



CONGRESS SEEKS IRAQ WAR END THROUGH FUNDING BILL

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As the Iraq war enters its fifth year with more than 3,200 U.S. service members killed, lawmakers are seeking to end U.S. military involvement in Iraq, raising new questions over how war powers are shared between the executive and legislative branches.

After passing a symbolic resolution opposing an increase in the number of U.S. troops in Iraq last month, the Democrat-controlled Congress is now seeking to pull out those troops.

Last week, the House of Representatives approved a nonbinding measure that would set an Aug. 31, 2008 deadline for the withdrawal of U.S. troops from Iraq. Calling the war "a grotesque mistake," House Speaker Nancy Pelosi, D-Calif., said, "The American people do not support a war without end and neither should this Congress."

This week, the Senate considered similar language that would seek to have troops out of Iraq by March 31, 2008. The approval of attaching such wording to a larger funding bill marks the first time the Senate has shown support for a withdrawal timeline.

Two Democratic senators, Mark Pryor of Arkansas and Ben Nelson of Nebraska, and independent Democratic Senator Joseph Lieberman of Connecticut, had sided with Republicans earlier this month in defeating a similar measure.

The Senate narrowly defeated a Republican amendment that would have stripped any deadlines from the bill. A vote on the bill itself was still pending by Wednesday afternoon.

An expected presidential veto

President Bush has promised to veto any legislation that sets a timeline for troop withdrawal, saying the measures in the House bill "substitute the mandates of Congress for the considered judgment of our military commanders."

Democrats are unlikely to get the two-thirds vote needed to override a presidential veto, but they could put the president in a difficult position, forcing him to overrule a bill that includes \$100 billion in emergency spending on Iraq and Afghanistan, according to the Congressional Research Service.

If the president vetoes the bill, he may not have the funds he says he needs by mid-April to support his Iraq strategies, including the 23,000-soldier increase in Baghdad announced earlier this year.

Split war powers

As Congress appears headed for a showdown with the president, some Republicans have accused Democrats of overstepping their authority in wartime.

"It would be a tremendous mistake for the Congress of the United States to micromanage this war and bring it to a conclusion through artificially constraining decisions on the battlefield," Representative Jim McCrery, R-La., said last week.

The rules dividing the powers to declare and manage a war come from the U.S. Constitution. Article II, Section 2 reads, "The President shall be Commander in Chief of the Army and Navy of the United States," giving the White House the authority to conduct war, putting the president at the top of the military chain of command.

But Article I, Section 8 gives Congress the power "to make Rules for the Government and Regulation of the land and naval Forces," and "to raise and support Armies," which the legislative branch has done by providing funds through annual appropriations bills.

The power to end a war

"If the Senate doesn't support the mission in Iraq, it has only one option, and that's to decide whether or not to fund that mission. That's our constitutional role," Senate Minority Leader Mitch McConnell, R-Ky., said, the Washington Post reported.

Congresses have rarely used this "power of the purse" to limit or end U.S. involvement in conflicts, but over the past 25 years they have passed laws that effectively limited military deployments in conflicts in Lebanon, Somalia, Bosnia and Kosovo.

"Lawmakers always decide the scope of military operations, either by accepting the commitment as it is or by altering its direction and purpose. In a democratic republic, that decision legitimately and constitutionally resides in Congress," Louis Fisher, a constitutional law expert, told the Senate Judiciary Committee in January.

"The framers of the Constitution deliberately structured the powers so there would be clashes [over war powers] and to make sure neither [Congress nor the White House] would go it alone," Susan Low Bloch, a constitutional law expert from Georgetown University, told the Washington Times.

Following a presidential veto, lawmakers will have to consider a new war-funding bill and decide what to do about urging the withdrawal of troops.

-- *Compiled by Adnaan Wasey for NewsHour Extra*

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