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Sonoma County Democratic Party

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1 **SONOMA COUNTY DEMOCRATIC CENTRAL COMMITTEE RESOLUTION**
2 **SUPPORTING A PROPOSED AMENDMENT OF U. S. CONSTITUTION REQUIRING THE PRESIDENT TO**
3 **DEFEND THE UNITED STATES SUBJECT TO CONGRESSIONAL APPROVAL**

4 **WHEREAS:** The framers of the Constitution made the President the Commander in Chief of United States Military
5 Forces and balanced this war power by giving Congress sole power to declare or initiate war, the framers of the
6 Constitution could not have anticipated the United States would be the superpower it is today with technology and
7 circumstances making it possible and sometimes necessary for the President as Commander in Chief and
8 exercising powers implicit in the Constitution to quickly respond to sudden attack or imminent threats to the security
9 of the United States before Congress is able to declare war or otherwise authorize the nation's defense,
10 Congresses' failure to fully assert its war making power combined with Presidents' interpretation of their power to
11 defend the United States has led to abuse of Presidential war powers; and

12 **WHEREAS:** The War Powers Resolution of 1973 (PL 93-148): 1. was designed to "insure that the collective
13 judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into
14 hostilities", 2. has been virtually ignored by both Presidents and Congress and has failed to meet expectations, 3.
15 gives Presidents unwarranted power to introduce United States military forces into hostilities for both offensive and
16 defensive purposes for up to 90 days without Congressional approval and provides no effective mechanism for
17 curtailing such action by a President, and 4. the constitutionality of the Resolution is suspect since it has the
18 potential to temporarily transfer war making power from the Legislative Branch to the Executive Branch of
19 government, where the only constitutional vehicle for such a transfer is an Amendment to the Constitution; and

20 **WHEREAS:** the Constitution makes it explicitly clear that only Congress has authority to declare war or initiate
21 other offensive military action, the Constitution needs to be equally clear about the President's duty and temporary
22 authority to defend the United States until Congress can authorize the defense of the nation, and while there is
23 value in permitting a minority of Senators to use a filibuster to check a rush to an ill-conceived war, there is no
24 justification for a Presidential veto or filibuster preventing Congress from ending a war;

25 **THEREFORE BE IT RESOLVED:** That we urge Congress to pass and the states to ratify the following Amendment
26 to the U. S. Constitution and thus explicitly provide the President with only that authority absolutely essential to
27 defend the United States until Congress is able to authorize defensive action or curtail it:

28 Amendment nn In case of attack on the United States, the President, as Commander in Chief, may
29 immediately employ all necessary and lawful means to defend the United States. Upon initiating such
30 defense, and in accordance with a process specified by Congress, the President shall immediately seek
31 Congressional authorization to continue these defensive actions. A majority vote in either House of
32 Congress can deny the President's request, or once granted, void Congress' authorization.

33 **BE IT FURTHER RESOLVED** that the Sonoma County Democratic Central Committee distribute copies of this
34 resolution to Senators Feinstein and Boxer, Representatives Thompson and Woolsey, to such media outlets as the
35 Public Relations Committee may deem appropriate; and to all other California county Democratic central
36 committees and to the California Democratic Party for consideration and support; and that the Sonoma County
37 Democratic Central Committee transmit such correspondence as may advance the principles of this resolution.

38 Sponsored by Thomas Gangale and Dan Monte, Sonoma County Democratic Party

39 Submitted by: Tony Green, Vice President, Democrats United For Progress

40 Amended by: Don Frank, Treasurer, Sonoma County Democratic Party

Common Sense, Common Good, Common Destiny