hostilities with Iran, 215-208, with four Republicans crossing party lines. The Senate has repeatedly failed to reach the threshold to override a presidential veto.

2.3 VIOLATION THREE: The Treaty Clause — Article II, Section 2, Clause 2

U.S. CONSTITUTION, Article II, Section 2, Clause 2: 'He [the President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur.'

The Treaty Clause of the Constitution requires that major international agreements binding the United States be submitted to the Senate for ratification, with two-thirds concurrence required. The Trump administration has structured the Iran MOU as an executive agreement — specifically as a 'memorandum of understanding' rather than a treaty — to avoid this constitutional requirement.

Critics across the political spectrum have challenged this classification. The National Review's Andrew C. McCarthy wrote on June 16, 2026: 'No agreement is binding unless it is approved by a two-thirds supermajority of the Senate.' Senator Lindsey Graham and Senator Tom Cotton warned that any future U.S.-Iran nuclear agreement would require Senate approval to be durable.

The core constitutional problem: By calling a major international agreement governing war, peace, sanctions, nuclear programs, and \$300 billion in economic commitments an 'MOU' rather than a treaty, the executive branch unilaterally removes the Senate's constitutional role in treaty ratification. The magnitude of commitments in the MOU — permanent termination of military operations, lifting of all sanctions, massive economic aid packages — exceeds the scope of most treaties in American history.

2.4 VIOLATION FOUR: The Iran Nuclear Agreement Review Act (INARA, Pub.L. 114–17)

INARA, Pub.L. 114-17 (2015): Within five calendar days of reaching an agreement with Iran relating to the nuclear program of Iran, the President must transmit the full text to Congress. During the 30-day review period, the president 'may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran.'

The Iran Nuclear Agreement Review Act (INARA), passed in 2015 with overwhelming bipartisan support, was enacted specifically to ensure congressional oversight of any U.S. agreement relating to Iran's nuclear program. The law requires the President to submit the agreement to Congress within five days, and bars any sanctions relief during the subsequent 30-day review period.

The MOU, signed June 15-17, 2026, triggers INARA obligations in at minimum two ways:

- Paragraph 8 of the MOU contains Iran's reaffirmation not to procure or develop nuclear weapons — a direct nuclear program commitment.
- Paragraph 9 freezes Iran's nuclear program status quo and bars the U.S. from imposing new sanctions — a present-tense obligation relating to Iran's nuclear program.

Legal analysis from the Congressional Research Service (Library of Congress) confirms: 'Congress's 2015 passage of INARA mandates congressional oversight of agreements related to Iran's nuclear program.' The INARA definition of 'agreement' is deliberately broad, covering any arrangement 'related to the nuclear program of Iran that includes the United States, commits the United States to take action, or pursuant to which the United States commits or otherwise agrees to take action — regardless of the form it takes, whether a political commitment or otherwise.'

The administration withheld the MOU text from Congress until June 16-17, 2026, days before the June 19 signing ceremony, preventing the mandated five-day review process from even beginning. JINSA (Jewish Institute for National Security of America) stated on June 17, 2026: 'That five-day clock is already ticking; INARA requires that the president send the deal to Congress by June 19.'

Furthermore, leaked text of the MOU suggests that required certifications under INARA may be impossible for the administration to make in good faith, including:

- Certification that the agreement meets U.S. non-proliferation objectives (the MOU contains no restrictions on Iran's nuclear program, only a pledge not to acquire weapons — a pledge Iran has made and violated repeatedly)
- Certification that the IAEA will be able to implement a verification regime (no verification regime exists in the MOU, and IAEA inspectors have been locked out of key Iranian facilities for more than four years)

2.5 VIOLATION FIVE: Unilateral Sanctions Relief Without Statutory Authorization

The MOU reportedly commits the United States to lift all economic sanctions against Iran — including sanctions imposed not for nuclear activities but for terrorism financing and ballistic missile development. This goes well beyond the 2015 JCPOA, which maintained terrorism and missile sanctions.

