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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. REED).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 11, 2013.

I hereby appoint the Honorable TOM REED to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MOMENT OF SILENCE COMMEMORATING THE 9/11 ATTACKS

The SPEAKER pro tempore. The House will now observe a moment of silence in memory of the victims of the terrorist attacks on September 11, 2001.

Will all present please rise for a moment of silence.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

WHERE ARE THE BENGHAZI KILLERS 1 YEAR LATER?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker:

In Libya, al Qaeda cousins, as I call them, the Ansar al-Sharia, claims responsibility

for the murder of our U.S. Ambassador and three others. It's no coincidence that these two attacks occurred nearly at the same time, and they both occurred on September 11.

In the past, the United States has always held and went after those that were responsible for this type of conduct. In 1998, when the Kenyan Embassy was attacked and Americans were killed, we responded. Of course, we responded on September 11. We responded after the first World Trade Center bombing. Then, in 1996, when 19 American soldiers were murdered in Saudi Arabia, we responded.

Madam Speaker, the United States must always respond to terrorists, and we must let them be reminded again and again we will respond in an appropriate manner, as we did on September 11. We must respond today, and we must respond tomorrow. I am encouraged that the President will soon address the Nation on what our response will be.

We must hold those responsible personally accountable because we must let people understand that they need to leave us alone. That is what the message needs to be. We must have justice in these terrorist attacks by these individuals against Americans because, Madam Speaker, justice is what we do.

Mr. Speaker, that was the speech I gave on this House floor 1 year ago. September 12, 2013, was when it was given. But it has been 1 year since the attack in Benghazi, Libya; and we still have no answers.

Today, as we remember those who were murdered 12 years ago on September 11, 2001, in New York, Pennsylvania, and at the Pentagon, young and old, from countries all over the world, we should also remember those four Americans murdered 1 year ago in Benghazi, Libya. We went after those first 9/11 killers—as we should. America had resolve, as it usually has had in our history. But the Benghazi killers run free today.

Mr. Speaker, it is ironic that the greatest power that has ever existed, with all our vast resources of military, CIA intelligence, the NSA intelligence, the FBI, we can't capture some killers

who killed Americans in Benghazi, Libya. When the media can go and talk to them and have them on television, we can't even find them, capture them, and bring them back to justice. It's been a year. What does that tell the families, what does it tell Americans, when we haven't been able to accomplish this capture of terrorists? We know that Ansar al-Sharia was involved. I said that the day after this murder occurred last year on this House floor.

So today, I filed the Ansar al-Sharia Terrorist Designation Act of 2013. It says, "Ansar al-Sharia is a terrorist organization, and we must use all resources available to go after these killers." We must label them as terrorists and deal with them appropriately.

We're not sure about United States policy today in the Middle East. We don't know what the current U.S. policy is about Americans killed overseas. All we get is a lot of words. Even the White House Press Secretary said, "Well, Benghazi was a long time ago." It seems like more is said than done in the Benghazi episode.

Our enemies continue to test us because they no longer fear us, Mr. Speaker. The world no longer knows where America stands when we are attacked, either at home or abroad, not our allies, not our enemies, and not American citizens.

The President is concerned about Syrians being killed by Syrians. I wish he was just as concerned about Americans being murdered by terrorists in Benghazi, Libya. The administration needs to go after these terrorists by any means necessary and bring them to justice and restore our credibility with the American people, because justice is what we do in this country.

And that's just the way it is.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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MO BROOKS OF ALABAMA VOTING "NO" ON ATTACKING SYRIA

The SPEAKER pro tempore (Mr. JOYCE). The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, President Obama, without consulting Congress or the American people, intervened in Libya's civil war, resulting in the murder of four Americans, including our Ambassador in Benghazi, while creating yet another fertile terrorist recruiting ground. Repeating its Libya mistake, in September 2012, the Obama administration declared that America will intervene in Syria's civil war and work "to support a Syrian opposition to hasten the day when Assad falls."

Shortly thereafter, I stood on this floor, stated my opposition to America's intervening in yet another civil war and argued that "America must stop spending our treasury and risking American lives for those who neither appreciate our sacrifices, nor believe in basic liberties like freedom of religion and freedom of speech."

I have participated in classified hearings with Secretary of State John Kerry, National Security Adviser Susan Rice, and many others. I have listened to President Obama. The arguments for attacking Syria are unpersuasive.

Absent substantially different circumstances, and consistent with my 2012 opposition to intervening in Syria's civil war, I will vote against attacking Syria, if and when Congress has that vote. I reject the President's argument that the best way to keep Syrians from killing Syrians is for Americans to kill Syrians. America has peaceful options. We should pursue them more vigorously.

