

Filner  
Fudge  
Garamendi  
Green, Al  
Hastings (FL)  
Heinrich  
Hirono  
Hochul  
Holden  
Hoyer  
Insole  
Israel  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Kildee  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Langevin  
Larsen (WA)  
Levin  
Lowey

Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McCotter  
McDermott  
McNerney  
Meeks  
Miller (NC)  
Moran  
Neal  
Oliver  
Owens  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Polis  
Price (NC)  
Rahall  
Rangel  
Reyes  
Richmond  
Rivers  
Rogers (MI)

Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott, David  
Sewell  
Sires  
Smith (WA)  
Speier  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tonko  
Van Hollen  
Walz (MN)  
Wasserman  
Schultz  
Watt  
Welch  
Wilson (FL)  
Yarmuth

Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
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Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Richardson  
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Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rohita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan

Ryan (WI)  
Sanchez, Loretta  
Scalise  
Schilling  
Schmidt  
Schock  
Schrader  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Sensenbrenner  
Serrano  
Sessions  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stark  
Stearns  
Stutzman  
Sullivan  
Terry

Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Tipton  
Tsongas  
Turner  
Upton  
Velázquez  
Visclosky  
Walberg  
Walden  
Walsh (IL)  
Waters  
Waxman  
Webster  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Woolsey  
Wu  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

#### LIMITING USE OF FUNDS FOR ARMED FORCES IN LIBYA

Mr. ROONEY. Mr. Speaker, pursuant to House Resolution 328, I call up the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 328, the bill is considered read.

The text of the bill is as follows:

H.R. 2278

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR UNITED STATES ARMED FORCES IN SUPPORT OF NATO OPERATION UNIFIED PROTECTOR WITH RESPECT TO LIBYA.

(a) LIMITATION.—None of the funds appropriated or otherwise available to the Department of Defense may be obligated or expended for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law.

(b) EXCEPTIONS.—The limitation on funds under subsection (a) does not apply with respect to—

- (1) search and rescue;
- (2) intelligence, surveillance, and reconnaissance;
- (3) aerial refueling; and
- (4) operational planning.

The SPEAKER pro tempore. The gentleman from Florida (Mr. ROONEY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

□ 1220

Mr. ROONEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on March 19 of this year, the President sent us into military activity, or war, in Libya. Within 48 hours, the President notified the Congress in accordance with the War Powers Act of his decision to do so. For 60 days, the President under the War Powers Act had the opportunity, and chose not to, to come to this body and make the case as to why being in Libya was important. On the 60th day, he wrote a letter to this body saying that he would welcome authorization but he's not asking for it.

Time and time again on the Armed Services Committee, we were presented

NOES—295

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Andrews  
Austria  
Bachmann  
Baldwin  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Becerra  
Benishke  
Biggert  
Billray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Braley (IA)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Cansco  
Cantor  
Caputo  
Capuano  
Carney  
Carson (IN)  
Carter  
Cassidy  
Chabot  
Chaffetz  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Coble  
Coffman (CO)  
Cole  
Conaway  
Conyers  
Costello  
Cravaack  
Crawford  
Crenshaw  
Culbertson  
Davis (IL)  
Davis (KY)  
DeFazio  
Denham  
DesJarlais  
Diaz-Balart  
Dold  
Duffy  
Duncan (SC)

Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Farr  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxo  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gohmert  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Hinchev  
Hinojosa  
Holt  
Honda  
Huelskamp  
Huiuzenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jackson (IL)  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Keating

Kelly  
Kingston  
Kline  
Kucinich  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loebsack  
Loftgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Maloney  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moore  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Pallone  
Pastor (AZ)  
Paul  
Paulsen  
Pearce  
Pence  
Peterson  
Petri

Bachus  
Berg  
Butterfield  
Engel  
Giffords

NOT VOTING—13

Gingrey (GA)  
Higgins  
Mack  
Napolitano  
Ryan (OH)  
Stivers  
Townsend  
West

□ 1216

Mr. MARCHANT, Ms. ZOE LOFGREN of California, Mr. CARSON of Indiana, Mrs. MALONEY, and Mr. LUETKEMEYER changed their vote from “aye” to “no.”

Mr. CLEAVER and Mrs. MCCARTHY of New York changed their vote from “no” to “aye.”

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HIGGINS. Mr. Speaker, earlier today I was in a meeting with a constituent and inadvertently missed the vote on H.J. Res. 68, a resolution authorizing for one year the limited use of the United States Armed Forces in support of the NATO mission in Libya. Because of the importance of this matter I would like to request that the RECORD reflect that had I been present I would have voted “aye” on rollcall 493 in support of the resolution.

Stated against:

Mr. WEST. Mr. Speaker, on rollcall No. 493 I was unavoidably detained. Had I been present, I would have voted “no.”

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 493. Had I been present, I would have voted “no” on H.J. Res. 68, authorizing the limited use of United States Armed Forces in support of the NATO mission in Libya.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 69

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of House Joint Resolution 69.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

with speakers from the administration who would give certain updates on various matters to which I would ask: Are you here to ask authorization for ongoing activity in Libya? And the speakers, the witnesses, would say, "No."

After 90 days and the President has not ceased activity or hostilities in Libya, the time has come and gone and we've sent our indication over to the administration time and time again that we disapprove. But because the War Powers resolution, by some either Republican or Democrat or in the House or the Senate, is questionable whether or not they consider it constitutional or not, the President has operated in what we now know is called the zone of twilight as to whether or not he even needs our approval.

So what are we left with? Mr. Speaker, we're left with, today, our ability under the power of the purse to restrict funds from ongoing operations in Libya. Without it and without the Supreme Court weighing in on whether or not the War Powers is unconstitutional, in my opinion, the President is breaking the law, but he is being restricted by nobody and being able to continue unfettered.

Some have said that the War Powers resolution isn't worth the paper that it is written on. To that I say: Based on what Supreme Court decision? Based on what precedent? There is none, because the courts haven't weighed in on it. I know some of our colleagues here have a pending case before the Court, and I wish them well, but what if they don't accept the case? What if they say these Members, as they have said before, don't have standing? Then we're right back to square one.

Mr. Speaker, today we have the opportunity to send a message to the executive branch, and this transcends party but it exerts our power under the separation of powers, to say we, the House of Representatives, are relevant; we, the House of Representatives, are exercising our ability that the Founding Fathers gave us in the ability to declare war because they wanted us to have this deliberation, this debate that we're having here today, arguments that have been made on both sides that have been very good, because the last thing that we want as Americans is for some President, whether it's this President or some future President, to be able to pick fights around the world without any debate from another branch of government.

It's the most difficult thing we have to do as government officials, and that's send our kids into harm's way. So it has to be a sober, deliberative, long debate, and the President has 60 days and chose not to engage in that debate. So here we are today saying, if you choose not to come here and get authorization, we are going to stop it until you do. The President always has the ability in the future to come and try to get authorization for what he's doing in Libya or anywhere else.

So, Mr. Speaker, I rise in support of my bill to withdraw funding from future engagement in Libya.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 3 minutes.

The bottom line with this resolution—and I think the gentleman made a lot of very fair points. I certainly think that the White House could have handled it better in terms of communicating with Congress. But what this resolution would do that he has presented would be to end our mission in Libya. So all of the debates and arguments that you heard from the previous discussion apply to this just as well.

It has some limited options in terms of what the President could continue to do in support of NATO, but it very specifically disallows any effort at air support, any effort at suppressing opposition fire. It does allow for aerial refueling. It allows for rescue missions, but what the military has made clear is they will not do that without all of the other assets that are necessary to suppress enemy fire. We are not going to send up our aerial refueling apparatus or aerial refueling planes if we know we can't protect them from being shot down.

So the effect of this resolution is to, again, end the mission in Libya, and people have different opinions about where they should come down on that. I don't believe that we should end the mission in Libya. I do believe that Congress' voice should be heard on this issue, and that is why I supported the resolution that would have authorized that. So I don't think that we should stop what we're doing in Libya, and getting back to the previous debate, there have been some comments that have been made that I want to be sure and correct.

I think we have a much better idea of who the forces in Libya fighting against Muammar Qadhafi are than has been said, and we know this because they control roughly half the country right now. What our mission was able to do, it stopped Muammar Qadhafi from being able to crush the folks who are rising up against him and retake the territory that they have. So in Benghazi and in most of I think it's eastern Libya, it is controlled by these opposition forces, and by all accounts, they are running a very sensible government. It is not an Islamic state. It does not have al Qaeda influence. It has a bunch of people who are simply trying to exercise free expression that they have been denied for nearly 40 years by Muammar Qadhafi. We have a very good idea who these people are. They are precisely the type of people that the United States of America should be supporting.

And as I mentioned before, in our great struggle against al Qaeda, one of the centerpieces of it is ideological. The ideology that bin Laden and many others advance is very anti-Western, and their biggest argument is that the

West has consistently supported governments that have repressed the Muslim people, that we have not been good for them, and there are at least one or two instances when that argument actually has some facts to back it up. And now we are presented with the chance to support a legitimate group of people who want basically what we have—democracy. They want the ability to vote for their representatives. They want a voice in their government, and we are going to pull the rug out from under them.

And keep in mind, this is a very limited mission. It is NATO-led, but we are offering critical support to make it possible, and if we vote for the Rooney resolution, we will pull all of that away and right at the moment—in fact, there was a newspaper story this morning about how Qadhafi is talking about leaving Tripoli because the pressure is getting too great on him. We have had continual members of the Libyan Government abandoning Qadhafi. He is ready to fall, and those voices of Libyan people who want the very freedoms that we all say we want for them are ready to rise, and we are going to reverse that by pulling out this minimal level of support that we are offering.

That is the effect of the Rooney resolution, and therefore I oppose it.

I reserve the balance of my time.

Mr. ROONEY. Mr. Speaker, I yield 3 minutes to my friend from Texas (Mr. MCCAUL).

Mr. MCCAUL. I thank the gentleman from Florida for yielding time and I commend him for this legislation.

Mr. Speaker, I rise today in support of this bill and in defense of the Constitution. The Founding Fathers clearly intended for Congress to have the power to commit this Nation into armed conflict.

Article I, section 8 of the Constitution states that Congress shall have the power to declare war. Our first Commander in Chief, George Washington, knew that when he said, "The Constitution vests the power of declaring war in Congress; therefore, no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject and authorized such a measure."

That is exactly what this bill is about, and President Obama, when he was a Senator, knew this when he said that, "The President does not have power under the Constitution to authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the Nation."

He went on further to say that, "No law can give Congress a backbone if it refuses to stand up as the co-equal branch the Constitution made it."

I couldn't agree more with him, but, unfortunately, as President, Mr. Obama appears to no longer agree with his prior interpretation of the Constitution, and in reviewing the War Powers Act, we can argue that it is unconstitutional, but that is for the Supreme Court to decide.

In applying the War Powers Act to the facts here in this case, it is clear that the President failed to comply with the requirements to get congressional approval; and when we examine the merits of the case for involvement in Libya, this administration has wholly failed to define a clear national interest, mission, or goal.

□ 1230

Why are we there? Are we there to kill Qadhafi or to provide humanitarian aid? And since when does humanitarian aid come from a missile launched from a Predator drone? And who are these rebels that we are supporting? The administration has failed to provide Congress with a clear answer to this question, but we do know that some of them are tied to terrorist organizations.

The bill introduced by my good friend from Florida (Mr. ROONEY) reasserts Congress' role as a coequal branch of government, and it sends a clear message to the President that he must get congressional approval before he commits this Nation to war, as he stated when he was in the United States Senate.

With that, Mr. Speaker, I urge a "yes" vote on this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the gentleman from Washington (Mr. SMITH) for his leadership and for characterizing where we are today as a conflicted and, if you will, highly uncertain posture.

I'm looking at the vote count, and it looks as if 225 Republicans voted against a time certain to get out of Libya. If you read the bill H.R. 2278—and I am looking at it over and over again—there really is no print as to a time certain. There is a nebulous statement about limiting funds for such things as search and rescue, intelligence, surveillance and reconnaissance, aerial funding, and operational planning. That can go on ad infinitum. We can take the American people's money forever and ever and continue in this effort.

I don't like where we are today. Constitutionally, it is true, it is Congress' right to declare war. And the War Powers resolution—which my good friends on the other side of the aisle are now debating on its constitutionality, and of course they've used it in the past—does indicate that it was done in order to track the Constitution and allow congressional consultation. There was a letter sent by the President. There has been a report sent. But there's no doubt that this was not handled right.

