Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 257, nays 156, not voting 19, as follows:

[Roll No. 410]

YEAS—257

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clarke (NY)
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cravaack
Crawford
Crenshaw
Culberson
Davis (IL)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holt
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—156

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Blumenauer
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Fudge
Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—19

Bass (NH)
Bishop (GA)
Frelinghuysen
Giffords
Guthrie
Hinchey
Honda
Kaptur
Lofgren, Zoe
McCotter
Miller, George
Myrick
Neal
Price (GA)
Rush
Schwartz
Shuler
Visclosky
Young (AK)

□ 1043

Mr. CARSON of Indiana, Mrs. CAPPS, Messrs. NADLER, RANGEL, DOGGETT, and BECERRA changed their vote from ''yea'' to ''nay.''

Messrs. ALTMIRE and FRANK of Massachusetts changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HINCHEY. Mr. Speaker, on rollcall No. 410, had I been present, I would have voted "yea."

REGARDING DEPLOYMENT OF UNITED STATES ARMED FORCES IN LIBYA

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to House Resolution 294, I call up the resolution (H. Res. 292) declaring that the President shall not deploy, establish, or maintain the presence of units and members of the United States Armed Forces on the ground in Libya, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 294, the resolution is considered read.

The text of the resolution is as follows:

H. RES. 292

Resolved,

SECTION 1. STATEMENTS OF POLICY.

The House of Representatives makes the following statements of policy:

(1) The United States Armed Forces shall be used exclusively to defend and advance the national security interests of the United States.

(2) The President has failed to provide Congress with a compelling rationale based upon United States national security interests for current United States military activities regarding Libya.

(3) The President shall not deploy, establish, or maintain the presence of units and members of the United States Armed Forces on the ground in Libya unless the purpose of the presence is to rescue a member of the Armed Forces from imminent danger.

SEC. 2. TRANSMITTAL OF EXECUTIVE BRANCH INFORMATION RELATING TO OPERATION ODYSSEY DAWN AND OPERATION UNIFIED PROTECTOR.

The House of Representatives directs the Secretary of State, the Secretary of Defense, and the Attorney General, respectively, to transmit to the House of Representatives, not later than 14 days after the date of the adoption of this resolution, copies of any official document, record, memo, correspondence, or other communication in the possession of each officer that was created on or after February 15, 2011, and refers or relates to—

(1) consultation or communication with Congress regarding the employment or deployment of the United States Armed Forces for Operation Odyssey Dawn or NATO Operation Unified Protector; or

(2) the War Powers Resolution and Operation Odyssey Dawn or Operation Unified Protector.

SEC. 3. REPORT TO HOUSE OF REPRESENTATIVES.

(a) CONTENTS.—Not later than 14 days after the date of the adoption of this resolution, the President shall transmit to the House of Representatives a report describing in detail United States security interests and objectives, and the activities of United States Armed Forces, in Libya since March 19, 2011, including a description of the following:

(1) The President's justification for not seeking authorization by Congress for the use of military force in Libya.

(2) United States political and military objectives regarding Libya, including the relationship between the intended objectives and the operational means being employed to achieve them.

(3) Changes in United States political and military objectives following the assumption of command by the North Atlantic Treaty Organization (NATO).

(4) Differences between United States political and military objectives regarding Libya and those of other NATO member states engaged in military activities.

(5) The specific commitments by the United States to ongoing NATO activities regarding Libya.

(6) The anticipated scope and duration of continued United States military involvement in support of NATO activities regarding Libya.

(7) The costs of United States military, political, and humanitarian efforts concerning Libya as of June 3, 2011.

(8) The total projected costs of United States military, political, and humanitarian efforts concerning Libya.

(9) The impact on United States activities in Iraq and Afghanistan.

(10) The role of the United States in the establishment of a political structure to succeed the current Libyan regime.

(11) An assessment of the current military capacity of opposition forces in Libya.

(12) An assessment of the ability of opposition forces in Libya to establish effective military and political control of Libya and a practicable timetable for accomplishing these objectives.

(13) An assessment of the consequences of a cessation of United States military activities on the viability of continued NATO operations regarding Libya and on the continued viability of groups opposing the Libyan regime.

(14) The composition and political agenda of the Interim Transitional National Council (ITNC) and its representation of the views of the Libyan people as a whole.

(15) The criteria to be used to determine United States recognition of the ITNC as the representative of the Libyan people, including the role of current and former members of the existing regime.

(16) Financial resources currently available to opposition groups and United States plans to facilitate their access to seized assets of the Libyan regime and proceeds from the sale of Libyan petroleum.

(17) The relationship between the ITNC and the Muslim Brotherhood, the members of the Libyan Islamic Fighting Group, al-Qaeda, Hezbollah, and any other group that has promoted an agenda that would negatively impact United States interests.

(18) Weapons acquired for use, and operations initiated, in Libya by the Muslim Brotherhood, the members of the Libyan Islamic Fighting Group, al-Qaeda, Hezbollah, and any other group that has promoted an agenda that would negatively impact United States interests.

(19) The status of the 20,000 MANPADS cited by the Commander of the U.S. Africa Command, as well as Libya's SCUD–Bs and chemical munitions, including mustard gas.

(20) Material, communication, coordination, financing and other forms of support between and among al-Qaeda operatives, its affiliates, and supporters in Yemen, the Horn of Africa, and North Africa.

(21) Contributions by Jordan, the United Arab Emirates, Qatar, and other regional states in support of NATO activities in Libya.

(b) TRANSMITTAL.—The report required by this section shall be submitted in unclassified form, with a classified annex, as deemed necessary.

SEC. 4. FINDINGS.

(a) The President has not sought, and Congress has not provided, authorization for the introduction or continued involvement of the United States Armed Forces in Libya.

(b) Congress has the constitutional prerogative to withhold funding for any unauthorized use of the United States Armed Forces, including for unauthorized activities regarding Libya.

The SPEAKER pro tempore. The resolution shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs, and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes. The gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of House Resolution 292, sponsored by our distinguished Speaker. As the resolution states at the outset, the Armed Forces of the United States may only be used to defend and advance the national security interests of the United States, not to enforce, to quote the President, ''the writ of the international community,'' nor because of the United Nations, nor because of the Arab League. Yet these are what the President has repeatedly pointed to in justifying sending U.S. forces into action in Libya.

But what he has not done is explain to the American people and to Congress how the situation in Libya, if allowed to spiral out of control, poses a threat to U.S. national security interests.

It is an increasingly important region, Mr. Speaker, with implications stretching into other areas that are vital to our Nation. Little, if any, details have been provided in response to repeated questions regarding U.S. goals, the costs of the operation, the scope of the operation, and other issues of direct relevance to our national security. It is an open question as to whether the administration simply won't tell us or whether they just don't know the answers.

Members on both sides of the aisle are increasingly frustrated. I share that frustration. Many question the importance of Libya to U.S. interests, and especially the need for military engagement. Many more are outright angry about the disregard with which the President and his administration have treated Congress on the Libya military engagement.

But it is not surprising that there is a desire to simply say ''enough'' and to force the President to withdraw precipitously, regardless of the consequences. But I believe that we would only make a difficult situation worse by taking such drastic action. The negative impact would be widespread, Mr. Speaker. The news that the U.S. House of Representatives had mandated a withdrawal of U.S. forces would send a ray of sunshine into the hole in which Qadhafi is currently hiding. It would ensure his hold on power. It would be seen not only in Libya, but throughout the Middle East and North Africa as open season to threaten U.S. interests and destabilize our allies.

Pulling out of the NATO operation would also undermine our NATO partners, who, after years of prodding by us, have finally begun to take more responsibility for ensuring security and stability in the region. How could we then argue that they must maintain their commitment to our allied efforts in Afghanistan when we have just pulled the rug out from under them in Libya?

We must not let our frustration with the President's contempt for Congress cloud our judgment and result in our taking action that would harm our standing, our credibility, and our interests in the region. But clearly, we must speak out.

This resolution offered by Speaker BOEHNER would send an unambiguous warning to the President that he must either change course in his dealings with Congress and the American people or have the decisions regarding U.S. involvement in Libya taken out of his hands.

□ 1050

It states a fundamental truth that I assume that most in this Chamber agree with that U.S. forces must only be used to defend and advance the national security interests of the United States. It underscores that the President has not made a compelling case for U.S. military involvement based on U.S. interests, and it prohibits the employment of U.S. ground forces in Libya so that mission creep would not gradually lead us into an ever-expanding conflict.

It also requires the President to provide to Congress the information that we should have had at the outset, including, Mr. Speaker:

What are the political and military objectives of the United States and Libya?

How do we intend to achieve them? What specific commitment have we made to our NATO operations, and how might these impact our commitments in Afghanistan?

What is the anticipated scope, the duration, and the anticipated cost of continued U.S. military involvement in Libya?

What is the relationship between opposition forces that are grouped under the Interim Transitional National Council and the Muslim Brotherhood, the Libyan Islamic Fighting Group, al Qaeda, Hezbollah, and other extremist groups?

How well armed are these and other extremist groups, and how extensive are their activities in Libya?

Who controls thousands of shoulder-fired antiaircraft missiles and stocks of chemical weapons that Qadhafi has acquired?

Finally, Mr. Speaker, this resolution bluntly states that the President has neither sought nor received authorization by the Congress for the continued involvement of the United States Armed Forces in Libya. If this clear warning doesn't get the attention at

the White House, then more forceful action may be inevitable. The President can choose to act with the support of Congress and with the support of the American people, but he will not be allowed to proceed without it.

I urge my colleagues to vote for this strong and necessary resolution.

With that, I am pleased to yield 1 minute to the distinguished Speaker of the House of Representatives, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague for yielding.

