

their expressions of a commitment to deliver a forward-looking bill that could pass both chambers and be signed by the President. But now we find ourselves with the need for a twentieth short-term extension. This extension is necessary, but I again say to my Republican colleagues: Let this extension be the last. Get a long-term bill done.

I will work with my colleagues across the aisle to produce a bipartisan FAA bill that will create jobs and keep our economy moving throughout the 21st century and make this our last extension. For the present time, however, this extension is necessary, and I urge my colleagues to support it.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETRI. Mr. 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 the bill just passed, H.R. 2279.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADJOURNMENT TO TUESDAY, JUNE 28, 2011

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, June 28, 2011; and when the House adjourns on that day, it adjourn to meet at 10 a.m. on Friday, July 1, 2011.

The SPEAKER pro tempore (Mr. PRICE of Georgia). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.J. RES. 68, AUTHORIZING LIMITED USE OF ARMED FORCES IN LIBYA; AND PROVIDING FOR CONSIDERATION OF H.R. 2278, LIMITING USE OF FUNDS FOR ARMED FORCES IN LIBYA

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 328 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 328

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, if called up by the chair of the Committee on Foreign Affairs or her designee. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of

debate, 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; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, if called up by the chair of the Committee on Armed Services or his designee. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by chair and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 328 provides a closed rule for consideration of H.R. 2278 and H.J. Res. 68. The rule provides a total of 3 hours of debate in this Chamber on this vitally important issue of U.S. military operations in Libya. The rule also provides the minority with two separate motions to recommit, with or without instructions.

Mr. Speaker, it was in this week in 1788, June 21, 1788, that the United States ratified its Constitution, that Constitution that still serves us so well today. In that Constitution, our Framers made clear that the power of the purse belongs here and here alone, here in the people's House, here on Capitol Hill; and that Constitution made clear that the power to declare war lies here and here alone.

On June 3 of this year by a vote of 268–145 the House of Representatives passed a resolution asking the President to make clear what his intentions are in Libya, asking the President to come and consult with Congress, to get Congress' permission, to seek our authority to prosecute those hostilities in Libya.

We have received some information from the White House since then. We have gotten a letter from the White

House since then. We even have classified documents since then. But what we have not had since then, Mr. Speaker, is an opportunity for the American people to make their voice heard on this important issue, because, after all, this isn't an issue for Congress, because as a Congressman, it is not about my voice. It is about the voice of the 911,000 people back home that I represent that I bring here to Congress, and those people's voices have yet to be heard on this Libya issue.

□ 0920

Operation Odyssey Dawn is in full operation now, since the month of March, and the people's voice has still not been heard. But today, Mr. Speaker, the Rules Committee, as one of the longest-standing committees in this U.S. House of Representatives, first constituted in 1789, the Rules Committee is making that opportunity available with these two resolutions.

Mr. Speaker, my hope is that the people's voice will be heard today; that in this hour upon hour of debate that we have today, these two very different choices for where this country goes, that the American people will for the first time have their voice heard on the question of Libya.

As you know, Mr. Speaker, when we come back in July, we're going to take up the FY 2012 defense bill. In fact, we'll take it up tonight and start considering amendments when we return. We'll again have an opportunity to have our voice heard. Because, Mr. Speaker, there is an entire gradation of options that we have here. Are we going to declare war on Libya? Are we going to allow the President to continue doing what he's doing in Libya? Are we going to shut down the funding for troops on the ground on Libya? Are we going to shut down funding for Libya altogether? These are the questions that the Rules Committee has made available today and 2 weeks from now so that this House will be able to have its voice heard.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. I yield myself such time as I may consume.

First, I want to thank my colleague very much for yielding the time, Mr. Speaker.

We're considering matters of war and peace today. On Sunday, our Nation will have been engaged in military action in Libya for 100 days. The actions taken by the President have a grave impact on the constitutional role of Congress and the role of the United States abroad. Taken together, these are among the most important issues that we as Members of Congress will ever consider. These are the very debates that scholars and historians will study and analyze for decades to come.

Given these fundamental issues, the American people deserve the full and thorough consideration that should be afforded to all legislation introduced in this body—with committee hearings

and debate, followed by an open and regular process, and a thoughtful debate by the whole House.

In 1990, when I was first here, the body considered a resolution regarding matters of war and peace. At the request of President George H.W. Bush, both Chambers of the United States Congress engaged in a fierce debate about whether to authorize the use of military force in the Persian Gulf. I have vivid memories of those debates long into the night, with issues being debated in committees, marked up by both parties, brought to the House floor for a final debate before the American public. On that particular measure concerning the Persian Gulf, we had 25 hours of debate and 263 Members spoke. It was one of the most thorough airings of our constitutional obligations that I have witnessed.

In exchanges that can be publicly accessed today, Members of the House and our colleagues in the Senate engaged in an intelligent and enlightening exchange of ideas about the merits, the dangers, and necessities of passing a resolution authorizing American troops to engage in military force overseas. There were strong views on both sides of the aisle, but these views were accompanied by an overriding sense of duty to our country—a belief that Congress would reach a decision based upon the thoughtful and prudent vote of its Members and a reflection of a common interest of all its citizens.

As historians look back on the debate over the Persian Gulf War, they can clearly see a vibrant democracy—a democracy that is engaged in robust debate and a democracy earnestly working together for the best interest of its people. Two decades later, we stand in a room imbued with this history—that debate took place right here—but we avoid the robust debates that preceded us here today. Indeed, the way in which today's measures are being debated shame the dignity, history, and tradition of this body.

