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Congress of the United States
House of Representatives
Washington, DC 20515-3303

June 4, 2012

A Resolution to Uphold the U. S. Constitution

As James Madison warned, allowing the President alone to take the country into war would be "too much of a temptation for one man."

Dear Colleague:

Over the last 20 years the presidency has assumed powers that our Constitution does not explicitly give to the commander-in-chief. From the U.S. intervention in Bosnia-Herzegovina to the recent U. S. intervention in Libya, Congress did not authorize the use of military force. However, the president continues to send our forces into harm's way without congressional approval. Most importantly, members of Congress did not insist that the president come to Congress in order to seek permission to use military force.

My resolution has two points. The first is that the power to declare war resides in the U.S. Congress. Under Article 1, Section 8, except in response to an actual or imminent attack against the territory of the United States, the president must come to the Congress to initiate hostilities. The proceedings of the Constitutional Convention made clear that the framers firmly believed that the momentous consequences of initiating armed hostilities should be decided not by a single individual, but only by concurrence of both houses of Congress.

The second point of my resolution is that if any president violates this most fundamental constitutional provision, that this constitutes a high crime and misdemeanor under Article 2, Section 4, and a bill of impeachment should be introduced.

As we are now on the edge of new wars breaking out around the world, this resolution is urgent.

I ask you to join me as a cosponsor of **House Concurrent Resolution 107**. Please contact, David Kinzler or Ray Celeste, Jr. in my office with any questions at 202-225-3415. Thank you for your consideration.

Sincerely,


Walter B. Jones