

Taking a Stand: Recapping Proposals for an ISIS AUMF

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As the nation confronts the continuing threat from the terrorist group known as the Islamic State in Iraq and al Sham (ISIS), the President has repeatedly called for congressional authorization for the fight against ISIS. This would update the post-9/11 Authorization for Use of Military Force (AUMF) to protect the nation from terrorism, as well as the 2002 AUMF that applied to the invasion of Iraq in 2003. Those laws are over a decade old, and their language is increasingly inapplicable to terrorist groups like ISIS who are distinct from al Qaeda and operate outside of Iraq. A new AUMF specific to ISIS would be the strongest demonstration of congressional support and reflect the popular consensus that the United States is committed to the defeat of ISIS and its allies. Many members of Congress have expressed their interest in taking such action, and several have proposed options for a new AUMF to either supplement or replace the 2001/2002 AUMFs.

In this infographic, Third Way has collected the most prominent AUMF proposals and arrayed them from most constrained to broadest. The main issues at play are: (1) what groups the AUMF should target; (2) whether a new AUMF should cover the fight against al Qaeda; (3) when the AUMF should expire; (4) under what scenarios the President must notify Congress of the use of ground forces; (5) what procedures Congress can use to modify the AUMF; and (6) how often the President must report on activities carried out pursuant to the AUMF.

No proposal restricts authority to a particular geographic area, meaning the President could use any of these AUMFs to fight ISIS anywhere in the world. In addition, each proposal provides authority to target “associated forces” of ISIS.

All but one of these proposals have been introduced in either the House or the Senate, and the next step is for the House Foreign Affairs Committee and the Senate Foreign Relations Committee to take them up. The Kaine/Flake AUMF is the only bipartisan measure that has been introduced in both the Senate and the House, but has yet to be considered by any committee of jurisdiction. President Obama's proposed AUMF language has not been introduced in either chamber of Congress.

We urge Congress to take up its constitutional role in deciding whether to authorize armed conflict against threats to the United States. The American people deserve a robust debate and to know where their elected officials stand.

COMPARING THE MAJOR AUMF PROPOSALS						
	Kaine/Flake: AUMF Against ISIL	Menendez: AUMF Against ISIL	Engel: AUMF Against ISIL	Schiff: Consolidated AUMF Resolution of 2015	President Obama: AUMF	Graham: AUMF Against ISIL and its Associated Forces
	Introduced in Senate 6/15; Introduced in House 12/15 by Riegle/Welch	Voted out of Senate committee 12/14	Introduced in House TBD	Introduced in House TBD	Proposed 2/15	Introduced in Senate 12/15
President can use "necessary and appropriate force" against...	• ISIS	• ISIS	• ISIS	• ISIS, al Qaeda, and the Taliban	• ISIS	• ISIS
What covers the fight against al Qaeda?	• 2001 AUMF	• 2001 AUMF	• 2001 AUMF	• Schiff AUMF	• 2001 AUMF	• 2001 AUMF
The authorization sunsets in...	• 3 years	• 3 years	• 3 years	• 3 years	• 3 years	• No sunset
How does this affect previous AUMFs?	• Repeals 2002 AUMF	• Sunsets 2001 AUMF in 3 years • Repeals 2002 AUMF	• Sunsets 2001 AUMF in 3 years • Repeals 2002 AUMF	• Repeals 2001 AUMF • Repeals 2002 AUMF	• Repeals 2002 AUMF	• No effect
What are the limitations on ground combat operations?	• Use of significant U.S. ground troops in combat against ISIL is not allowed, except to protect U.S. citizens from imminent threat	• Ground combat operations only for protecting or rescuing U.S. persons from imminent danger, and for conducting activities that are not intended to result in ground combat operations (e.g., training allies, search and rescue, intelligence, etc.)	• Notify Congress at least 14 days before the start of ground combat for non-specialized ac- tivities. Notification can be classified • No notification for specialized activities (e.g., training allies, search and rescue, short counter- terrorism raids)	• Notify Congress after ground forces enter a "combat role against an entity or organized and armed group" • No notification for training, search and rescue, short count- er-terrorism raids, ground support for air strikes, and intelligence gather	• Does not authorize "enduring offensive ground combat operations"	• No limitations
What are the procedures for modifying authority?	• Regular order	• Regular order	• Bill provides expe- dited consideration of resolution to modify/withdraw authority	• Bill provides con- sideration of res- olution to modify/ withdraw authority using procedures from War Powers Resolution	• Regular order	• Regular order
Reporting period	• Once every 6 months	• Strategy within 30 days of passage, and then once every 60 days	• Once every 6 months	• Once every 90 days	• Once every 6 months	• Once every 60 days

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