Today's resolutions about our actions in Libya have been rushed through the House of Representatives. They were written behind closed doors and received neither committee hearings nor committee markups. The two resolutions are being considered under a single closed rule following an emergency meeting of the Rules Committee yesterday afternoon. The process by which these measures proceeded through the Rules Committee is indicative of the chaotic and rushed process that we're being asked to vote for here today.

Late Tuesday night—10 o'clock, I believe—we were given two resolutions for an emergency meeting on Wednesday. They were added as emergency items to our afternoon meeting. When we got to the Rules Committee, they had been pulled from the agenda. It wasn't until 9 p.m. Wednesday that we received the text of H.R. 2278. Yesterday, we were notified that the Rules Committee would meet on this new and

unvetted bill, along with one of the original two resolutions, less than 3 hours before the meeting began. We now stand on the House floor being asked to vote for a closed rule. We will then be asked to consider two resolutions of historic proportions with no ability to shape and adjust the measures to reflect the true will of the House.

Mr. Speaker, I regret the shameful way this important debate has been rushed through Congress, and I apologize to future generations who will look back on the work that we're doing today. Quite simply, the legislative process matters. Historians, scholars, and yes, future Members of Congress will look back on our actions today to see how their forebearers shaped the fate of this country.

In the case of the resolution of the Persian Gulf, they'll say how our democratic process thrived, whether one agreed with the resolution or not. Shamefully, in the case of today's resolutions, they will see a dysfunctional democratic process, one that has committed a disservice to the American people, to the dignity of the House of Representatives, and the future of the United States, by avoiding a true debate on one of the most important issues of our time.

For these very reasons, I urge my colleagues to vote "no" on today's rule.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time I am pleased to yield 3 minutes to a gentleman who has great reverence for the United States Constitution, the gentleman from Texas (Mr. PAUL).

Mr. PAUL. I thank the gentleman for yielding.

I rise in support of this rule, although I have a lot of complaints about how we deal with the issue of war. This is a debate that should have gone on 4 months ago, before the war was started. And if we had done this properly, we wouldn't be bringing this up quickly today. No committee work, no discussion, no chance for amendment. But, nevertheless, I will support the rule because at least we get a chance to talk a little bit about what's going on in Libya.

We have two resolutions that will come up under this rule. The first resolution, generally, I understand most individuals aren't too keen on this, because it's a literal endorsement—a rather explicit endorsement—of the war, so obviously I oppose H.J. Res. 68. But my greatest concern is about H.R. 2278. The way I read this resolution is that it essentially grants the same authority that we grant in the first Resolution because we say that no funds can be used—it denies the use of funds. But how can you deny the use of appropriated funds when they're using funds that weren't appropriated? It's so redundant. The funds were never appropriated. So, yes, it's a good statement. You don't continue to be illegal, is what we're saying.

What I'm concerned about are the exceptions. All the exceptions are for the things that they're already doing, like search and rescue, intelligence gathering, reconnaissance, surveillance, refueling, operations planning, and doing everything except pulling the trigger. So we're legalizing the current war.

I believe that H.R. 2278 is the first time that we in the Congress are making a statement of granting authority to the President to pursue this particular war. I am in strong opposition to that resolution as well, although I understand the other side of the argument because it says "denial of funds." The author of the resolution said the reason why we have the exception is to protect the integrity of our contract or agreement with NATO. Well, in the resolution it says we have to stop the funding because we don't want to support NATO's war.

So it's totally inconsistent. Makes no sense whatsoever. But it reminds me of the War Powers resolution. After the Vietnam War, we didn't want to get into that kind of war any more, so Congress, in its infinite wisdom, with good intentions, it designs the War Powers resolution, which legalized war for 90 days. That's part of the reason why we're here. We're worried about 90 days. But here we're going into the fourth month dealing with the War Powers resolution.

□ 0930

There is a simple solution to all of this, and that is to obey the Constitution. Don't allow our Presidents to go to war without a declaration of war, and we wouldn't be facing this problem of this debate that actually gets a little bit silly on restraining the President. Yes, we should. We should exert ourselves. We have the prerogatives, and we have the obligations. We have avoided it. It's time to stand up for the rule of law.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlelady for yielding.

Mr. Speaker, I rise in opposition to the Hastings resolution and in support of the Rooney resolution.

This morning's paper, The New York Times, says that this is a dangerous resolution because it would allow the financing only for American surveillance, search and rescue missions, planning and aerial refueling. It would halt drone strikes and attacks on Libyan air defenses, and it would damage the Nation's credibility in its leadership of NATO.

Mr. Speaker, I think that the Nation's credibility—that is to say its promise to go to war if backed by the President and not by Congress—ought to be damaged. We have been sliding for 70 years into a situation where Congress has nothing to do with the decision about whether to go to war or not, and the President is becoming an absolute monarch. We must put a stop to

that right now if we don't want to become an empire instead of a Republic. This country was set up to be a Republic where the basic questions of war and peace are supposed to be answered by this Congress. Because of the exigencies of the Cold War, if the bombers are coming over the Pole, you don't have time to call Congress. We lost a lot of that power. We ceded it to the President.

