



CONCERNED
VETERANS
FOR AMERICA

March 17, 2021

Re: Kaine-Young Bill to Repeal the 1991 & 2002 Authorizations for the Use of Military Force



DEFENSE
PRIORITIES
INITIATIVE

Dear Members of Congress,



FreedomWorks

On behalf of the undersigned organizations, we urge you to support Senate Joint Resolution 10, recently introduced by Senators Kaine and Young, which would repeal the outdated 1991 and 2002 Authorizations for the Use of Military Force (AUMF).



Originally drafted to authorize operations against Saddam Hussein's government, both the 1991 and 2002 AUMFs are obsolete. The United States now partners with the successor Iraqi government and, therefore, does not require an active authorization for force against it. Furthermore, neither resolution is the sole authority for any ongoing U.S. operations or detentions—repealing both should not be controversial. However, as recent history has demonstrated, misapplication of this authorization threatens to escalate new conflicts the Congress has not authorized.

Despite no clear reason to keep the 1991 or 2002 AUMFs in place, leaving them in force carries clear risks, including the further erosion of Congressional accountability. Less than a fifth of the current Congress voted on the 2002 AUMF, while only 5 percent voted on the 1991 AUMF. Allowing a future president the opportunity to use either AUMF as an authority to take the United States to war without legislative approval would be an egregious dereliction of Congressional duty.

In recent weeks, we have seen what is possible when Congress reclaims its proper Article I role in foreign policy oversight. After the Biden administration asserted Article II prerogatives to launch an airstrike in Syria without Congressional approval, the latest in a pattern of previous administrations depending on questionable authorities to intervene with force, it faced bipartisan criticism. Thanks to pressure from lawmakers and the American public, the Biden administration has now announced its support for repealing the overbroad and outdated AUMFs that have authorized U.S. military engagements for decades without the oversight and accountability that our Constitution demands.

Congress upholding its responsibility to deliberate, clarify, and approve the use of military force before unilateral action is taken is strategically sound and politically savvy. Recent polling suggests that two-thirds of veterans and military households, as well as majorities of the American public, support withdrawing U.S. troops from Iraq. Congress acts against its constituents by leaving AUMFs open that could demand further deployments there.¹

¹ [Concerned Veterans for America - YouGov Polling, January 14, 2021.](#)

Strategically speaking, U.S. foreign policy should put America's vital interests first. After the defeat of ISIS' territorial caliphate, a continued U.S. military presence in Iraq has no clear mission and protects no such interest. At the same time, U.S. troops remaining in Iraq are far easier targets for our adversaries. On the eve of the Iraq War's 18th anniversary, the United States should be exiting the country and reducing its presence in a region that is increasingly less strategically important for its core interests. Congress should support this process by repealing AUMFs that could be misused to support ill-considered future deployments to Iraq without Congressional approval.

Repeal of the 1991 and 2002 AUMFs is an important and overdue goal, but it is only a first step. Congress must also repeal the 2001 Authorization for the Use of Military Force, which has served as a blank check for American military engagement since 9/11 due to its overly broad language and lack of a sunset date. It is impossible to believe that the sponsors of the 2001 AUMF would have approved it being cited 41 times to justify U.S. military action in more than 19 countries nearly two decades on.²

Ultimately, to avoid further concession of its co-equal authority to the executive branch, Congress should repeal the 2001 AUMF and amend the War Powers Resolution to require future force authorizations to automatically sunset and feature narrow, mission and geography-specific language. This is the only way to ensure that Congress does not repeat the mistake of offering open-ended authorizations for war in the future. However, repeal of the 1991 and 2002 AUMFs is a good start. Wars come to an end. So, too, can their legal authorizations.

Deciding whether to authorize military force is the most important responsibility members of Congress face. By leaving old AUMFs open and without regularly debating and voting on whether to send the United States to war, Congress ignores its solemn duty. Most importantly, Congress risks drawing America into more open-ended wars that do not keep us safe, but which carry enormous costs in human suffering and economic hardship. Fortunately, taking the first step by repealing the 1991 and 2002 AUMFs offers an alternative.

On behalf of our respective organizations, we urge you to support Senate Joint Resolution 10.

Sincerely,

Concerned Veterans for America
Defense Priorities
FreedomWorks
R Street Institute

² [Presidential References to the 2001 Authorization for Use of Military Force in Publicly Available Executive Actions and Reports to Congress, Congressional Research Service, 2018.](#)