

Congress of the United States
Washington, DC 20515

May 26, 2015

The Honorable John A. Boehner
Speaker of the House
H-232 U.S. Capitol Building
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Over the past 14 years, Iraq and Afghanistan have cost the American taxpayer both financially and personally. We have spent over \$1.5 trillion and lost over 6,800 brave men and women. Additionally, thousands of service members have been injured, both mentally and physically.

With the Iraq war we created a vacuum of power in Iraq that has been filled by the Islamic State (ISIL). Initially, the Obama administration asserted that its authority to carry out ongoing military operations against ISIL were legitimate under the Authorization for the Use of Military Force (AUMF) Against Terrorists signed into law by President Bush on September 18, 2001, right after the September 11, 2001 attacks. We believe that claim is tenuous at best; ISIL is a new, separate threat. As you know, we believe the president has far surpassed the 60 day window he is legally afforded to launch an offensive before Congress needs to authorize it. As of today, May 21, 2015, it has been 292 days since August 7, 2014, when the U.S. began launching airstrikes against ISIL.

On September 25, 2014, you told *The New York Times* you wanted to wait until 2015, after the lame duck session, to bring up an AUMF for debate. On December 6, 2014, you said in a news conference: "If President Obama sends Congress a new AUMF to defeat ISIL, House Republicans will work with him to get it approved." President Obama released his AUMF request on February 11, 2015. Since then, the House has failed to act on the President's request, or any alternative. No AUMF bill has been marked up in committee or debated on the House floor. As a result, the House has failed to assert its proper constitutional authority over declaring and authorizing war.

To ask the president to start over and draft another AUMF to send to Congress because "it's the president's responsibility to wage this battle," as you said in a news conference this week, is an abdication of your responsibility as Speaker and leader of the House of Representatives to uphold the seven clauses of the Constitution that explicitly delegate war powers to Congress. As James Madison simply said: "The power to declare war, including the power of judging the causes of war, is fully and exclusively vested in the legislature." The

legislative branch is just as capable as the executive branch in drafting an AUMF, and has the constitutional authority to do so and act on it. The failure of Congress to act upon the president's request in a timely manner is a deep breach of our Constitutional authority and responsibilities, and the trust the American people place in the People's House.

The American people expect Congress to meet its responsibility. The American people are fully aware of the threats facing our nation. The American people are fully aware of the pain and cost of war. We hope and respectfully ask that you take action on an AUMF so that it can be brought up for debate in June or July. There is no need to waste more time. Political expediency should never trump a moral and constitutional duty.

Thank you for your attention to this most serious matter. We look forward to receiving your response.

Sincerely,


Walter B. Jones
Member of Congress


James P. McGovern
Member of Congress