### Document Text

**FINDINGS.** —Congress makes the following findings:

1. The Authorization for Use of Military Force (referred to in this section as the “2001 AUMF”) (Public Law 107–40; 50 U.S.C. 1541 note) was passed by Congress in 2001 after the terrorist attacks of September 11, 2001, to authorize the use of force against those responsible for the attacks of September 11, 2001.

2. The 2001 AUMF is one of the only modern authorizations for the use of force in the history of the United States that included no limitation in time, geography, operations, or a named enemy.

3. The 2001 AUMF has been cited 41 times as the legal basis for the use of force in 19 countries.

4. Article 1, Section 8 of the Constitution provides Congress with the sole authority to “declare war.”

### Summary

Congress notes that the 2001 AUMF was passed after 9/11, that it contained few limitations on the use of force, that it has been used many times in many countries, and that Congress has the sole constitutional power to declare war.
SENSE OF CONGRESS. — It is the sense of Congress that:

(1) the use of the 2001 AUMF has been well beyond the scope that Congress initially intended when it was passed on September 14, 2001;

(2) nearly 18 years after the passage of the 2001 AUMF, it has served as a blank check for any President to wage war at any time and at any place;

(3) and any new authorization for the use of military force that replaces the 2001 AUMF should include—

(A) a sunset clause and timeframe within which Congress should revisit the authority provided in the new authorization for use of military force;

(B) a clear and specific expression of mission objectives, targets, and geographic scope; and

(C) reporting requirements to increase transparency and ensure proper Congressional oversight.

Congress believes that the 2001 AUMF has been used in ways Congress never intended. It gave the president unchecked freedom to wage war, and it should expire. A new AUMF should clearly address current needs and set presidential reporting rules that allow Congress to do its job.


Debate on the House Floor, July 11, 2019.

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MS. [BARBARA] LEE (D-CA). On September 14, 2001, 3 days after the

Summary

I was the only member of Congress to vote against the 2001 AUMF. I
horrific attacks, I was the only "no" vote in Congress for the 2001 AUMF. It was an authorization that I knew would provide a blank check for the President, any President, to wage a war anywhere, any time, and for any length. In the last 18 years, it has been used by three consecutive administrations to wage war at any time, at any place, without congressional oversight or authorization.

In the almost 18 years since its passage, it has been cited 41 times in 19 countries to wage war with little or no congressional oversight.

The AUMF has reportedly been invoked to deploy troops in Syria, Yemen, Somalia, Libya, and Niger. We know that this is far beyond what Congress intended when it was passed in 2001 in the days after the terrible attacks of 9/11.

That is why our amendment is so important. . . .

MR. [MICHAEL] McCaul (R-TX).
Madam Chair, I rise in strong opposition to this amendment. It simply lists complaints about the 2001 authorization for the use of military force while avoiding the serious work of proposing an improved replacement. . . .

I oppose this amendment. Without the 2001 AUMF, we have no legal way to fight terrorism, even though threats continue. The 2001 AUMF has not been used beyond what Congress intended. It continues to authorize actions against those behind the 9/11 attacks, who are
The author of this amendment has also inserted an outright repeal of the 2001 AUMF into this year's Defense appropriations bill, which would make all counterterrorism operations globally illegal. That is reckless because AUMF provides the necessary legal authority to confront ongoing deadly threats against our homeland. . . .

It is incorrect to assert, as this amendment does, that the 2001 AUMF is a blank check for any President to wage war at any time and at any place. The AUMF has been interpreted as covering al-Qaida, the Taliban, and “associated forces.” And while that interpretation is sometimes broad, it can’t be stretched to cover just anything. . . .

As the Director of National Intelligence has testified, al-Qaida and ISIS maintain transnational networks actively committed to our destruction. . . . Until we have new authorities in place to combat the real and dynamic threats to American lives and safety, we need to focus on responsibly using the authorities we have, not just complaining about their imperfections.

. . .

H.R. 2500 - 116th Congress.