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Posted at 12:42 PM ET, 06/15/2011

Kucinich, other House members file lawsuit against Obama on Libya military mission

By Felicia Sonmez



(Ken Lambert - AP)

Ten House members led by Rep. Dennis Kucinich (D-Ohio) are filing a [complaint in federal court](#) against President Obama for taking military action in Libya without first seeking congressional approval.

Kucinich and Reps. Walter Jones (R-N.C.), Howard Coble (R-N.C.), John Duncan (R-Tenn.), Roscoe Bartlett (R-Md.), John Conyers (D-Mich.) Ron Paul (R-Texas), Michael Capuano (D-Mass.), Tim Johnson (R-Ill.) and Dan Burton (R-Ind.) filed the complaint Wednesday at the U.S. District Court for the District of Columbia.

"With regard to the war in Libya, we believe that the law was violated," Kucinich said in a statement. "We have asked the courts to move to protect the American people from the results of these illegal policies."

The House members argue that the Obama administration overstepped its constitutional authority by authorizing the use of U.S. military force abroad without first receiving approval from Congress. U.S. forces have been involved in the campaign against Libyan leader Moammar Gaddafi for 88 days.

Critics argue that Obama violated the 1973 War Powers Resolution by failing to seek congressional approval for the mission.

Earlier this month, the House [approved a resolution](#) disapproving of the president's action on Libya and calling on the administration to provide further details on its goals. Since then, several committee chairmen have sent letters to Obama seeking greater clarity, and the House on Monday [passed another rebuke](#) of Obama over the conflict.

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On Tuesday, House Speaker John Boehner (R-Ohio) [sent a stern letter to Obama](#) warning that any failure to comply with the House's resolution on Libya would "appear" to be a violation of the War Powers Resolution.

Meanwhile, efforts in the Senate to introduce a resolution authorizing the Libyan mission have failed so far. The White House has said that it plans to issue a response as soon as today that would include a legal analysis making the case for the intervention.

According to a release from Kucinich's office, the lawsuit "calls for injunctive and declaratory relief to protect the plaintiffs and the country from the (1) policy that a president may unilaterally go to war in Libya and other countries without a declaration of war from Congress, as required by Article I, Section 8, Clause 11 of the United States Constitution; (2) the policy that a president may commit the United States to a war under the authority of the North Atlantic Treaty Organization (NATO) in violation of the express conditions of the North Atlantic Treaty ratified by Congress; (3) the policy that a president may commit the United States to a war under the authority of the United Nations without authorization from Congress; (4) from the use of previously appropriated funds by Congress for an unconstitutional and unauthorized war in Libya or other countries; and (5) from the violation of the War Powers Resolution as a result of the Obama Administration's established policy that the President does not require congressional authorization for the use of military force in wars like the one in Libya."

By [Felicia Sonmez](#) | 12:42 PM ET, 06/15/2011

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9:45 a.m. **Obama receives the Presidential Daily Briefing**

2 p.m. **Obama and Biden receive an economic briefing**

4:30 p.m. **Obama and Biden meet with Secretary Gates**

5:35 p.m. **Obama hosts military fathers and their children for a screening of Cars 2 from Disney•Pixar**

6 p.m. **Obama meets with senior advisers**

7 p.m. **Obama and FIRST LADY host Congressional Picnic at the White House; Biden also attends**

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This is an improper response to an improper action. It is a little late for either side to attack or defend on Constitutional grounds.

Jim

6/15/2011 12:04:59 PM PDT

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