But in a situation such as Libya, whether the reasons for going there are good or ill, the fact is there was no imminent threat to the United States, and the Secretary of Defense said that. There was plenty of time to negotiate with the Arab League, and there was plenty of time to go to the U.N. There should have been time to have, not consultations with Congress, but the authorization from Congress. In the absence of that authorization, we have to put our foot down now and say "no." If foreign countries learn that they cannot depend on American military intervention unless Congress is aboard for the ride, good. That's a good thing.

The power of the Presidency—and I'm not talking about this President—as was said by Charles James Fox in 1780, the power of the Crown, in this case the power of the President, has increased, is increasing and ought to be diminished. This country's power to go to war or not must reside here except in extreme and urgent emergencies. It is time to put our foot down now by passing that resolution.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Georgia for yielding time.

I rise today in support of this rule and of H.R. 2278, a bill to prohibit funds for continued U.S. military involvement in Libya except for operations involving search and rescue, intelligence, surveillance and reconnaissance, aerial refueling, and operational planning.

In 2007, then the junior Senator from Illinois, Barack Obama, confidently proclaimed to the Boston Globe this comment: "The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the Nation." However, now that he is not attacking political opponents, that stance has proven inconvenient, prompting one of his many, many flip-flops, such as his vote opposing to raise the debt limit.

Regardless of one's position on the constitutional powers of the President as Commander in Chief or Congress' authority to declare war, the legislative branch unquestionably yields the power of the purse. This bill represents a proper exercise of that power, pure and simple. The bill does not leave our military personnel in dangerous circumstances without the funds or supplies they need. It does not require a precipitous withdrawal since, without

a ground presence, there is nowhere from which to withdraw. The bill simply denies U.S. taxpayer funding for what the President calls a "kinetic activity," but what the world recognizes as an ongoing bombing campaign in Libya.

It is for these reasons and many more that I urge my colleagues to support the rule and to support H.R. 2278.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentlelady from New York for yielding.

Mr. Speaker, we are later this morning going to be engaged in one of the most important tasks of Congress, and that is what to do about war. Unfortunately, the administration—and I think they would agree to this—didn't adequately engage Congress in the process running up to the beginning of the Libya conflict and didn't sufficiently engage during the course of it. We are now in a position where we will be making some decisions today about how we want this Nation to proceed, whether we want to proceed with a full-on war or with limited or much more limited activity with regard to the support of NATO in the Libya fight.

Unfortunately, all of this is now being rushed upon us here on the last day just before the break for the 4th of July. The amount of time to debate this on the floor is far too limited. It would have been our preference on the Democratic side to have had a more full discussion along the lines that the gentlelady from New York discussed in her opening comments—a full-on discussion about how we are to proceed. We are basically going to have two options, both of them with inadequate discussion. I guess we're down to that point now where we have no more alternative but to use the 1 hour, so here we are debating this issue at this moment.

For me, there is a very important principle that was enunciated by the United Nations, which is the obligation to defend and protect. That was the basic rationale for this country moving forward with the Libya operation. Yes, the President should have come to us early. He should have come to us at the very beginning and allowed Congress to carry out its constitutional obligations, "yes" or "no." But here we are. The obligation or the right or the necessity to defend is very important. That's why we're there. We need to provide the President with the necessary powers to carry out that obligation in a very limited period of time. We'll see that this afternoon or later this morning with the Hastings amendment.

Mr. WOODALL. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I am pleased that the House has the oppor-

tunity today to actually have a serious debate on the war with Libya.

Like most Americans, I am disappointed in any argument that says we are not at war. I believe that argument shows contempt for the Constitution and for the executive's coequal branch of government—the United States Congress.

How can this not be war? If another country launched aggressive air strikes against the United States, you'd better believe we'd consider it an act of war. Does anyone remember Pearl Harbor or 9/11? We certainly considered those acts of war against our country. To say that our bombing of Libya does not rise to the level of "hostilities" flies in the face of common sense.

Mr. Speaker, our Nation can't afford a third war. The ones we are already fighting are bankrupting us morally and fiscally. This Congress must reassert our power of the purse and not fund an unauthorized war. Today, we must send a clear message that the American people and this Congress will not support perpetual war.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 5 minutes to the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. I thank my friend from Lawrenceville for his typical stellar management of this very important rule; but I have to say, Mr. Speaker, that it saddens me greatly that we are here on the House floor, dealing with this. We have been in the midst of what has been a celebration, a celebration as described as the Arab Spring.

We saw a few months ago a young merchant in a small town in Tunisia very, very distraught over the fact that a government official came and took his scale away from him and took it to the government office.

□ 0940

He went back and asked for it, and when he made that request, he was denied it. He basically said he'd had enough, and so this young man chose to set himself afire in the middle of the town square in this tiny town in Tunisia.

Now, as we all know, that launched what has become known as the Arab Spring. The Economist magazine very appropriately said that one of the great developments that the Arab Spring has wrought is that we have now seen those so-called "barbarians" in the Arab world, in the Muslim world, move towards self-determination. Many people in the West and in other parts of the world very arrogantly said there's no way in the world that those people could possibly make great strides towards political pluralism and development of the rule of law, self-determination, but, in fact, we saw—beginning with this one very sad act—people throughout the Arab world in not only Tunisia, but Egypt, Bahrain and, yes,

in Libya, demonstrate their frustration over authoritarian dictatorships that were actually undermining the potential of the people of each of these countries.

