AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. RIGELL OF VIRGINIA

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12. WAR POWERS OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) In 1793, George Washington said, “The constitution vests the power of declaring war in Congress; therefore no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject and authorized such a measure.”.

(2) In a letter to Thomas Jefferson in 1798, James Madison wrote: “The constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war to the Legislature.”

(3) In 1973, Congress passed the War Powers Resolution which states in section 2: “The constitutional powers of the President as Commander-in-
Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) national emergency created by attack upon the United States, its territories or possessions, or its armed forces.”.

(4) With respect to United States military intervention in Syria, President Obama said, “But having made my decision as Commander-in-Chief based on what I am convinced is our national security interests, I’m also mindful that I’m the President of the world’s oldest constitutional democracy. I’ve long believed that our power is rooted not just in our military might, but in our example as a government of the people, by the people, and for the people. And that’s why I’ve made a second decision: I will seek authorization for the use of force from the American people’s representatives in Congress.”.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize any use of military force.