But in the Iraq war, an unnecessary war, no Arab League States asked us to join with them. There was no defined threat to the United States in the Iraq war, as we've said. We left the Afghanistan war to dillydally in Iraq and lose 4,000 soldiers. So where is the hypocrisy here?

Right now, the Arab League has asked us to join them. Right now, our NATO allies are engaged in trying to get rid of an oppressive abuser and a person who has killed his own people. Where is the dignity on this place? It's nothing but politics. And I respect my colleagues who want to make choices about which direction they want to go. But I will tell you, I would much rather vote for something that is time certain, ending in 1 year or before. And if there is not a definitive end, then I will offer a privileged resolution to get out of Libya.

But I don't want to abandon my friends in the Arab States who are now struggling for democracy. Why is Syria different? Why is Yemen different? Why is Bahrain different? You are absolutely right. Because other forces are engaged in Syria, Yemen, and Bahrain. And the Arab States are attempting to negotiate.

So I am not interested in willy-nilly going into all kinds of wars. I'm not interested in going to Syria or Yemen or Bahrain. But I am interested in being consistent.

We now have an operation, and we can tell that there is movement by those who are rebels. And I would like my friends to document for me, if they have got a documented presence of al Qaeda, then they can tell us that. But right now, we have an obligation, and we can't play politics. And this bill is nothing but politics because it does not end when we're supposed to get out. It does it ad infinitum.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 15 seconds.

Ms. JACKSON LEE of Texas. It is a continuous, unending obligation to be in Libya. I would much rather have a definitive act which is to say that we have no more than a year. And I would offer to the White House that we would like reports sooner than that, and some of us may wish to go forward with another resolution to move us out.

But I will not be supporting politics today. I have to support those who are fighting for justice in Libya.

Mr. Speaker, I rise to today to express my disappointment with the Administration's decision not to consult with the Congress over the important and critical actions taken in Libya. Our government operates based upon a constitutionally protected system of checks and balances. It does not matter whether or not the Administration is Democrat or Republican. What is important is ensuring the role of Congress when determinations are made to engage in military actions in foreign countries. The War Powers Resolution was intended to ensure that any action taken by an Administration which utilizes military forces would require the involvement of this body.

As the Ranking Member of the House Homeland Security Subcommittee on Transportation Security and Senior Member of the House Judiciary Committee, I believe in supporting the Constitution of the United States. The issue before us raises the debate on how

to apply the War Powers Resolution. As this resolution has not been declared unconstitutional it is important to follow our laws as written. This is a reminder to the American people that we must firmly hold true to our constitutional duties. We have the power to ensure the Executive does not overstep its bounds. As Members of Congress, we can exercise our power through appropriation, the appointment process, exercising oversight over the Executive, enactment legislation, or even establishing a select Committee to probe any abuse of power by the Administration.

The War Power resolution is an integral part of our process. The actions that have taken place in Libya raise the debate on how the War Power Resolution should be applied.

Presidents, Members of Congress, scholars and lawyers have long argued about which branch of government has the power to decide whether the nation goes to war, and meaningful discussions between the branches has not always taken place. In 1973, The War Powers resolution was passed over the veto of President Nixon, in order to provide procedures for Congress and the President to participate in decisions to send U.S. Armed Forces into hostilities.

Such force is constitutional under the Necessary and Proper Clause which specifically provided that "Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by the Constitution in the Government of the United States. . . ." The policy behind this power, entrusted to the President as Commander in Chief, to deploy U.S. armed forces to defend itself is "exercised only pursuant to: (1) a declaration of war; (2) specific statutory authorization; or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces." Pursuant to this authority, the President "in every possible instance" shall consult with Congress before deploying U.S. Armed Forces, and to continue consultations as long as the armed forces remain in hostile situations.

As we consider this Joint Resolution, we must also consider facts surrounding the state of violence and unrest in Libya, and the consequences of both action and inaction on behalf of the Libyan people. I value the importance of a fair, just, and balanced approach. We must always act in compliance with our nation's constitution.

Prior to this conflict, since assuming power, Colonel Qaddafi has ignored the needs of the Libyan people; choosing instead to train other oppressive leaders in intelligence and weaponry. Qaddafi had given money to dictators such as Robert Mugabe and Charles Taylor, and intervened in foreign wars instead of investing in education and infrastructure for the betterment of his own people.

Human Rights Watch and Amnesty International have consistently reported the lack of free press and free speech in Libya. The State controls the media and speaking out against Qaddafi or his government is not only illegal, it is also deadly. Qaddafi and his army executed activists who opposed the government and broadcasted their deaths on television.

Qaddafi was particularly intolerant of women and other minorities. He established "social rehabilitation" centers, where women who were designated financially or morally vulnerable were detained indefinitely. Homosexuality

was deemed criminal, and punished with up to five years in jail.

Now, the people of Libya have given their lives in their fight for democracy. This current conflict in Libya began four months ago, when Colonel Qadaffi failed to do what was right for his country and its people. Violence erupted as many Libyan citizens felt the painful consequences of a government resistant to change. Civil liberties were infringed upon, human rights were violated, and worst of all, many Libyan lives were lost. These atrocities were not committed under the command of some far away leader or as a consequence of a conflict with a foreign nation. No, these unforgivable acts were authorized by the hand of the Libyan leader himself.

I applaud efforts to come to the aid of the Libyan people. I condemn Colonel Qadaffi's despicable and inhuman actions, and support the President in our national policy—and the World's policy—of removing this tyrant from power. The widespread suffering in Libya was initiated and continues to be encouraged by the very man charged with protecting the Libyan people. The Libyan people are in desperate need of outside assistance; the question is no longer whether or not Libya is in a critical condition. I call on my fellow Members of Congress to continue to condemn the violence taking place in Libya.

We should not forget that the people of Libya are continuing to fight for democracy and there has been a significant loss of life. Colonel Muammar Qadaffi has continued to refuse to acknowledge the will of the Libyan people and the reality of the dilemmas that Libya faced. When faced with the shadow of oppression, the suppression of liberties, and the constant threat of brutality, history has shown that humanity will always rise up in protest, and if necessary, in armed resistance.

Rather than act as a true leader and acknowledge the interests of Libyan citizens, Qadaffi chose to remain steadfast to the status quo—to disregard the context of an intolerable situation in favor of blindly following what has always been done just for tradition's sake and lust for power. The reality of the situation is this: it was Qadaffi's refusal to contemplate the circumstances in Libya that has led to the unnecessary loss of innocent lives. Let us not make the same error as we continue to deliberate the role of the U.S. and the decision of our President to act on behalf of innocent people. Colonel Qadaffi has proved himself to be, by the standards of any free nation, an illegitimate leader of the Libyan people. He has utilized snipers, helicopters gunships, mercenaries and gangs of hired thugs to harm his own people throughout the course of the protests. Rebels taking to the streets demanding free elections were injured and killed.

No leader should remain in power after committing the indiscriminate slaughter of thousands of their own citizens; no leader should remain in power after ordering soldiers to fire upon crowds of defenseless, peaceful protesters; no leader should remain in power after executing hundreds of soldiers who bravely refused to carry out orders to shoot their fellow citizens in cold blood.

My message to Qadaffi is clear: stop the slaughter, stop the killing, and stop murdering your own people. I demand you step down from power! I implore you to consider and value the lives of your people. Stop the violence. I call for a unified voice from NATO, the

United Nations, the African Union, and other world groups to stop the slaughter and violence against the people of Libya.

As a Member of this body, I am calling on my colleagues to join me in calling attention to the plight of the people of Libya and their fight for freedom, justice, and deliverance from Colonel Qadaffi.

For over four months, NATO-led air strikes in Libya have inflicted serious damage upon the Qaddafi regime's war machine, yet loyalist forces continue to demonstrate cohesiveness and operational superiority over besieged rebel forces. Still, some analysts suggest the stalemate is now yielding to a war of attrition favoring the rebels. Rebel combat skills have improved, as has their arsenal, which now reportedly includes vehicle-mounted anti-aircraft guns, recoilless rifles, and mortars.

As rebels consolidate recent gains, NATO has proven to be the equalizing force. The African Union continues to press for a peace deal that was accepted by Qaddafi but rejected by the opposition because it would leave Qaddafi in power. With the support of the United States, United Nations, and NATO we must continue to push for the support of the African Union resolution. Turkey also has proposed a roadmap to establish an immediate and verifiable ceasefire, secure humanitarian aid corridors, and advance a political process for a transition. However, Turkey has not yet provided an implementation strategy other than making it clear that Qaddafi must go.

After the President of South Africa, Jacob Zuma, engaged in peace talks with Qadaffi most of the world believed the bloodshed would end. Today, it is clear that Qadaffi is going to continue to fight to stay in power.

We cannot stand by and watch as the people of Libya suffer. We need and must provide humanitarian aid. Americans have always come to aid of their neighbors in times of crisis.

We must continue to remember the context upon which we are currently operating in the world today. The Middle East is finally awakening to democracy and freedom. Advancing these objectives also advances our nation's security. The evidence is clear of an Arab Spring. The evidence is compelling all we need to do is look at Egypt, Bahrain, Yemen, Syria, and Libya to watch the effects of voices that are calling for democracy.

The Founders distributed the decision to go to war between the two political branches to assure that the decision would be made carefully. The founding generation experienced the hardship of several wars and they knew war's human and financial costs. They understood that a strong executive who is already given the title "Commander in Chief," might flex the country's military strength injudiciously. Giving Congress the essential power to declare war allows heads to cool, alternatives to be considered, and makes certain there is consensus if the country is called to fight.

I continue to support the premise that Congress has the right to declare war, and our current debate must reflect this imperative. Congress has a right to assert its authority; however, the situation in Libya gives me great pause.

H.J. RES 68, "Authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya,"

Authorizes the President to continue the limited use of U.S. Armed Forces in Libya in sup-

port of U.S. security policy interests as part of the North Atlantic Treaty Organization (NATO) mission to enforce U.N. Security Council Resolution 1973, as requested by the Transitional National Council, the Gulf Cooperation Council (GCC), and the Arab League.

This bill will terminate such authorization one year after the date of enactment of this joint resolution. Further, H.J. Res. 68 states that consistent with the policy and statements of the President, Congress does not support deploying, establishing, or maintaining the presence of units and members of U.S. Armed Forces on the ground in Libya unless the purpose of the presence is limited to the immediate personal defense of U.S. government officials (including diplomatic representatives) or to rescuing members of NATO forces from imminent danger. It requires the President to consult frequently with Congress regarding U.S. efforts in Libya, including by providing regular briefings and reports. Includes as elements in such briefings and reports:

(1) an updated description of U.S. national security interests and policy objectives in Libya;

(2) an updated list of U.S. Armed Forces activities in Libya;

(3) an updated assessment of the opposition groups in Libya, including potential successor governments; and

(4) an updated explanation of the President's legal and constitutional rationale for conducting military operations in Libya consistent with the War Powers Resolution.

H.R. 2278, "To limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya unless otherwise specifically authorized by law," this bill prevents the use of funds to pay for United States participation in any aspect of North Atlantic Treaty Organization (NATO) effort except intelligence, surveillance, search-and-rescue and other "non-hostile" support activities. I am for peace and not war, however I am not for politics of the Republicans that vote against Democratic Presidents but for Republican Presidents. This war is an effort for humanitarian assistance in Libya. The Libyan people were being attacked and were dying by their own leader.

Although, I am again disappointed by the continuing actions of the Administration that are taking place without the consultation of Congress. This should not cause us to ignore the plight of the Libyan people. We must continue to insist on providing the technical assistance and weapons necessary to defeat this regime. I will vote against H.R. 2278 because it is a political game and does not have a time certain to leave Libya.

The resolution cuts off funds just to embarrass President Obama. I want peace to come to Libya in the right way. Efforts to support action by the African Union, European Union, NATO and other U.S. allies only advance our call for democracy that is now being heard and is spreading throughout the Middle East. This can be done while complying with the War Powers Resolution, that is why I will support H.J. Res. 68 for now which sets a time of before one (1) year this war should end. I want the conflict to end sooner, I therefore reserve the right to offer a resolution on the floor to end this war.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I would beg to depart from the remarks of the distinguished gentlelady from Texas because there are those of us who oppose this bill in principle, and we believe we are fighting for justice as well.

I want to state that if you believe the war should end, then at least believe we should limit it today. That's what Mr. ROONEY does. I oppose this war. It's unconstitutional. It's in violation of statute. And there's a two-step way to end the war: Vote for Rooney, step one, and then the Kucinich-Amash amendment, which defunds the DOD bill. You can do that when we come back.

