

United States Senate

WASHINGTON, DC 20510

June 19, 2021

The Honorable Robert Menendez
Chairman
Committee on Foreign Relations
United States Senate
423 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Menendez,

We respectfully request that S. J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes, which is on the Committee's business meeting agenda for June 22, 2021, be held over until the Committee conducts a public hearing and a classified briefing on the issue.

We support Congress asserting its constitutional role and believe it is our duty to exercise our oversight responsibilities with respect to the Executive Branch. As such, we would support this Committee undertaking serious deliberations to carefully evaluate S. J. Res. 10, which would repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002 ("2002 AUMF") and the 1991 Authorization for Use of Military Force Against Iraq Resolution. Whether and when to authorize the use of military force is among the most consequential matters that this Committee or the Congress ever considers.

There are weighty questions, however, about the implications of repealing the 2002 AUMF, which should cause this Committee to pause before we act. We believe it is critical that every member of this Committee fully understand the scope and use of existing legal authorities, the current threats to the U.S. and its allies and partners, and the implications for our national security and foreign policy.

We should fully evaluate the conditions on the ground, the implications of repealing the 2002 AUMF for our friends, and how adversaries—including ISIS and Iranian backed militia groups—would react. It is also important to consider the policy and potential legal consequences of our reduced presence in the region and the impending withdrawal of forces from Afghanistan.

Given that the previous administration opposed repeal of the 2002 AUMF and the Obama administration cited the 2002 AUMF as an authority to intervene against ISIS, the Senate and the American people should hear from the Biden administration regarding their legal analysis and their strategy to continue to protect the American people, our personnel, and our allies and partners in the region. The administration should also make its case to Congress in a closed, classified setting to ensure every question is answered.

Before we decide whether to markup S. J. Res. 10, we respectfully request that the Committee hold a public hearing with testimony from the Secretaries of State and Defense and from outside experts, and that members receive a classified briefing from the Departments of State and Defense and the Office of the Director of National Intelligence.

Sincerely,



Mitt Romney
United States Senator



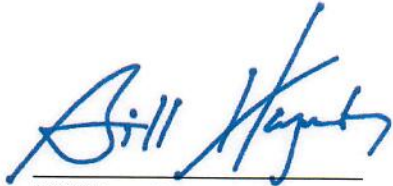
M. Michael Rounds
United States Senator



Marco Rubio
United States Senator



Ron Johnson
United States Senator



Bill Hagerty
United States Senator

cc: Ranking Member James Risch, Senate Committee on Foreign Relations