

Last week I joined six Republican and three Democrat colleagues to file a lawsuit against the Obama administration over its illegal war against Libya. Now that more than 90 days have passed since the president began bombing Libya, no one can seriously claim that the administration has complied with the clear requirements of the 1973 War Powers Resolution.

In a remarkable act of chutzpah, the administration sent to Congress its response to the growing concern over its abuse of war powers. Its argument, in a nutshell, is that the War Powers Resolution is not relevant because US armed forces are not actually engaged in hostilities because Libya is so militarily weak it cannot fight back! This explanation would be laughable if not so horrific. The administration wants us to believe that there is no real violence because the victim cannot fight back? Imagine if this standard was applied to criminal law in the United States! I am sure Libyans on the receiving end of US and NATO bombs feel hostilities are quite definitely taking place.

We must recall the origins of these attacks on Libya. The Obama administration made no claim that Libyan leader Gaddafi was killing his civilian population. Rather, the claim was that Libya might begin killing its civilians in the future. One need not defend Gaddafi's regime -- and I most certainly do not -- to object to this flimsy and dangerous rationale for violating the sovereignty of another country. Imagine a scenario where the UN approves military action against the United States as a preventative humanitarian measure over US enforcement of its immigration laws, for example!

Now in Libya we see the possible use of depleted uranium shells, we see infrastructure destroyed, we see universities bombed, we see all the "collateral damage." Yet, this is a "humanitarian intervention"?

In our lawsuit against the administration, among other critical issues we are demanding that the courts provide relief and protection to the country from the administration's policy that a president may commit the United States to a war under the authority of the United Nations and NATO without authorization from Congress, and that previously appropriated funds by Congress may be used for an unconstitutional and unauthorized war in Libya or other countries. These are fundamental Constitutional issues and I expect the judicial branch to treat our challenge with the same level of gravity as we do in the legislative branch.

Remember, we were told that this attack would last "days, not weeks" and we are already three months and likely nearly a billion dollars into it. As the bombings obviously target Gaddafi's houses, even killing some of his family members, we can see that the real goal is regime change rather than protection of civilians. Do we know much about the rebels whose side we have taken in what is, in fact, a civil war?

Although it is a bit late, I am pleased to see that congressional leadership has started to listen to our constituents, who are solidly against this war on Libya. I commend Speaker Boehner's expressions of dissatisfaction with the administration over this war and I sincerely hope he will use the full constitutional authority granted to the legislative branch to bring into check an administration clearly out of control.

Polls show that the American people increasingly favor a truly conservative foreign policy: one that rejects the leftist, utopian doctrines of nation building and preemptive war, and one that is NOT funded by debt. Forcing the Obama administration to obey the clear letter of the law is one step towards restoring a traditional, patriotic foreign policy that serves American interests.