But to claim that the Arab League is somehow asking for us to continue this attack on Libya is plain false. The fact of the matter is we have al Jazeera reporting that Italy's foreign minister and the outgoing head of the Arab League have each called for a halt to hostilities in Libya. It was reported that 2 days ago, Amr Moussa, the outgoing head of the Arab League, said now is the time to do whatever we can to reach a political solution, and that has to start with a genuine cease-fire under international supervision. So you don't have the Arab League's head here saying, Oh, America, come on. Go for it. Prosecute the war. Bomb Libya. No, they're not saying that at all. We have to be very clear about that.

Even China, who's eating our lunch financially, they're not involved in this war. They're saying there ought to be a political solution, that from the Chinese minister 2 days ago. We've got to be careful about our intentions here. And our intention should be to end this war, and we can do it with Mr. ROONEY's bill.

The bill isn't perfect. It doesn't end the war in its entirety immediately, but it does make clear that the United States will not take over the war as European support continues to diminish.

The Kucinich-Amash amendment is complementary to the bill. We want to end U.S. involvement in the war in Libya. We can do it in two steps. Vote "yes" for Mr. ROONEY's bill, which ends direct hostilities immediately, and support Kucinich-Amash when it comes up in 2 weeks.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentlelady from Ohio (Ms. KAPTUR).

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. I thank Ranking Member SMITH for yielding me the time.

I rise in support of this bill as well as the prior resolution, as it's better late than never. Here again, with Libya, Congress follows in the wake of a major executive branch military action absent congressional authorization.

I sent a letter to President Obama on March 22 regarding what was then called Operation Odyssey Dawn and

have never gotten an answer. When one looks at the duration of U.S. military engagements in the Middle East, north Africa, and central Asia and what the future might bring, these are the longest wars and military actions in U.S. history.

Our Nation has fallen into deep debt directly connected to our expenditures of over \$1 trillion in the past decade on wars that have not been paid for. Moreover, creeping defense commitments in that region and globally now consume over half of the U.S. discretionary budget annually. It is an astounding predicament 20 years after the end of the Cold War, as jobless Americans question whether our Federal Government even sees their plight.

We all know freedom is not free, but it is largely the American people that are bearing this military burden more and more each year. What is most striking is that other nations in the region in which we are fighting are simply not carrying anywhere near their fair share of the load of boots on the ground, nor have they measured up either in terms of putting their treasuries at risk. Unless an alliance of nations in that region fight for freedom themselves, they won't own it, and we can't transfuse it.

Sadly, compared to the moral justification for World War II, which historians termed "America's most just foreign war," our Nation in the current period has drawn into resource wars in farflung places that history is likely to judge as morally indefensible.

The world is full of bad dictators, but it always seems the dictators America is most interested in are those that sit atop huge oil reserves. Libya has the world's ninth largest oil reserves and exports 1.5 million barrels a day.

I will be placing several articles in the RECORD that document Western Europe's dependence, as well as Canada's reliance, on Libya's oil investments and the Libyan President's threats to nationalize those investments, which even has affected China.

The West's utter and growing reliance on imported petroleum has twisted our foreign policy and crippled our domestic economy time and again.

□ 1240

As we import half of what we consume, until Americans clearly see our predicament, our Nation will keep repeating these same mistakes.

Let us be clear on the nature of the Libyan economy: 95 percent of its exports are oil; 80 percent of its government revenue derives from oil sales. Oil represents 25 percent of Libya's GDP and its most important industry. And Libya is Africa's third largest oil producer.

The major powers involved in this military operation have vast pecuniary interests at stake through the multinational oil corporations that operate in Libya, whether it is Italy, from which operations are being staged, and which gets 22 percent of its oil from

Libyan operations through firms like Eni and Repsol, or Canada, whose NATO General is leading operations, while Canada's second largest corporation, Suncor Energy, has major oil operations in Libya.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 15 seconds.

Ms. KAPTUR. An article I am submitting for the RECORD reports that "Seif al-Island Qadhafi, the son of Colonel Qadhafi, warned that in the event of a civil war, Libya's oil wealth would be burned."

One can see why the global powers took note. In fact, China lifted 55,000 of its oil workers out of Libya.

History will judge whether these resource wars and selective dictator depositions are justifiable. But the answer for America is to invest here at home and to restore America's energy independence and to extricate ourselves from all these foreign oil involvements.

MARCH 22, 2011.

President BARACK OBAMA,  
*The White House, Pennsylvania Ave, NW,  
Washington, DC.*

DEAR PRESIDENT OBAMA: According to information available from public sources, the United States participated, and perhaps has led, military operations against the government of Libya. Press reports indicate U.S. military engagement began at 16:53 GMT March 19, 2011 bombing commenced on targets including surface to air systems and other air defense infrastructure.

It appears four days of U.S. air and naval strikes inside Libya have destroyed strategic communications facilities, the military intelligence headquarters, and air defense systems. It is unclear how many lives, civilian and military, have been lost, or saved, in these Libyan operations.

Please provide a detailed description of the coalition of forces involved in these operations in which the U. S. has participated, its command and decision-making structure, and from the planning stage to execution.

Further, under which accounts of the U.S. Departments of Defense and State are these operations being funded? What level of funding does the United States expect to use in the operations in Libya?

Thank you for your reply.

Sincerely,

MARCY KAPTUR,  
*Member of Congress.*

CIA WORLD FACT BOOK—LIBYA

WWW.CIA.GOV (ACCESSED JUNE 24, 2011)

Economy—overview:

The Libyan economy depends primarily upon revenues from the oil sector, which contribute about 95% of export earnings, 25% of GDP, and 80% of government revenue. The weakness in world hydrocarbon prices in 2009 reduced Libyan government tax income and constrained economic growth. Substantial revenues from the energy sector coupled with a small population give Libya one of the highest per capita GDPs in Africa, but little of this income flows down to the lower orders of society. Libyan officials in the past five years have made progress on economic reforms as part of a broader campaign to re-integrate the country into the international fold. This effort picked up steam after UN sanctions were lifted in September 2003 and as Libya announced in December 2003 that it would abandon programs to build weapons of

mass destruction. The process of lifting US unilateral sanctions began in the spring of 2004; all sanctions were removed by June 2006, helping Libya attract greater foreign direct investment, especially in the energy sector. Libyan oil and gas licensing rounds continue to draw high international interest; the National Oil Corporation (NOC) set a goal of nearly doubling oil production to 3 million bbl/day by 2012. In November 2009, the NOC announced that that target may slip to as late as 2017. Libya faces a long road ahead in liberalizing the socialist-oriented economy, but initial steps—including applying for WTO membership, reducing some subsidies, and announcing plans for privatization—are laying the groundwork for a transition to a more market-based economy. The non-oil manufacturing and construction sectors, which account for more than 20% of GDP, have expanded from processing mostly agricultural products to include the production of petrochemicals, iron, steel, and aluminum. Climatic conditions and poor soils severely limit agricultural output, and Libya imports about 75% of its food. Libya's primary agricultural water source remains the Great Manmade River Project, but significant resources are being invested in desalinization research to meet growing water demands.

**PROVEN RESERVES OF THE MAJOR OIL-PRODUCING COUNTRIES, AS OF END 2002**

| Major producer (in rank order)                     | Proven reserves (billion barrels) | Percentage of world total |
|--|-----------------------------------|---------------------------|
| 1. Saudi Arabia .....                              | 261.8                             | 25.0                      |
| 2. Iraq .....                                      | 112.5                             | 10.7                      |
| 3. United Arab Emirates .....                      | 97.8                              | 9.3                       |
| 4. Kuwait .....                                    | 96.5                              | 9.1                       |
| 5. Iran .....                                      | 89.7                              | 8.6                       |
| 6. Venezuela .....                                 | 77.8                              | 7.4                       |
| 7. Russian Federation and Caspian Sea states ..... | 77.1                              | 7.4                       |
| 8. United States .....                             | 30.4                              | 2.9                       |
| 9. Libya .....                                     | 29.5                              | 2.8                       |
| 10. Nigeria .....                                  | 24.0                              | 2.3                       |
| 11. China .....                                    | 18.3                              | 1.7                       |
| 12. North Sea (Norway, U.K. Denmark) .....         | 16.3                              | 1.6                       |
| 13. Qatar .....                                    | 15.2                              | 1.5                       |
| 14. Mexico .....                                   | 12.6                              | 1.2                       |
| All others .....                                   | 90.2                              | 8.6                       |
| World total .....                                  | 1047.7                            | 100.0                     |

Source: BP, BP Statistical Review of World Energy (London: BP, June 2003), p. 4.

**SUNCOR RESPONSE, MARCH 3, 2011**

**SUNCOR'S OPERATIONS IN LIBYA—BRIEF BACKGROUND**

Update: French translation added at 3:08 p.m. EST on March 3, 2011

Suncor's Libyan assets were acquired in the company's 2009 merger with Petro-Canada which, in turn, assumed interests in Libya through the acquisition of the German energy company, Veba Oil, in 2002. In 2007 and 2008, these interests were converted to "Exploration and Production Sharing Agreements" (or EPSAs).

Operations under the EPSAs include exploration in the Sirte basin operated by Suncor and the redevelopment of other existing Libyan oilfields, operated by a joint venture company in which Suncor is a partner. To date, Suncor has invested approximately \$1.4 billion in its Libyan operations, including an initial US\$500 million, representing 50% of the agreed price to buy into assets and development plans under the EPSAs.

Suncor's working interest share of production from Libyan operations was 34,700 barrels per day in 2010, representing less than 6% of Suncor's total production and approximately 2% of Libya's national oil production.

**BRÈVE DESCRIPTION DES ACTIVITES DE SUNCOR EN LIBYE**

Suncor a acquis ses actifs en Libye lors de la fusion avec Petro-Canada en 2009, qui à son tour, avait obtenu des participations en Libye en faisant l'acquisition de la société énergétique allemande Veba Oil en 2002. En 2007 et 2008, ces participations ont été converties en «contrats d'exploration et de partage de la production» (ou CEPP).

Les activités convenues en vertu des CEPP comprennent l'exploration du bassin Syrte exploité par Suncor et la remise en valeur d'autres champs pétrolières existants en Libye, exploités par une coentreprise dans laquelle Suncor est partenaire. A ce jour, Suncor a investi environ 1,4 milliard \$ dans ses activités en Libye, incluant une somme initiale de 500 millions \$ US qui représente 50% du prix convenu d'investissement dans les actifs et les plans de développement en vertu des CEPP.

La quote-part de la participation directe de Suncor dans les activités en Libye était de 34 700 barils par jour en 2010, ce qui représente moins de 6% de la production totale de Suncor et environ 2% de la production pétrolière nationale en Libye.

[From IBNLive, Mar. 21, 2011]

**LIBYA SAYS MAY GIVE OIL DEALS TO CHINA, INDIA**

TRIPOLI.—Libya is considering offering oil block contracts directly to China, India and other nations it sees as friends in its month-long conflict with rebels, Libya's top oil official said on Saturday.

Oil companies have pulled out staff and shut operations in the country, formerly Africa's third-largest producer, due to the uprising against Muammar Gaddafi's rule, leading to a sharp reduction in output.

National Oil Corporation Chairman Shukri Ghanem, speaking about future projects, said Libya was considering awarding contracts directly to new partners instead of using its more traditional open bidding process.

"We will be looking at giving direct block contracts to countries ready to come and work in the country, because we want to increase production," he said.

He said Libya would look into the possibility of working closer with partners such as India, China, Brazil and others in the future but gave no details.

Ghanem said, however, that the government would honour all existing contracts with Western firms and called on foreign workers to return to help restore output.

"It's not our intention to violate any of these agreements," he told reporters in Tripoli.

"Of course, as you know, production has declined drastically because of the dramatic events," he added.

He said crude production had fallen to less than 400,000 barrels per day from 1.6 million before the crisis. He warned that oil exports might halt altogether if output is not restored.

"We will be able to restore most fields but we need the foreign workforce to come back . . . We call on them to send back their workers," he said.

Libyan leader Muammar Gaddafi has taken a tougher stance on Western oil companies. He said earlier this month that Germany was the only Western power that had a chance of doing business with Libyan oil in the future.

[Feb. 24, 2011]

**CHINA'S OIL PROJECTS, WORKERS, UNDER ATTACK IN LIBYA**

China rushed to evacuate thousands of workers from Libya on Thursday, after

CNPC and other Chinese firms were attacked in the wave of unrest sweeping the country.

Officials say 30,000 Chinese are in the country and the scramble to evacuate them—in what may be the country's largest overseas evacuation ever—is posing a new foreign policy dilemma for China, which has for decades supported the Gaddafi regime.

