Mr. President, I very much thank the majority leader for

allowing this important debate to occur.

During his campaign, Candidate Barrack Obama said no President should

unilaterally initiate military conflict without Congressional

authority. I agree with that statement. It is a very important

constitutional principle and something that I think deserves debate.

I think the most important thing we do as representatives is voting

on whether to go to war. If Congress does not vote to go to war or does

not vote on the notion of going to war, we would have an unlimited

Presidency, and this is a very dangerous notion.

I would take this position no matter what the party affiliation were

of the President because I believe very strongly in the constitutional

checks and balances. We will vote today on the President's own words

verbatim. During the election, the President said: ``The President does

not have power under the Constitution to unilaterally authorize a

military attack in a situation that does not involve stopping an actual

or imminent threat to the Nation.''

Clearly, the circumstances in Libya do not rise to this, and I think

this vote is incredibly important

``Don't tread on me'' was a motto and a rallying cry for our Founding

Fathers. The motto of Congress appears to be: ``Tread on me, please

tread on me.'' The Congress has become not just a rubber stamp for an

unlimited Presidency, but, worse, Congress has become a doormat to be

stepped upon, to be ignored, and basically to be treated as irrelevant.

Some would say: We had no time. We had to go to war. There was no

time for debate. When we were attacked in World War II on December 7,

Pearl Harbor, within 24 hours this body came together and voted to

declare war on Japan. There is no excuse for the Senate not to vote on

going to war before we go to war.

The President had time to go to the United Nations, have a

discussion, and a vote. The President had time to go to the Arab

League, have a discussion, and a vote. The President had the time to go

to NATO. But the President had no time to come to the people's house,

to the Congress, and ask, as the Constitution dictates, for the

approval of the American people and for the approval of Congress.

Why is this important? It is important because when our Nation was

founded, we were founded as a constitutional Republic. We placed

limitations not only on the President but on the Congress. We are

supposed to obey the Constitution. These are important principles and

we have gone beyond that. We have gotten to the point where my question

is, Are we even obeying the Constitution in this body?

This is a sad day. This is a sad day for America. The thing is, we

need to have checks and balances. Do we want an unlimited Presidency, a

Presidency that could take us to war anywhere, anytime, without the

approval of Congress?

Some have said: We are going to have a vote sometime, sometime in the

next couple weeks. When we get around to it, we may have a debate about

Libya. Had the President shown true leadership, the President would

have, when he called the United Nations, when he called the Arab

League, when he called NATO, the President would have called the

leadership of the Senate and the leadership of the House, and we would

have been here within 24 hours, having what should be the most

momentous debate this body ever has on sending our young brave men and

women to war.

We are currently engaged in two wars, and we are now going to be

engaged in a third war. The interesting point is, when we went into

Iraq and Afghanistan, we had votes in this body. President Bush came to

Congress and there were votes.

The War Powers Act--some on the other side say: This is no big deal.

The President can do whatever he wants as long as he notifies Congress

within a certain period of time.

This is not a correct interpretation of the War Powers Act. The War

Powers Act does say he needs to notify Congress. But the War Powers Act

also says the President must meet three hurdles before taking our

troops into harm's way.

No. 1, there should be a declaration of war or there should be an

authorization of force from this body or there should be imminent

danger to the Nation. None of those were adhered to. The law was not

adhered to.

Some will say: The War Powers Act, no President recognizes it. Well,

The War Powers Act is the law of the land, and the President needs to

respect not only the statutory law of the land but the Constitution. I

do not think these are trivial questions. But I am bemused, I am

confused, I do not understand why your representatives are not down

here debating such a momentous event as going to war.

I can think of no vote and no debate more important than sending our

young men and women to war. It should be done reluctantly. We should go

to war only when threatened as a nation. When engaged in two wars, we

should debate the prudence of being involved in a third war. These are

not trivial questions. I am amazed this body does not take the time to

debate whether we should be in Libya.

Some have said: We will debate it next week. The problem is, the

debate should occur before we go to war. At this point, we will have a

vote. We will have a vote on the President's own words.

I will yield for a minute or two for a question, if that is OK. I

yield to the Senator from Utah.