So that's why, Mr. Speaker, it saddens me greatly that we are here today doing what it is that we're doing. Why? Because we should be in the midst of a celebration, a celebration of these very bold and dynamic steps that are being taken throughout the Arab world. And why is it that we're here? We're here because of what has been described by Members on both sides of the aisle—and I just heard my friend from New York describe the actions of this Presidency—as being the act of a monarch.

Mr. Speaker, I think it's very important for us to look at recent history. If we go back to the 2006 election, the Republicans lost the majority in large part because of the war in Iraq. Democrats and Republicans alike acknowledge that.

There's an important distinction that needs to be made. If one goes back and looks at the action that was taken by President Bush, he chose to come to this Congress. He wanted the support of the American people through their elected Representatives and Senators to be behind his effort. We all know that he reached out to the United Nations, built a coalition, and there was lots of controversy. There, to this day, continues to be controversy. But the Congress was involved in that process, as has been the case in many instances in the past, not every instance, but many instances in the past.

We know, as my friend from Grandfather Community, North Carolina, just said, that President Obama when he was a candidate, United States Senator, was very critical of President Bush. We know that his campaign for the Presidency in large part centered around this notion of bringing home the troops, and we had his speech the before night last on dealing with Afghanistan and his notion that we were going to bring these efforts to an end.

I would argue, Mr. Speaker, that as we, I said, should be in the midst of celebrating the Arab Spring, we probably would have had, when one thinks about the actions that took place in Libya, we probably would have had, Mr. Speaker, pretty broad support here in the Congress for the action that was taken by the President if there had been an early authorization of this.

Now, it is, as I said, very sad that we are here now because I think Democrats and Republicans alike acknowledge that this has been very, very poorly handled. And, Mr. Speaker, I don't know if there's any more time.

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

Mr. WOODALL. I yield the gentleman 2 additional minutes.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

Let me just say that as we look at this, Mr. Speaker, I think we need to recognize that there are other very

troubled spots in the world. We just, today, have gotten word of thousands of Syrians who are fleeing to Turkey because of the barbaric acts that have taken place there.

So I think that as we look at the great positive steps that have been taken in the Arab world, we need to make sure that the United States Congress and the President of the United States are in this together. There should be consultation and authorization to deal with this.

Mr. Speaker, I've got to say that as we look at this rule itself, I really am absolutely stunned, absolutely stunned at the kinds of things that I've heard from my colleagues on the other side of the aisle.

Now, Mr. Speaker, as my good friend from Rochester, New York (Ms. SLAUGHTER), knows, as we began debate on this, we had complete compliance with the 3-day layover requirement, and we had these measures before us. I would say to my friend from Rochester, Mr. Speaker, there was not a single amendment offered in the Committee on Rules to deal with this, not a single amendment offered, and, in fact, one of these measures is offered by a Republican, gentleman from Florida (Mr. ROONEY); the other is offered by a Democrat, the other gentleman from Florida (Mr. HASTINGS).

And so when I think about 3 o'clock in the morning on June 25 of 2009, we began the debate on this horrible idea of cap-and-trade, and it was 3 o'clock in the morning and I was sitting upstairs with my Rules Committee colleagues, Mr. Speaker, and dropped in my lap, still hot because it had just come off of the copying machine, was 300 pages of an amendment that we reported out.

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

Mr. WOODALL. I yield the gentleman 2 additional minutes.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me just say, at 3 o'clock in the morning we were handed this measure.

Now, what we have before us has, again, complied with the 3-day layover requirement, not a single amendment was offered, and there's a proposal offered by a Democrat and a proposal offered by a Republican. So, Mr. Speaker, I have to say that I believe that this rule is one that does allow for a free-flowing debate. It allows for an opportunity to consider this, and it's not as if we haven't been engaged in this discussion for a long period of time.

My friend from Cleveland is here and he has played a very, very constructive role in leading the charge on this over the past several weeks, as he often does, and I believe that our ability to continue this debate is an important one.

But again, Mr. Speaker, let me just conclude by saying it saddens me that at a time when we should be cele-

brating the fact there are people in the Arab world who are seeking the opportunity to enjoy the kinds of freedoms that we have here in the United States of America, that the President of the United States has chosen to go it alone without recognizing the very, very important responsibility of the first branch of the United States Government.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. The right to protect civilians has morphed into the so-called right to change a regime and the right to destroy civilians. The situation is positively Orwellian, and it is all going wrong. Even early supporters of the war are changing their minds. I would quote from al Jazeera just a couple of days ago:

"Italy's foreign minister and the outgoing head of the Arab League have each called for a halt to hostilities in the war-torn north African country.

"Franco Frattini told members of Parliament on Wednesday that the suspension of military operations in Libya was 'essential' for immediate humanitarian aid, while Amr Moussa, the Arab League chief, called for a political solution to the crisis.

"Moussa's sentiment was shared by the Italian foreign minister, who called for urgent humanitarian aid to trapped residents in cities like Tripoli and Misurata.

"He said the people in those areas face a 'dramatic' humanitarian situation and added that a suspension of hostilities would also avoid 'consolidating a division of Libya' between east and west.

"He said he hoped the European Council in Brussels on Thursday would highlight an end to the fighting in Libya as 'a practical solution.'"

The question is, Mr. Speaker, will Congress rush into the breach here while our allies are headed to the exit?

H.R. 2278 by Mr. ROONEY would immediately prevent the administration from engaging in direct offensive hostilities in Libya, and it ought to be supported.

Now, the resolution isn't perfect. It doesn't end the war in its entirety immediately, but it does make clear that the United States will not take over the war as European support continues to diminish.