CNPC, China's largest oil and gas producer, said on Thursday that its facilities had been attacked and that CNPC employees were being evacuated back to Beijing. The statement is the first confirmation of attacks on oil companies, after oil majors such as Eni of Italy and Repsol YPF shut down their Libyan operations earlier this week.

The violence in Libya poses a new test for China's foreign policy in the region, which has centred around the concept of non-interference. That policy has become increasingly difficult to maintain as China's commercial engagement with Africa deepens and Chinese workers decamp by the thousands to build infrastructure projects on the continent.

Ma Zhaoxu, Foreign Ministry spokesman, acknowledged that some Chinese companies in Libya "had their local camp sites raided by gangsters and some people got hurt."

One Chinese railway worker painted a vivid picture of those attacks in his microblog posts on Chinese website Sina. Raiders set fire to equipment and cars and injured Chinese workers in an attack on his work camp on Monday, said the blogger known as "Happy Xufeng," posting pictures of the inferno as well as desperate calls for help.

"We are in great danger," he wrote on Monday night, describing a group of more than 500 Chinese workers who lacked basic supplies. "Chinese companies in Libya are in a state of emergency, our projects are being raided and communications are down." By Wednesday the blogger, whose internet records indicated he was an employee of China Railway 11th Bureau, reported that he and his colleagues were being evacuated to safety.

In an unusual statement on Tuesday, China's President Hu Jintao ordered government workers to "spare no efforts to ensure the safety of life and properties of Chinese citizens in Libya." China has dispatched charter flights, COSCO transport ships and Chinese fishing boats to travel toward Libya. Hired buses will also stand ready to enter Libya to help with the evacuation if necessary, the foreign ministry said.

There have already been signs of resentment in Libya at China's growing economic clout in the region. At the end of 2009, Libyan Foreign Minister Musa Kusa said in an interview: "When we look at the reality on the ground we find that there is something akin to a Chinese invasion of the African continent. This is something that brings to mind the effects that colonialism had on the African continent."

The forced evacuation of such a large group of overseas Chinese has exposed one of the new vulnerabilities of China's foreign policy as its interests expand rapidly around the globe.

There are now tens of thousands of Chinese migrants working in potentially volatile places such as Sudan, Congo, Burma and Pakistan. Chinese diplomats worry that high-profile cases of kidnapping or violence towards Chinese workers overseas could provoke nationalist reactions at home and push the government, which prides itself on a policy of non-intervention, to become much more involved in the domestic political affairs of crisis-ridden countries.

To the intense discomfort of Beijing, a defiant Colonel Muammar Gaddafi has used the example of China's violent crackdown on protesters in Tiananmen Square in 1989 to

justify his own use of military force against domestic opponents. "The unity of China was more important than those people on Tiananmen Square," he said earlier this week.

The evacuations of oil companies have caused Libya's oil output to fall by half, sending oil prices higher amid global fears that unrest in the Middle East will lead to shortages.

News of the attack on CNPC will heighten concerns among oil industry executives that the turmoil in Libya may lead to widespread sabotage of oil facilities and that it would take many months or even years to return the country to full production capacity, even if a semblance of peace returns.

In a speech earlier this week, Seif al-Islam Gaddafi, the son of Col Gaddafi, warned that in the event of a civil war, Libya's oil wealth would be "burned".

Oil experts in Beijing have said that unrest across the Middle East is likely to prompt Chinese authorities to accelerate oil purchases in an effort to fill reserves, a move that would put further pressure on global supplies of crude.

"Recent events made them very nervous and they believe the oil price may be on an upward trend, so better to buy sooner rather than later," said K F Yan, director of IHS Cera in Beijing. "With or without events in the Middle East, China needs to refill the tanks after depleting supplies at the end of 2010."

China's trade with Libya centres mainly on oil, but the \$6.6bn in bilateral trade also includes companies in a wide range of other businesses, thanks in part to China never having imposed sanctions on the Gaddafi regime. Chinese rail companies have signed lucrative railway contracts with Libya, agreeing in 2008 to build a rail line between Tripoli and Sirte for \$1.7bn, according to reports.

#### CHINA'S OTHER PROBLEM WITH PROTESTS ABROAD

Talk of a "Jasmine Revolution" online and a subsequent stepping up of censorship by Beijing authorities this week has helped thrust the Internet—microblogging in particular—to the center of the conversation around how China's government manages problems at home. But as the upheaval in Libya grows increasingly violent, microblogs are also serving to highlight a challenge China faces abroad: The presence of tens of thousands of Chinese nationals, many of them workers for state-owned enterprises, living in potential conflict zones in Africa and elsewhere.

On Tuesday morning Beijing time, a person claiming to be one of those expatriates, an employee of a Chinese company in Libya, took to Sina Weibo, China's most active microblogging service, to send out a plea for help.

"Urgent situation Libya has lost control, the army has moved suppress demonstrators, countless numbers of dead and wounded," read the hastily punctuated Chinese-language message, posted on an account with the name Happy Xu Feng. "Communication is completely cut off. Right now it's middle of the night I used a satellite to leave a message, calling on the government to send a plane to rescue us. Urgent"

It's not clear how the user was posting to Sina Weibo despite communications being down, but several hours later, the user posted another message saying a number of the company's compounds had been trashed. That was followed by photos of a construction vehicle and a building in flames along with another urgent call for help:

"The UK, France and South Korea are preparing to send over planes. How come there's still no movement from our government? A

lot of Chinese brothers are embroiled in fights with gangsters."

It's not clear which company Happy Xu Feng is working for and is almost impossible to confirm details of the attack described in the posts. State media reported that "armed gangsters" looted a Chinese-operated construction site in the eastern city of Agedabia, forcing nearly a thousand Chinese workers to abandon their living quarters. However, that attack reportedly took place on Sunday, a day before the attacks described by Happy Xu Feng.

The messages were forwarded thousands of times and attracted hundreds of comments urging the government to move quickly.

Xinhua reported Tuesday night that China's State Council had set up a "special headquarters" to coordinate efforts to evacuate Chinese nationals from Libya. The headquarters had decided to dispatch chartered airplanes, as well as fishing boats and cargo ships, the report said, adding that Chinese president Hu Jintao and premier Wen Jiabao had jointly ordered "all-out efforts to ensure life and property safety of Chinese nationals in Libya." News of Messrs. Hu and Wen's orders, including the "all-out" modifier, was repeated multiple times on CCTV's main news broadcast Tuesday night, a sign of the sensitivity surrounding the effort.

Indeed, for Chinese leaders confronting the protests in Libya, Egypt and elsewhere, public criticism over their ability to protect Chinese citizens abroad is arguably as big a concern as the possibility the unrest will somehow spread to China. While regular Chinese people seem to have little interest in emulating protestors in North Africa (whether because censorship has kept them in the dark or because they're just not that keen on revolution), they are interested in having a government strong and competent enough to look after them when they're overseas.

Beijing came under considerable public pressure over its handling of the killing of Hong Kong tourists who had been taken hostage in Manila last August. More recently, leaders faced criticism for sending too few planes to evacuate Chinese citizens from Cairo after protests erupted there in late January. With Libya, too, the pressure is on.

"I just called the number 86-10-6596114 listed on the website of Ministry of Foreign Affairs and a woman answered, sounding as if she's just woken up," one user wrote in a comment on Happy Xu Feng's Sina Weibo feed. "As soon as the word 'Libya' left my mouth, she said 'the leaders have all gone home, we'll deal with it tomorrow.'"

Wrote another: "Government, the time has come to test whether you rule for the people."

That test is not likely to be easy. According to state media, there are more than 30,000 Chinese living in Libya.

#### CHINA IN AFRICA: THE REAL STORY

[Feb. 22, 2011]

(By The Associated Press)

NEW YORK.—Europe gets over 85 percent of Libya's crude exports. The rest goes to Asia, Australia and the U.S. Here's a breakdown of how much oil various countries import from Libya (in barrels per day) and the percentage of a country's total crude imports supplied by Libya.

- Italy: 376,000 (22 percent)
- France: 205,000 (16 percent)
- China: 150,000 (3 percent)
- Germany: 144,000 (8 percent)
- Spain: 136,000 (12 percent)
- United Kingdom: 95,000 (9 percent)
- Greece: 63,000 (15 percent)
- United States: 51,000 (0.5 percent)
- Austria: 31,000 (21 percent)
- Netherlands: 31,000 (2 percent)

—Portugal: 27,000 (11 percent)

—Switzerland: 17,000 (19 percent)

—Ireland: 14,000 (23 percent)

—Australia: 11,000 (2 percent)

(Source: International Energy Agency 2010 statistics)

[From YvesEngler.com, Mar. 29, 2011]

#### WHY CANADA ATTACKED LIBYA

(By Yves Engler)

Would Stephen Harper attack Libya simply to justify spending tens of billions of dollars on F-35 fighter jets? Perhaps. But, add on doing it for major Canadian investors, reinforcing his "principled" foreign policy rhetoric and reasserting western control over a region in flux, and you pretty much have the range of reasons why a half dozen CF-18s, four other military aircraft and naval frigate are currently engaged in combat 10,000 km away from Canadian soil.

Over the past few months the Conservative's plan to buy 65 F-35 Joint Strike Fighter jets has become a serious political headache. A recent poll showed 68 per cent of Canadians—including a majority of Conservative supporters—agreed that "now is not a good time" to spend between \$16 and \$29 billion on these controversial single-engine jets. So, sending Canadian military aircraft to enforce a UN "no-fly zone" in Libya provides an opportunity to soften opposition to the F-35 purchase, an issue bound to be a hot topic in the election campaign that formally began Saturday. Most critics of the F-35 purchase—from the NDP's Michael Byers to Project Ploughshares Ernie Regehr to Liberal foreign affairs critic Bob Rae—support the "humanitarian" mission in Libya. With these and other liberal interventionists supporting a bombing campaign in North Africa, Harper can more easily justify spending nearly \$1,000 per Canadian on the best fighter jets money can buy. (Québec housing group, FRAPRU, claims the cost of a single F-35 equals 6,400 social housing units.)

Conveniently, the right-wing press has already begun to connect the dots in support of the Harper government. An Ottawa Citizen headline read, "Libya shows why Canada needs jets," while a Sun Media chain commentary explained, "enforcing a 'no-fly' zone to shut down a dictator is an expeditionary air operation. Is that something Canadians want to be able to do in the future? If yes, you need an F-35, expensive or not."

Over the past five years, the Conservatives have further militarized Canadian foreign policy. Military spending is at its highest level since World War II—the Harper government expanded Canada's role in the occupation of Afghanistan, claimed that Russia is planning to attack and sent 2,000 troops to police Haitians after a devastating earthquake.

The Conservatives draw significant support from the military as well as its associated companies and culture. To get us in the fighting spirit, for instance, the Canadian Forces released onboard video footage of a CF-18 destroying a ground target in Libya.

But there is more to it than pleasing the Great White North's version of the military-industrial complex. On March 21, The Financial Times reported that western oil companies were worried that if Gaddafi defeated the rebels in the east of Libya he would nationalize their operations out of anger at the west's duplicity. Presumably, this includes Suncor, Canada's second largest corporation, which signed a multi-billion dollar 30-year oil concession with Libya in 2008.

Home to the second largest amount of Canadian investment in Africa, instability in Libya has put a couple billion dollars worth of this country's corporate investment in

jeopardy. Dru Oja Jay, editor of the Dominion and a candidate for the Mountain Equipment Co-op Board of Directors, notes "Canadian investors are legitimately worried about what's going to happen to the \$1 billion signing bonus Suncor paid out to the Libyan government, or whether SNC-Lavalin is going to recoup its investments in the country, which is home to 10 per cent of its workforce." And these are some of this country's most powerful corporations. Embassymagazine includes both Suncor and SNC-Lavalin's CEOs among the nine most influential business executives in determining Canadian foreign policy.

Would a victorious Gaddafi have moved against Canadian companies? Even if he didn't, with all the bad press SNC and Suncor have received could they continue in Libya without regime change? Finally, will the rebels dependence on the west lead to better contract terms?

Unlike Egypt or Tunisia, the Conservatives denounced Gaddafi's repression at the beginning of the Libyan uprising. This is partly because Gaddafi has never been on great terms with much of the West, even if there have been warmer relations in recent years. Also, the Conservatives were widely derided for supporting Egypt's Hosni Mubarak and (to a lesser extent) Ben-Ali in Tunisia to the bitter end. So Libya gave Harper an opportunity to re-affirm his "principled" foreign policy rhetoric.

