

## Obama Letter to Congress on Libya Sparks Protests

By EVAN PEREZ

WASHINGTON—President Barack Obama Monday formally notified Congress the U.S. had begun military attacks on Libya, prompting complaints from lawmakers that the president waged war without congressional consent, appearing to contradict his own previous position.



Lawmakers continue to raise questions about the legality and purpose of the U.S. participation in Libyan air strikes and patrolling of the No-Fly Zone. WSJ's Siobhan Hughes has details.

In a letter to congressional leaders, the president said the U.S. had "commenced operations to assist an international effort authorized by the United Nations (U.N.) Security Council" and "to prevent a humanitarian catastrophe and address the threat posed to international peace and security by the crisis in Libya."

Presidents over the decades have conducted military operations without prior congressional approval, including Harry Truman in Korea,

George H.W. Bush in Iraq and President Bill Clinton in Serbia. Congress in 1991 approved the Iraq military action, five months after Mr. Bush deployed forces to the region in response to Iraq's invasion of Kuwait. The military action in Libya, which Congress wasn't asked to approve, irked lawmakers.

Sen. Jim Webb, (D., Va.) said in an interview Monday with MSNBC, "We have not had a debate and I know that there was some justification put into place because of concern for civilian casualties, but this isn't the way that our system is supposed to work."

House Democrats held a conference call over the weekend to discuss Libya, and support among lawmakers was mixed, a congressional aide said. Frustration appears to be coming from rank-and-file lawmakers left out of Mr. Obama's Libya briefing to committee chairmen Friday.

In 2007, Mr. Obama, then a presidential candidate, said, "The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation."

The White House said the president's actions don't contradict his earlier views, noting that the president met with a bipartisan group of lawmakers regarding Libya before any action took place.

A senior administration official said that the 2007 comment envisioned "an invasion like we saw in Iraq. A mission of this kind, which is time-limited, well-defined, and discrete, clearly falls within the President's constitutional authority."

Justice Department legal opinions support the president's power to order limited military action, according to administration lawyers, and the White House appears to be using the legal guidelines in stating the nature, duration and scope of the Libyan operation.

"As the President told the country, the US military operation in Libya will be limited in duration and scope, and conducted in partnership with an international coalition. It is aimed at preventing an imminent humanitarian catastrophe that directly implicates the national security and foreign policy interests of the United States," said Tommy Vietor, a White House spokesman.

Mr. Obama's notification letter does not satisfy the constitutional requirement that Congress approve military action, says Lou Fisher, former researcher with the Congressional Research Service and an expert on war powers. Mr. Fisher also raised objections to Mr. Obama citing United Nations authorization in his letter.

"It's impossible for Congress to take its war powers and give it to the U.N.," Mr. Fisher said. "Other than defensive actions—and there's no defensive actions here—this has to be done by Congress."

The president, with his letter, appeared to meet the requirements of the 1973 War Powers Resolution, which says only that in cases where the president doesn't seek prior approval from lawmakers, the president must notify Congress within 48 hours of committing armed forces to military action and puts a 60 day deadline on such actions.

## Article 2

### House debates resolutions on US military role in Libya, president's authority

By Associated Press, Updated: Friday, June 3, 10:32 AM

WASHINGTON — The House is poised to reproach President Barack Obama for dispatching U.S. forces against Libya without getting congressional approval.

The votes Friday on two resolutions marked the first significant debate on the issue since Obama launched air strikes against Moammar Gadhafi's forces in March. Republicans and Democrats criticized the president for ignoring Congress' constitutional authority to declare war.

The House was likely to pass a resolution by Speaker John Boehner opposing U.S. ground forces in Libya and demanding specifics on the operation and its costs from Obama in 14 days. A separate resolution by Rep. Dennis Kucinich to end U.S. involvement was expected to fail.

The measures were unlikely to have any impact on the U.S. military's role logistical and intelligence support in the NATO-led operation.

Copyright 2011 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.