

Congress of the United States
Washington, DC 20515

May 15, 2018

Senator Bob Corker
Chair, Senate Committee on Foreign
Relations
423 Dirksen Senate Office Building
Washington, D.C. 20510

Senator Bob Menendez
Ranking Member, Senate Committee on Foreign
Relations
423 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Corker and Ranking Member Menendez:

We write as members who care deeply about the lack of congressional oversight and constitutional responsibility over the authorization for the use of military force (AUMF) and our ongoing wars. We understand that your committee has drafted a new authorization and write to express our deep concerns regarding the overly broad legislation. While we firmly believe that a debate and vote on war can and should happen more regularly, we are opposed to this new legislation that would allow all current military operations to continue with no new constraints and no sunset. We are also concerned that this legislation would allow any president to unilaterally expand our wars indefinitely by omitting any sunset date and allowing the president to wage war against new groups or in new countries without congressional authorization. This legislation also further limits Congress's role in war-making by requiring a veto-proof majority to block military action from the president.

We believe that any new AUMF must be specific, tailored, limited, and clear for any situation for which force is being authorized. We hope that your committee will go back to the drawing board and ensure that the following principles are reflected in the legislation:

Sunset clause/reauthorization: The lack of a sunset in the 2001 and 2002 AUMFs resulted in a critical deterioration of Congressional oversight and in perpetual armed conflict for over 16 years, including against groups and in countries and regions where Congress did not intend to authorize force. A sunset clause also forces Congress and the administration to update and reevaluate priorities and the situation on the ground in current armed conflict(s). Therefore, a sunset clause must be included in any new AUMF to ensure congressional debate regarding the need for continued operations and the scope and conduct of any extended or expanded campaign. A sunset ensures that it is Congress and the public who decide when the president is authorized to use force, not the other way around.

Repeals the 2001 and 2002 AUMFs: We know that the nature and the extent of United States involvement in the Middle East has shifted from Afghanistan and Iraq, to places such as Yemen, Syria, and parts of Africa. Therefore, any new AUMF should fully repeal the 2001 and 2002

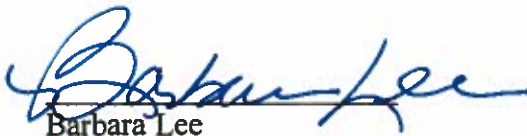
AUMFs as each has outlived its original purpose and now serve only as blank checks for endless war. By doing so, the new AUMF will ensure that this and future administrations do not continue to rely on old authorizations that could be interpreted beyond their original purpose.

Mission-specific: To rein in executive power and to prevent any overstepping of Congress' intent, any new AUMF should be limited to the current threats necessitating a military response and should be as specific as possible about the objectives, the entity against which force is being authorized, and geographic limits. Congress must clearly define the enemy and any use of "associated forces" in the legislation must include a definition of that term that is narrowly tailored to groups that force may be used against under the law of armed conflict.

Transparency and accountability: The United States' military engagements since the passage of the 2001 and 2002 AUMFs lack sufficient Congressional oversight regarding the United States' use of force. Understanding of the scope, progress, and costs of these military operations has unfortunately been left to the Executive Branch. Accordingly, any new AUMF should ensure that the President is updating Congress regularly and that he or she must come to Congress and seek authorization to expand the AUMF to new groups or new geographic locations (including the factual and legal basis for such expansions). Additionally, the new AUMF should require regular reporting describing the progress toward the mission's objectives and provide detailed information about civilian and military casualties on all sides. The President should also make clear to Congress and the public any legal analyses regarding uses of force.

We firmly believe that any future AUMF should take into account the lessons learned from previous AUMFs that were overly broad, vague, and lacked sufficient oversight and transparency requirements. It is critically important that Members of the Congress not only authorize the use of force because it is our constitutional responsibility, but also that we are regularly updated from the Executive Branch in matters of war and peace. It is up to Congress to make the hard decisions about when to send our brave service members to war and we have failed to fulfill that constitutional responsibility. We hope that these principles will help guide your committee in drafting a new authorization that is clear, specific, and narrow.