Beyond wanting to appear on the side of human rights and democracy, another element motivating the military intervention in Libya is the desire to influence the revolutions in bordering states Tunisia and Egypt, which are still in flux. Controlling Libya gives the West another point of leverage over developments in those countries. Bombing Libya tells democratic forces in the region that the west is prepared to use force to assert itself (as does tacit support for the Saudi military intervention in Bahrain).

Recent developments in Libya are a reminder that if you give the western decision-makers an interventionist inch they take an imperial mile. In principle trying to stop Gaddafi from massacring people in eastern Libya is a good thing. But, the "no-fly zone" immediately became a license to bomb Libyan tanks, Gaddafi's compound and other targets in coordination with rebel attacks. On March 22, Foreign Affairs Minister Lawrence Cannon claimed the UN resolution allowed for "boots on the ground."

Beyond the inevitable death and destruction in Libya, the security council resolution further undermines state sovereignty, which provides the weakest states with some protection from the most powerful. This is the main reason why many Latin American and African countries have opposed the intervention.

Finally, let's put the current moral outrage in perspective. A little over two years ago Israel launched a 22-day onslaught against Gaza that left some 1,400 people, mostly civilians, dead. There, the power imbalance between the two sides was much greater and the aggrieved population had been under the boot of the attacking force for as long as Gaddafi has ruled. Yet there was no talk of imposing a no-fly zone over Gaza. In fact, the Harper government cheered Israel on.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Ohio (Mr. TURNER), the chairman of the Subcommittee on Strategic Forces.

Mr. TURNER. Thank you, Mr. ROONEY. I appreciate the time, and also your advancing this resolution.

The President has not made the case for committing our military to the conflict in Libya. The President claims that these military actions do not constitute hostilities. However, the American people know otherwise.

The President is engaged in military action against Libya and the Qadhafi regime without congressional approval. In addition to ignoring Congress, many believe that the President has exceeded the scope of the U.N. Security Council resolution imposing an embargo, a no-fly zone, and authorizing civil protection of the Libyan people.

The President has told us who we're against: Qadhafi. But he cannot tell us who we are for. Secretary Gates has indicated that we know little about the opposition or rebels. We do not know their geopolitical view towards their neighbors or us. We do not know their commitment to domestic diversity. Are we going to have atrocities?

We do not know their ideology, or their preferred form of government, or if they have a commitment to non-proliferation of weapons of mass destruction, an issue that is incredibly important in the area of Libya.

The President has used the United Nations' approval of civil protection to wage an all-out war on Qadhafi, without congressional approval or American support.

U.S. Admiral Locklear, in charge of the NATO operations against Libya, recently stated that ground troops would be needed to provide stability in Libya once the Qadhafi regime falls. And yet the President has not provided us any information about what a post-Qadhafi Libya will look like or what will be our involvement. He is committing us to an extended military action; and for Congress to be relevant, the voices of this body need to be heard.

I support the passage of Mr. ROONEY's resolution limiting the use of funds appropriated in the DOD in support of U.S. activities in Libya unless otherwise authorized by law. This passage of this resolution is an important step to limit the role of the U.S. military.

I urge passage of H.R. 2278.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN), a member of the Appropriations Committee.

Mr. MORAN. Mr. Speaker, if this resolution passes, and we weaken NATO's mission, Qadhafi may very well prevail. His forces will then kill, rape, and torture all those Libyans who opposed him, as he has already tried to do. Qadhafi has reportedly kidnapped thousands of people, including young students to serve as human shields and march at the vanguard of his forces. If any of his own soldiers refuse to gun down unarmed innocent civilians, they're shot immediately.

Once he's done with his own people, he'll turn his attention to those NATO and Middle Eastern nations that attacked him and seek revenge. Remember, this is a man who is already re-

sponsible for the deaths of 189 innocent passengers on Pan Am 103.

Let's face it. This is not about whether the Obama administration has been thorough enough in explaining the Libya rationale to Congress. Members understand why the President intervened. We can read. We can think; we can decide.

The real question is, will we politicize this effort in the same way that the Republican Congress politicized President Clinton's successful intervention in a NATO-led mission in Bosnia 15 years ago? The limited action we're taking to support the NATO mission in Libya does not rise to a level of conflict meant to be governed by the War Powers resolution. Presidents of both parties have initiated similar actions in Grenada, Panama, Somali, Bosnia, Haiti, Kosovo.

What this really is about, the transcendent purpose of this mission is to seize an opportunity to show the world, particularly the young majority of the Arab and Muslim world who are thirsting for economic and political freedoms, that we are on their side. We have the opportunity to show the Arab world and every nation on Earth who we are as a people. It shouldn't matter who's in the White House. We should be united in the cause of democracy. We should debate; but when the debate is over, politics should take a back seat to policy.

The legacy of America is that we will fight tyranny and defend innocent people as best and as forcefully as we can, in good economic times and bad.

This debate should come to an end. We know exactly what's at stake. If Qadhafi is allowed to violently suppress the uprising in Libya, it will mean many more years of despotic rule. Isolated by his repulsive acts of repression and buoyed by oil wealth, he'd have nothing to lose by aiding violent subversive groups in neighboring countries, including those with vulnerable fledgling democracies like Tunisia and Egypt. That would not only be a defeat for democracy in the region; it would be a death blow for NATO, the most important military alliance the world has yet achieved.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman an additional 30 seconds.

Mr. MORAN. Imagine if, just 2 weeks after Secretary Gates excoriated some of our NATO allies for skimping on their commitments to the global security infrastructure that is a key to our economic system and the open societies that safeguard our prosperity and our way of life, imagine if now we turned our backs on NATO. What a global embarrassment.

Now is the time to stand together against a murderous dictator to give democracy an opportunity in a part of the world that has not experienced it, a part of the world which is vital to America's security.

That's why I urge my colleagues to reject this legislation.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I rise in support of Mr. ROONEY's resolution.

Mr. Speaker, it's a sad irony that at the same time that we're committing our sons and daughters to an armed conflict in Libya in support of democracy and the rule of law, that we are also here at home trampling on the fundamental principles of separation of powers and the plain language of the United States Constitution, which is the supreme rule of law in our land.

I've heard several times now an argument that is about politics. Well, in fairness, politics is to Congress like wet is to water. We cannot avoid that.

But this issue is really one of substance, and the United States Constitution clearly states that the President's power as Commander in Chief to introduce Armed Forces into hostilities may be exercised only pursuant to three circumstances: first, a declaration of war; secondly, a specific statutory authorization; and, number three, a national emergency created by an attack on the United States or its territories. And none of those circumstances is in evidence here today.

So despite my great admiration and respect for our President, a lawful premise for this Libyan operation does not exist.

I've also heard the argument that we have to join with our international neighbors, that we can't desert them. Well, as a matter of fact, I've been to Iraq now 14 times. I've been to Afghanistan 10 times. When we first went into Afghanistan, when I first went over there after hostilities started, it used to be 50 percent United States and 50 percent the rest of the world. Now when I go, it's about 75 percent the U.S. and 25 percent the rest of the world. So they have migrated out of Afghanistan. At the same time, they're asking us to pick up the load in Libya.

□ 1250

Also on my trips, I don't meet any of our kids on their first tour of duty anymore. When I meet our kids, they're on their third, fourth, fifth tour of duty. We're stretched very thin. Our military families are stretched very thin. I think we should allow our international neighbors to pick up this load.

I urge my colleagues on both sides of the aisle to support the Rooney amendment.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. The strict limitation of funds in the resolution offered by Mr. ROONEY of Florida would end our involvement unilaterally. I believe this action would be unwise, and that it could materially harm our relationship

with NATO allies from whom we will undoubtedly require support in the future. It would also undermine the worldwide effort to protect the people of Libya.

Now in this amendment, there are exceptions: search and rescue; intelligence; surveillance, and reconnaissance; aerial refueling; and operational planning. I asked the majority if they would put in suppression, because you can't conduct these other missions without suppression, and if we don't have the ability to suppress enemy air defenses, the allies will not be able to continue the bombing campaign. So all of these things that the gentleman says he wants to do and have exceptions for will be undermined by not having suppression.

Today's F-18 Growlers go in on these missions and they suppress the enemy radars so that the bombing can continue. So I think this is fatally flawed because of the lack of suppression, and I feel that we now have to vote against this because of that fact. I tried to offer this as an amendment, but I was told that they weren't interested.

I just hope you understand that you are undermining this mission and you are undermining NATO. This deserves to be defeated.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from New York, Colonel GIBSON.

Mr. GIBSON. I thank the gentleman from Florida for yielding me time to speak today.

I've been opposed to this operation in Libya from the very start. In terms of national security priorities, we should be focusing on rapidly and successfully completing operations in Iraq and Afghanistan, reorganizing the national security establishment to more effectively wage counterterrorism operations against al Qaeda, and resetting the DOD to defend our cherished way of life in a manner consistent for a Republic, not an Empire. Going forward, we need to learn from these experiences and exercise more discipline; not getting involved in operations like Libya where vital national security interests are not present.

We should cease our involvement in Libya immediately. I'm supporting this resolution to cut off funds for combat operations. I view this as a good start, but I want to be clear: I will not be satisfied until all funds are cut off for this operation, no exceptions.

Then we need to revise the War Powers Act to ensure we never again end up with a President taking this country to war without proper authorization. We need to rediscover the Founders' intent on this critical issue, and I've introduced legislation, the War Powers Reform Act, to make it so. The War Powers Reform Act clarifies when the President may deploy forces into hostilities or imminent threat of hostilities: one, declaration of war; two, specific statutory authorization; or three, a national emergency created by

an attack on the United States or an imminent threat of an attack on our country. If none of these circumstances are met, the President must first come to Congress to obtain authorization before deploying forces. The key change in the War Powers Reform Act is that without prior authorization, the President may not obligate or expend funds to deploy troops into combat.

Congress must act to restore constitutional balance and the voice of the American people. We need to reform the War Powers Act. I urge my colleagues to support both this bill and Mr. ROONEY's resolution on Libya that we are voting on today.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the gentleman for yielding.

America is a beacon of light around the world. At a time when many were cowering in their house wondering if this genocide that Qadhafi was bringing to their doorstep would come tomorrow or the next day, American fighters came in and pressed Qadhafi's forces back and pushed him back into Tripoli.

America has stood for the side of freedom in this Arab Spring. America has stood for people that don't have a voice for themselves. Don't let a dispute between the legislative branch and the executive branch result in us pulling the rug out from standing up for freedom. America has a responsibility to finish this through, to stand with our allies.

To leave now means Qadhafi wins, period. I urge a "no" vote on this resolution.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I rise in reluctant opposition to this resolution. It's well-intentioned, without question. It's meant to limit our involvement in Libya, it's meant to support our allies, and it's meant to rein in a President who in my opinion is conducting an illegal and certainly unauthorized war.

It does both too little and too much. It does too little, frankly, because even after it's passed, the President will continue essentially to be able to operate as he's been operating for several weeks. And it does too much because it gets us into a situation where we effectively micromanage the military by literally listing what missions they should take.

The resolution neither holds the President accountable nor ends our involvement in Libya, and it essentially leaves things exactly where they are. Congress should reassert its constitutional authority, Mr. Speaker, by either authorizing the use of military force or ending it. This resolution avoids either course. It postpones a decision. In doing so, in my view, it erodes the constitutional war-making

authority of Congress and enhances an executive branch that is already overreaching. We will appear to do something and we will actually do nothing.

For that reason, I reluctantly urge the rejection of the resolution.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, when the President of the United States went to the United Nations Security Council to urge intervention in the Libyan civil war, he frankly missed a stop. He should have come here first, and this Congress should have debated the wisdom or lack thereof of that effort. Knowing what I know about this, had that debate taken place here, I would be one who would have voted against authorizing the use of force here because I do not believe we have a vital national security interest in the Libyan civil war.

I am going to oppose this resolution, however, because I think that two constitutional wrongs do not make a right. Again, I believe the President should have come here and sought the authorization of this Congress before he initiated these hostilities, and they are hostilities. But when we have people at risk, when we have lives on the line, I think this resolution raises a practical and a constitutional problem. The practical problem, the gentleman from Washington (Mr. DICKS) alluded to a few minutes ago, and I can think of another variation. If a NATO ally is sending people into Libya on an intelligence-gathering function and asks us to provide air cover for that function, is that an intelligence operation or isn't it? I don't know, there's a good argument on either side, but it's an adjudication that I don't think a U.S. commander in the field ought to have to make. I think it's a practical confusion that does not serve us well when people are at risk.

Then, secondly, just as the President has the obligation, I believe, to seek approval of this body and the other one before he initiates hostilities, he also has the responsibility to conduct those affairs once they begin. Our role is to oversee and fund or not fund such activities, but it is not to interfere with them. I think this is an impractical interference; so I'm going to vote "no."