Congress holds constitutional authority over sanctions regimes through legislation. Unilaterally removing congressionally-enacted sanctions without legislative repeal raises serious separation-of-powers concerns. INARA specifically bars the President from providing sanctions relief prior to and during the congressional review period, which the administration appears to be moving to bypass by framing the MOU as a ceasefire framework rather than a nuclear agreement.

The Congressional Research Service notes: 'Should the Trump Administration determine that INARA does not require the submission of an agreement it has reached with Iran to Congress, the status quo prevails. Absent enactment of legislation providing otherwise, the Administration would be permitted to waive sanctions against Iran... [and] would not be obligated to submit periodic reports on compliance or a report of a major breach under INARA.'

2.6 VIOLATION SIX: Transparency and the Public's Right to Know

The MOU text was kept secret from Congress, allied nations, and the American public until June 16-17, 2026 — two days before the formal signing ceremony. Senate Majority Leader Thune stated publicly he had not seen it. Allied nations were reported to be similarly uninformed.

This opacity is not merely a political problem. Conducting major international negotiations that commit the United States to military, financial, and diplomatic obligations worth hundreds of billions of dollars without disclosure to the co-equal legislative branch violates the constitutional principle of checks and balances embedded throughout Article I and Article II of the Constitution, and arguably violates the spirit of separation of powers doctrine as articulated across two centuries of constitutional law.

SECTION 3 — KEY POLITICAL FIGURES: POSITIONS AND ACCOUNTABILITY

3.1 The Executive Branch

FIGURE	POSITION / CONSTITUTIONAL CONCERN
President Donald Trump	Launched Operation Epic Fury on February 28, 2026 without congressional authorization. Refused to acknowledge the 60-day War Powers Act deadline.

	Structured the MOU as an executive agreement to bypass Senate ratification. Withheld MOU text from Congress until days before signing.
VP JD Vance	Co-signed the MOU digitally on June 15, 2026. Stated the deal would allow Iran to 're-enter the global economy.' Claimed Iran must 'act like a normal country' before economic normalization but agreed to immediate sanctions relief in the MOU framework.
Sec. Pete Hegseth	Testified before Congress that the 60-day War Powers clock 'reset' with the ceasefire — a legally disputed claim with no statutory basis. Insisted the 'military option' would remain available under the MOU.

3.2 Congressional Republicans: Defenders and Dissenters

FIGURE	POSITION / CONCERN
Speaker Mike Johnson (R-LA)	Defended Trump's unilateral war-making. Delayed May 21 House War Powers vote by sending members home early when Republican support appeared to favor passage. Stated that scrutiny could have 'a very negative impact on negotiations.'
Sen. John Thune (R-SD)	Senate Majority Leader who stated he had not seen the MOU text days before the signing ceremony, despite requesting it. Represents a failure of executive-congressional communication on a major treaty commitment.
Sen. Tom Cotton (R-AR)	Warned that any final nuclear agreement would require Senate approval to be durable. Part of bipartisan letter (May 14, 2026) signed by 52 senators and 177 congressmen urging Trump to reject any deal allowing uranium enrichment.
Sen. Lindsey Graham (R-SC)	Warned the day after the MOU announcement that any nuclear agreement would require Senate approval to be durable, and only if Iran fully dismantled enrichment capabilities and addressed missiles and terrorism.
Rep. Brian Fitzpatrick (R-PA)	Voted for House War Powers Resolution: 'We have to follow the law. We are past the 60 days, so you have two choices. You either follow the law or you change the law. You cannot violate the law. That is not an option.'
Rep. Thomas Massie (R-KY)	Voted for War Powers Resolution. Has long criticized Trump for waging war in Iran without congressional authorization. One of four Republicans to cross the aisle on the June 3 vote.
Sen. Susan Collins (R-ME)	Voted with Democrats on Senate War Powers resolution: 'The Constitution gives Congress an essential role in decisions of war and peace, and the War Powers Act establishes a clear 60-day deadline for Congress to either authorize or end U.S. involvement in foreign hostilities.'
Sen. Lisa Murkowski (R-AK)	Declared: 'I do not accept that we should engage in open-ended military action without clear direction or accountability. Congress has a role, Congress has to step up and fulfill that role.' Threatened to introduce an AUMF if the administration did not present a plan.
Sen. Kevin Cramer (R-ND)	Expressed skepticism about the War Powers Act's constitutionality, stating 'Our founders created a really strong executive.' Illustrative of the executive-branch deference bloc within the Republican Senate.