In March, when the President committed our troops to NATO's mission in Libya, I said that he had a responsibility to the American people to define the mission, to explain what America's role was in achieving that mission and lay out how it was to be accomplished. He has not effectively done so. The American people and the Members of this House have questions and concerns that have gone unanswered.

The President of the United States is our Commander in Chief, and I have always believed combat decisions should be left to the Commander in Chief and to the generals on the ground. But the House also has an obligation to heed the concerns of our constituents and to carry out our constitutional responsibilities.

The resolution I have put forward expresses the will of the people in a responsible way that reflects our commitments to our troops and to our allies.

Let me lay out exactly what this resolution does.

First, it establishes that the President has not asked for and that the Congress has not granted authorization for the introduction or continued involvement of our troops in Libya.

Second, it reasserts Congress' constitutional role to fund our troops.

Third, it requires the President to provide, within 14 days, information on that mission that should have been provided from the start.

And, lastly, it reaffirms the vote that we took last week that says that there should be no troops on the ground in Libya.

I hope the President will recognize his obligations outlined in this resolution and provide this information to Congress and, in doing so, better communicate to the American people what our mission in Libya is and how it will be achieved.

The resolution offered by my colleague from Ohio (Mr. KUCINICH) conveys the concerns of the American people, but it also mandates a precipitous withdrawal from our role in supporting our NATO allies in Libya. In my opinion, that would undermine our troops and our allies, which could have serious consequences for our broader national security.

In my view, the gentleman's resolution goes too far. We may have differences regarding how we got here, but we cannot turn our backs on our troops and our NATO partners who have stuck by us over the last 10 years.

In 1991 in my first vote as a Member of this body, I voted to authorize the use of force in the first Gulf War. It was a consequential time, but I think we did the right thing. And today is no different. On behalf of the American people and our country, we have an obligation to support our troops in harm's way and to support our allies.

This resolution puts the President on notice. He has a chance to get this right; and if he doesn't, Congress will exercise its constitutional authority and we will make it right.

I urge a ''yes'' on the Boehner resolution and a ''no'' on the Kucinich resolution.

Mr. BERMAN. I yield myself such time as I may consume.

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

Mr. BERMAN. Mr. Speaker, I rise in opposition to this resolution.

If the Members of the House choose to pass the Speaker's one-Chamber resolution, it should add one finding: that we declare ourselves to be one big constitutionally created potted plant.

This resolution casts all kinds of aspersions on the President. It states the President has failed to provide Congress with a compelling rationale for operations in Libya. It implies that there has been a withholding of documents and information from this body.

Could the President provide more information to the Congress? Of course. But we need to look not just at the President's failure to seek an authorization, but the refusal of this body to exercise its authority in this area. The onus rests with us to recognize the sacred duty of authorizing the use of force.

A resolution like this, with no operative language, with no invocation of the War Powers Resolution and which was presented to Members for the first time just 14 hours ago, simply perpetuates a dynamic of congressional acquiescence and acquiescence that, for the most part, has gone on truly since the Korean War.

There are two choices here. If the majority thinks that the President's initial efforts to stop a humanitarian catastrophe were wrong or that current operations in Libya do not have a compelling national security rationale, it should support Mr. KUCINICH's approach and offer a concurrent resolution pursuant to section 5(c) of the War Powers Resolution requiring the removal of U.S. forces.

If the majority has concerns with Mr. KUCINICH's approach, as many of us do, and believes terminating military action would have grave consequences for U.S. national security, it should simply authorize the use of force in Libya, incorporating the restrictions on ground forces that this resolution has, that the Conyers language in the DOD bill had. I would gladly join the Speaker in cosponsoring such an authorization of the limited use of force.

But pursuing a nonbinding House Resolution that takes potshots at the President and amounts to nothing more than a sense of the Congress is just an exercise in political gamesmanship. It is a pedantic effort to embarrass the President without taking any ownership for the policy of the intervention.

The majority, not the President, puts this body in a position of powerlessness through such toothless efforts. We are 60 days into this operation. Either we should authorize this action or terminate, not play around with reporting requirements.

The resolution is also confusing. It states that the President shall not deploy or maintain the presence of U.S. military units on the ground in Libya.

□ 1100

But as the majority well knows, U.S. military activities are limited to air operations and nothing more. So does this language mean the majority is okay with the current intervention in Libya? The majority seems to be raising a fuss while winking at the White House. That's not the way to legislate.

Finally, I object to the resolution because it is downright inaccurate. The resolution implies that there is no compelling national security rationale for operations in Libya. But U.S. interests are clear. They have been forcefully articulated by the administration and, ironically, by conservative advocates like Bill Kristol.

We are in Libya because we are averting a probable massacre against civilians. We are in Libya because our NATO partners need our help. Refusal to act there would send a message to NATO allies, who are putting their forces on the line in Afghanistan, that we are not a dependable partner. We are in Libya because our friends struggling for democracy in the Middle East are watching events there. If we failed to act, or worse, seek withdrawal today, what will we be saying to the activists in Tunisia and Egypt, whose fragile movements for democracy could be stifled by the destabilizing effect of a Qadhafi-led government remaining in power? And what message would we be sending to Assad and to other dictators and enemies about our staying power?

Let's not kid ourselves. A Qadhafi who is unleashed to commit acts of terrorism around the world will do so with unspeakable barbarity. We know Qadhafi's record of bloodshed, and we know his readiness to use terror, especially now that he has nothing to lose. I cannot think of a more compelling rationale for current operations in Libya.

I object to the characterization that U.S. national security interests and humanitarian objectives are incompatible. In Libya, it is quite clear that stopping murder and preventing a refugee crisis very much correspond with U.S. national interests.

The Republican sponsors of this resolution are trying to have it both ways. They want to criticize the President for taking the very action that many of them called for 3 months ago. And

they want to do so without taking any responsibility. In the process, they are offering nothing but criticism, obstruction and endless second-guessing.

President Bush once accused the Democratic Party of becoming ''the party of cut and run.'' Well, it seems the running shoe is now on the other foot. It is a Democratic President that is taking on a brutal tyrant, and it is the Republican Party that refuses to back him.

I urge my colleagues to take seriously U.S. military involvement in Libya and vote ''no'' on this resolution.

I reserve the balance of my time.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 292 and H. Con. Res. 51.

The SPEAKER pro tempore (Mrs. CAPITO). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. With that, Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BURTON), the chairman on the Foreign Affairs Subcommittee on Europe and Eurasia.

Mr. BURTON of Indiana. Let me just say that the Constitution of the United States and the War Powers Act prohibit the President from doing what he did. And I'm kind of torn because I stayed up late last night thinking about this whole issue. I believe that we shouldn't have gone into Libya in the first place, and we certainly shouldn't go into Syria or another place without the authorization of the Congress of the United States.

And that's the reason why I cosponsored the Kucinich resolution, because we have to send a very strong signal that we're not going to go to war without the people of this country supporting it. And the President did this unilaterally after talking to the Arab League and the U.N. and others without the consent of the people of this country. That's the first thing.

The second thing is the Boehner resolution I'm going to support, but it doesn't go far enough. As far as it goes, it's fine. But it talks only about boots on the ground. Most of the wars in which we've been involved are fought in the air with drones, missiles and airplanes. And about two-thirds of the missiles and over half of the sorties flown by the airplanes that are involved in this war, over two-thirds of those are used by the United States. This is an American conflict. And so when we talk about boots on the ground, that's not sufficient.

Now, I'm going to support it as far as it goes because the Speaker is trying to move this in the right direction, but we shouldn't just limit this to boots on the ground. It should involve no military operation whatsoever without the consent of the Congress and the people of this country. And when the Speaker says boots on the ground only, unless we are going in to save one of our troops that are downed in an air fight or shot down when they go in on a bombing run, then that, in effect, is putting boots on the ground anyhow to get those people out of there.

So, I will support the Boehner resolution, but I prefer the Kucinich resolution because it sends a very strong signal and tells the President, in no uncertain terms, that he cannot take us to war without the consent of the people of this country.

Mr. BERMAN. Madam Speaker, I yield myself such time as I may consume.

I think it's important to get the record straight on what we're doing and what we're not doing. ''No boots on the ground'' did not come because of this resolution we are considering now. This was the decision of the President, the Commander in Chief, at the time. But the figures given by my friend from Indiana don't reflect the reality of our participation.

What are we doing now? While we're not in the lead, the United States is contributing significantly to the operation: fighter aircraft for the suppression of enemy air defense, ISR aircraft, electronic warfare aircraft, aerial refueling aircraft, one guided missile destroyer and predatory armed unmanned aerial surveillance systems. Twenty-four percent, not two-thirds of the total aircraft; 27 percent of the total sorties flown; over 75 percent of all refueling sorties; 70 percent of intelligence surveillance and reconnaissance.

Now there's no boots on the ground, but to me that involvement implicates the War Powers Resolution. This is within the meaning of that bill. And, once again, only KUCINICH has before us a proposal that seeks to deal with the requirements of the War Powers Resolution.

I just think we should get the record straight about what our involvement is. It's not as large as the previous speaker said, but it is significant. And in my opinion, it's within the terms of the War Powers Resolution.

I'm now pleased to yield 2 minutes to my friend from California, the gentlewoman from California (Ms. LEE).

Ms. LEE. Madam Speaker, let me thank our ranking member for yielding. And let me just say, first of all, I rise in opposition to the Boehner resolution.

This debate is long overdue. On March 30, I, along with Representatives WOOLSEY, HONDA, GRIJALVA and WATERS, sent a letter to Speaker BOEHNER and Majority Leader CANTOR requesting that they hold a debate and floor vote on the President's authority to continue the use of military force in Libya.

I would like to insert the letter into the RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 30, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. ERIC CANTOR,
Majority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MAJORITY LEADER CANTOR: We, the undersigned Members of Congress, write to request the U.S. House of Representatives immediately take steps to hold a debate and floor vote on the President's authority to continue the use of military force in Libya.