Mr. ROONEY. Mr. Speaker, could I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Florida has 14 minutes remaining, and the gentleman from Washington has 12 minutes remaining.

□ 1300

Mr. ROONEY. Mr. Speaker, I yield 1 minute to my friend and colleague from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, this bill defunds Libya unless authorized specifically by law. If it passes, long before it's passed by the Senate, the

President will come to us and ask for authorization, and I, for one, would want to grant limited, conditional authorization.

Now we just rejected an authorization provision that was, in effect, all authority and no limitation—at least that's certainly how it would be interpreted by the White House legal counsel given how it was drafted. The House should consider real binding limits and conditions because democracy and rule of law for the people of Libya is important, but democracy and rule of law for the people of the United States is more important.

There are those who regret that they cannot offer an amendment to this bill—yes, they can. The motion to recommit will be in order just as soon as we end debate.

I know that we've had important resolutions from the Arab League, the U.N., and NATO. Those are not substitutes for Congress. The War Powers Act is the law of the land, and if we don't stand up for it now, when will we? And if this President won't obey it, what President will?

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. DAVID SCOTT), a member of the Foreign Affairs Committee and also a member of the NATO Parliamentary Assembly.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, what we have here are two essential arguments; one is more of an intramural argument between Congress and the White House, but it is a misplaced argument because there is no President that has come to this Congress for a declaration of war since World War II—and granted, we've been in seven or eight major conflicts. So this is much greater than this conflict between the White House and this Congress.

Unfortunately, I believe that this measure is just an attempt to, rather in a strong way, get the attention of the President. It may be to chastise the President a bit. I think if you look at the RECORD there were communications here, but there is a larger profound message here. It's not a message that this is to send to the President. This is a bad-timed piece of legislation because it sends the wrong message to the world.

Ladies and gentlemen of the Congress, we are the leaders of the free world. America is a great country, and our standing is at stake. And this move, this bill will pull the rug out from under NATO at precisely the time when we need to be sending a strong message of encouragement. The United States is in a support role here. So it is very important that we defeat this amendment and make sure that we send the right message to our allies, that we will not pull the rug out from under them.

Mr. ROONEY. Mr. Speaker, I yield 1 minute to my friend from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I want to send a message to

our allies. And I don't think we are pulling the rug out from under them. Look at these wealthy, populous nations of Western Europe. I believe it is a good thing to get rid of Qadhafi, but does America have to do everything? People say we're the indispensable nation. That's a terrible burden to impose on ourselves; we can't afford it, and it cannot be done effectively. Let's get people who can dispense with us.

My friend, the ranking member of the Appropriations Committee, says, look, we have to do this because NATO can bomb but they can't suppress. What a great bunch of allies—they can bomb unarmed people, but if they shoot back, they got to come running to us.

Yes, I want to send a message to NATO. Qadhafi is a bad guy. If England and France and Italy and Germany and Spain and the Netherlands and Scandinavia can't together muster the military force for this weakened, poor nation, then let's re-examine the value of these allies.

In "The King and I," he says, If the allies are weak, am I not best alone? Yes, I want to tell our allies that it's time for once for them to step up. This is not to protect Qadhafi; it's to say that America can no longer be asked to be the one that does everything, everywhere, every time. Our allies have to step up.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. I thank the gentleman for yielding.

I rarely speak on the House floor, and almost never have I ever come to the floor two times in one day to speak on this one issue. But this is my fourth trip to the floor today on this issue because I consider it so important and so serious.

If I could rename this bill, I would call it "a bill to authorize the use of force in Libya." That is what we're doing. We should not kid ourselves—we are authorizing the use of force. We are endorsing the Obama war in Libya.

Some see this as weakening our presence over there, but there is no doubt, if you read it carefully, we are expanding and giving authority because of the exceptions. The exceptions include search and re-search, intelligence, surveillance, reconnaissance, refueling, planning—contract labor probably can still go in, the CIA is in there already, special forces. And paying for it: How can you do all that without paying for it? So we are there.

This will be the first time the President will have received any information from the Congress that it's okay to pursue what we're doing. We're supposed to be sending the message that we're in charge of when we go to war and when we pay for this war. We're not just supposed to lie over and capitulate to what the President wants—as we have been for too many years.

So there is no doubt that I think the proper vote here, the proper constitutional vote, the proper vote for the best

of our national interests, the best vote for peace is to vote this resolution down just as we voted the previous resolution down. We should prohibit the use of funds.

A lot of us complain on this House floor because of the way the President went to war—he didn't come here, he went to NATO. But this supports NATO. One of the arguments in favor of this bill is we have the exceptions, so we don't want to break ties and our allegiance to NATO. Well, that's what we're supposed to be doing, we're supposed to be reclaiming the sovereignty and the responsibilities here in the House. We are not supposed to roll over for NATO and the United Nations. We're supposed to stand up for this country.

We are not supposed to go into war under these conditions. And under those circumstances, I strongly urge a "no" vote on this resolution.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Somebody said a while ago we ought to be supporting the Arab Spring because there are movements toward democracy over there. We went into Libya to help in a humanitarian effort and get rid of Muammar Qadhafi, but who are we supporting? Nobody at the White House has come down here and said we're supporting this group of people. We don't know if it's the Muslim Brotherhood, we don't know if it's al Qaeda—now we do know there are al Qaeda operatives that came from Afghanistan fighting with the rebels in Libya; are we supporting al Qaeda? Are we supporting the Muslim Brotherhood?

The Muslim Brotherhood in Egypt has opened up the border—or the Government of Egypt, whatever that is right now—has opened up the border between Egypt and Gaza, which provides a mechanism for weapons to get into Gaza to fire on Israel.

So before we start supporting a rebel movement and going after somebody like Qadhafi, we ought to find out who we're for. We're spending billions of dollars before this is over in a war where we don't even know who we're supporting, and it's in violation of the War Powers Act and the Constitution. This is something we should not be doing.

The President should have come down here and made his case. He should have said what our goals are. He should have said who we're supporting and why we're supporting them. We are in a war against terrorism. We may very well end up with terrorists controlling Libya and Egypt, and that is a tinderbox that we don't want. We get about 35 percent of our energy from that part of the world, and if all hell breaks loose because we've gone with the wrong guys, we've got a real problem in this country economically. And the President ought to be thinking

about all that and making his case to the Congress in accordance with the Constitution and the War Powers Act before he does it.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, this bill purports to cut off funding for combat in Libya. In doing so, it simply forbids what the Constitution already forbids—the waging of war without explicit congressional authorization. But then it specifically grants to the President what up until now he has completely lacked: congressional authority to engage in every conceivable belligerent act short of actually pulling the trigger.

□ 1310

Refueling bombers on their way to targets, identifying and selecting targets, guiding munitions to their targets, logistical support, operational planning—these are all acts of war in direct support of belligerents at war, and this bill authorizes them.

The House has just considered whether to authorize war with Libya. It has specifically, categorically, and decisively rejected it. The President is now on notice that he is in direct defiance of Congress. That is the message we need to send today. Let's not enter a war through the back door, when we have already decided not to enter it through the front.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend from Texas, Judge GOHMERT.

Mr. GOHMERT. Mr. Speaker, it is true, Qadhafi is a bad guy. He needs to go. But the problem is for those who say will this mean the end of the Bush doctrine, well, I don't know that this President has really been enforcing the Bush doctrine. But the problem is, as my friend Mr. BURTON pointed out, we don't know who is going to replace Qadhafi.

It is not in our national interest to help what may be another Iran, with Khomeini and Ahmadinejad coming to power, and especially when we are releasing oil at a time when that oil should be saved in case it all goes to blazes in the Middle East and we don't have any coming from there.

Now, I am not crazy about the exceptions either—the search and rescue, intelligence surveillance and reconnaissance, aerial refueling and operational planning—because this administration is probably going to describe everything they do as falling into those exceptions. But it is a step in the right direction. And some have said, and I know their hearts and I know they mean well, we want to support our troops, and I don't like it when people say let's back out and let's cut funding when troops are in harm's way.

I have talked to enough troops who want somebody in Washington to say, this is insane, don't get us involved, be-

cause they are good soldiers; and when they get their orders, they are going to salute and they are going to go follow through on the orders.

We are the body that must step forward and say, Enough. Mr. President, we are not responsible to the Arab League, to NATO or to the U.N. We are responsible to the American people.

So though I don't like the exceptions, I will vote for this. It is taking a step in the right direction.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I intend to vote "no" on this resolution.

We just voted on a resolution on whether or not to authorize in Libya, and this House overwhelmingly voted "no," no to authorizing that. I have been opposed to this action in Libya. I have not been persuaded that the U.S. has a vital interest there. And by the way, we were not attacked by Qadhafi.

I spent 2 hours in a tent with Qadhafi in 2003. We were the first congressional delegation in over 38 years to be there. In fact, we were there because he was voluntarily giving up his nuclear arms. I will say that there probably are few dictators who are going to do that again after watching what is happening over there. He is a bloody dictator; but one of the things I learned, he hates al Qaeda.

I also think that this action vividly demonstrates the weakness of NATO, quite frankly. It is a great organization. We appreciate their partnerships, of course. They are our allies. But it is an antiquated organization. The United States is paying 75 percent of the cost of NATO, and NATO can't even take out a two-bit dictator like Qadhafi. Why? Because we have enabled our allies, providing their defense for them for decades. And instead of spending money on their defense, as they said, 2 percent of their GDP, they are spending their money on their social programs; they are spending their money on lower corporate tax rates, et cetera.

So I would say, yes, Qadhafi is a bloody dictator. He is a terrorist. He did not attack us. And by the way, let us remember who let the Lockerbie bomber out way early as well.

We need to get out of Libya, Mr. Speaker.

Mr. ROONEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Let me thank my colleague for yielding.

Let me say that I am disappointed that we have reached this point here today. Mr. Speaker, it didn't have to come to this.

Nearly 100 days ago, the President initiated a strike against Libya without consultation from the Congress and without prior explanation to the American people. Then, as now, we all supported the removal of the regime of Libya, a regime that was slaughtering

and is slaughtering its own people. Yet rather than seek regime change from the start, the President chose to follow, not lead, and pursued a strictly humanitarian mission under the banner of the United Nations, with no plan for Colonel Qadhafi's removal.

So at the outset, we asked some very straightforward questions for the President: Why isn't removing Qadhafi a part of this mission? What if he doesn't leave? Who are the rebels that we are there helping to fight? How long is this going to last and at what cost? And what does success look like? These were questions that the administration would not, or could not, answer.

Under our Constitution, the Commander in Chief has the authority to take actions necessary to protect our national security. This is an authority which I and this House respect, but it does not free the President from accountability to the American people, to this Congress, or to the rule of law.

Now, whatever your opinion of the War Powers resolution may be, the fact is it is the law of the land and simply cannot be ignored. So 3 weeks ago, this House overwhelmingly passed a bipartisan resolution asking the President to explain how this mission is consistent with our national security goals, to justify continuing this operation without authorization. He responded by telling us he didn't need Congress because there are no "hostilities" taking place in Libya. Well, we soon found out even his own lawyers don't buy that argument.

Now, if the Commander in Chief is going to take our forces into war, he must take ownership of it. And if the President believes that missile strikes and drone operations taking place in Libya are critical, it is his responsibility to explain to the American people and to seek authorization from this Congress. Because the President has failed to do that, because he has failed to fulfill his obligations, we are here today.

Now, make no mistake: I support the removal of the Libyan regime. I support the President's authority as Commander in Chief. But when the President chooses to challenge the powers of the Congress, I, as Speaker of this House, will defend the constitutional authority of the legislature.

This bill represents, I believe, a reasonable approach. By allowing our forces to continue playing a limited support role, it would not undermine our NATO partners. It would, however, prevent the President from carrying out any further hostilities without Congress' approval, and it would exercise Congress' constitutional power to provide some much-needed accountability.

I believe this is a responsible approach, and I believe this House should support it.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BERMAN), the ranking member of the House Foreign Affairs Committee.

Mr. BERMAN. Mr. Speaker, the Speaker of the House has made some very legitimate points, but then his conclusion is so contrary to the points he made. The proposition before us today, Mr. MCCLINTOCK is right, it is an authorization of a series of acts of beligerence, acts of war, that by their own definition cannot possibly help us either achieve the humanitarian goal of this mission or achieve the goal, the true humanitarian goal of removing Qadhafi from power.

We are authorizing intelligence-sharing, aerial refueling, operational planning, intelligence-gathering; but we are denying the only aspects of this operation that can allow us to achieve that goal—the suppression of air defense systems and the utilization of drones with missiles to stop Qadhafi from resuming his effort to massacre his own people.

