

COMPARING THE MAJOR AUMF PROPOSALS - 115TH CONGRESS



After the tragic attacks on September 11, 2001, Congress authorized the President to use force against the people who initiated those attacks, the group al-Qaeda. Since then, Presidents have used that authority to battle al-Qaeda and its affiliates around the world. Since 2014, Presidents have claimed that the 2001 Authorization to Use Military Force (AUMF) also allows them to fight the Islamic State of Iraq and Syria (ISIS) even though ISIS was not involved in the 2001 attacks, but does threaten the United States. Most members have never had to take a stand on US military operations, despite the changing nature of the threat and many have proposed legislation to define the President's authorities. Congress should approve a clear statement of where the President is authorized to use force and against whom.

In this infographic, we summarize the most prominent* current congressional AUMF proposals by date of introduction. We hope it will be helpful for Members of Congress and their staff as they decide the best approach forward.

	PRESIDENT CAN USE "NECESSARY AND APPROPRIATE FORCE" AGAINST...	WHAT COVERS THE FIGHT AGAINST AL QAEDA?	THE AUTHORIZATION SUNSETS IN...	HOW DOES THIS AFFECT PREVIOUS AUMFS?	WHAT ARE THE LIMITATIONS ON GROUND COMBAT OPERATIONS?	PROCESS FOR ADDING OTHER GROUPS TO AUTHORIZATION OF FORCE	WHAT ARE THE PROCEDURES FOR MODIFYING AUTHORITY?	REPORTING PERIOD
Merkey (D) – AUMF Against ISIS, al-Qaeda, Taliban Introduced 5/18 S.J. Res. 61	Taliban, al-Qaeda, and ISIS in Iraq and Afghanistan	Merkey AUMF	3 years	The 2002 AUMF is repealed immediately and the 2001 AUMF after six months.	President must submit a request to Congress to authorize use of force, under expedited procedures, in any country other than Iraq and Afghanistan; authorization for the use of ground forces in a combat role is not eligible for expedited consideration.	Establishes a mechanism for expedited congressional approval of force against groups other than the Taliban, al-Qaeda, and ISIS in Iraq and Afghanistan if certain eligibility criteria are met. Every 6 months the President must certify to Congress that groups against which force is currently authorized still meet this criteria. Reports must be available to the public.	Bill provides for expedited consideration of resolution	Once every 6 months
Corker (R)/Kaine (D) – AUMF Against the Taliban, al-Qaeda, and ISIS Introduced 4/17 S.J. Res. 59	al-Qaeda, the Taliban, ISIS, and designated "associated forces."	Corker/Kaine AUMF	Never, but calls for congressional debate every four years.	Repeals 2001 and the 2002 AUMFs; provides uninterrupted authority for military operations conducted pursuant to the 2001 AUMF.	Requires report to Congress not later than 34 hours after using military force in a country other than Afghanistan, Iraq, Syria, Somalia, Yemen, or Libya.	President can go after "associated forces" of the Taliban, al-Qaeda, and ISIS; specifies groups considered associated forces. Not later than 30 days after enactment, the President shall designate any additional associated forces not listed and must report to Congress within 48 hours of designating new associated forces. But no explicit requirement reports must be declassified for public.	Every four years starting Jan. 20, 2022, the president must submit a proposal to Congress to repeal, modify, or leave in place this AUMF. For 60 days after this quadrennial submission, provides for expedited consideration if Congress repeals or modifies the AUMF.	Once every 4 years
Kaine (D)/Flake (R) – AUMF Against ISIS, Al-Qaeda, Taliban Introduced in Senate 5/17	ISIS, al Qaeda, and the Taliban	Kaine/Flake AUMF	5 years	Repeals 2001 AUMF Repeals 2002 AUMF	Requires report to Congress if action takes place outside of Afghanistan, Iraq, Syria, Somalia, Libya, or Yemen.	Requires Administration to name groups that qualify within 60 days of enactment of AUMF. President must submit report to Congress if they determine other groups fall under authorization after this.	Bill provides expedited consideration of resolution to modify/withdraw authority.	Once every 6 months
Schiff (D) – Consolidated AUMF Resolution of 2017 Introduced 4/17	ISIS, al Qaeda, and the Taliban	Schiff AUMF	3 years	Repeals 2001 AUMF Repeals 2002 AUMF	Notify Congress after ground forces enter a "combat role against an entity or organized and armed group." No notification required for training, search & rescue, short counter-terrorism raids, ground support for air strikes, and intelligence gathering.	Requires President to notify as part of regular 90 day reports if they use force against group not previously named that President determines falls under the AUMF authorization.	Bill provides expedited consideration of resolution to modify/withdraw authority using procedures from War Powers Resolution.	Once every 90 days
Engel (D) – AUMF Against ISIS Discussion draft 06/17	ISIS	2001 AUMF	3 years	Amends 2001 AUMF Repeals 2002 AUMF	Notify Congress at least before the start of ground combat for non-specialized activities. No notification required for specialized activities (e.g., training allies, search & rescue, short counter-terrorism raids).	Requires President to notify as part of regular 6 month reports if they use force against group not previously named that President determines falls under the AUMF authorization.	Bill provides expedited consideration of resolution to modify/withdraw authority.	Once every 6 months

* Other AUMF proposals have been introduced in this Congress. They are as follows: H. Con.Res. 2 – Sponsor Rep. Tom Cole (R-OK), introduced 1/3/17; H.J.Res. 63 – Sponsor Rep. Adam Kinzinger (R-IL), introduced 2/3/17; H.R. 1229 – Sponsor Rep. Barbara Lee (D-CA), introduced 2/27/17; S.J.Res. 31 – Sponsor Sen. Todd Young (R-IN), introduced 3/2/2017; H.J.Res. 89 – Sponsor Rep. Jim Banks (R-IN), introduced 3/15/2017; S.J.Res. 43 – Sponsor Sen. Jeff Flake (R-AR), introduced 5/25/2017; H.J.Res. 112 – Sponsor Rep. Scott Perry (R-PA), introduced 7/20/2017; H.J.Res. 118 – Sponsor Rep. Mike Coffman (R-CO), introduced 10/12/2017.