Under Article 1, Section 8 of the Constitution, the responsibility to declare war rests with Congress alone. The War Powers Act of 1973 further clarified the important separation of powers and checks and balances in these matters. Consideration of the Presidents continued military engagement in Libya is our responsibility as elected representatives in the U.S. Congress, and essential to reasserting the undisputed role and responsibility of the Legislative Branch in overseeing and providing for our nation's commitments while at war.

The United States has now been engaged militarily in Libya since March 19, 2011. While we firmly believe that a robust debate and up-or-down floor vote should have occulted in advance of U.S. military action in Libya, it is without question that such measures are still urgently required. Beyond defending Congressional authority in these matters, these deliberations are essential to ensuring that we as a country fully debate and understand the strategic goals, costs, and long-term consequences of military action in Libya.

Many questions remain unanswered regarding our short and long-term responsibilities in Libya as well as our strategy for ending U.S. military operations. The Department of Defense has indicated that the costs of U.S. military operations in Libya totaled $600 million in the first week alone, and are estimated to mount by as much as $100 million per week, in the future. At a time of severe economic distress here at home, as well as in recognition of the continued strain on our military service members already engaged in two wars in Iraq and Afghanistan, these concerns are especially worthy of congressional deliberation.

It is our position that the President has a constitutional obligation to seek specific, statutory authorization for offensive military action, as he should have done with regard to U.S. military engagement in Libya. We look forward to working with you to address this matter on the House floor as soon as possible.

Sincerely,

BARBARA LEE,
Member of Congress.
LYNN C. WOOLSEY,
Member of Congress.
MICHAEL M. HONDA,
Member of Congress.
RAÚL M. GRIJALVA,
Member of Congress.
MAXINE WATERS,
Member of Congress.

Madam Speaker, I would like to read parts of this letter, dated March 30, if I may:

Dear Speaker BOEHNER and Majority Leader CANTOR: We, the undersigned Members of Congress, write to request the United States House of Representatives immediately take steps to hold a debate and floor vote on the President's authority to continue the use of military force in Libya.

We cite the Constitution, article I, section 8.

We go on to say that the United States has now been engaged militarily in Libya since March 19, 2011. While we firmly believe that a robust debate and up-or-down floor vote should have occurred in advance of U.S. military action in Libya, it is without question that such measures are still urgently required. Beyond defending congressional authority in these matters, these deliberations are essential to ensuring that we as a country fully debate and understand the strategic goals, costs, and long-term consequences of military action in Libya.

That is one paragraph of this sentence.

Now, Madam Speaker, over 60 days since our letter, the Speaker has suddenly and hastily scheduled a resolution that, frankly, does nothing but serve to politicize what is an extremely serious and what should be a nonpartisan issue.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BERMAN. I yield the gentlewoman 1 additional minute.

□ 1110

Ms. LEE. As we know, the War Powers Act specifically forbids Armed Forces from engaging in military action in foreign lands for more than 60 days without congressional authorization or the use of military force or a declaration of war.

We have been actively fighting now for 77 days. This is not just about our mission in Libya. And let me just say that I think our President, frankly, has done a commendable job in handling the very complex range of foreign policy issues, but it is about any President, any administration. It is not about that; it is about standing up for congressional power granted in the Constitution. As our ranking member said, the Kucinich amendment is the amendment that addresses this head-on in a very honest and direct way.

So we should reject this politically motivated resolution. It is a resolution that has just come up. We asked again the Speaker and majority leader on March 30 to conduct a debate and an up-or-down vote. We conclude in our letter that it is our position that the President has a constitutional obligation to seek specific statutory authority for offensive military action, as he should have done with regard to U.S. military engagement in Libya.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a valued member of our Foreign Affairs Committee.

Mr. CONNOLLY of Virginia. 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, ''consultation . . . means that a decision is pending on a problem and that Members of Congress are being asked by the President for their advice and opinions and, in appropriate circumstances, their approval of action contemplated.'' 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.

Mr. BERMAN. Madam Speaker, I yield myself such time as I may consume.

I would like to respond to my friend's arguments. I agree with every word he said except that this is a manifestation of the Congress exercising its authority. This is an abdication of Congress exercising its authority, because nowhere in this resolution is the authorization for the operations that we want to authorize, that we should be authorizing if we think they are appropriate.

The gentleman from Ohio doesn't think they are appropriate. Some of us do think it is appropriate, and this isn't about buying time. We are not a supplicant to go to the executive branch and ask for them to request of us authorization. We have the institutional power to decide what to do, and this resolution fails to take that option.

I think the gentleman makes a wonderful case for why this resolution is not sufficient to step up to our responsibilities under the Constitution and the War Powers Resolution.

With that, I would like to yield 4 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I thank the gentleman for yielding.

I have been here a long time, and I have never come to this floor for the purpose of opposing innocuous resolutions. In fact, I've voted for every piece of innocuous legislation and post office renaming in the last 15 years, as far as I can remember. And this is innocuous legislation.

First, it starts with a sense of Congress about our opinion as to what should or shouldn't be done. It has a sentence that purports to prevent the President from putting ground forces in Libya, but in fact just states that's our policy. It is certainly not designed to prohibit the President from doing so; it just says that it's our opinion that he shouldn't. And, by the way, in the Defense authorization bill, we have real legislation that already prohibits putting ground forces in Libya.

It then goes on to ask that a number of questions be answered. There are some who think, that's important. Those who think that the questions propounded in this resolution are actually going to get us useful information are insulting the faculty of the law schools of America, because both the Pentagon and the State Department have lawyers capable of writing long and meaningless answers to every question we propound. And as for getting documents, some of the documents demanded we already have, and as for the rest, those same lawyers will be writing long documents about executive privilege.

So we have here a document that at most is just questions for the RECORD that the chairwoman of our committee allows me to add at the end of so many hearings; hardly earthshaking, certainly innocuous.

But, okay, so it's innocuous. Or is it?

This is innocuous legislation that plays a particular role in avoiding the constitutional role of this Congress. It allows us to sidestep the War Powers Act. It gives cover to those who don't want to authorize, or refuse to authorize. It says we're an advisory body. We ask some questions so we can give good advice. We will give the President some advice. It is part of the trend of an aggrandizing executive and a derelict Congress, a Congress that almost is complicit in this slow process by which we are not legislators, we are not deciders; we inquire and we advise.

The Constitution is clear, but the War Powers Act is more clear: the President must ask for congressional authorization. Then we actually have to act, and that is tough. We have to review the proposals, and I believe our ranking member (Mr. BERMAN) would have one that would say, What are we going to authorize? Under what conditions? What demands will we make of our allies in Libya to perhaps turn over to us, or at least disassociate themselves from, the al Qaeda operatives in their midst? Are we going to limit the duration? Are we going to limit the scope? Are we going to impose limits on the total cost?

With this resolution, we can avoid all of those questions. We can avoid demanding a withdrawal. We can avoid limiting the authorization, and we can allow the President to continue to write the blank check that apparently he believes he has, and we can do it all while disassociating ourselves with anything unpopular that ever happens over the skies of Libya.

Now is not the time for us to shirk our responsibilities. Our responsibility is to act as a policy-making body.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHERMAN. I ask the gentleman for 1 more minute.

Mr. BERMAN. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from California has 4½ minutes remaining.

Mr. BERMAN. I yield the gentleman an additional 1 minute.

□1120

Mr. SHERMAN. Now is the time for us to play the role that the War Powers Act provides, because this is not an immediate short-term emergency situation. It has gone on for much longer than 60 days. It should not go further.

Now, 208 Members of this Congress voted for my amendment yesterday to say that we should not expend funds in violation of the War Powers Act, and you were willing to vote for it even though I put it on a bill as to which it really didn't pertain. Thank you for those votes, but now please come back here and say, It's time to enforce the War Powers Act. It's time not to dodge the War Powers Act. It's time for our policy over the skies in Libya to be determined by the President and Congress, not the President advised by Congress.

Vote ''no'' on this resolution. Don't use it as a sidestep. Instead, go back to your constituents and say, You are for voting either for a withdrawal from Libya or for a full authorization or for a limited authorization.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 4 minutes to my friend and colleague from Florida (Mr. YOUNG), the chairman of the Appropriations Subcommittee on Defense.

Mr. YOUNG of Florida. I thank my friend and the chairman for yielding me this time because I think it is important to stress the importance of the Boehner resolution. Especially on page 4 and page 7 of the resolution, it deals specifically with the Constitution and the constitutional responsibility of the administration and the Congress to work together, especially in matters of national security.

As chairman of the Defense Appropriations Subcommittee, as my colleague has said, my responsibility is to provide for the funding for any military operation that is approved by the Commander in Chief and approved by the Congress.

On the matter of Libya, on April 1, I sent a letter to the President, trying to exercise my responsibilities as chairman—a conciliatory letter, actually—expressing support for our troops but asking certain questions: How long do you think this will last? How much do you think it will cost? How much of a future commitment have we made? What will be the source of the funding for this operation? Here, more than 2 months later, this official request from the Appropriations Committee still remains unanswered by the administration. That's just not right.

The Constitution is pretty clear. Article I, section 9 of the Constitution, in part, reads, ''No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.''

So far, on the Libya issue, this article I, section 9 has been totally ignored. It's just not right. That's a violation, in my opinion, and contravenes the Constitution, itself. When I asked for that information, the only thing I got on the cost of this Libyan operation was in bits and pieces. We have added it, and we have come to about $750 million already spent on the Libyan mission. They've not confirmed that, but we have put together, with our own addition, bits and pieces on that. Again, we have received no reply whatsoever.