I understand the argument. You don't buy my notions of our national security interests. You don't see the context of bringing this operation to a halt in terms of what it does to the stability of the democracy movements in Egypt and Tunisia. You don't see any consequences in terms of Syria or the larger Middle East or the damage to alliance. I understand and accept that argument.

But Mr. ROONEY tries to have it both ways and in fact comes up with a proposal that ensures that the mission is allowed to continue, but by definition cannot achieve its goals.

□ 1320

It is the worst. It is not the reasonable proposal. It is the worst of all solutions. If you're going to authorize an operation through airpower and other methods, you don't exclude the only parts that can possibly achieve success. If you're against this operation, you stop the funding of the operation.

Mr. ROONEY and apparently a number of members of the majority want to have it both ways. We don't like Qadhafi so we want to do something. We don't want to do anything that could work, but we don't want to come out against the operation. But the fact is you're ending the operation if this were to become law, because our European friends have said very clearly that, Those parts of this operation that this amendment prohibits, those parts of the operation we cannot undertake if you are not doing it.

So why not be straightforward? Why not do what a number of colleagues on the other side have called for: stop funding the operation. Don't try to have it both ways, ensure the operation's defeat and end the operation, while pretending to still be interested in seeing Qadhafi go and the operation succeed.

I urge a "no" vote from anyone who cares about the consequences of what they vote on.

Mr. ROONEY. Mr. Speaker, I yield 3 minutes to my friend and colleague, the chairman of the Committee on

Armed Services, the gentleman from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 2278.

My colleague has set forth a responsible plan that would effectively limit the United States' role in Libya. This bill would allow U.S. forces to continue to conduct search and rescue missions, aerial refueling, intelligence, surveillance and reconnaissance, and provide operational planning assistance.

Mr. Speaker, this is what NATO has told us would allow them to continue to carry out the mission. These are very critical functions. That is all that they have asked us to do as we move forward. And it helps the President be truthful in saying that we're not engaged in hostile actions.

This bill would clearly end funding for all other military missions in Libya. Of particular concern to many Members is the United States' continued engagement in strike and suppression of enemy air defense missions. The President has repeatedly stated that the U.S. is not engaged in hostilities and that congressional authorization is not necessary to continue our role in this operation.

I share with many of my colleagues the view that firing a missile at a target in a foreign nation does indeed constitute hostile action. This disagreement is at the root of the issue at hand. H.R. 2278 would put an end to that debate by explicitly defining the congressionally authorized scope of the U.S. military mission in Libya.

The administration has yet to present Congress and the American people with a clear strategic objective for our involvement in Libya. Furthermore, to date we have not been informed of a specific end goal under which the U.S. military operations would cease. This threatens the effectiveness of our mission and can soon create an unjustifiable strain on our military while they remain engaged in two other theaters of operation critical to our national security interest.

I urge my colleagues to join me in support of this bill.

Mr. DICKS. Will the gentleman yield?

Mr. MCKEON. I yield to the gentleman from Washington.

Mr. DICKS. Thank you.

Wouldn't you feel better if we could add, as a fifth item in this list of things, suppression of enemy air defenses? The reason I say that is I think we're going to have a difficult time doing any of these other missions unless we have suppression.

I was just over there at Aviano and Sigonella, and we were told by the Navy that the allies do not have enough suppression to be able to continue to do these bombing missions without U.S. help. I think it would help if we could clarify that that is not somehow abandoned.

Mr. MCKEON. Reclaiming my time, my good friend from Washington, there

are a lot of things that would make me feel better. If we could go back and start this whole thing over, there are a lot of things that would make me feel better. But the President has said we're not engaged in hostilities. And I think we would agree that when we're firing missiles, when we are having missions with our fighter planes suppressing ground fire, I believe that would be—most of us agree that that is hostile.

The NATO people, we met with the military from Great Britain. They told us what we have in here would allow them to continue successfully their missions.

I urge my colleagues to join me in support of this bill.

Mr. SMITH of Washington. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 4 minutes.

Mr. SMITH of Washington. There are a number of arguments about this issue and arguments in favor of ending the mission in Libya. I think the Speaker articulated one, which is basically we support the idea of the removal of Qadhafi and they support the idea of supporting the people in Libya who are asking for a representative government. They just don't like our President's process. But that argument doesn't really make sense because if, in fact, their big complaint is that Congress hasn't had the opportunity to authorize this, then the Speaker of the House has had, by his own admission, a hundred days to offer that voice, to come up and say, No, we support the mission but here's how we want to limit it. They have not done that.

I agree very strongly with Mr. BERMAN's statements. You can't have it both ways. You can't say we would like to remove Qadhafi, we would like to support the Libyan people, but we're going to offer up resolutions that are going to stop that from happening. Now, we can argue back and forth about that process, but clearly the Speaker of the House had an option in front of him to deal with that process issue, and this isn't it.

As has been pointed out, this will stop what we are doing in Libya. If you support that—let me just say I support Mr. KUCINICH in the sense that he is very honest. He doesn't like what is going on there. He wants it stopped. That's a legitimate position. But to stand up and say, Yes, we have to support the Libyan people; yes, Qadhafi should go, we're just going to cut the legs out from under the effort that would actually do that because of a complicated process argument is not a legitimate point.

I also want to point out people are legitimately concerned about the U.S. being too militant in our approach, and I agree with that. We cannot be the policeman for the world. We should not always carry the load. But in this case it is a very, very limited mission that we have. For once, NATO is actually carrying the bulk of the mission.

While I agree with Mr. FRANK's comments from earlier that NATO needs to step up and do more, we finally have an instance when they are stepping up and doing more, and we want to pull the rug out from under them for the tiny little piece of help that we are giving that makes this mission possible. This is a limited role, and we must recognize that.

The Speaker also emphasized that we would like to have all the answers going in. We'd like to know what the mission to get rid of Qadhafi is exactly. Well, you don't always have all the answers, and this has evolved. Initially, our mission was clear: Stop Qadhafi from crushing the forces who are trying to rise up and have a voice in their own government. And we did that.

Incidentally, we do have some answers about who these rebels are. Do you want to know who they are? Look at Benghazi. What's going on in Benghazi, the place that is controlled by the people in opposition to Muammar Qadhafi? It is not the Muslim Brotherhood. It is not al Qaeda. It is the people of Libya wanting a representative government who are running that place. So let's stop acting conveniently like we don't know who these people are. We do have a very good idea who they are, and they are deserving of our support.

We have a clear, limited vision. If we vote for Rooney, we pull the rug out from under that mission. We put Qadhafi in a position to stay in power, and we undermine a group of people who are asking for a legitimate voice in their government. And keep in mind, again, this is a very limited use of U.S. power in a very positive way. Whatever the process arguments are that brought us to this point, don't let them have the United States look like we don't support people standing up for the very values that we continually espouse throughout the world.

I urge defeat of this resolution and support for what we are doing in Libya.

With that, I yield back the balance of my time.

□ 1330

Mr. ROONEY. Mr. Speaker, I inquire as to the time remaining on our side.

The SPEAKER pro tempore. The gentleman from Florida has 4 minutes remaining.

Mr. ROONEY. I yield 1 minute to my friend and colleague from Nebraska (Mr. TERRY).

Mr. TERRY. I have during my tenure here voted twice to empower our military to take action. The first time was with Afghanistan; and the President came to the Congress and made a powerful case that it was in our national security interest to do so. I supported that. Then it was with Iraq; and the President came to Congress. He spent a significant amount of time providing evidence and making a case that there was a national security interest.

This time, however, it was a surprise to me and to most of my colleagues

that this mission was occurring. There has been no attempt to define what the national security interests are, the United States' interests in this military action. Without that, I can't look my constituents in the eyes and tell them why we are in Libya right now and active in military strikes against that nation state.

So the one constitutional power that Congress has explicitly is the purse strings. We are exercising that right. I support the effort to pull those strings tight. Let's stop the flow of money into this action.

Mr. ROONEY. Mr. Speaker, I would like to yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I want to thank Mr. ROONEY and thank my colleagues. I think this has been a very important debate for this country and for our Constitution.

I am opposed to this war and I want to end it. I think Mr. ROONEY's bill is a powerful step in the direction of ending the war, but it's not the only step that we should take. It's the first step. The first step is a vote for Mr. ROONEY's. You limit the war, and you stop the combat ops. Then the second step would be to vote on a defense appropriations amendment that would strike all funding for the war. So we take two steps here—the first step today.

We have some of the best people in this Congress who have been in this debate today, and they don't agree with Mr. ROONEY's bill. What they've said is that this bill would end the mission in Libya; and they've said that, if you don't have the ability to suppress, you couldn't continue with the bombing campaign. These are people on our side of the aisle who want to defeat this bill. They've made the argument, I think, as to why we should pass it.

I want to thank Mr. ROONEY for his leadership, and I urge a vote in favor of Mr. ROONEY's bill.

Mr. ROONEY. I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from Florida is recognized for 2 minutes.

Mr. ROONEY. Mr. Speaker, we have heard a lot of arguments today, and we've had a great debate—a debate we really should have been having over the last hundred days or so, one that could have been spurred on by the administration for coming here and making the arguments as to why we should authorize or should not authorize money for hostilities in Libya. The President had the opportunity to come and make the case to this body, and he chose not to.

The War Powers Act is clear. He has violated that law. Some have said it's unconstitutional, but the courts have never weighed in on it, so it is the law of the land, and it's one we have to abide by. But we can send resolution after resolution to the Senate and say that we don't agree, that we don't authorize. In the end, the power that we have is the power of the purse, as Mr.

TERRY just said, and we have to exercise that power in this House and say that we aren't going to spend money for hostilities in Libya.

We heard the mission "if you want to take out Qadhafi" or "if you want to free the Libyan people and give them the liberty they deserve." Number one, it was never the mission to begin with to take out Qadhafi. That has somehow morphed over time. We don't even know who the people are we're supposedly setting free.

Without that debate and without that argument—and I appreciate the debate we've had today because I think it has been very helpful, quite frankly—all we can do is say, until the President comes and makes that case and gets authorization, he won't get funds; and at the same time responsibly say to our NATO allies that we'll support you in the rear, but we are not engaging in hostile acts.

Mr. HOLT. Mr. Speaker, I rise in support of this resolution.

I wish our action today were unnecessary. As I noted earlier this year when the President initiated military action in Libya, he would have been better served by putting this matter before this body in advance of taking action, not afterwards. And as I predicted then, the President has been subjected to almost daily second guessing, criticism, and frequently partisan attacks over this operation. All of this was avoidable.

None of us wish to abandon freedom-seeking Libyans or our NATO allies, and a vote for this resolution does not mean we are doing either. Our logistical and intelligence support to NATO will continue uninterrupted. Our capacity to conduct cover action to assist the Libyan rebels will remain unimpeded. And the ability of the international community to continue to provide humanitarian aid to the people of Libya will be unaffected.

I am voting for the Rooney bill for what it says, not for what some in the majority say it says. This should not be used as a club to attack President Obama. I will support this measure because it is absolutely imperative for the Congress, as an institution, to remind the President that the power to authorize military actions and war resides in this body. We strengthen our democracy by passing this resolution, we strengthen this institution by passing this resolution, and we honor our NATO obligations, and we stand by Libyans seeking self-determination, and that is why I urge my colleagues to join me in passing this resolution.

Mr. GARRETT. Mr. Speaker, I have strong constitutional concerns regarding H.R. 2278. When the Founding Fathers met at the Constitutional Convention in Philadelphia, the differentiation between which branch of the federal government initiates war and which branch conducts it was one of the most seriously debated topics. After deep thought and consideration, the Founders decided to grant Congress the power to declare war and left to the President, as Commander-in-Chief, the authority to conduct wars. Today, the Congress is asked to vote on a measure that would reverse the constitutionally prescribed war powers by directing the President on how to conduct the military conflict in Libya.

While I have supported past efforts to defund the military conflict in Libya, I cannot

vote in support of a bill that only defunds some of the military effort while endorsing others. The Congress should and must debate the merits of our foray into Libya and either authorize it completely or demand that the President terminate our military engagement. This is the only constitutionally sound course for Congress to take.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.R. 2278. This legislation will not end our military involvement in Libya. Both simply maintain the status quo and appease Republican Members who want to score political points against the President.

Under the guise of deficit reduction, Republicans have voted for deep cuts to Medicare, Medicaid, and other safety net programs. We could better achieve deficit reduction by swiftly ending the Libyan war and accelerating our withdrawal from Afghanistan.

