

United States Senate
WASHINGTON, DC 20510

December 5, 2014

The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

The Islamic State of Iraq and the Levant (ISIL) threatens U.S. national interests, representing a direct threat to American personnel in Iraq and to the stability of Iraq, Syria, and the region. While we must take action to combat the threat posed by ISIL, we do not believe that you possess sufficient authority to undertake the current U.S. military campaign against ISIL. In addition, we are extremely concerned that the current operation lacks measurable goals, benchmarks of success and a clear scope. Therefore, we are writing to request that you immediately submit for Congressional consideration a proposed Authorization for the Use of Military Force (AUMF) specific to the war against ISIL.

We were encouraged by your recent statements welcoming a new AUMF for the conflict with ISIL. However, we also believe you have the responsibility to make a case to the American people for war, and a vital step in this process is the submission of a formal AUMF to Congress. This action allows Congress to properly evaluate a President's vision and strategy for combat operations and fosters the critical debate that the American public deserves. You last submitted a draft AUMF in 2013 when you sought authority to launch airstrikes in connection with the conflict in Syria which provoked an important debate in Congress and gave the American people the opportunity to voice their concerns.

Additionally, taking military action without an AUMF tailored to ISIL puts the United States at risk of repeating the mistakes of the past and becoming bogged down in an open-ended conflict. This is particularly true now because the current campaign against ISIL poses a number of serious concerns. The Administration has not clearly articulated its long-term strategy nor the scope and duration of military actions required to support it. The American people have not seen details of the milestones the operation intends to meet, which makes it difficult to measure success and failure. Furthermore, the battlefield in Iraq and Syria consists of a complex web of enemies and allies with varying interests and motivations. In Syria, where the rebels the United States is arming are in the midst of a civil war, it is unclear if they are more interested in fighting ISIL or targeting Syria's President Bashar al-Assad. These concerns have not been sufficiently answered, and we believe your involvement in proposing an AUMF that directly addresses these issues will allow Congress and the American people the chance to have an informed debate.

You have cited the 2001 and 2002 AUMFs as providing you with the authority to conduct the war against ISIL. We do not believe either of these authorizations provides the legal or rational justification for the current U.S. operation against ISIL. Based on a plain reading of the

authorizations' language, Congressional intent, and your Administration's historical interpretations of the laws, it is clear that the 2001 and 2002 AUMFs were designed for different missions and different threats. ISIL is not covered by the 2001 AUMF because it is not part of al-Qaeda, nor is it an associated force of al-Qaeda, which, according to your Administration, requires active, co-belligerency with that group on the battlefield. Similarly, U.S. military action against ISIL should not be justified by the 2002 AUMF as it was enacted in response to the perceived threat posed by Saddam Hussein's regime. Both of these resolutions were drafted more than a decade ago to address different threats, and we believe they do not apply to the current mission against ISIL.

ISIL is a group of barbaric terrorists, and their extreme tactics, like the abhorrent and tragic beheadings of innocent Americans, display a shocking brutality that must be confronted. That is why we do support you using American leadership to help build an international coalition that both provides military assistance to confront this terrorist threat and helps build an inclusive and unified Iraqi government that has the capacity to be a strong partner in counterterrorism efforts against this terrorist group. However, U.S. military operations must be authorized by Congress. We are hopeful that we can work together to uphold our responsibility to the American people and have a more serious debate about America's military operations against ISIL.

Sincerely,



Tammy Baldwin
United States Senator



Brian Schatz
United States Senator