What I'm wondering is: Where is the money to pay for the Libyan operation coming from? What account is it coming from? Is it coming out of personnel costs—soldiers' pay? Is it coming out of medical care? Is it coming out of the training for our troops? What accounts are being used? We have a right and an obligation under the Constitution to know the answer to that.

Speaker BOEHNER's resolution calls very, very sharp attention to that issue, so I think it is important that the House passes the Boehner resolution to let the President know that we are not going to allow him to ignore the Constitution any further when it comes to war powers, when it comes to spending for the welfare of our troops, when it comes to appropriating money for the defense of our Nation and for the defense of our allies.

Madam Speaker, I do ask that the letter that I sent to the President, which has remained unanswered for more than 2 months, be included at this point in the RECORD so that my colleagues can see that it was a very, very legitimate and a very conciliatory request, basically an offer to support our troops in any legitimate activity. So we are still waiting. We are standing by, hoping that we do hear from the President very soon, maybe shortly after we pass the Boehner resolution.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, April 1, 2011.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Recent events across northern Africa and the Middle East demonstrate the powerful effect that the prospect of self-government and basic human rights can have on an oppressed population. Governments have fallen and nations have changed, all in the name of freedom. Operation Odyssey Dawn (now Unified Protector), based on United Nations Security Council Resolution 1973, is another chapter in this remarkable story that history is writing before us.

The Members of the House Defense Subcommittee on Appropriations stand ready to support our brave men and women in uniform as they carry out their mission, but it is essential that we know precisely what that mission is, and what role U.S. troops have in achieving that mission. For example, enforcement of a no-fly-zone is one thing, but the use of AC–130 gunships and A–10 aircraft denote an entirely different battle. And without knowing what goals we hope to achieve, our long-term commitment is unclear. Indeed, as history has taught us, without defined goals or objectives the probability of an open-ended campaign increases. As our nation continues to struggle through the current fiscal crisis, an exit strategy seems all the more prudent. There was, however, little to no consultation with Congress prior to these actions, and almost two weeks after our first engagement, many of these concerns remain unaddressed.

The Department of Defense has indicated that through March 28, they spent approximately $550 million in support of Operation Odyssey Dawn; and they expect to spend at a minimum another $40 million a month as we continue to support the now NATO-led Operation Unified Protector. This assumes a reduced U.S. role, which could change significantly if NATO requires additional support. It was also made clear that there would be no additional funds requested by your Administration, either in the form of a supplemental request or a budget amendment. In fact, you stated that the costs of this mission could be paid for out of previously appropriated funds. As this Committee works to finish fiscal year 2011 and begins work on fiscal year 2012, I feel it is imperative that we know where you believe these funds will come from. Based on the above Department

of Defense rate, costs for fiscal year 2011 could reach $800 million, and depending on the length of our commitment, another $500 million in fiscal year 2012. I do not need to remind you that the Department of Defense fiscal year 2012 request is already $13 billion below where it was estimated it would be just a year ago—the reduction taken in the name of efficiencies.

As the nation's military continue to serve in harm's way, I feel it is imperative we proceed with complete openness and transparency. I pledge that I will continue to do everything I can to support these soldiers, sailors, Marines, and airmen, as I have done throughout my career, and I ask for your help and support in doing the same.

Sincerely,

C. W. BILL YOUNG,
Chairman, Defense Subcommittee.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman from California for yielding.

In defense of Mr. BURTON's description of U.S. involvement already in Libya, I would like to have entered into the RECORD an article from the Guardian U.K., dated May 22, which talks about the United States having 50 percent of the ships, 50 percent of the planes, 66 percent of the personnel, 93 percent of the cruise missiles.

I just want to say briefly, Madam Speaker, that this article was written about 10 days ago. If it's true, it points out that we've undertaken a huge mission through the United States in the name of NATO—now, without coming to the Congress, and that's what we're debating, of course. Yet if, on the other hand, the information that the administration has communicated as of late to the Congress suggests a lighter footprint, then there should be no difficulty in pulling out of Libya in 15 days. If there is, we need to start asking questions about how deeply enmeshed we are if our participation is truly no boots on the ground.

[From the guardian.co.uk, May 22, 2011]

LIBYA: BRITAIN'S £1BN WAR

(By Richard Norton-Taylor and Simon Rogers)

Britain's involvement in the Libya conflict will cost the taxpayer as much as £1bn if it continues into the autumn as expected, according to expert analysis and data gathered by the Guardian.

Two months after western powers began bombing Libyan targets to protect civilians in Operation Unified Protector, the cost to Britain so far of the dozens of bombs dropped, hundreds of sorties flown and more than 1,000 service personnel deployed is estimated at more than £100m, according to British defence officials.

But defence economists have told the Guardian the costings are conservative. Francis Tusa, editor of the Defence Analysis newsletter, estimates that by the end of April Libyan operations had already cost the UK about £300m and that the bill was increasing by up to £38m a week.

Defence chiefs in the UK and US are also said to be concerned that some NATO countries are unwilling to commit air power to the campaign. It is not only the cost that is worrying the Ministry of Defence, and, indeed, defence chiefs in the Pentagon. The reluctance of most countries to commit their air forces to action—Norway, which has dropped about 300 bombs, is to pull out at the end of June—is causing serious concern among military commanders throughout the alliance about whether NATO countries have the political will and military capability to continue operations that now have the stated aim of removing power from Gaddafi, his sons, and closet advisers.

For Britain, the Libyan conflict has also presented military commanders and ministers alike with an uncomfortable reminder of the perilous state of the defence budget. As Paul Cornish, head of the international security programme at the thinktank Chatham House, has observed, many of the military capabilities used in and around Libya—HMS Cumberland, the Nimrod R1 eavesdropping plane, the Sentinental surveillance aircraft, and Tornado jets—are among the first casualties to be scrapped or their numbers reduced (in the case of Tornados) as a result of last year's strategic defence and security review.

''The obvious question to ask,'' Cornish writes in the latest issue of The World Today, ''is whether Britain could have made a contribution to the intervention in Libya had the crisis developed later in 2011 when most of the decommissionings, disbandments, and retirements would otherwise have taken place.''

The U.S. led the assault, during the first week flying more than 800 sorties in Libya, of which over 300 were strike sorties. It fired more than 200 Tomahawk cruise missiles from its ships. Britain has fired fewer than 20 Tomahawks, costing an estimated £1m each, from the submarine HMS Triumph.

Britain, which has accounted for some 25% of all sorties, was so worried about the gap left by the U.S. when it ceded command to NATO, and stood down its aircraft—including low-flying A10 tankbusting ''Warthogs'' and C130 gunships.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. STIVERS), a member of the Financial Services Committee and a lieutenant colonel in the United States Army, with a distinguished 26-year military career.

Mr. STIVERS. I would like to thank the chairwoman for yielding me time.

I rise in support of the Speaker's resolution. With 26 years of military service, my experience has taught me many lessons, and those lessons give me pause and concern with regard to the Kucinich resolution. I think we need to be prudent, thoughtful and measured in the way we end our involvement in Libya, and I don't believe that the Kucinich resolution does that.

Even though the President did not follow proper procedures and even though he should have allowed Congress to debate and decide the issue, a 15-day withdrawal would cause other issues. Currently, the U.S. is providing important refueling, logistics and other support functions for our NATO allies. Unfortunately, if you create a 15-day time line, those allies might not have time to plan or build capacity to resource their plan and effectively continue their operations.

I don't agree with how the President has handled our current military mission in Libya, and I don't think he has currently explained the national security interest of our mission. However, I think the troops that have been called to action have performed admirably, and I thank them for their service. But now we are involved, and the time frame for withdrawal in the Kucinich resolution would hurt our NATO allies, the same allies who have stood by us in Afghanistan for 10 years. They deserve our cooperation in any transition. I support the Speaker's alternative resolution on Libya. I think it asks tough questions of the President, and requires him to explain our national security interests and to justify his strategy to Congress and to the American people. If the President doesn't answer those questions within 14 days, I believe Congress should continue to assert its constitutional authority.

In response to the gentleman from California, I would like to say that I think it is important we get information to make timely decisions. Therefore, I support the Speaker's alternative resolution as a way forward in Libya.

□ 1130

Mr. BERMAN. Madam Speaker, I yield myself 15 seconds in response to the previous speaker.

What I'm curious about is what the resolution doesn't tell us. If the President doesn't provide us the information within 14 days, what are we doing? The resolution is silent. This is a resolution filled with things we want and are asking for and demanding and are harumphing about with no consequences.

I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY), former member of the committee.

Ms. WOOLSEY. I thank the gentleman for yielding.

Madam Speaker, this is a ''here we go again'' moment on the House floor.

Two weeks ago the Kucinich amendment passed the House overwhelmingly with a total bipartisan vote because it was the right thing to do. But, no, the other side of the aisle can't stand to let us have an initiative, the right thing to do, that they really could agree to.

So here we are today debating the Boehner resolution to take the air out of the question of whether the United States Congress or the White House has responsibility for the War Powers Resolution and begging them to know that it is our responsibility.

Members should not be fooled into voting for the Boehner resolution because it delays action. We should vote for the Kucinich resolution that insists that the Congress reclaim its authority, take its responsibility, and do the right thing regarding Libya.

Vote ''no'' on the Boehner resolution.

Mr. BERMAN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, the resolution offered by the Speaker is the responsible approach. It expresses congressional intent. It affords one last opportunity to the President and his administration

to work with us in Congress to advance U.S. interests in the region. I hope that the President is listening and that this resolution will serve as a wake-up call leading to immediate consultation. And, frankly, we have not had that as we would like.

If, in 14 days, as it says in this resolution, the President has not complied with the requests included in the resolution, then this House will consider the next steps.

I therefore urge a ''yes'' vote on the Boehner resolution, a responsible approach to the President to work with us and a plea to give us the information that we requested.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from California is recognized for 10 minutes.