□ 0950

I proposed an amendment with Representative AMASH of Michigan and 11 others to the Defense authorization bill that would eliminate all funds for military operations in Libya. I urge a vote for this bipartisan amendment when we come back after the recess.

H.R. 2278 and the Kucinich-Amash amendment are complementary. If we want to end U.S. involvement, we can do it in two steps: First step, vote for H.R. 2278; second step, vote for Kucinich-Amash when we come back.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentlelady.

Mr. Speaker, I stand here this morning as someone who has opposed the Iraq war and consistently opposed the Afghanistan war under both Republican and Democratic Presidents. I think it is important to stop the politics this morning and recognize that mistakes were made by Presidents of all political parties.

The War Powers Resolution that is now being debated as being unconstitutional by my Republican friends has a very strong purpose. It is the purpose of this joint resolution to fulfill the intent of the Framers of the Constitution of the United States and ensure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly going to occur. Now we have Republicans suggesting that the War Powers Resolution is unconstitutional. What do they want? This is a political game.

I voted for Mr. KUCINICH's resolution, and the Republicans had the opportunity to also vote for Mr. KUCINICH's resolution. This is to embarrass the President.

I agree with the underlying sentiment that this was handled badly and that there should have been consultation. Now there is an opportunity for authorization. We need to debate this not whether it is President Obama but whether or not there is a collaborative effort between NATO and the Arab League to address this hostile situation in Libya. And, frankly, I don't like the politics of this. The politics says, it's okay if it's a Republican President but not okay if it's Mr. Obama.

I am interested in preserving the integrity of this Constitution and have consistently voted that Congress has a right to declare war. But we are now engaged in a consultation process, and I hope Members will engage in the debate on the basis of the right decision to make. I am against war. Bring the troops home from Afghanistan. End the war in Iraq. But right now, this should not be Republicans against Democrats on the question of whether or not we are in a collaborative effort with NATO on this issue of Libya. We are attempting to save lives; take the politics out of it.

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

Ms. SLAUGHTER. I would be happy to yield the gentlelady 1 additional minute.

Ms. JACKSON LEE of Texas. I thank the distinguished gentlelady.

I went to the Libyan Embassy at the very start of this horrific crisis and stood with the Libyan ambassador that resigned and called for the resignation of General Qadhafi. Today I continue to call for the cessation of the violence

and abuse against the Libyan people. But we have to address this question away from the cloud, as I indicated, of politics.

We must adhere to the Constitution, Congress' right to declare war, but I can't understand this now backside debate about the War Powers Resolution being constitutional. For some of us, we believe that the contents of it insist that it is.

So my point to my colleagues is, the Kucinich resolution was on the floor, and every Republican had the opportunity to vote for it. Why we are here again with a resolution that imitates the debate that we had, I believe the underlying principle and premise is to embarrass this administration and President Obama.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say I absolutely agree with the gentlelady. This is no place for politics. And that's why, as Mr. KUCINICH has led this effort time after time after time, he's had tremendous support from the Republican side of the aisle.

This is not about Republicans and Democrats. This is about the Constitution of the United States. This is about the 911,000 people I represent back home. This is about the people's voice being behind the President. As the chairman of the Rules Committee said, this should not be a time for division. This should be a time for unification.

I absolutely agree with my colleagues who are concerned about the debate happening today, on June 24. The time for the debate was March 18. The time for the debate was before this got started to begin with. But we have been put in this box, Mr. Speaker, and we have a constitutional responsibility to find our way out of it. We have on the floor today under this rule two opportunities, two opportunities to make our constituents' voices heard, and I encourage a strong "yes" vote for this rule so that we can bring those opportunities to the floor.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to yield 2 minutes to the gentlelady from California (Ms. LEE).

Ms. LEE. I want to thank our ranking member for yielding and for her leadership and for this very important debate this morning.

Mr. Speaker, let me just say, this debate, I believe, should have taken place at least 2 weeks prior to the war in Libya. The War Powers Act specifically forbids Armed Forces from engaging militarily in foreign lands for more than 60 days without congressional authorization of the use of military force or a declaration of war. And we should really make no mistake about it: We are at war in Libya today. We have been actively fighting the Qadhafi regime in Libya since March 19, which is 97 days ago.

No one in this House now would defend the deplorable actions of Colonel Qadhafi and the decades he has spent

repressing the Libyan people. But no one should fail to recognize that the actions we have taken in Libya since March 19 amount to a war. Missile strikes, naval attacks, bombings of strategic military targets, all of these actions would be a declaration of war if a foreign country launched such attacks on any country, including our own.

We have committed \$1 billion and thousands of servicemen and -women to a new front. And regardless of one's position on our involvement in Libya, one point is crystal clear: This debate should have happened before we launched a war in Libya.

On March 30 of this year, I joined with Representatives WOOLSEY, HONDA, GRIJALVA, and WATERS, and we sent a letter to Speaker BOEHNER urging him to bring forth an authorization of the use of military force in Libya, stressing the need for a robust debate and vote in line with our congressional prerogative and, indeed, obligations.

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

Ms. SLAUGHTER. I would be pleased to yield an additional 2 minutes to the gentlelady.

Ms. LEE. I thank the gentlewoman.

Unfortunately, the Speaker did not grant our request, and we find ourselves here today debating this important constitutional issue well over 60 and even 90 days after hostilities began. So you will have to forgive me if I am somewhat skeptical about the political motives behind the floor actions that are scheduled today. Because we really need to understand that this is serious business, and it should not be politicized.

