

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. CON. RES. 107

Expressing the sense of Congress that the use of offensive military force by a President without prior and clear authorization of an Act of Congress constitutes an impeachable high crime and misdemeanor under article II, section 4 of the Constitution.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2012

Mr. JONES submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

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## CONCURRENT RESOLUTION

Expressing the sense of Congress that the use of offensive military force by a President without prior and clear authorization of an Act of Congress constitutes an impeachable high crime and misdemeanor under article II, section 4 of the Constitution.

Whereas the cornerstone of the Republic is honoring Congress's exclusive power to declare war under article I, section 8, clause 11 of the Constitution: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring)*, That it is the sense of Congress that, except  
3 in response to an actual or imminent attack against the  
4 territory of the United States, the use of offensive military

1 force by a President without prior and clear authorization  
2 of an Act of Congress violates Congress's exclusive power  
3 to declare war under article I, section 8, clause 11 of the  
4 Constitution and therefore constitutes an impeachable  
5 high crime and misdemeanor under article II, section 4  
6 of the Constitution.

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