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Subject Files - FG031 (Congress of the United States)

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FG031

**Executive Office of The President
Barcode Scanning Sheet**



Collection Code: **SECLOG**

Staff Name: **PRESIDENT OBAMA**

Document Date: **January 18, 2015**

Correspondent: **NEIL EGGLESTON
+ 2 Additional Correspondents**

Subject/Description: **MEMORANDUM RE: CONGRESSIONAL AUTHORIZATION
FOR USE OF FORCE AGAINST ISIL -- THIS MEMO
DESCRIBES THE PROPOSED DRAFT AUMF TO AND THE
STEPS WE PLAN TO TAKE TO FINALIZE THE PROPOSAL.**

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Withdrawal Marker

Obama Presidential Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Congressional Authorization for Use of Force Against ISIL - To: POTUS - From: Neil Eggleston, et al.	4	01/18/2014	P5;

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COLLECTION:

Records Management, White House Office of (WHORM)

SERIES:

Subject Files - FG031 (Congress of the United States)

FOLDER TITLE:

1168848

FRC ID:

8332

FOIA IDs and Segments:

22-21129-F

OA Num.:

8097

NARA Num.:

7339

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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Freedom of Information Act - [5 U.S.C. 552(b)]

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Draft	Proposed ISIL AUMF	3	01/18/2015	P5;

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Calendar No. _____

113TH CONGRESS
2^D SESSION**S. J. RES.** _____

[Report No. 113-_____]]

To authorize the limited use of the United States Armed Forces against the Islamic State of Iraq and the Levant.

IN THE SENATE OF THE UNITED STATES

Mr. MENENDEZ, from the Committee on Foreign Relations, reported the following original joint resolution; which was read twice and placed on the calendar

JOINT RESOLUTION

To authorize the limited use of the United States Armed Forces against the Islamic State of Iraq and the Levant.

Whereas the terrorist organization known as the Islamic State of Iraq and the Levant and various other names (in this resolution referred to as “ISIL”) poses a grave threat to the people and territorial integrity of Iraq, Syria, regional stability, and the national security interests of the United States and its allies and partners;

Whereas ISIL holds significant territory in Iraq and Syria and has stated its intention to seize more territory and demonstrated the capability to do so;

Whereas ISIL leaders have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and interests;

Whereas ISIL has committed despicable acts of violence and mass executions against Muslims, regardless of sect, who do not subscribe to ISIL's depraved, violent, and oppressive ideology;

Whereas ISIL has threatened genocide and committed vicious acts of violence against religious and ethnic minority groups, including Iraqi Christians, Yezidi, and Turkmen populations;

Whereas ISIL has targeted innocent women and girls with horrific acts of violence, including abduction, enslavement, torture, rape, and forced marriage;

Whereas ISIL is responsible for the brutal murder of innocent United States citizens, including James Foley, Steven Sotloff, and Abdul-Rahman Peter Kassig;

Whereas it is the policy of the United States to work with regional and global allies and partners to degrade and defeat ISIL, to cut off its funding, to stop the flow of foreign fighters to its ranks, and to support local communities as they reject ISIL;

Whereas the announcement of the anti-ISIL Coalition on September 5, 2014, during the NATO Summit in Wales, stated that ISIL poses a serious threat and should be countered by a broad international coalition;

Whereas President Barack Obama articulated five lines of effort in the campaign to counter ISIL, including supporting regional military partners, stopping the flow of foreign fighters, cutting off ISIL's access to financing,

addressing urgent humanitarian needs, and contesting ISIL's messaging;

Whereas the United States Government calls on its allies and partners in the Middle East and North Africa that have not already done so to join and participate in the anti-ISIL Coalition;

Whereas the United States Government has successfully conducted airstrikes in Iraq, in coordination with Iraqi and Kurdish security forces, to prevent humanitarian catastrophes, protect vulnerable minority populations, repel ISIL from areas of strategic importance, and demonstrate support to communities in western and northern Iraq being terrorized by ISIL;

Whereas the United States Government has successfully conducted airstrikes in Syria, in coordination with local actors on the ground who demonstrate commitment and capability in countering ISIL, in order to target ISIL training camps and munitions facilities, stop sources of ISIL funding, protect vulnerable minority populations, and target extremist groups intent on attacking the United States and its allies;

Whereas United States and Coalition airstrikes to date have succeeded in halting ISIL's advance in Iraq and Syria;

Whereas the President should to the greatest extent possible act in concert or cooperation with the security forces of other countries in the region to counter the grave threat to regional stability and international security posed by ISIL;

Whereas the anti-ISIL strategy requires effective local security forces in Iraq and Syria, and empowered political leaders committed to leading inclusive, representative

governments that enable citizens in both countries to achieve their legitimate aspirations and to live in peace and security; and

Whereas President Obama stated on November 6, 2014, his commitment to working with Congress to pass an authorization for the use of military force for the anti-ISIL military campaign: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That

4 **SECTION 1. SHORT TITLE.**

5 This joint resolution may be cited as the “Authoriza-
6 tion for the Use of Military Force against the Islamic
7 State of Iraq and the Levant”.