This is not about this President or any President. This is not about politics or isolationism. This is about the War Powers Act and the Constitution. It's about standing up for this body and our important role in one of the most solemn and one of the most important decisions that we make as lawmakers, and that's the decision to declare war.

Unfortunately, this resolution offered by my colleague from Florida (Mr. ROONEY) that is before us today has many exemptions that are very broad and, of course, fall short of ending this war. I have some concerns in terms of some of the limitations and exemptions, in terms of making sure that this does not broaden the war with these exemptions.

And I would hope the author, Mr. ROONEY, would be able to clarify these items and reassure us that: (1) reconnaissance would be limited to intelligence gathering and not tactical operations and (2) refueling would be limited to intelligence and reconnaissance, not operations.

Again, I hope we can clarify these points because we must stand up for the Constitution and this body.

I hope that today we stand up for our Constitution. We must oppose, I believe, the resolution that gives carte blanche authorization to continue the war in Libya after the fact.

□ 1000

And I want to thank again our ranking member for allowing for this debate, and the chairman of the Rules Committee and Mr. KUCINICH and everyone for at least encouraging this debate to move forward. I guess we could say today better late than never, but I certainly wish we had adhered to our constitutional responsibility before the military engagement began.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time to close.

Ms. SLAUGHTER. Mr. Speaker, I want to urge a “no” vote on the rule and remind us the last time we had such a weighty debate, we devoted 26 hours to it, and 263 Members, more than half the House of Representatives, spoke.

I agree with what has just been said by Ms. LEE: this is much too late. It comes at a very strange time, and it really says today that this is pretty much a political move, which I regret, because this is probably, as she pointed out, and those of us who’ve been here before having to vote for it, voting to go to war is the most solemn experience that we face here.

So let me urge a “no” vote on the rule.

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

Mr. WOODALL. Mr. Speaker, I want to associate myself with my colleagues who say it’s much too late. It is much too late. I wish we’d had that opportunity to have this conversation before hostilities began.

I am new to this body, Mr. Speaker, and perhaps my colleagues knew hostilities were getting ready to begin. I did not. I heard about it on CNN. There was no consultation with Congress before those hostilities began. That was the right time to have this debate. That time has passed.

And for those who say delay, delay, delay, I’ll tell you, it’s already too late. We cannot delay any further.

And I’m very pleased, Mr. Speaker, that the Rules Committee has made these two resolutions available because you have two very clear choices today, Mr. Speaker.

As you know, on the Senate side there’s the Kerry-McCain resolution. And this resolution that we have from Mr. HASTINGS today largely mirrors that resolution. If you believe that what’s going on in Libya is in the best interest of the United States, if you believe we have a national security interest in Libya, if you believe that the Congress should make clear that we are behind the President and what’s going on in Libya, you have that choice today in the resolution offered by Mr. HASTINGS.

If you believe that this is just another example of a war that’s going to escalate, and you’re concerned about that escalation, and you want to put yourself on the record as saying no, no more, no more, you have your chance to do that today with the Rooney resolution. No more.

I hold here in my hand, Mr. Speaker, a copy of Constitution of the United States of America, again, ratified this week in 1788. Article I, section 8: the Congress shall have the power to declare war. Article I, section 9: no money shall be drawn from the Treasury but in consequence of appropriations made by law.

Mr. Speaker, it’s easy to say that foreign policy is the dominion of the President of the United States, and it is. But the purse is the dominion of the U.S. House of Representatives.

I want to hearken back again to what the chairman of the Rules Committee said on the floor earlier: this should be a time of celebration. And, Mr. Speaker, when we have troops in harm’s way, it should be something that we are unified behind and believe in as a Nation, that we are ready to prosecute a war effort to the fullest extent and bring our men and women home victorious.

But, Mr. Speaker, this is not a topic of unanimity. This is not a topic that we have found any sort of agreement on whatsoever in this body. In fact, this is a topic that we have been focused on and focused on and focused on, trying to bring to conclusion in this House. And this rule today, Mr. Speaker, gives us that opportunity.

Now, I want to make clear there’s a further step that we could go. We could go one step further that says no funds shall be used, period. And when we return to this body, Mr. Speaker, I believe my colleagues, Mr. KUCINICH and Mr. AMASH, are going to make that amendment available to us, and I will be voting “yes” when that amendment comes down the pike.

But for today, we have an opportunity to take a step in that direction. We have an opportunity to make our voices heard. Are you with it, or are you against it? Do you support what’s going on in Libya, or do you believe we’re headed in the wrong direction as a Nation?

You have that opportunity today; but only, Mr. Speaker, if you vote “yes” for this rule to make these two measures in order. I urge a strong “yes” vote.

Mr. WAXMAN. Mr. Speaker, I believe we do need proper congressional authorization for the military operations we are conducting in Libya, and we need a clear definition of the mission and our objectives.

I would very much like to vote for such a measure, but that is not the legislation before us today. Neither bill meets this test.

Instead, we have been presented with two unsatisfactory options: an unfortunate choice between a cut-off of all funds for the Libya operation, or support for a broad authorization for the use of force—except for the deployment of ground forces—that lasts for one year.

Moreover, under the rules established by the Republican leadership, no amendments are permitted to either measure.

So these are up-and-down votes on a very critical issue involving the ongoing engagement of our military forces against Libya—on a take-it-or-leave-it basis.

