# Congress of the United States
## Washington, DC 20515

August 28, 2013

The President
The White House
Washington, D.C. 20500

Dear Mr. President,

We strongly urge you to consult and receive authorization from Congress before ordering the use of U.S. military force in Syria. Your responsibility to do so is prescribed in the Constitution and the War Powers Resolution of 1973.

While the Founders wisely gave the Office of the President the authority to act in emergencies, they foresaw the need to ensure public debate – and the active engagement of Congress – prior to committing U.S. military assets. Engaging our military in Syria when no direct threat to the United States exists and without prior congressional authorization would violate the separation of powers that is clearly delineated in the Constitution.

Mr. President, in the case of military operations in Libya you stated that authorization from Congress was not required because our military was not engaged in "hostilities." In addition, an April 1, 2011, memorandum to you from your Office of Legal Counsel concluded:

> "...President Obama could rely on his constitutional power to safeguard the national interest by directing the anticipated military operations in Libya—which were limited in their nature, scope, and duration—without prior congressional authorization."

We view the precedent this opinion sets, where "national interest" is enough to engage in hostilities without congressional authorization, as unconstitutional. If the use of 221 Tomahawk cruise missiles, 704 Joint Direct Attack Munitions, and 42 Predator Hellfire missiles expended in Libya does not constitute "hostilities," what does?

If you deem that military action in Syria is necessary, Congress can reconvene at your request. We stand ready to come back into session, consider the facts before us, and share the burden of decisions made regarding U.S. involvement in the quickly escalating Syrian conflict.

Sincerely,

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