Mr. MCKEON. I yield myself such time as I may consume.

Madam Speaker, I rise in support of this resolution. I do not believe that the President has provided adequate justification for our military operations in Libya nor why continued intervention in a humanitarian stalemate is in our national interest.

More than 2 weeks ago, I sent a letter to the President outlining my concerns regarding our strategy, our role within NATO operations, and the escalating costs of these operations at a time when the administration is asking the Department of Defense to make an additional $400 billion in cuts. To date, I have not received a reply.

Yet I believe that forcing the hasty withdrawal of U.S. forces from NATO operations in Libya would embolden Qadhafi and gravely damage our credibility with our allies. Consequently, such a move could have dramatic, negative, second-order effects on operations that are critical to our national security, such as operations in Afghanistan.

I believe Speaker BOEHNER's resolution addresses much of the frustration shared by Members of this body. The resolution reinforces provisions in the recently passed National Defense Authorization Act prohibiting the escalation of U.S. participation without express authorization from Congress. This resolution requires the President to clearly outline the strategic interests that justify intervention in Libya, to explain how the operational means being employed will secure them. It requires a prompt and transparent accounting of costs as well as information regarding the capacity and intentions of the rebel forces. This information is essential to allow Congress to execute its constitutionally mandated oversight role of military operations.

Again, I fully agree that the administration has been disturbingly dismissive of Congress's role in the authorization of military force. But I also feel that passing this resolution is the most effective way of holding the President accountable without sacrificing other vital national interests that would be damaged by a precipitous withdrawal from NATO operations.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 10 minutes.

Mr. SMITH of Washington. I yield myself such time as I may consume.

I do thank both Speaker BOEHNER and Representative KUCINICH for bringing these resolutions and bringing this issue to the floor because I completely agree that this is an issue that Congress should debate, discuss, and should ultimately express its opinion on. We have not done that. We are now past 90 days that this mission has been going on in Libya, and I feel we should have brought this up much sooner.

Now, I would prefer a much cleaner resolution that simply came out and made a resolution of approval of the President's mission and of the mission that we and NATO have undertaken in Libya and gave Members the chance to vote it up or down. In that sense, Mr. KUCINICH's resolution is much more straightforward. It's a resolution of disapproval, but, again, it gives us the opportunity to at least debate the issue and express the will of Congress.

I do, however, oppose Mr. BOEHNER's resolution. I also oppose Mr. KUCINICH's resolution because I don't think we should pull away from this mission, should pull out of what NATO is doing and the very important work that is going on in Libya.

□ 1140

Mr. BOEHNER's resolution doesn't do any of that, but it does rather boldly state that the President has not made a case for the mission in Libya, and I very strongly disagree with that assessment.

Now I will agree—and Mr. MCKEON and I share the frustration—that prior to the launching of this mission, there was an inadequate amount of communication between the President and this Congress, indeed, between the President and the American people, explaining the reasons for getting into that mission; but since that time the President has made it very clear why we went into Libya.

We had a unique situation. I do not believe the American military should intervene in every conflict in every country. In fact, I don't believe it should intervene in almost any of them. It takes a unique set of circumstances to call for that intervention; and in Libya we had, I believe, that unique set of circumstances.

Number one, we had broad international support. The U.N., NATO, the Arab League all looked at that situation and said intervention was necessary.

Number two, we had a clear humanitarian crisis. There was no doubt at the time that we intervened that if we had not, Muammar Qadhafi would have slaughtered his own people and reasserted control over Libya. He made it clear that is what he was going to do. It was clear that the people rising up for the legitimate opportunity to be heard in their government did not have the power and the force to stop him. We did.

If we had not acted, there is no question that Muammar Qadhafi would be back in charge of Libya, and we would bear at least some piece of the responsibility—at least that is the way the rest of the world would have looked at it. We in the United States had the power and the force to stop a humanitarian catastrophe and chose not to act.

And that's one of the most critical elements in deciding whether or not to intervene: Can we intervene in a successful way? Yes, there are many countries throughout the world that face crises right now, in Syria, in Sudan, in the Congo, a whole bunch of places. But most of those places—in fact in all of those—there is no clear military mission that we could accomplish and achieve. In Libya, there was. If we intervened, we could stop Qadhafi from regaining control of his entire country.

At the time we understood there was no guarantee that that would mean that he would be driven from power immediately, but we could at least stop him from doing that. It was a humanitarian crisis that our actions could prevent. I think it made sense, and I think the President has clearly articulated that.

So for the Congress to pass a resolution saying they have no earthly idea what the President is doing in Libya simply means that they haven't been paying attention for the last couple of months. It has been made clear.

Now, I think it is appropriate that we ask the President to regularly keep in touch with us, let us know where the mission is going. I supported the resolution that said no ground troops in Libya. I think that is a step too far. I don't think that is something that would clearly be able to be accomplished militarily, so I do think that's appropriate.

But the part of this resolution that I must oppose is the part that says the President has made no national security case for why we should be involved in Libya. I believe that he has, and I don't think we should support a resolution saying otherwise. To have simply allowed Libya to fall apart and not helped a people that we could clearly help, that were legitimately calling for greater freedom and greater opportunity, I think, would have been a mistake.

So I will oppose the Boehner resolution, and I will also oppose the Kucinich resolution because I don't believe we should pull out of the mission. But again, I thank all of those involved for bringing this debate to the House floor so that we can have that debate so that we in Congress can assert our authority and express our opinion on this very, very important issue.

Madam Speaker, I reserve the balance of my time.

Mr. MCKEON. Madam Speaker, I yield 1½ minutes to my friend and colleague, the chairman of the Subcommittee on Tactical Error and Land Forces, the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT. I thank the gentleman for yielding.

I rise in support of the Boehner resolution.

I am not here today to argue whether or not we should be in Libya. That is an argument for another day. What I'm here today concerned with is how we got into Libya, because I think that was a very important precedent.

We went into Libya on March 19, Operation Odyssey Dawn. Just 12 days later, a House committee met and Secretary Gates was there and I made this statement: ''I'm among many people who feel that President Obama has involved the United States in an unconstitutional and illegal war in Libya.''

That same day I dropped H.R. 1323, which asked the President to find offsets in non-defense discretionary spending to pay for the war in Libya that was not authorized by the Congress because we have no money, and I shouldn't ask my kids and my grandkids to pay for that war. This is not the king's army. The power to move our Army into Libya is not inherent in Commander in Chief. If it were, they would not have put in article I, section 8, the responsibility of the Congress to declare war.

This is an unconstitutional and illegal war. I think it sets a very dangerous precedent, and I hope that we make that very clear in our deliberations today.

Mr. SMITH of Washington. Madam Speaker, I reserve my time.

Mr. MCKEON. Madam Speaker, I yield 1½ minutes to my friend and colleague, the chairman of the Subcommittee on Readiness, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Madam Speaker, I rise today in support of the Boehner resolution, but not because I feel that the President has stated a correct policy for us being in Libya. I think he hasn't. All that you'll hear on the floor today would lead to a policy that, if we adopt it, would put us in war with five or six other countries tomorrow. But, secondly, I don't support the fact of how we got in there because I think clearly he didn't go through the proper procedures that we need and didn't comply with the War Powers Act.

But, Madam Speaker, I also realize that regardless of that disagreement he is the President of the United States; and as such he has information about our national defense that many Members of Congress don't have that we need to have shared with us.

And, second, Madam Speaker, as the President of the United States, when it comes to foreign policy issues of this magnitude, we need to give him some latitude to present that case and make it to this Congress.

Madam Speaker, the Boehner resolution does that in a reasonable way by giving him 14 days to present that information. But I believe, as many people do, at the end of that 14 days, if he hasn't done so, if he hasn't made that case, if he hasn't given us that information, we need to be prepared to launch the subpoenas to get the information, or we need to be back on this floor taking action to cut off the funding of what's taking place there.

Madam Speaker, I hope we will support the Boehner resolution. I think it's a reasonable approach and the correct approach.

Mr. SMITH of Washington. Madam Speaker, I continue to reserve the balance of my time.

Mr. MCKEON. Madam Speaker, I yield 1½ minutes to my friend and colleague, the chairman of the Subcommittee on Strategic Forces, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Thank you, Chairman MCKEON.

The President has not made the case for our military conflict in Libya. He has told us who we are against, Qadhafi, but he has not told us who we are for.

Secretary Gates has told us that we know very little about the opposition; we know very little about the rebels. We do not know their geopolitical view to their neighbors; we do not know their geopolitical view to us. We do not know their commitment to domestic diversity. Are we going to have atrocities? We do not know their ideology, we do not know their preferred form of government, and we also do not know their commitment to nonproliferation of weapons of mass destruction, an issue that is important in Libya.

The President has used United Nations approval of civil protection to wage all-out war on Qadhafi without congressional approval or American support. U.S. Admiral Locklear, in charge of the NATO operations against Libya, recently stated that ground troops would be needed to provide stability in Libya once the Qadhafi regime falls. Yesterday, White House Press Secretary Jay Carney said he believes that the President has the support of the majority of the Members of Congress. I do not think so.

I offered a resolution, House Resolution 58, that would voice this body's disapproval of the President's actions in Libya. Seventy-five Members have co-sponsored this resolution. I believe it's important for this body's voice to be heard.

The President has not provided us any information as to why we are doing this, what a post-Qadhafi regime will look like in Libya, and what will be our involvement. He is committing us to an extended military action; and for Congress to be relevant, our voices need to be heard.

I support the Speaker's resolution, and I urge my colleagues to cosponsor House Concurrent Resolution 58.

Mr. SMITH of Washington. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Madam Speaker, I rise to oppose this motion.