Congress has the power of the purse. Our nation has been at war in Libya for 97 days and Congress has never authorized the conflict. We need to completely defund operations in Libya and put an end to this conflict. It is time for us to come together, use our constitutional authority, and apply this critical check on the executive branch. At a time when we continue the wars in Afghanistan and Iraq, we cannot afford to pursue another military adventure that is not in our national interest. We must get out of this war now.

I urge my colleagues to vote against this toothless bill, and instead defund operations in Libya in the upcoming 2012 Defense Appropriations bill.

Mr. ROONEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 328, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of Washington. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 238, not voting 13, as follows:

[Roll No. 494]

AYES—180

|              |              |               |
|--------------|--------------|---------------|
| Aderholt     | Cantor       | Farenthold    |
| Akin         | Capito       | Farr          |
| Alexander    | Capuano      | Fitzpatrick   |
| Austria      | Carney       | Fleischmann   |
| Barletta     | Cassidy      | Fleming       |
| Barton (TX)  | Chabot       | Flores        |
| Bass (NH)    | Cicilline    | Forbes        |
| Benishek     | Coble        | Fortenberry   |
| Bilbray      | Coffman (CO) | Foxx          |
| Bilirakis    | Conaway      | Frank (MA)    |
| Bishop (UT)  | Conyers      | Frelinghuysen |
| Black        | Cravaack     | Galleghy      |
| Bonner       | Crenshaw     | Gerlach       |
| Bono Mack    | Culberson    | Gibbs         |
| Boustany     | Davis (KY)   | Gibson        |
| Brady (TX)   | DeFazio      | Gohmert       |
| Bralley (IA) | Denham       | Gonzalez      |
| Buchanan     | DesJarlais   | Goodlatte     |
| Bucshon      | Duffy        | Granger       |
| Calvert      | Emerson      | Graves (MO)   |

|                 |               |               |
|-----------------|---------------|---------------|
| Griffith (VA)   | McCarthy (CA) | Scalise       |
| Grimm           | McCaul        | Schilling     |
| Guthrie         | McKeon        | Schmidt       |
| Hall            | McKinley      | Schraeder     |
| Harper          | McMorris      | Schweikert    |
| Harris          | Rodgers       | Scott (VA)    |
| Hartzler        | Meehan        | Scott, Austin |
| Hastings (WA)   | Mica          | Serrano       |
| Hayworth        | Michaud       | Sessions      |
| Hensarling      | Miller (FL)   | Sherman       |
| Herger          | Miller, Gary  | Shimkus       |
| Herrera Beutler | Murphy (CT)   | Shuler        |
| Himes           | Murphy (PA)   | Shuster       |
| Hinchev         | Myrick        | Simpson       |
| Holt            | Nadler        | Slaughter     |
| Huizenga (MI)   | Neugebauer    | Smith (NE)    |
| Hunter          | Noem          | Smith (TX)    |
| Jackson (IL)    | Nunes         | Stark         |
| Jenkins         | Nunnelee      | Terry         |
| Johnson (OH)    | Olson         | Thornberry    |
| Jordan          | Palazzo       | Tiberi        |
| Kaptur          | Petri         | Turner        |
| Kelly           | Pingree (ME)  | Upton         |
| Kingston        | Platts        | Visclosky     |
| Kline           | Price (GA)    | Walberg       |
| Kucinich        | Quigley       | Walden        |
| Lamborn         | Reed          | Waters        |
| Latham          | Rehberg       | Webster       |
| Latta           | Reichert      | Whitfield     |
| Lee (CA)        | Renacci       | Wilson (SC)   |
| Lewis (CA)      | Ribble        | Wittman       |
| Lipinski        | Richardson    | Wolf          |
| LoBiondo        | Rigell        | Womack        |
| Long            | Roby          | Woodall       |
| Lucas           | Roe (TN)      | Woolsey       |
| Luetkemeyer     | Rogers (AL)   | Wu            |
| Lungren, Daniel | Rogers (KY)   | Yoder         |
| E.              | Rooney        | Young (AK)    |
| Lynch           | Ros-Lehtinen  | Young (FL)    |
| Mack            | Rothman (NJ)  | Young (IN)    |
| Marino          | Runyan        |               |

NOES—238

|               |               |                |
|---------------|---------------|----------------|
| Ackerman      | Davis (CA)    | Jackson Lee    |
| Adams         | Davis (IL)    | (TX)           |
| Altmire       | DeGette       | Johnson (GA)   |
| Amash         | DeLauro       | Johnson (IL)   |
| Andrews       | Dent          | Johnson, E. B. |
| Baca          | Deuth         | Johnson, Sam   |
| Bachmann      | Diaz-Balart   | Jones          |
| Baldwin       | Dicks         | Keating        |
| Barrow        | Dingell       | Kildee         |
| Bartlett      | Doggett       | Kind           |
| Bass (CA)     | Dold          | King (IA)      |
| Becerra       | Donnelly (IN) | King (NY)      |
| Berkley       | Doyle         | Kinzinger (IL) |
| Berman        | Dreier        | Kissell        |
| Biggert       | Duncan (SC)   | Labrador       |
| Bishop (GA)   | Duncan (TN)   | Lance          |
| Bishop (NY)   | Edwards       | Landry         |
| Blackburn     | Ellison       | Langevin       |
| Blumenauer    | Ellmers       | Lankford       |
| Boren         | Eshoo         | Larsen (WA)    |
| Boswell       | Fattah        | Larson (CT)    |
| Brady (PA)    | Filner        | LaTourette     |
| Brooks        | Fincher       | Levin          |
| Broun (GA)    | Flake         | Lewis (GA)     |
| Brown (FL)    | Franks (AZ)   | Loebsack       |
| Buerkle       | Fudge         | Lofgren, Zoe   |
| Burgess       | Garamendi     | Lowey          |
| Burton (IN)   | Gardner       | Lujan          |
| Campbell      | Garrett       | Lummis         |
| Canseco       | Gosar         | Maloney        |
| Capps         | Gowdy         | Manzullo       |
| Cardoza       | Graves (GA)   | Marchant       |
| Carnahan      | Green, Al     | Markey         |
| Carson (IN)   | Green, Gene   | Matheson       |
| Carter        | Griffin (AR)  | Matsui         |
| Castor (FL)   | Grijalva      | McCarthy (NY)  |
| Chaffetz      | Guinta        | McClintock     |
| Chandler      | Gutierrez     | McCollum       |
| Chu           | Hanabusa      | McCotter       |
| Clarke (MI)   | Hanna         | McDermott      |
| Clarke (NY)   | Hastings (FL) | McGovern       |
| Clay          | Heck          | McHenry        |
| Cleaver       | Heinrich      | McIntyre       |
| Clyburn       | Higgins       | McNerney       |
| Cohen         | Hinojosa      | Meeks          |
| Cole          | Hirono        | Miller (MI)    |
| Connolly (VA) | Hochul        | Miller (NC)    |
| Cooper        | Holden        | Miller, George |
| Costa         | Honda         | Moore          |
| Costello      | Hoyer         | Moran          |
| Courtney      | Huelskamp     | Mulvaney       |
| Crawford      | Hultgren      | Neal           |
| Critz         | Inslie        | Nugent         |
| Crowley       | Issa          | Oliver         |
| Cuellar       |               | Owens          |
| Cummings      |               | Pallone        |

|             |                  |               |
|-------------|------------------|---------------|
| Pascarell   | Rokita           | Stearns       |
| Pastor (AZ) | Roskam           | Stutzman      |
| Paul        | Ross (AR)        | Sullivan      |
| Paulsen     | Ross (FL)        | Sutton        |
| Payne       | Roybal-Allard    | Thompson (CA) |
| Pearce      | Royce            | Thompson (MS) |
| Pelosi      | Ruppersberger    | Thompson (PA) |
| Pence       | Rush             | Tierney       |
| Perlmutter  | Ryan (WI)        | Tipton        |
| Peters      | Sánchez, Linda   | Tonko         |
| Peterson    | T.               | Tsongas       |
| Pitts       | Sanchez, Loretta | Van Hollen    |
| Poe (TX)    | Sarbanes         | Velázquez     |
| Polis       | Schakowsky       | Walsh (IL)    |
| Pompeo      | Schiff           | Walz (MN)     |
| Posey       | Schock           | Wasserman     |
| Price (NC)  | Schwartz         | Schultz       |
| Quayle      | Scott (SC)       | Watt          |
| Rahall      | Scott, David     | Waxman        |
| Rangel      | Sensenbrenner    | Welch         |
| Reyes       | Sires            | West          |
| Richmond    | Smith (NJ)       | Westmoreland  |
| Rivera      | Smith (WA)       | Wilson (FL)   |
| Rogers (MI) | Southerland      | Yarmuth       |
| Rohrabacher | Speier           |               |

## NOT VOTING—13

|             |              |         |
|-------------|--------------|---------|
| Bachus      | Giffords     | Sewell  |
| Berg        | Gingrey (GA) | Stivers |
| Butterfield | Hurt         | Towns   |
| Camp        | Napolitano   |         |
| Engel       | Ryan (OH)    |         |

□ 1400

Mr. CARTER, Ms. FUDGE, Messrs. GRIFFIN of Arkansas, DUNCAN of South Carolina, ROHRBACHER, DONNELLY of Indiana, ISSA, ROYCE, MARCHANT, BURGESS, DOLD, and NUGENT changed their vote from "aye" to "no."

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 494. Had I been present, I would have voted "yea" on H.R. 2278, to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of NATO operations in Libya.

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 494 on H.R. 2278. Had I been present, I would have voted "yea."

Stated against:

Ms. SEWELL. Mr. Speaker, I was meeting with constituents and unfortunately missed the last vote on H.R. 2278. Had I been here, I would have voted "no."

## PERSONAL EXPLANATION

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 493 on final passage of H.J. Res. 68, authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, I am not recorded because I was absent due to a death in my family which required me to immediately return to Georgia. Had I been present, I would have voted "no."

On rollcall No. 494 on final passage of H.R. 2278 to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, I am not recorded because I was absent due to a death in my family which required me to immediately return to Georgia. Had I been present, I would have voted "aye."

## REPORT ON H.R. 2354, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012

Mr. FRELINGHUYSEN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-118) on the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. MEEHAN) laid before the House the following communication from the chair of the Committee on Transportation and Infrastructure:

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE,  
Washington, DC, May 25, 2011.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 194 of title 14, United States Code, as Chairman of the Committee on Transportation and Infrastructure, I am required to designate three Members of the United States Coast Guard Academy Board of Visitors. I designate Representative Frank Guinta (New Hampshire), Representative Andy Harris (Maryland), and Representative Rick Larsen (Washington) to serve on the Board of Visitors.

Since its founding in 1876, the Coast Guard Academy, based in New London, Connecticut, has accomplished its mission of "educating, training and developing leaders of character who are ethically, intellectually, professionally, and physically prepared to serve their country." The Board of Visitors meets annually with staff, faculty and cadets to review the Academy's programs, curricula, and facilities and to assess future needs. The Board of Visitors plays an important supervisory role in ensuring the continued success of the Academy and the tradition of excellence of the U.S. Coast Guard.

Thank you for your consideration in this matter.

Sincerely,

JOHN L. MICA,  
Chairman.

## APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF GALLAUDET UNIVERSITY

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 4303, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Trustees of Gallaudet University:

Mr. YODER, Kansas  
Ms. WOOLSEY, California

## REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore. Pursuant to 44 U.S.C. 2702, and the order of the House of January 5, 2011, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on the Records of Congress:

Mr. Jeffrey W. Thomas, Columbus, Ohio

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 23, 2011.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Robert Reeves, Deputy Clerk, and Kirk Boyle, Legal Counsel, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 112th Congress or until modified by me.

With best wishes, I am

Sincerely,

KAREN L. HAAS,  
Clerk of the House.

## NATIONAL LABOR RELATIONS BOARD

(Ms. SUTTON asked and was given permission to address the House for 1 minute.)

Ms. SUTTON. Mr. Speaker, I rise today to applaud the efforts by the National Labor Relations Board to modernize their rules to promote efficiency and fairness in the labor organization process.

The charge of the NLRB is to ensure that our workers get a fair shake; but for far too long, working men and women have had to deal with an outdated and lopsided system that puts the wants of big corporations over the needs of employees. At a time when our middle class is consistently under attack, these new proposed rules represent a positive step in restoring a more level playing field for workers.

Our workers deserve a fair system. Those who work to make our world turn deserve the opportunity to make a living for themselves and their families. I look forward to the NLRB adopting and implementing these new provisions to bring their rules into the 21st century and give our working families a fighting chance to strive and achieve the American Dream.