There is not the required public support to attack Syria. Americans oppose attacking Syria by a two-to-one ratio. In Alabama's Fifth Congressional District, 1,272 citizens have contacted my office about Syria, and 1,267 citizens oppose attacking Syria. A scant five citizens out of 1,272 support attacking Syria.

The President last night told America that there is no evidence that Syria is a security threat to America that supports preemptive military action. Yet an attack makes Syria and its allies a security threat. President Obama erred when he made Syria's chemical weapons a red line. But a President's verbal gaffes don't justify war. A Syrian war costs money America does not have. Every dollar spent attacking Syria worsens America's deficit and debt, weakens our economy, undermines our ability to pay for national security, and increases the risk of even more defense layoffs and furloughs.

An American attack on Syria aids and abets Syrian rebels. Syrian rebels have beheaded Christians solely because they are Christians. One rebel leader killed a Syrian soldier, cut open his chest, took out his heart, ate it,

and then bragged about. Another rebel leader personally executed helpless prisoners of war. I question the wisdom of helping rebels who may be even more evil and barbaric than Syrian President Assad. Yet that is exactly what President Obama proposes.

The White House Syrian strategy is conflicting and amorphous. The President claims he does not seek regime change. Yet in 2012, his administration said the exact opposite. President Obama claims attacks will deter Syria's chemical weapons use, yet his Secretary of State insists that attacks will be "unbelievably small."

I have reservations about this administration's ability to handle a delicate foreign policy matter. This administration bungled its Fast and Furious gun-running program, killing hundreds of innocent Mexicans and an American Border Patrol agent. This administration botched Benghazi and threw in a coverup for good measure. This administration illegally uses the Internal Revenue Service to attack political adversaries. The list goes on and on.

President Obama has cultivated cheerleaders but not players on the field whose militaries will help America attack Syria. America cannot perpetually be the world's only policeman.

In sum, I believe attacking Syria unilaterally makes matters worse, not better. Absent a major international effort to punish Syrian President Assad for his inhumane and criminal use of chemical weapons, I cannot and will not in good conscience vote on the House floor or in the Foreign Affairs or Armed Services Committees to attack Syria.

WAR, PEACE, AND THE CONSTITUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, amidst the international humiliation and farce that we've suffered with our abortive war with Syria, there are two good things the President has done, and they need to be noted. Last night, he stepped back from an international crisis that could have had catastrophic consequences by deferring to the Russian diplomatic initiative. Thank God. And last week, he stepped back from a constitutional crisis by deferring to Congress the decision over whether to go to war—as the Constitution requires.

I've been deeply troubled by suggestions from many otherwise responsible officials and commentators—from both parties—that the President has independent authority as Commander in Chief to order an attack on other countries when he deems it necessary. This cuts right to the core of our Constitution's design, and it evinces an alarming deterioration of the popular understanding of the separation of powers that keeps us free. There is nothing

more clear in the American Constitution than that Congress has the sole authority to decide the question of war or peace. Only after Congress has made that decision does the President, as Commander in Chief, have the authority to execute that decision.

For centuries, European monarchs had plunged their nations into bloody and debilitating wars on whim, and the Constitution's Framers wanted to protect the American Republic from that fate. They understood that a President, for example, might someday paint himself into a rhetorical corner and feel compelled to save face by exercising force. That is precisely why they entrusted that fateful decision to the Congress.

James Madison, the Father of the American Constitution, said that its single most important feature was the provision that gave the Congress, and not the President, the authority to go to war.

□ 1015

Here's what he wrote in 1793:

In no part of the Constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature, and not to the executive department. The trust and the temptation would be too great for any one man.

War is in fact the true nurse of executive aggrandizement. In war, a physical force is to be created and it is the executive will which is to direct it. In war, the public treasures are to be unlocked, and it is the executive hand which is to dispense them. Those who are to conduct a war cannot, in the nature of things, be proper or safe judges of whether a war ought to be commenced, continued, or concluded.

In Federalist 69, Alexander Hamilton wrote that one of the most important differences between the British King and the American President is that the King can plunge his nation into war on his command, but that the American President has no such authority.

The Constitutional Convention gave careful consideration to the clause that provides that "Congress shall declare war." They chose that word carefully to make sure that the only independent war-making power of the President is to repel an attack.

The War Powers Act makes this explicit, that absent congressional authority the President can only order our Armed Forces into hostility in response to "a national emergency created by an attack upon the United States, its Armed Forces, or its territories or possessions." Anything else requires prior congressional action.

The United Nations Participation Act, by which we entered the U.N., requires Congress to act before American forces are ordered into hostilities in U.N. actions. The War Powers Act specifically forbids inferring from any treaty the power to order American forces into hostilities without specific congressional authorization.

Now, some have used the past violation of this constitutional stricture—for example, in Kosova or most recently in Libya—as justification for its