Neither of these measures has my support today.

I have never viewed Libya as being in the vital national security interests of the United States. That in itself is a flashing warning sign and a presumption against military involvement in Libya. This is true notwithstanding the enormous hopes that rose with the democratic uprising that erupted this spring—and the anger and outrage we feel as those expressions for freedom and an end to Qaddafi’s tyranny and corruption have been met with the most brutal repression.

In March, Qaddafi blatantly threatened to exterminate tens, if not hundreds, of thousands of his people. Key NATO allies, particularly Britain and France, viewed this crisis as vital to their national security interests, and urged us to join a military campaign that would prevent a humanitarian catastrophe.

In pursuit of this goal, President Obama commenced U.S. participation in NATO military activities in March.

At the outset of the Libya operation in March, I was afraid that we would in fact end up where we are today: a conflict that has lasted for months, not weeks, as the President indicated would be the case, and with a highly inconclusive situation on the ground.

This operation has carried significant internal tensions from the very beginning. The purpose of the military campaign was to protect the Libyan people from Qaddafi, but not explicitly to oust him. Nevertheless, the scope and scale of military activities, in the face of the stalemate between Qaddafi and the opposition forces, suggests that the conflict cannot be resolved until Qaddafi is removed.

Second, while President Obama has consulted extensively with Congress, he has not sought authorization for U.S. military involvement pursuant to the War Powers Act. I disagree strongly with his determination that the military campaign we are supporting and prosecuting does not constitute “hostilities” within the meaning of the War Powers Resolution. Active support for military operations that involve extensive bombing of Libya plainly constitutes “hostilities.”

It is therefore regrettable that, in addressing this complex and difficult situation, we are presented with two unsatisfactory choices. As I previously stated earlier this month when we took votes on Libya, a sharp cut-off of funds, as provided today in H.R. 2778, is the wrong thing to do. If this became law, we would run out on our NATO allies. Qaddafi would be freer to resume murdering his own people with impunity. And other tyrants in the region, such as Assad in Syria, would be emboldened in their determination to crush democratic movements in their countries.

But providing continued support for up to one year of the current military campaign is also unacceptable to me, even though it includes the very important limitation on the deployment of U.S. ground forces—a limitation I strongly support. Should the current stalemate in Libya continue indefinitely, such a commitment invites more and more aggressive use of force in order to resolve it. This carries the significant risk that we will find ourselves, months from now, more deeply embedded in Libya and not any closer to a successful outcome and conclusion.

While Libya is not in our vital national security interests, standing with our NATO allies very much is. Accordingly, I would support a limited authorization for continuing support for

NATO's military campaign to protect the Libyan people, but for a much shorter period of time than provided by H.J. Res. 68.

I believe the President, as Commander-in-Chief, should come directly to Congress to seek a limited authorization of military support for our NATO allies, and Congress should promptly act on it. This would help secure a stronger consensus behind a much more limited and well-defined campaign, and ensure that it is truly conducted in pursuit of our national security and policy interests.

Mr. WOODALL. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Ms. SLAUGHTER. 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 240, nays 167, not voting 24, as follows:

[Roll No. 492]

YEAS—240

Adams	Flake	Landry
Aderholt	Fleischmann	Lankford
Akin	Fleming	Latham
Alexander	Flores	Latta
Amash	Forbes	Lee (CA)
Austria	Fortenberry	Lewis (CA)
Bachmann	Fox	LoBiondo
Barletta	Franks (AZ)	Long
Bartlett	Frelinghuysen	Lucas
Barton (TX)	Gallely	Luetkemeyer
Bass (NH)	Gardner	Lummis
Benishkek	Garrett	Lungren, Daniel
Biggert	Gerlach	E.
Bilbray	Gibbs	Mack
Bilirakis	Gibson	Manzullo
Black	Gohmert	Marchant
Blackburn	Gonzalez	Marino
Bonner	Goodlatte	Matheson
Bono Mack	Gosar	McCarthy (CA)
Boren	Gowdy	McCaul
Boustany	Granger	McClintock
Brady (TX)	Graves (GA)	McCotter
Brooks	Graves (MO)	McHenry
Broun (GA)	Griffin (AR)	McKeon
Buchanan	Griffith (VA)	McKinley
Bucshon	Grimm	McMorris
Buerkle	Guinta	Rodgers
Burgess	Guthrie	Meehan
Burton (IN)	Hall	Mica
Calvert	Hanna	Michaud
Camp	Harper	Miller (FL)
Campbell	Harris	Miller (MI)
Canseco	Hartzler	Miller, Gary
Capito	Hastings (WA)	Mulvaney
Carter	Hayworth	Murphy (PA)
Cassidy	Heck	Myrick
Chabot	Hensarling	Neugebauer
Chaffetz	Herger	Noem
Coble	Herrera Beutler	Nugent
Coffman (CO)	Huelskamp	Nunes
Cole	Huizenga (MI)	Nunnelee
Conaway	Hultgren	Olson
Cravaack	Hunter	Palazzo
Crawford	Hurt	Paulsen
Crenshaw	Issa	Pearce
Culberson	Jenkins	Pence
Davis (KY)	Johnson (IL)	Petri
Dent	Johnson (OH)	Pitts
DesJarlais	Johnson, Sam	Platts
Diaz-Balart	Jones	Poe (TX)
Dicks	Jordan	Pompeo
Dold	Kelly	Posey
Dreier	King (IA)	Price (GA)
Duffy	King (NY)	Quayle
Duncan (SC)	Kingston	Quigley
Duncan (TN)	Kinzinger (IL)	Reed
Ellmers	Kline	Rehberg
Emerson	Kucinich	Reichert
Farenthold	Labrador	Renacci
Fincher	Lamborn	Ribble
Fitzpatrick	Lance	Richardson