8 **SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES**
9 **ARMED FORCES.**

10 (a) **AUTHORIZATION.**—The President is authorized,
11 subject to the limitations in subsection (c), to use the
12 Armed Forces of the United States as the President deter-
13 mines to be necessary and appropriate against the Islamic
14 State of Iraq and the Levant or associated persons or
15 forces as defined in section 5.

16 (b) **WAR POWERS RESOLUTION REQUIREMENTS.**—

17 (1) **SPECIFIC STATUTORY AUTHORIZATION.**—
18 Consistent with section 8(a)(1) of the War Powers
19 Resolution (50 U.S.C. 1547(a)(1)), Congress de-
20 clares that this section is intended to constitute spe-

1 cific statutory authorization within the meaning of
2 section 5(b) of the War Powers Resolution (50
3 U.S.C. 1544(b)), within the limits of the authoriza-
4 tion established under this section.

5 (2) APPLICABILITY OF OTHER REQUIRE-
6 MENTS.—Nothing in this resolution supersedes any
7 requirement of the War Powers Resolution (50
8 U.S.C. 1541 et seq.).

9 (c) LIMITATIONS.—The authority granted in sub-
10 section (a) does not authorize the use of the United States
11 Armed Forces for the purpose of ground combat oper-
12 ations except as necessary—

13 (1) for the protection or rescue of members of
14 the United States Armed Forces or United States
15 citizens from imminent danger posed by ISIL; or

16 (2) to conduct missions not intended to result
17 in ground combat operations by United States
18 forces, such as—

19 (A) intelligence collection and sharing;

20 (B) enabling kinetic strikes;

21 (C) operational planning; or

22 (D) other forms of advice and assistance to
23 forces fighting ISIL in Iraq or Syria.

1 **SEC. 3. DURATION OF THIS AUTHORIZATION.**

2 This authorization for the use of military force shall
3 terminate three years after the date of the enactment of
4 this joint resolution, unless reauthorized.

5 **SEC. 4. REPORTS.**

6 (a) PERIODIC REPORT.—The President shall report
7 to Congress at least once every 60 days on specific actions
8 taken pursuant to this authorization.

9 (b) COMPREHENSIVE STRATEGY.—Not later than 30
10 days after the date of the enactment of this joint resolu-
11 tion, the President shall submit to Congress an unclassi-
12 fied report, which may include a classified annex, on the
13 comprehensive strategy of the United States in Iraq and
14 Syria, including all activities authorized by this joint reso-
15 lution. The comprehensive strategy report shall include—

16 (1) The specific political and diplomatic objec-
17 tives of the United States in the region and the
18 methods proposed to achieve them.

19 (2) Clearly defined military objectives of the
20 United States, including—

21 (A) a list of the organizations and entities
22 to be targeted by military operations;

23 (B) the geographic scope of military oper-
24 ations; and

25 (C) methods for limiting civilian casualties.

1 (3) Actual and proposed contributions from co-
2 alition partners of the United States, including fi-
3 nancing, equipment, training, troops, and logistics
4 support.

5 (4) Humanitarian assistance and support for
6 displaced civilian populations.

7 (5) Benchmarks for assessing progress toward
8 political, diplomatic, and military goals.

9 (6) A realistic end goal and exit strategy.

10 (7) An estimate of the costs involved and how
11 any funds made available for activities authorized by
12 this joint resolution will be fully offset through re-
13 duced spending, increased revenue, or both.

14 **SEC. 5. ASSOCIATED PERSONS OR FORCES DEFINED.**

15 In this joint resolution, the term “associated persons
16 or forces” means individuals and organizations fighting
17 for or on behalf of the Islamic State of Iraq and the Le-
18 vant or a closely-related successor entity, for the purposes
19 of action authorized to be taken under this joint resolu-
20 tion.

21 **SEC. 6. APPLICABILITY.**

22 The provisions of this joint resolution pertaining to
23 the authorization of use of force against the Islamic State
24 of Iraq and the Levant shall supersede any preceding au-
25 thorization for the use of military force.

1 **SEC. 7. REPEAL OF AUTHORIZATION FOR USE OF MILITARY**
2 **FORCE AGAINST IRAQ.**

3 The Authorization for Use of Military Force Against
4 Iraq Resolution of 2002 (Public Law 107-243; 116 Stat.
5 1498; 50 U.S.C. 1541 note) is hereby repealed.

6 **SEC. 8. SUNSET OF 2001 AUTHORIZATION FOR USE OF MILI-**
7 **TARY FORCE.**

8 The Authorization for Use of Military Force (Public
9 Law 107-40; 50 U.S.C. 1541 note) shall terminate on the
10 date that is three years after the date of the enactment
11 of this Act, unless reauthorized.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Outline	Key Elements of Senator Menendez 's Draft AUMF	1	N.D.	P5;

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