

THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

June 17, 2015

The Honorable Jim McGovern  
United States House of Representatives  
438 Cannon HOB  
Washington, DC 20515

The Honorable Walter Jones  
United States House of Representatives  
2333 Rayburn HOB  
Washington, DC 20515

The Honorable Barbara Lee  
United States House of Representatives  
2267 Rayburn HOB  
Washington, DC 20515

Dear Representatives McGovern, Jones and Lee:

We write to applaud you for your efforts to compel Congress to exercise its constitutional responsibility to decide on war. For ten months President Obama has prosecuted the war against the Islamic State of Iraq and the Levant (ISIL) under a specious legal claim that Congress authorized it fourteen years ago. Congress has done no such thing. It is high time that Members weighed in.

We take no position on grave policy choices about whether to continue to use military force against ISIL, and if so how. But Congress must. The Framers vested the war power in the legislative branch precisely because they believed that young Americans should only be put in harm's way when the people, through their representatives' collective judgment, approved it.

We know this is the most difficult issue that Members face. It is also your most important responsibility. If Congress agrees that U.S. service men and woman should be engaged in battle, it is Members' constitutional duty to say so. If Congress disagrees, those men and women should come home. What Congress cannot do is continue to avoid the question. We support H. Con. Res. 55 because it would force this long-overdue debate and vote.

Please do not hesitate to contact us, via Scott Roehm at The Constitution Project, with any questions or concerns.

Sincerely,

**Mickey Edwards**, Vice President, Aspen Institute; former Member of Congress (R-OK) and Chairman of the House Republican Policy Committee; co-chair The Constitution Project War Powers Committee

**Louis Fisher**, Specialist in Constitutional Law, Law Library of Congress (ret.); Scholar in Residence, The Constitution Project

**Virginia Sloan**, President, The Constitution Project

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