

Congress of the United States

Washington, DC 20515

April 29, 2015

The Honorable John A. Boehner
Speaker of the House
United States Capitol

Dear Speaker Boehner:

More than 250 days have passed since the President ordered military action against the Islamic State in the Levant (ISIL). Since that time, the United States, along with our coalition allies, has undertaken thousands of strikes against ISIL targets in Syria and Iraq. Like you, we believe that the United States must confront and ultimately destroy the threat of ISIL, which has shown itself to be a barbaric terrorist group, destabilizing the region, killing thousands, and displacing millions more.

However, we are deeply concerned that eight months into Operation Inherent Resolve, the House has taken no action on an Authorization for Use of Military Force (AUMF) which would provide a clear legal justification for the actions against ISIL. While hearings have been held in the House Armed Services Committee and the Foreign Affairs Committee, no markup has taken place. The most recent Legislative Memo released by the Majority Leader contains no suggestion that consideration of an AUMF on the floor is imminent. This dereliction of our constitutional duty causes great injury to the Congress, and threatens our role as a check on the President's power to make war.

The President has claimed legal authority for the strikes under the AUMF passed in 2001 in response to the September 11, 2001 attacks. Whatever the legal merits of that argument, the 2001 AUMF is at best an inexact fit for the threat posed by ISIL. ISIL came into existence more than a decade after the passage of the 2001 AUMF, and it has at times come into direct conflict with al Qaeda. The far preferable course, which would send the message of unity and strength, is to pass a new AUMF, specific to ISIL and the threat it poses, rather than relying on an ill-fitting and outdated authorization.

The Administration has repeatedly said that it would welcome a new AUMF, specific and tailored to the operations against ISIL. The President, during his State of the Union address, called for Congress to pass a new authority, and in February the Administration transmitted proposed legislative language. We recognize that Members, both Republicans and Democrats, have different views as to how an AUMF should be constructed. However, those differences are all the more reason to allow the House to work its will through the legislative process.

Each additional day that passes without Congress taking up an AUMF for our operations against ISIL undermines our authority and role in matters of war and peace. If we refuse to debate a resolution on the weightiest question any nation faces - whether to take military action - we cede to the Executive Branch a power that the framers intentionally delegated to Congress.

This shirking of our duty will have lasting effects, serving to expand the scope of executive power at the expense of the Congress. We urge you to instruct the appropriate committees to

hold a mark-up and to set aside floor time at the earliest possible juncture for the House to debate and vote on an Authorization to Use Military Force against ISIL.

Sincerely,



Adam B. Schiff
Member of Congress



Tom Cole
Member of Congress



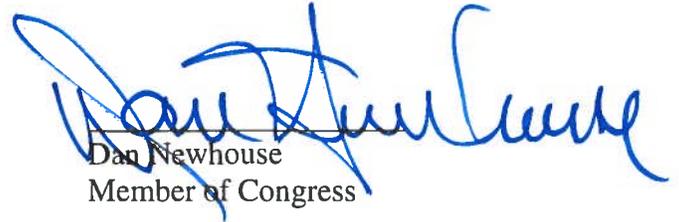
Chris Van Hollen
Member of Congress



Walter Jones
Member of Congress



Peter Welch
Member of Congress



Dan Newhouse
Member of Congress



Peter DeFazio
Member of Congress



Bradley Byrne
Member of Congress



Charlie Rangel
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Rob Woodall
Member of Congress



Peter Vucelja
Member of Congress



Scott Rigell
Member of Congress



James McGovern
Member of Congress



Reid Ribble
Member of Congress



Barbara Lee
Member of Congress



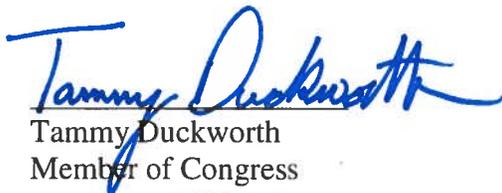
Mark Sanford
Member of Congress



Jim McDermott
Member of Congress



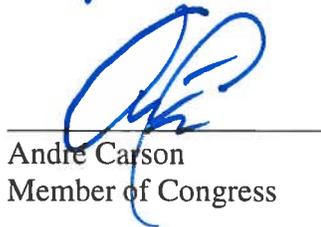
Steve Pearce
Member of Congress



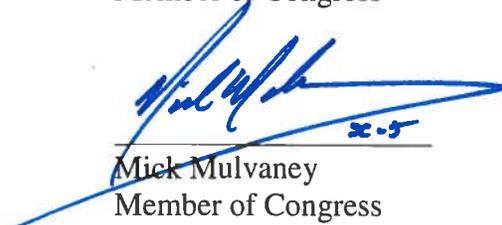
Tammy Duckworth
Member of Congress



Rich Nugent
Member of Congress



Andre Carson
Member of Congress



Mick Mulvaney
Member of Congress



Alan Lowenthal
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Kathy Castor
Member of Congress



Ann Kirkpatrick
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Mark Takano
Member of Congress



Stephen Lynch
Member of Congress



Jim Costa
Member of Congress



Eric Swalwell
Member of Congress



Katherine Clark
Member of Congress



John Sarbanes
Member of Congress

Cc: The Honorable Nancy Pelosi, Minority Leader