

WHERE'S BOEHNER?

Obama Violates Constitution With Expanding Iraq War

by Edward Spannaus

Aug. 18—President Obama is deploying the U.S. Armed Forces in Iraq in violation of both the War Powers Resolution (which requires withdrawal of forces after 60 days unless Congress has authorized their deployment), and the U.S. Constitution itself, which states that only Congress can declare war.

That's no surprise. Even in his original June 16 notification to Congress, Obama insisted he was acting *on his own*, according to the Cheney-Bush view that his powers as Commander-in-Chief, not Congress, permitted this action. So, where is the so-called Republican leadership? Where are the anti-war Democrats?

The key to the success in stopping ongoing wars, and adopting an actual peace policy, is thus to throw both Obama and House Speaker John Boehner out of office. On Aug. 17, Lyndon LaRouche issued a call to remove Boehner at once.

War Powers Act Violated

As of Aug. 16, Barack Obama was not only in violation of the Constitutional separation of powers on declaring war, but of the War Powers Resolution.

On June 16, President Obama sent a notification to Congress, described by the White House as “consistent with the War Powers Resolution,” stating that he had deployed 275 U.S. military personnel to Iraq. Under the terms of the War Powers Resolution, adopted by the 93rd Congress in 1973, he is required to withdraw the troops on the 60th day, unless Congress has specifically

authorized the use of Armed Forces (or has “extended by law” the 60-day period). In other words, there is no wiggle room. Congress was required, by its own law, to have made a decision by no later than Aug. 15.

On June 26, June 30, Aug. 8, Aug. 12, and Aug. 17, Obama sent letters to Congress notifying it of further measures, including additional troop deployments, and the authorization of airstrikes.

Thus, far from withdrawing the troops he deployed on June 16, Obama has now deployed some 1,000 troops to Iraq, and is escalating U.S. military involvement. And Congress has done nothing.

The idea that it is only “boots on the ground” that triggers the War Powers Resolution, is a myth perpetrated by the White House and the news media. The threshold for triggering the application of the War Powers Resolution is “the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances...” The use of U.S. Armed Forces to fly aircraft carrying out bombing raids, or even deploying military advisors into a war zone, is, for purposes of the the War Powers Resolution, the same as “boots on the ground.”

Obama's 'In Your Face'

It is a testimony to the craven character of Speaker Boehner and most Congressional Republicans, that while they are planning to file a lawsuit against Obama

for abuse of Executive power, yet a much more flagrant abuse is staring them in the face—and they are doing nothing about it.

In all of Obama's notifications to Congress, the reference to the War Powers Resolution is almost an afterthought. He tells Congress that he doesn't need them. "This action has been directed," Obama declares, "pursuant to my Constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive." Bush and Cheney couldn't have said it better. Obama is thumbing his nose at Congress, telling it that he can wage war without its consent and authorization. And, with the exception of a handful of members, there has otherwise not been a peep of protest from Boehner and the Republican leadership in Congress, or from the Democratic leadership, against this flagrant abuse of Executive authority and violation of the Constitution's separation of powers provisions.

Where's Congress?

This shameful acquiescence persists, despite the historic bipartisan vote on July 25, in which 370 members of the House voted for HCR 105, stating that the President shall not deploy troops for a sustained combat role in Iraq without specific Congressional authorization. The resolution was sponsored by Walter Jones (R-N.C.), Jim McGovern (D-Mass.), and Barbara Lee (D-Calif.)

Since then, a handful of Congressmen have bucked the Boehner-Pelosi consensus, and are now insisting on a vote on Congressional authorization for Obama's escalating troop deployments. Among these exceptions to the general cowardice, are:

Sen. Tim Kaine (D-Va.) issued a statement on Aug. 12 which stated that "it is now up to the Administration to receive Congressional authorization for the current air campaign against IS," adding, "This is especially the case since the President has indicated that our renewed military engagement in Iraq could be a long-term project..."

Rep. Barbara Lee, in a conference call with reporters Aug. 12, said that she supports the limited objectives of the President's actions, but added that if they lead into any broader conflict, the Administration should come to Congress and seek a vote.

Sen. Rand Paul (R-Ky.): "Constitutionally, [the President] should come forward with a plan to Congress and we vote for it or against it..."

Rep. Walter Jones continues to oppose deploy-

ment of troops to Iraq, and contends that any deployment in violation of the War Powers Resolution and the Constitution, is an impeachable offense.

Rep. John Garimendi (D-Calif.) was quoted by the *Wall Street Journal* on Aug. 14 as saying that Obama has a "responsibility of going to the American people, and specifically Congress, and laying out the reasons for past involvement and any future involvement..."

Rep. Alcee Hastings (D-Fla.) has gone the furthest, in asking Boehner to recall Congress. "I respectfully call upon you to bring Congress back into session so that we may meet our constitutional responsibility to address the ongoing crisis in Iraq," Hastings wrote in a letter to Boehner on Aug. 14, adding, "Although the current airstrikes may have stopped ISIS momentarily, we still have a responsibility under our Article I powers to delineate and impose a timeframe for these efforts as we move forward."

On Aug. 17, *The Hill* noted that some Democrats in both the House and Senate have called for Congress to vote on military strikes in Iraq, but that Democratic strategists say it could be disastrous for Democratic candidates in tough races this year. *The Hill* quoted Celia Lake, a Democratic pollster and strategist, saying: "The base doesn't want airstrikes and Democratic swing voters who tend to be more blue-collar don't want re-involvement in Iraq. So I think many Democrats would face a challenge voting for this thing." *The Hill* article also cites:

Bruce Braley, a Democrat running for Senate in Iowa, who says one of his primary concerns is that Obama has not sought Congressional approval for the strikes: "I remain firmly opposed to another long, open-ended commitment that places our troops in harm's way and am deeply concerned by the recent decision to redeploy troops in Iraq."

Sen. Bernie Sanders (I-Vt.), who told *The Hill* on Aug. 15 that Congress should have a full debate on whether to continue military action in Iraq. "I do not want to see us caught again in a ground war," Sanders said. "I do believe there needs to be a heck of a lot of discussion in the Congress as to what our long-term plans are in Iraq and in the region."

Rep. Brad Sherman (D-Calif.), who noted that many in Congress don't want to take up the issue. "A member of Congress is always most politically safe if they limit their activities to riding in parades," Sherman acknowledged. But, he said, "We do have a Constitution, we ought to [have a vote] in a non-partisan way."