

**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:

1 SEC. 12_. WAR POWERS OF CONGRESS.

2 (a) FINDINGS.—Congress finds the following:

3 (1) In 1793, George Washington said, “The
4 constitution vests the power of declaring war in Con-
5 gress; therefore no offensive expedition of impor-
6 tance can be undertaken until after they shall have
7 deliberated upon the subject and authorized such a
8 measure.”.

9 (2) In a letter to Thomas Jefferson in 1798,
10 James Madison wrote: “The constitution supposes,
11 what the History of all Governments demonstrates,
12 that the Executive is the branch of power most in-
13 terested in war, and most prone to it. It has accord-
14 ingly with studied care vested the question of war to
15 the Legislature.”

16 (3) In 1973, Congress passed the War Powers
17 Resolution which states in section 2: “The constitu-
18 tional powers of the President as Commander-in-

1 Chief to introduce United States Armed Forces into
2 hostilities, or into situations where imminent involve-
3 ment in hostilities is clearly indicated by the cir-
4 cumstances, are exercised only pursuant to (1) a
5 declaration of war, (2) specific statutory authoriza-
6 tion, or (3) national emergency created by attack
7 upon the United States, its territories or posses-
8 sions, or its armed forces.”.

9 (4) With respect to United States military
10 intervention in Syria, President Obama said, “But
11 having made my decision as Commander-in-Chief
12 based on what I am convinced is our national secu-
13 rity interests, I’m also mindful that I’m the Presi-
14 dent of the world’s oldest constitutional democracy.
15 I’ve long believed that our power is rooted not just
16 in our military might, but in our example as a gov-
17 ernment of the people, by the people, and for the
18 people. And that’s why I’ve made a second decision:
19 I will seek authorization for the use of force from
20 the American people’s representatives in Congress.”.

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