Rigell	Schock
Rivera	Schweikert
Roby	Scott (SC)
Roe (TN)	Scott, Austin
Rogers (AL)	Sensenbrenner
Rogers (KY)	Sessions
Rogers (MI)	Shimkus
Rohrabacher	Shuler
Rokita	Shuster
Rooney	Smith (NE)
Ros-Lehtinen	Smith (NJ)
Roskam	Smith (TX)
Ross (AR)	Southerland
Ross (FL)	Stearns
Royce	Stutzman
Runyan	Sullivan
Ryan (WI)	Terry
Scalise	Thompson (PA)
Schilling	Thornberry
Schmidt	Tiberi

NAYS—167

Ackerman	Frank (MA)	Murphy (CT)
Altmire	Fudge	Nadler
Andrews	Garamendi	Neal
Baca	Green, Al	Oliver
Baldwin	Green, Gene	Owens
Barrow	Grijalva	Pallone
Bass (CA)	Gutierrez	Pascarell
Becerra	Hanabusa	Pastor (AZ)
Berkley	Hastings (FL)	Payne
Berman	Heinrich	Perlmutter
Bishop (GA)	Higgins	Peters
Bishop (NY)	Himes	Peterson
Blumenauer	Hinchee	Pingree (ME)
Boswell	Hinojosa	Polis
Brady (PA)	Hirono	Price (NC)
Braley (IA)	Hochul	Rahall
Brown (FL)	Holden	Reyes
Capps	Holt	Richmond
Capuano	Honda	Rothman (NJ)
Carnahan	Hoyer	Roybal-Allard
Carney	Insee	Ruppersberger
Carson (IN)	Israel	Rush
Castor (FL)	Jackson (IL)	Sánchez, Linda
Chandler	Jackson Lee	T.
Chu	(TX)	Sanchez, Loretta
Cicilline	Johnson (GA)	Sarbanes
Clarke (MI)	Johnson, E. B.	Schakowsky
Clarke (NY)	Kaptur	Schiff
Clay	Keating	Schrader
Cleaver	Kildee	Schwartz
Clyburn	Kind	Scott (VA)
Cohen	Kissell	Scott, David
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sewell
Cooper	Larson (CT)	Sherman
Costa	Levin	Sires
Costello	Lewis (GA)	Slaughter
Courtney	Lipinski	Smith (WA)
Critz	Loebsack	Speier
Crowley	Lofgren, Zoe	Stark
Cuellar	Lowe	Sutton
Cummings	Lujan	Thompson (CA)
Davis (CA)	Lynch	Thompson (MS)
Davis (IL)	Maloney	Tierney
DeFazio	Markey	Tonko
DeGette	Matsui	Tsongas
DeLauro	McCarthy (NY)	Van Hollen
Deutch	McCollum	Velázquez
Dingell	McDermott	Visclosky
Doggett	McGovern	Walz (MN)
Donnelly (IN)	McIntyre	Wasserman
Doyle	McNerney	Schultz
Edwards	Meeks	Waxman
Ellison	Miller (NC)	Welch
Eshoo	Miller, George	Wilson (FL)
Farr	Moore	Yarmuth
Filner	Moran	

NOT VOTING—24

Bachus	Fattah	Ryan (OH)
Berg	Giffords	Simpson
Bishop (UT)	Gingrey (GA)	Stivers
Butterfield	LaTourette	Towns
Cantor	Napolitano	Watt
Cardoza	Paul	Whitfield
Denham	Pelosi	Young (AK)
Engel	Rangel	Young (FL)

□ 1031

Mr. GENE GREEN of Texas changed his vote from "yea" to "nay."

Mr. WU changed his 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 against:

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 492. Had I been present, I would have voted "nay" on H. Res. 328, the rule providing for consideration of H.J. Res. 68, Authorizing the limited use of United States Armed Forces in support of the NATO mission in Libya; and consideration of H.R. 2278, to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of NATO operations in Libya.

AUTHORIZING LIMITED USE OF ARMED FORCES IN LIBYA

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to House Resolution 328, I call up the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

POINT OF ORDER

Mr. JACKSON of Illinois. Mr. Speaker, I rise to make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. JACKSON of Illinois. Mr. Speaker, I understand the gravity of the legislation before us, but I rise to make a point of order that this bill violates clause 11 of rule XXI. This section of the rule states that it shall not be in order to consider a bill or a joint resolution which has not been reported by a committee until it has been available to Members for 72 hours.

The SPEAKER pro tempore. Pursuant to House Resolution 328, all points of order against consideration of the joint resolution are waived.

PARLIAMENTARY INQUIRIES

Mr. JACKSON of Illinois. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. Can the Chair tell the House when H.R. 2278 and H.J. Res. 68 were made available to Members?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. Mr. Speaker, the Speaker has said that he will not bring a bill to the floor that has not been available for 72 hours. Have these bills been available for 72 hours?

The SPEAKER pro tempore. The gentleman has once again not stated a proper parliamentary inquiry.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. Is the majority waiving the position of the Speaker, waiving the rule as it relates to the legislation before us?