The War Crimes Tribunal is about to prosecute Ratko Mladic—16 years later, but they've finally gotten him. Why? Because he masterminded the massacre of over 8,000 innocent civilians in Srebrenica. Serbia is now a democratic ally, thanks to President Clinton's taking action against congressional resistance.

We took the lead in the Balkans. It was a NATO effort, but I think we all know that NATO could not have put an end to those massacres, that genocide, had we not taken the lead. We had to act responsibly, and we had to act in a timely and forceful manner.

Now, more recently there have been more than a dozen times since 2000 when the President has had to use American troops to intervene for humanitarian reasons against terrorist threats, against whatever endangered American civilians and troops.

To tie the President's hands in such situations, whether it be a Republican or Democratic President, is wrong. We should not be doing this. Of course we should be advising the President, working with the President, whoever that President might be. And through our committee leadership, we have any number of opportunities to do that. But to pass legislation that is designed to tie the President's hands at a time of military crisis is inconsistent with the legacy of this body, which is to do what is necessary to protect America's interests at home and abroad.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman from Virginia 1 additional minute.

□ 1150

Mr. MORAN. With regard to Libya, we don't know what the outcome is going to be in Libya. We do know that Muammar Qadhafi is a bad guy. He's not an ally. He's not even reliable in terms of working with us in any economic or foreign policy measure. This is an opportunity to establish a government that we can work with. We can't control that government, we're not sure of the outcome, but we know the people putting their government together today want to work with the United States. But they need American support, obviously under the umbrella of NATO—that's NATO's purpose—but none of us should be so naive as to think that NATO can operate independent of United States leadership. That's just not the case. We have made the investment in our military capability, we have established ourselves as the world's superpower, and with that role comes a concomitant responsibility to use it when and wherever necessary for the advancement of world peace and security.

Let's defeat this resolution.

Mr. MCKEON. Madam Speaker, I yield 1 minute to my friend and colleague, the gentleman from Virginia (Mr. RIGELL).

Mr. RIGELL. Madam Speaker, I thank Chairman MCKEON for yielding, and I rise in strong support of House Resolution 292.

I object to the U.S. military intervention in Libya, and my friend and colleague from Virginia actually has far more confidence in the intent and the purpose of the rebels than I do. I've heard in testimony in the Armed Services Committee from multiple top leaders in our country that we simply don't know enough about the rebels, and in my view not one single provision of the War Powers Resolution has been met that would legitimize the President's intervention in Libya.

Since President Obama announced the military strikes, Secretary of State Gates admitted that Operation Odyssey Dawn ''was not a vital national interest to the United States.''

This legislation, the Boehner resolution, reflects and meets the deep obligation we have to support our troops and to uphold the Constitution.

Madam Speaker, I ask my colleagues to support this resolution.

Mr. SMITH of Washington. I reserve the balance of my time.

Mr. MCKEON. Madam Speaker, I yield 1 minute to my friend and colleague, the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Madam Speaker, the citizens of Mississippi's Fourth Congressional District overwhelmingly do not support the President's handling of Libya, and I agree with my constituents.

Our country, our military, and their families are fatigued by 10 years of war in Iraq and Afghanistan. The White House has yet to clearly explain to the American people why we should commit more of our precious blood and treasure to a third war.

Where is the leadership Americans expect and deserve when it comes to committing our troops to foreign wars?

With reservation, I will support House Resolution 292—only because the United States must honor our commitment to our friends and allies engaged in the Libyan conflict. This resolution gives the President 14 days to explain to Congress the scope of our objectives in Libya. If he fails, we should immediately withdraw our support from the conflict, and as much as we care for our friends and allies, we cannot cast aside the laws of our land.

Mr. President, the American people and this Congress have questions and deserve answers. We cannot afford a failure in leadership when Americans' lives are on the line.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their comments to the Chair and not to others in the second person.

Mr. SMITH of Washington. Madam Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 2½ minutes.

Mr. SMITH of Washington. The President has said from the outset that our role in this mission will be limited; limited but critical. We are not committing troops, we are not committing the full force of the U.S. military, but what we are contributing, as Mr. MORAN said, is absolutely critical to the success of the mission. We are supporting our NATO allies in making sure that this mission is carried out in a very limited and very critical way.

I just want to emphasize again that Muammar Qadhafi is not someone who is in the best national security interests of the United States of America. He has a long, long history of weapons of mass destruction, of supporting terrorist groups, of committing terrorist acts against United States citizens, and of in general being an unstable and destabilizing figure. When the people of Libya decided to rise up to throw him out, it was a very appropriate thing for them to do.

Now we all wish that Mr. Qadhafi would have gone quietly and simply—that certainly would have been the easier way to go—but he didn't. And to protect those people who have legitimate aspirations for a better government, we needed to intervene militarily to assist.

Now I think in this instance the best thing about this is we were not alone. The Arab League, the United Nations, NATO, took the lead. There is a great deal of instability throughout the Middle East and that is unquestionably in the national security interests of the United States of America to do whatever we can to try and reduce that instability and make sure that we have friends, allies and also governments that legitimately represent the aspirations of their people. That is one of the greatest problems we've had. We have supported governments in the past in the Middle East who didn't have the support of their people. We need not just the support of governments, we need the support of the people in that region. This is a critical opportunity to gain that support. I believe that's clearly in the national security interest of the American people.

So, I do not agree with the gentleman from Ohio's resolution in saying that the President has not articulated a case. He has. We in the House should vote whether we approve it or not, but I don't think it is correct to say that the case has not been made. Let's have a vote in this body, as we will, on the Kucinich resolution, of whether or not to support what is going on there or not, but we should not simply be asking the President for something he has already provided.

I yield back the balance of my time.

Mr. MCKEON. Madam Speaker, I yield the balance of my time to my friend and colleague, the gentleman from Indiana, a member of the Armed Services Committee, Mr. YOUNG.

The SPEAKER pro tempore. The gentleman is recognized for 1 minute.

Mr. YOUNG of Indiana. I rise in support, as so many of my colleagues have, of House Resolution 292, because this Congress is a coequal branch of government, and we must never be a quiet coequal branch, especially on military matters.

When the U.S. sends its sons and daughters into harm's way, it must only be done to protect America's vital national security interests and where there is a clear plan to advance those interests.

We know our Nation is insolvent, with a national debt of over $14 trillion. Our troops are already overextended, we're hearing, in Afghanistan and Pakistan. Meanwhile, the administration is talking about defense spending cuts at the very same time it's piling on this new mission, a humanitarian mission, a narrow humanitarian mission, we're told, on top of all our other commitments.

Now what gives? This Congress needs to be heard. Our President has failed to properly define what vital national security interests justify this military intervention, and with this resolution, we give him 14 days to do so. Sadly and ironically, by becoming involved in Libya, our NATO alliance, which does remain a vitally important national security interest, may well have been put at risk.

This Congress will be heard.

Mr. GEORGE MILLER of California. Madam Speaker, regarding H. Con. Res. 51 and H. Res. 292, both resolutions have imperfections. I strongly support the sentiment behind the Kucinich resolution but do not think it would be responsible to compel action in such a short time period. Regrettably, the Boehner resolution accomplishes little. However, it makes a clear statement that I agree with, which is that American troops should not be on the ground in Libya.

Mr. REYES. Madam Speaker, I rise today in opposition to the Boehner resolution on Libya. As a combat veteran myself, I am extremely concerned any time that we commit to using our armed forces to support military actions, and I believe that close scrutiny of our country's involvement in the NATO-led operation is essential.

I understand the frustration being expressed by many here today about their level of consultation in the decision to commence military operations in Libya, but, as my colleague from the Armed Services Committee ADAM SMITH noted, Congressional leaders were invited to a White House briefing and substantial information has been provided to Congress since then.

Based on my personal experience as Chairman of the House Intelligence Committee, the Obama Administration's level of consultation with Congress on these sorts of issues is much more extensive and timely than during the Bush Administration.

I, myself, had additional questions which were not fully addressed by this week's briefings, and, while my colleagues were debating the rule for this resolution, I simply called the White House to request the information demanded in this resolution. Much of the information was provided immediately, with the rest due back in the next few days. And when I asked the White House about requests for information they had received on operations in Libya, they told me they had responded to all Congressional requests for briefings.

Debating the bill before us may provide a convenient opportunity for opponents of the President to make political statements, but it does so at the expense of our troops who are actively engaged in combat operations. This resolution threatens our critical NATO alliance and emboldens our enemies.

The Boehner resolution—like the Kucinich measure which we are also debating today—potentially sends the message to our NATO allies that the United States does not stand by its commitments. At a time when we are relying more and more on our NATO allies to support the joint mission in Afghanistan, now is not the time to turn our back on NATO.

Beyond straining relations with our closest allies, this resolution sends an even more dangerous message to Colonel Qaddafi. This resolution is effectively telling a despotic dictator, who has murdered and terrorized his own citizens, that he can simply wait out the military effort to protect the Libyan people because the United States will not hold true to its word.

As a member of the Armed Services Committee, as a combat veteran, and as an American, I will continue to ask the hard questions of our military and civilian leaders about military operations over Libya. But I will not vote for a measure that I believe threatens the security and safety of our country and undermines our President.

Mr. JORDAN of Ohio. Madam Speaker, more than two months after stating that our military action in Libya would be over in ''days, not weeks,'' President Obama has yet to explain to the American people what our mission in Libya is, how it will be conducted, and when it will be completed. He has failed to explain how our military involvement in Libya fits with our policy interests in the Middle East and northern Africa. Most importantly, he has ignored his constitutional responsibility to uphold federal law by choosing not to acquire authorization from Congress for our involvement there.

That is why I cosponsored Mr. TURNER's resolution disapproving of the President's actions, and that is why I joined my House colleagues today in demanding action from the President.