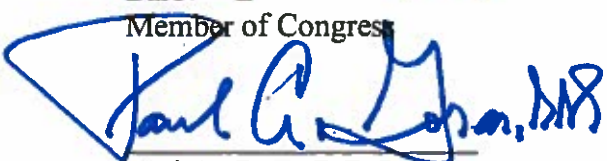
Sincerely,



Barbara Lee
Member of Congress



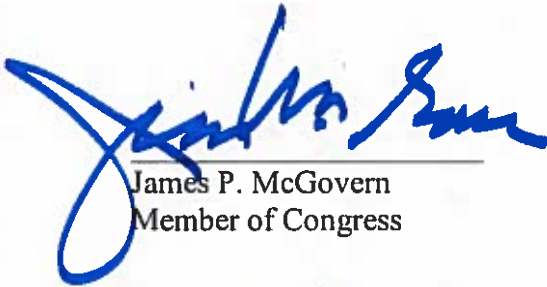
Walter B. Jones
Member of Congress



Paul A. Gosar D.D.S.
Member of Congress



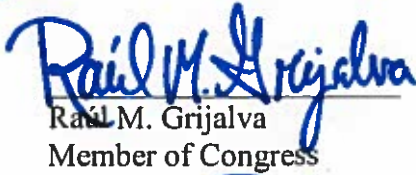
Justin Amash
Member of Congress



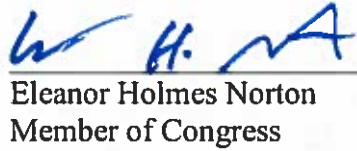
James P. McGovern
Member of Congress



Peter A. DeFazio
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Member of Congress



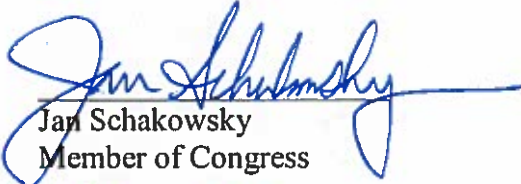
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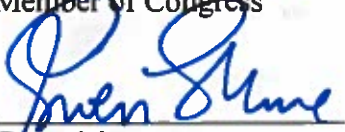
José E. Serrano
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Zoe Lofgren
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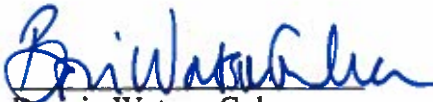
Donald M. Payne, Jr.
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Gwen Moore
Member of Congress



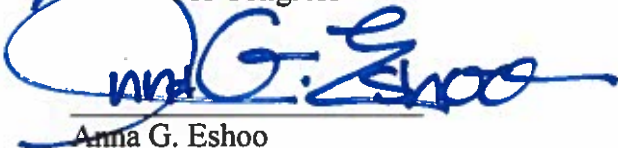
Richard M. Nolan
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Bonnie Watson Coleman
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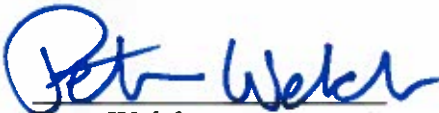
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Peter Welch
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Yvette D. Clarke
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Jamie Raskin
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Jared Huffman
Member of Congress



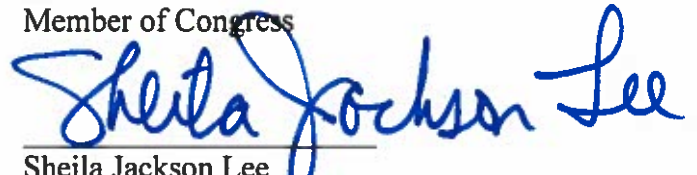
Diana DeGette
Member of Congress



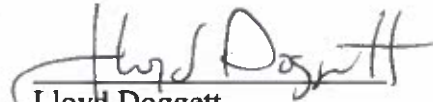
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Alan Lowenthal
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Sheila Jackson Lee
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Lloyd Doggett
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John Yarmuth
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Jerry McNerney
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Kathy Costo

Kathy Costo
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Dwight Evans

Dwight Evans
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Eddie Bernice Johnson

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Jerrold Nadler

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Earl Blumenauer

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Lucille Roybal-Allard

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Nydia Velázquez

Nydia M. Velázquez
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Joyce Beatty

Joyce Beatty
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Ted W. Lieu

Ted W. Lieu
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Pramila Jayapal

Pramila Jayapal
Member of Congress