3.3 Congressional Democrats

House and Senate Democrats were unanimous in supporting the War Powers Resolution. Key voices include:

- Representative Gregory Meeks (D-NY): Accused Speaker Johnson of deliberately stalling the War Powers vote to cover for the President. 'We are going to continue and be a check and a balance when the administration does not follow the Constitution.'
- Representative Shontel Brown (D-OH): 'Congress holds the power to declare war — not the executive branch. After months of chaos, higher costs, and wasted resources, it is time to end Trump's costly war in Iran NOW.'
- Representative Ayanna Pressley (D-MA): 'We passed an Iran War Powers Resolution in the House to rein in Trump and end his unauthorized, reckless war.'
- Representative Adam Smith (D-WA), Ranking Member, House Armed Services Committee: 'Is the expectation that the Trump administration is going to follow the law? I do not have that expectation.'
- Senator Richard Blumenthal (D-CT): 'There is no pause button in the Constitution, or the War Powers Act. We are at war. We have been at war for 60 days. The blockade alone is a continuing act of war.'

SECTION 4 — CONSTITUTIONAL VIOLATION SUMMARY

#	CONSTITUTIONAL / STATUTORY PROVISION	ALLEGED VIOLATION	STATUS
1	Art. I, Sec. 8, Cl. 11 — War-Making Clause	Military operations against Iran launched without congressional declaration of war or AUMF	Unresolved — War Powers resolution passed House; blocked in Senate
2	War Powers Act of 1973 (50 U.S.C. § 1544)	60-day unauthorized hostilities deadline expired without congressional authorization; administration claimed ceasefire 'reset' the clock	Disputed — administration asserts hostilities terminated; legal scholars and bipartisan members disagree
3	Art. II, Sec. 2, Cl. 2 — Treaty Clause	Major international agreement avoiding Senate ratification by being classified as an 'MOU' rather than a treaty	Active debate — Senators Graham, Cotton, others assert Senate ratification required for durability
4	INARA — Iran Nuclear Agreement Review Act (Pub.L. 114-17)	MOU text withheld from Congress past the required 5-day submission window; INARA certifications may be impossible to make in good faith based on MOU terms	Trump pledged to send to Congress on June 16 — five-day clock running with June 19 deadline
5	Separation of Powers — Unilateral Sanctions Relief	MOU commits to lifting all sanctions including terrorism and missile sanctions enacted by Congress, without legislative repeal; INARA bars relief during review period	Ongoing — INARA review period may prevent immediate sanctions relief

6	Checks and Balances — Transparency Obligations	MOU text withheld from Congress, allies, and the public until days before signing ceremony committing the U.S. to hundreds of billions in economic obligations	Text released June 16-17, 2026 — minimal review time before June 19 signing
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SECTION 5 — COVENANT WITNESS OF THE WRITTEN TANAKH

5.1 Nations Are Accountable to Yahweh's Covenant Standards

The Written Tanakh is explicit: nations and their kings are not exempt from the covenant laws of Yahweh (YHWH). Shemu'el Aleph (1 Samuel) 8 records Yahweh's direct warning that centralized human governance — the demand for a king — would lead to the taking of sons for war, the seizure of property, and the concentration of power in the hands of the few. This is the Babel Pattern of governance examined in MBCI Doc 133.