The President must follow the law and seek approval for this military action from Congress. In doing so, he must explain some basic facts, such as whether the removal of Moammar Qaddafi is part of the mission, how stability will be promoted in the region if Qaddafi is removed from power, and who among the anti-Qaddafi forces in Libya should be supported in the event that he is removed.

Instead of following the clear path of seeking congressional approval as outlined in federal law, the President unilaterally escalated our military efforts in Libya after assuring us they would be scaled back. Now, some in the Obama administration are saying we should put boots on the ground in support of further NATO actions. This is the opposite of what the President promised and contrary to the will of the House.

Congress appropriately shows a certain deference to the commander-in-chief when it comes to national security decisions, as we must always have the ability to quickly respond to threats to our sovereignty and our interests around the world. Further, Congress must not direct troop movements or set timelines for our military operations, as such decisions should be left to our highly skilled commanders on the ground. But our deference is contingent upon the President respecting the Founders' intent for the primary role of Congress in providing for our defense and security needs. It does not change the fact that the President is obliged to seek congressional approval and to explain how our mission in Libya is vital to our national security.

The brave men and women in our armed forces, as always, are performing their duties with the greatest expertise and professionalism of any military in the world. The issue at hand is the failure of the President to seek congressional approval required by law, and the failure of the President to tell Congress and the American people the details of our mission.

The American people will always stand with those who seek freedom and self-determination. Today's vote reaffirms that it is vital the President obey the rule of law in doing so.

Mr. GOODLATTE. Madam Speaker, like many members of this body, I have been outraged by the President's failure to comply with the War Powers Act and to define the U.S. mission in Libya. This Congress must not neglect its responsibility and authority regarding the use of force in Libya, and the debate we are having today is long overdue.

I think most Americans, including myself, agree that seeing Moammar Gadhafi and his regime of thugs removed from power would be a good thing. However, I think most Americans, including myself, also feel strongly that American forces should not be committed to this kind of mission without the consent of the U.S. Congress.

Our Founding Fathers envisioned a country where the executive branch and the legislative branch share the responsibility regarding the use of force. President Obama has not sought the consent of the Congress in terms of involving American forces in Libya and that is why we are having this debate today.

I rise in support of H. Res. 292. This resolution demands that the President provide answers about our involvement in the conflict in Libya, including the President's justification for not seeking Congressional authorization for this action. The resolution gives the President 14 days to respond to this request. The President should take very seriously this resolution. And our leadership in Congress should be vigilant to demand a full and clear response from the President. This resolution also gives adequate notice to NATO and our other allies of the concerns of the House before the House takes further action. The further action must take note of the President's failure to comply with the War Powers Act and notwithstanding that fact must also take note of our Nation's foreign policy interests and efforts to combat terrorism.

H. Res. 292 is an important first step in restoring the balance that our Founding Fathers envisioned, that our legislative and executive branches share the responsibility regarding the use of U.S. force. However, the action taken today should not be the last step. In 14 days, the House of Representatives should reconvene to evaluate our continued involvement in Libya. We must then make hard decisions about the operation in Libya and the role of the United States in this conflict. I hope my colleagues will join me in remaining vigilant and demanding accountability from the White House.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in opposition to H. Con. Res. 51, ''Directing the President, Pursuant to Section (c) of the War Powers Resolution, to remove the United States Armed forces from Libya,'' I support the War Powers Resolution however I cannot support a resolution which requires the President to withdraw all United States Armed forces within 15 days of its adoption.

As the Ranking Member of the House Homeland Security Subcommittee on Transportation Security and Senior Member of the House Judiciary Committee, I believe in supporting the Constitution of the United States. This Concurrent Resolution is a reminder to the American people that we must firmly hold true to our constitutional duties. We have the power to ensure the Executive does not overstep its bounds. As Members of Congress we can exercise our power through appropriation, the appointment process, exercising oversight over the Executive, enactment legislation, or even establishing a select Committee to probe any abuse of power by the administration.

Presidents, Members of Congress, scholars and lawyers had long argued about which branch of government has the power to decide whether the nation goes to war, and meaningful discussions between the branches has not always taken place.

In 1973, the War Powers Resolution (Public Law 93–148) was passed over the veto of President Nixon, in order to provide procedures for Congress and the President to participate in decisions to send U.S. Armed Forces into hostilities.

Such force is constitutional under the Necessary and Proper Clause which specifically provided that ''Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by the Constitution in the Government of the United States . . .''.

The policy behind this power, entrusted to the President as Commander in Chief, to deploy U.S. armed forces to defend itself is ''exercised only pursuant to: (1) a declaration of war; (2) specific statutory authorization; or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.'' Pursuant to this authority, the President ''in every possible instance'' shall consult with Congress before deploying U.S. Armed Forces, and to continue consultations as long as the armed forces remain in hostile situations.

As we consider the War Powers Resolution, we must also consider facts surrounding the state of violence and unrest in Libya and the consequences of both action and inaction on behalf of the Libyan people.

I believe in the Constitution and the importance of maintaining the power of Congress in asserting when international conflicts warrant U.S. military involvement. I call upon the President to issue a report detailing the current status of the United States military forces in Libya within the next 30 days.

We must not forget the bloodshed that continues to take place in Libya. The people of Libya have given their lives in their fight for democracy. This conflict began in Libya four months ago when Colonel Gaddafi failed to do what was right for his country and its people. Violence erupted as many Libyan citizens felt

the painful consequences of a government resistant to change. Civil liberties were infringed upon, human rights were violated, and worst of all, many Libyan lives were lost. These atrocities were not committed under the command of some far away leader or as a consequence of a conflict with a foreign nation. No, these unforgivable acts were authorized by the hand of the Libyan leader himself.

The widespread suffering in Libya was initiated and continues to be encouraged by the very man charged with protecting the Libyan people. The Libyan people are in desperate need of outside help. The question is no longer whether or not Libya is in a critical condition. I call on my fellow Members of Congress to continue to condemn the violence taking place in Libya today.

Colonel Muammar Gaddafi has continued to refuse to acknowledge the will of the Libyan people and the reality of the dilemmas that Libya faced. Rather than act as a true leader and acknowledge the interests of Libyan citizens, Gaddafi chose to remain steadfast to the status quo—to disregard the context of an intolerable situation in favor of blindly following what has always been done just for tradition's sake. The reality of the situation is this: it was Gaddafi's refusal to contemplate the circumstances in Libya that led to the unnecessary loss of innocent lives. Let us not make the same error as we deliberate the role of the U.S. and the decision of our President to act on behalf of innocent people.

We should not forget that the people of Libya are continuing to fight for democracy and there has been a significant loss of life.

Gaddafi has a long record of bloodshed and blood continues to run in the streets of Libya. We cannot stand by and do nothing, and America cannot do this alone. I call for a unified voice from NATO, the United Nations, the African Union, and other world groups to stop the slaughter and violence against the people of Libya.''

As a Member of this body, I am calling on my colleagues to join me in calling attention to the plight of the people of Libya and their fight for freedom, justice, and deliverance from Col. Muammar el-Qaddafi.

I stand with the people of Libya fighting for peace and freedom. It is clear that NATO has taken the Lead in protecting the Libyan People.

FACTS ON NATO

For over two months NATO-led airstrikes in Libya have inflicted serious damage upon the Qaddafi regime's war machine, yet loyalist forces continue to demonstrate cohesiveness and operational superiority over besieged rebel forces. Still, some analysts suggest the stalemate is now yielding to a war of attrition favoring the rebels. Rebel combat skills have improved, as has their arsenal (which now reportedly includes vehicle-mounted antiaircraft guns, recoilless rifles, and mortars). During the week of May 11th, rebel forces succeeded in capturing Misratah, which had been the scene of the heaviest fighting since the conflict began. With control of the air and sea ports, rebels have developed a means to resupply and reinforce Misratah from the east while simultaneously supporting resistance in the west. Meanwhile fuel shortages in regime-held areas are taking a toll, as demonstrated by an attack over the weekend against reporters during a state-supervised trip to the Tunisian border. Fierce fighting continues across the Nafusa mountain range, which cuts across the desert south of Tripoli to the western border with Tunisia. At least four Grad rockets fired from Libya on May 16th landed in Tunisia near the Dahiba border crossing. Tunisian authorities have warned that it will report Libya to the Security Council if loyalist forces continue firing ammunition into Tunisia.

As rebels consolidate recent gains, NATO has proven to be the equalizing force. NATO have targeted major command centers near Tripoli and Brega and surface-to-air missile launchers in Sirte and Al Khums. On May 19th NATO destroyed at least eight naval ships after it was verified that the Libyan navy had tried to mine the rebel-controlled port of Misratah. That same day NATO blocked a Maltese-flagged ship from delivering a consignment of fuel intended for regime forces. Airstrikes against a compound in Tripoli on May 1st reportedly killed Qaddafi's youngest son Saif al-Arab and three grandchildren. Direct lines of communication have been established between NATO and opposition headquarters in Bengahzi, thereby enhancing NATO's operational effectiveness. Previously, opposition forces have faced accidental strikes by NATO aircraft after failing to identify themselves and shifting to the use of armored vehicles without communicating with the coalition.

The NATO air mission has conducted nearly 8000 sorties, including 3025 strike sorties, since assuming control of the operation on March 23rd. The NATO maritime component has conducted more than 1000 hailings in the embargo area, boarded 48 ships, and turned away 7 ships.

The African Union continues to press for a peace deal that was accepted by Qaddafi but rejected by the opposition because it would leave Qaddafi in power. Turkey also has proposed a roadmap to establish an immediate and verifiable ceasefire, secure humanitarian aid corridors, and advance ''a political process for a transition. However, Turkey has not yet provided an implementation strategy other than making it clear that Qaddafi must go.

After the President of South Africa, Jacob Zuma, engaged in peace talks with Qaddafi most of the world believed the bloodshed would end. Today, it is clear that Qaddafi is going to continue to fight to stay in power.

