



Rebalance Constitutional War Powers

Deciding whether to send U.S. troops into harm's way is one of the most important votes a legislator can take. Our men and women in uniform have the courage to put themselves at risk in defense of our country—members of Congress should have the courage to vote on whether to ask these sacrifices of our troops and to do so only when vital interests are at stake. Legislators must reassert their proper constitutional role in war decisions by repealing outdated Authorizations for Use of Military Force (AUMFs) and requiring any replacements to feature narrow scope, detailed reporting, and automatic sunsets.

THE ISSUE

Congress has shirked its constitutional duty to authorize and oversee military action, skewing the balance of war powers and increasing the risk of America entering unwise conflicts. Obsolete, over-broad, and open-ended AUMFs leave use-of-force decisions almost entirely to the executive branch. Our current AUMFs are more than two decades old, do not reflect current strategic challenges, and were never voted on by nearly 90% of current Members. Leaving outdated AUMFs in place risks presidents abusing them to take the United States into conflict without congressional approval, oversight, or debate. The War Powers Resolution has failed at preventing these issues and needs substantial reform.

POLICY SOLUTIONS

REPEAL OUTDATED AUMFs The United States has active AUMFs in place from 1957, 1991, 2001, and 2002. All are obsolete and disconnected from current strategic challenges. The House and Senate have individually voted to repeal the 2002 Iraq AUMF. This authorization is not the sole authority for any U.S. military operations in the Middle East and can be safely repealed immediately. It is also time to sunset the 2001 Afghanistan AUMF following the U.S. withdrawal from the war it authorized.

TARGETED TRANSPARENT FUTURE AUTHORIZATIONS Congress should require any future AUMFs to be narrowly targeted toward specific missions, countries, and adversaries. AUMFs that are too broadly written, such as the 2001 and 2002 Authorizations, risk becoming blank checks for military action beyond their intended scope. Congress should require regular, non-classified reporting on the use of future AUMFs and mandate their automatic sunset every two years. Because wars should not become afterthoughts, AUMF renewal should always be subject to thorough debate and a recorded vote.

MODERNIZE THE WAR POWERS RESOLUTION Congress should reform the War Powers Resolution to protect its original intent. Additions should include clear definitions to key missing terms such as “hostilities,” shortening the “termination clock” for allowable unauthorized hostilities to 20 days (from the current 60), and automatically cutting off funding for unauthorized military action that extends beyond congressional approval deadlines.

REJECT PREEMPTIVE AUTHORIZATIONS Congress should fulfill its constitutional duty to vote on when to send American troops into harm's way. Preemptive AUMFs disregard this solemn obligation by ceding the power to declare war to the president alone, expressly against the will of our Founders.