

United States Senate

WASHINGTON, DC 20510

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

September 10, 2025

Dear President Trump:

On September 2, 2025, the U.S. military at your direction struck a vessel in the Caribbean Sea, hundreds of miles from the United States and reportedly killing all 11 individuals onboard. Your Administration has asserted, without evidence, that the individuals on the vessel and the vessel's cargo posed a threat to the United States. This strike followed press reports in early August that your Administration had secretly signed a directive for the use of U.S. military force across Latin America – despite the lack of any legal basis for such use of military force. Your September 4th War Powers Report to Congress following the strike noted “the potential for future such actions,” but provided no legitimate legal justification and was scant in details regarding the legal or substantive basis for this or any future strikes.

On issues of national security, our top priorities are protecting Americans, American interests, and our servicemembers who put their lives on the line every day. In the interest of ensuring that Congress's response to this unprecedented step is consistent with these priorities, we assert that Congress made no declaration of war nor did it authorize the use of military force for future similar operations. Classifying a clear law enforcement mission as counterterrorism does not confer legal authority to target and kill civilians.

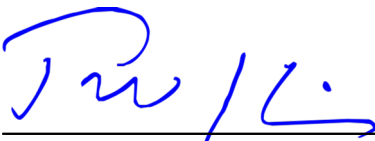
Further, we request immediate answers from your Administration to the following questions:

1. Your Administration has confirmed multiple times in multiple venues that the Department of State's designation of an entity as a sanctioned Foreign Terrorist Organization does not confer authority for the Department of Defense to use military force against that entity. In light of this legal fact, please clarify the legal and substantive basis for targeting and killing civilians suspected of being affiliated with a designated entity. Please also provide a copy of all legal assessments conducted by the White House, Department of Justice, Department of Defense, or any other entity prior to the strike.
2. As noted above, in your September 4th War Powers Report to Congress, you note the “potential for further such actions.” However, you do not specify in that report, nor have you specified elsewhere, any legal authority to take military action to target and kill civilians, including those suspected of committing crimes. What is your legal authority to conduct lethal military operations against civilians at sea, within Venezuela or within other Latin American countries?

3. Please confirm whether you intend to comply with the reporting and withdrawal requirements of sections 4(a)(1) and 5(b) of the 1973 War Powers Resolution. If not, why not?
4. Who were the individuals targeted in the strike, and what intelligence does the Administration have regarding their identities, any imminent threat they did or did not pose, what crimes they were accused or suspected of, and what alleged affiliations they had with a narcotrafficking criminal organization?
5. How were the individuals targeted in the strike positively identified as lawful targets for lethal military force? What legal review was conducted for assessing whether the use of lethal force in this context and against these particular criminal suspects was lawful under both domestic and international law?
6. Your Administration initially stated that the vessel – reportedly a speedboat – was in transit to Trinidad & Tobago, but then later asserted it was en route to the United States. What was the reason for this discrepancy? Can the Administration clarify the expected destination of the vessel?
7. Did the individuals on that vessel pose an imminent threat to the lives of others? If so, what was the nature of that threat and what other measures short of lethal force were available to avert that threat? Were any escalation of force measures, including interdiction of the vessel, conducted or attempted prior to the strike? If not, what rationale was utilized to support the assessment that standard interdiction tactics—such as boarding, seizure, and arrest—were insufficient or inapplicable in this scenario? If no assessment was conducted, why not?
8. What assessment, if any, was conducted regarding whether the use of lethal force in this context could undermine intelligence-gathering opportunities that would come from capturing potential traffickers alive?
9. What assessment, if any, was conducted regarding whether the use of lethal force in this context and against the individuals killed would violate any U.S. laws or place U.S. personnel in jeopardy of violating domestic or international law?
10. Has the intelligence community conducted an assessment of the potential responses by Tren de Aragua or other Latin American criminal entities to lethal strikes by the U.S. military, including the potential for violent action in the United States? If so, please provide a copy of that assessment.

We request that you provide urgent responses to these questions no later than the close of business on Wednesday, September 17.

Sincerely,



Tim Kaine
United States Senator



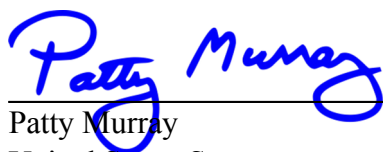
Jack Reed
United States Senator



Jeanne Shaheen
United States Senator



Mark R. Warner
United States Senator



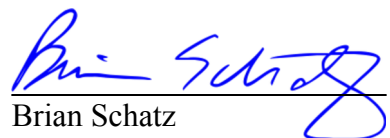
Patty Murray
United States Senator



Richard J. Durbin
United States Senator



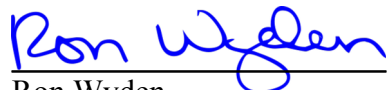
Christopher A. Coons
United States Senator



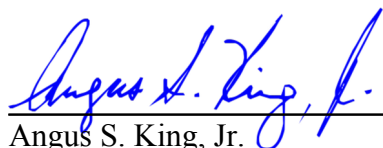
Brian Schatz
United States Senator



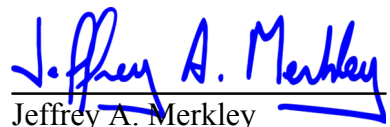
Adam B. Schiff
United States Senator



Ron Wyden
United States Senator



Angus S. King, Jr.
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Jeffrey A. Merkley
United States Senator



Bernard Sanders
United States Senator



Andy Kim
United States Senator



John Hickenlooper
United States Senator



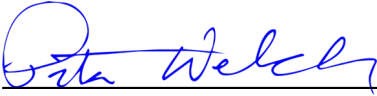
Tammy Duckworth
United States Senator



Chris Van Hollen
United States Senator



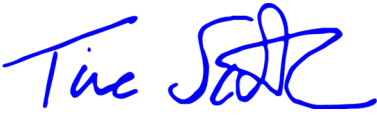
Mazie K. Hirono
United States Senator



Peter Welch
United States Senator



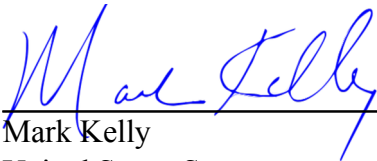
Elizabeth Warren
United States Senator



Tina Smith
United States Senator



Amy Klobuchar
United States Senator



Mark Kelly
United States Senator



Elissa Slotkin
United States Senator



Cory A. Booker
United States Senator