As it stands, the United States already has authorized a drawdown in nonlethal defense articles and services valued at $25 million to assist the Transitional National Council (TNC) and an additional $53.5 million in humanitarian assistance. It was announced on May 5th that the Administration now is seeking legislation to allow them to ''vest,'' or confiscate, ''assets and property held by the government of Libya, including the Central Bank of Libya, in the jurisdiction of the United States and invest all or part of that in any agency or individual designated by the President to provide humanitarian relief and protect civilians in Libya.'' The United States currently holds $33 billion in frozen Libyan assets and property, of which $150 million has been proposed for vesting. Senator KERRY has suggested to reporters that he will soon introduce the requested legislation.

We can not stand by and watch as the people of Libya suffer. We need and must provide humanitarian aid. Americans have always come to aid of their neighbors in times of crisis. Thus far, the United States has provided over $53.5 million to meet urgent humanitarian needs in Libya while the European Commission has provided nearly $55.4 million. On May 18, the UN launched a revised Regional Flash Appeal for the Libyan Crisis, increasing the appeal from $310 million to $407.8 million. To date, the UN has received $175 million in contributions or 43% toward the appeal and an additional $106 million for humanitarian activities not listed in the appeal. The UN evacuated its international staff from Tripoli on May 1st but maintains a presence in Benghazi. Humanitarian access inside Libya remains severely constrained. Of particular concern are the besieged western towns of Zintan, Nalut, Zawiyah and Yifran.

Over 807,000 people have fled to neighboring Chad, Egypt, Niger, Algeria and Tunisia since the start of the crisis. Additionally, up to 200,000 internally displaced persons (IDPs) from Brega, Ras Lanuf, and Ajdabiya are in eastern Libya.

We must continue to remember the context upon which we are currently operating in the world today. The Middle East is finally awaking to democracy and freedom. Advancing these objectives also advances our nation's security.

FACTS

The people of Libya have suffered since the overthrow of King Idriss in 1969. Under the oppressive Qaddafi regime, basic human rights have been terminated, and too many lives have been lost.

Since assuming power, Colonel Qaddafi has ignored the needs of the Libyan people, choosing to train other oppressive leaders in intelligence and weaponry. Qaddafi has given money to dictators such as Robert Mugabe and Charles Taylor, and intervened in foreign wars instead of investing in education and infrastructure for the betterment of his own people.

Human Rights Watch and Amnesty International have consistently reported the lack of free press and free speech in Libya. The State controls the media and speaking out against Qaddafi or his government is not only illegal, it is also deadly. Qaddafi and his army executed activists who opposed the government and broadcasted their deaths on television.

Qaddafi was particularly intolerant of women and other minorities. Foreign Policy reports he established ''social rehabilitation'' centers where women who were designated financially or morally vulnerable were detained indefinitely. Homosexuality was deemed criminal, and punished with up to five years in jail.

Since the outbreak of civil war in February, Qaddafi has shut down Internet communication in Libya, and abused and detained foreign journalists covering the rebellion.

The International Federation for Human Rights has reported that commanders in the Libyan army executed hundreds of lower ranking soldiers for refusing to fire on protestors or defend Qaddafi.

Colonel Qaddafi has utilized snipers, helicopters gunships, mercenaries and gangs of hired thugs to harm his own people throughout the course of the protests. Rebels taking to the streets demanding free elections were injured and killed.

Because of the severe communication restrictions and limited access of journalists, estimates are extremely varied as to how many Libyans have been killed in this conflict. Navi Pillay, the High Commissioner for Human Rights at the United Nations estimates thousands have been killed or injured. The Libyan

National Transitional Council puts the death toll around 8,000.

I am outraged at the story of Eman al-Obeidy who had the courage to report being raped by soldiers in the employ of Qaddafi. Because this young woman spoke out about the brutal crime she endured, she lives in fear of the repercussions. Ms. Al-Obeidy's story is a harsh and violent reflection of Qaddafi's regime and the somber reality that rape is a symptom of war. This violent sexual assault must be investigated, and Ms. Al-Obeidy's safety must be ensured. This brutal crime is further evidence of the cruelty of Colonel Qaddafi's regime. In addition, to killing thousands of innocent civilians, the Libyan government is also allowing violent discriminatory actions to be freely committed against the women of Libya. This is unacceptable, and is strong evidence that humanitarian efforts must be increased. I call on the Allied Nations to ensure Ms. Al-Obeidy's safe passage out of Libya. Further, I call on the United Nations to condemn these actions, and work to prevent their future occurrence.

The Red Cross reports dangerously low amounts of medical supplies and food, as well as a refugee crisis as thousands flee the violence.

There should be an increased emphasis on diplomacy. On May 20th it was reported that Shukri Ghanem, head of Libya's National Oil Company and former Prime Minister, had defected to Tunisia. On May 19th Secretary of State Clinton asserted that Qaddafi's wife Sophia and daughter Aicha had fled to Tunisia, though Tunisian authorities later denied the report. On May 9th it was reported that Egyptian authorities had placed Qaddafi's cousin Ahmed Gaddaf al-Dam under house arrest and planned to seize his assets before deporting him to Benghazi. On May 4th, the prosecutor for the International Criminal Court announced that he was seeking the arrest of three unnamed senior officials in the Libyan regime for war crimes and crimes against humanity. On May 3rd, Turkish Prime Minister Recep Tayyip Erdogan demanded that Qaddafi step down after attacks against foreign embassies in Tripoli forced Turkey to suspend diplomatic operations. Libyan diplomats subsequently were expelled from France and the UK. On May 2nd, Switzerland reported that the country had seized over $411 million in Libyan assets. The United States, the European Union, Russia, Japan, South Korea, and other countries previously enacted targeted sanctions against Qaddafi and his key supporters.

The Founders distributed the decision to go to war between the two political branches to assure that the decision would be made carefully. The founding generation experienced the hardship of several wars and they knew war's human and financial costs. They understood that a strong executive who is already given the title "Commander in Chief," might flex the country's military strength injudiciously. Giving Congress the essential power to declare war allows heads to cool, alternatives to be considered, and makes certain there is consensus if the country is called to fight. Therefore I voted against the meaningless H. Res. 292 that has no basis in law in order to be consistent in my support of Congress' authority to declare war and the War Powers Resolution (driven by the Vietnam War). I voted yes on H. Con. Res. 51 to allow the President to go to the Senate. The Resolution failed and I hope the President will approach Congress and consult so we can bring peace and an end to violence together.

Mr. PENCE. Madam Speaker, I rise in support of the Boehner resolution, H. Res. 292 and also to announce my opposition to the resolution offered by Mr. KUCINICH.

Let me be clear, I will never jeopardize support for our troops, and I will always maintain the proper level of deference and respect due the Commander in Chief in matters of war. But I do not believe the President of the United States has the authority to take America to war without congressional approval where our security and vital national interests are not directly threatened.

The President told the American people in his address to the Nation on March 28, 2011, that it would be a mistake to broaden our mission. He said, "We went down that road in Iraq." Now, more than seventy-five days since hostilities began in Libya, it has become all too clear that the road we are currently taking is quite different from that we took in Iraq.

In Iraq, we had a clear objective. We had congressional bipartisan approval in both Houses, international support, and through trial and the sacrifice of blood and treasure, we are now on the edge of victory. Here in Libya, there is no clear objective, no congressional approval, and uncertain international support. We are on a different road.

Speaker BOEHNER's resolution before the House today, H. Res. 292, will prevent the President from committing American ground forces in Libya and requires the Administration to finally justify why it committed our military resources in Libya without seeking consultation from Congress. When passed, this resolution will also force the Administration to report to the Congress the political and military objectives regarding Operation Odyssey Dawn.

Let me also speak to the resolution of the other gentleman from Ohio, Mr. KUCINICH. I have never believed it to be wise to tell the enemy when you will quit fighting. More significantly, it cites the constitutionally dubious provisions of the War Powers Resolution and I cannot support it.

In closing, let me just say that history has taught us that America has succeeded only when we have chosen to send our men and women into combat with a clear objective to win. In this instance, where the Administration has not demonstrated how American military involvement advances our national security interests and where the President has failed to provide the American people with a compelling reason to commit our Armed Forces, there is no clear objective to win.

The Boehner resolution will force the Obama Administration to bring its case to the American public before further committing our men and women in Libya and I urge its immediate passage.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 294, the previous question is ordered on the resolution.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCKEON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

LIBYA WAR POWERS RESOLUTION

Ms. ROS-LEHTINEN. Madam Speaker, pursuant to House Resolution 294, I call up the concurrent resolution (H. Con. Res. 51) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Libya, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 294, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 51

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM LIBYA.

Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), Congress directs the President to remove the United States Armed Forces from Libya by not later than the date that is 15 days after the date of the adoption of this concurrent resolution.

□ 1200

The SPEAKER pro tempore. The concurrent resolution shall be debatable for 1 hour, with 30 minutes controlled by the gentlewoman from Florida (Ms. ROS-LEHTINEN) and 30 minutes controlled by the gentleman from Ohio (Mr. KUCINICH).

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that the ranking member of the Committee on Foreign Affairs, my friend, the gentleman from California (Mr. BERMAN), be allowed to control 15 minutes of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I rise in opposition to H. Con. Res. 51, directing the President to remove United States Armed Forces from Libya. The President has failed to make the legal and constitutional case that he owes to the Congress and to the American people before committing American forces to a voluntary conflict. But the situation as it stands today poses an important U.S. national security consideration, and it requires this body to oppose this Kucinich resolution.

What are these considerations, Madam Speaker? These are: the sudden U.S. withdrawal from Libyan operations proposed by this resolution could do irreparable harm to the NATO alliance, and ultimately undermine support for NATO efforts in Afghanistan. Also, the longer Qadhafi is able to