What the United States is now witnessing — a single executive launching unauthorized wars, bypassing the people's legislative representatives, committing the national treasury to hundreds of billions in foreign obligations through a one-and-a-half page document, and claiming authority to 'reset' statutory clocks through unilateral ceasefire declarations — is precisely the Babel Pattern operating at the highest levels of national power.

5.2 The Two-or-Three Witness Standard of Devarim 19:15

Miqdash Bethel Covenant Institution evaluates all claims under the Devarim (Deuteronomy) 19:15 evidentiary standard: a matter shall be established by two or three witnesses. In this constitutional examination, the witnesses are overwhelming:

- Witness 1: Article I, Section 8 of the Constitution — Congress alone holds the war-making power
- Witness 2: The War Powers Act of 1973 — 60 days without congressional authorization, then hostilities must cease
- Witness 3: INARA (2015) — congressional review of all Iran nuclear agreements, with sanctions freeze during review
- Witness 4: The Treaty Clause, Article II, Section 2 — major international agreements require Senate ratification
- Witness 5: Bipartisan congressional testimony — Republicans and Democrats alike have stated on record that the law is being violated

By the standard of Devarim 19:15, the matter is established. The constitutional law of the United States — the covenant the American people made with their governing structure — is being violated by executive actors who place the concentration of power over the rule of law.

5.3 The Pattern of Navot's Vineyard

MBCI Doc 138 examined the Vineyard of Navot (Naboth) in 1 Melakhim (Kings) 21 — the seizure of what belonged to another through the abuse of royal power, backed by false witnesses and the complicity of weak governors. The covenant principle is stark: power used to circumvent law, to take what has not been legitimately authorized, invites the judgment of Yahweh upon the house that exercises it.

The American constitutional order is not the Covenant of Yahweh — but it is a covenant. A nation's covenant with its own law is still a covenant. When rulers violate the covenants they themselves swore to uphold, they open the door to the same consequences that befell every king in the Written Tanakh who placed his own authority above the Written Law.

5.4 A Word to the Three Religions

TO JUDAISM	TO CHRISTIANITY	TO ISLAM
The Torah warns against the concentration of power in human hands. Devarim 17:16-17 forbids the king from multiplying military force, wealth, and political alliances for himself. Power without accountability is the path of Pharaoh, not the path of Yahweh.	Romans 13:1 states that governing authorities are ordained by Yahweh for justice. When governing authorities themselves abandon the law, the covenant standard of the Written Tanakh calls those who fear Yahweh to bear witness, not to be silent.	The Written Tanakh establishes that no nation — including those with great military power — stands exempt from accountability before Yahweh. The proliferation of war through bypassed law brings judgment upon the rulers and their people alike.

CONCLUSION

The U.S.-Iran Memorandum of Understanding of June 2026 is not merely a geopolitical event. It is a constitutional moment. The manner in which it was negotiated, structured, executed, and withheld from public and congressional scrutiny reveals a systemic pattern of executive overreach that multiple U.S. legislators from both parties have identified as violating the foundational law of the nation.

Six distinct constitutional and statutory concerns are documented in this analysis: the war-making clause, the War Powers Act, the Treaty Clause, INARA, unilateral sanctions relief, and transparency obligations. These are not partisan complaints — Republican senators and representatives have spoken as plainly as Democrats in identifying the legal problems.

The pattern is consistent with what the Written Tanakh identifies as the Babel Pattern of governance: the progressive concentration of power, the bypassing of accountability structures, and the substitution of one man's will for the rule of established law. Miqdash Bethel Covenant Institution bears witness to this pattern under the Devarim 19:15 evidentiary standard. The witnesses are many. The matter is established.

Whether the American constitutional order will enforce its own covenant is now a matter for the American people, their elected representatives, and the Sovereign of the nations, Yahweh, to determine.

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Doc155_USIranMOU_ConstitutionalViolations_CovenantWitness_June2026
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