I thank

my colleague from Florida for yielding

me this time. I rise respectfully in support

of House Resolution 292, which reasserts

the congressional war-making

authority of section 8, article I of the

Constitution, and I respectfully disagree

with my ranking member of the

House Foreign Affairs Committee, for

whom I have enormous respect.

I don’t think this resolution takes

gratuitous potshots at the President of

the United States. I think it is a

thoughtful exposition of the issues in

front of us and the requirements that

we want to put on the President, and it

buys the President time to comply

without the disruption that the

Kucinich resolution would cause, not

only in Libya, but the ramifications for

NATO relationships and in the Arab

democratic spring.

The resolution prohibits the President

from deploying ground troops in

Libya, and declares Congress has the

constitutional prerogative to withhold

funding for any unauthorized use of

U.S. Armed Forces. It requires the administration

to transmit to the House

of Representatives any records regarding

congressional communication and

Operation Odyssey Dawn in Libya

within 14 days of passage.

Madam Speaker, since before the passage

of the War Powers Resolution in

1973, the executive branch, regardless

of party or leader, has argued that

there are inherent constitutional powers

contained in the constitutional reference

to the President as Commander

in Chief. If one argues that section 2,

article II of the Constitution grants

the President inherent powers as Commander

in Chief, then logically one

ought to acknowledge that Congress

also has inherent powers as the only

entity expressly granted the power to

declare war in that document.

According to the House report regarding

the War Powers Resolution,

This report language

makes the intention of the War Powers

Resolution clear: Consultation ought

to be active, not merely informative.

In the War Powers Resolution, the

term ‘‘hostilities’’ was used deliberately

instead of ‘‘armed conflict’’

precisely because of the former

phrase’s broader nature. The Constitution

and the War Powers Resolution

are clear: Congress must have a role

with regard to the use and deployment

of U.S. forces. The extent of that role

has been the subject of debate as old as

the United States itself.

To go even further, a strict constructionist

would argue that the War Powers

Resolution itself limits congressional

authority. The act of even acknowledging

the need for a statutory

framework to codify Congress’ powers

in the Constitution in fact dilutes

those powers and may have the unintended

effect of enhancing the Executive’s

powers directly at the expense of

Congress.

I urge my colleagues to vote in favor

of this resolution, House Resolution

292, to assert congressional authority

and to buy the President time with

which to comply.