



**Statement of Lead Republican Michael McCaul (R-TX)
House Committee on Foreign Affairs**

*“Opening Remarks: 2002 AUMF Repeal”
January 30, 2020*

Opening Remarks as Delivered

“Madam Speaker, I strongly oppose repealing the authorization of the use of military force to quote, “defend the national security of the United States against the continuing threat posed by Iraq.” We should not be repealing current counterterrorism authorities unless and until we have replaced them with an updated AUMF that clearly allows us to confront the enemies that continue to threaten our nation, our people, and our allies. As I’ve stated before, I would prefer a new updated AUMF, but in the 13 months our Democratic colleagues have been in charge, we have seen no such proposal from the Majority. In fact, they haven’t even started that conversation. None of us want to see the extension of any conflict beyond what is necessary. But, we also have learned that premature disengagement can have huge costs, such as when the Obama administration’s rush to withdraw U.S. troops out of Iraq contributed to the deadly rise of ISIS in Iraq and Syria and the formation of the caliphate.

“The 2002 Iraq AUMF was not only used against Saddam Hussein, it also identified al-Qaeda and, quote, “other international terrorist organizations, including organizations that threaten the lives and safety of the United States citizens. So, those on the other side say it’s only -- it only applies to Saddam Hussein, that’s absolutely incorrect. It applies to international terrorist organizations like al-Qaeda. Members will recall that al-Qaeda in Iraq later became ISIS, a brutal transnational terrorist organization that continues to threaten the American lives, and interests, and our homelands. And for that reason, President Obama used the 2002 AUMF, as legal authority for his military operations against ISIS in Iraq. The current administration opposes repealing the 2002 AUMF because, quote, “it remains an important source of



additional authority for military operations against ISIS in Iraq and to defend the national security of the United States against threats emanating from Iraq.” As my colleagues know, these vital counter-ISIS operations continue. Repealing that authorization without a replacement endangers not only the United States’ national security, but our coalition partners, most notably, Iraq. The 2002 AUMF was most recently invoked for our January 2 strike on Qassim Soleimani, Iran’s mastermind of terror who killed more than 600 Americans, wounded thousands more, and orchestrated the fiery New Year’s attack on the U.S. Embassy in Baghdad. It was a targeted defensive strike in Iraq against a designated terrorist by the Obama administration who threatened U.S. forces with inside Iraq. And two months beforehand, Soleimani and his proxies launched a dozen attacks against U.S. personnel in Iraq, killing one American and wounding four U.S. servicemen near Kirkuk on December 27. And then furthermore, as we saw the photographs from the previous argument, the embassy was attacked in a very strong way.

“I don’t know what more evidence the President needed to respond under Article Two in self-defense than this, Madam Speaker. If he did not do so, he would be derelict in his responsibility. If he didn’t stop the plot that we know Soleimani was getting ready to move forward after he went to Damascus, and Lebanon, and Baghdad, to go to the Ayatollah to get the green light to kill more Americans and diplomats, then what would the American people say? What if we had a storm on the embassy like 1979? Then what? I think the President was restrained. I think he did the right thing at the right time.

“It was an appropriate use of this AUMF, which states, quote -- it states that Iraq, quote, “poses a continuing threat to the national security of the United States by, among other things, harboring terrorist organizations.” Contrary to some of the rhetoric we’ve heard three weeks ago, the administration does not claim that the 2002 gives them a blank check, as we’ve heard quite a bit on the other side, to attack Iran. And to the contrary -- this is very important - the



administration -- the president told me personally -- they have stated publicly that it has never interpreted the 2002 Iraq AUMF to provide authority for strikes inside of Iran or for war with Iran. Soleimani was in Baghdad designated by Obama as a terrorist. The President is also not seeking war with Iran. He said this time and time again, and then he gets misquoted on this time and time again. The President has shown great restraint time and again after Iran's increasing provocations.

"I was actually quite surprised after a U.S. military drone was struck down that there wasn't a response. And as he told the nation and the world, he wants a deal that allows Iran to thrive and prosper. Repealing this AUMF does not retroactively remove the President's ability to order his justified and limited strike on Soleimani. A repeal standing alone will only send the wrong message to our troops, our partners, our enemies, and our terrorist adversaries in Iraq. To be sure, the 2002 AUMF should be replaced with new authorities -- after all, it's almost 20 years old -- that reflect current circumstances and provide our men and women in uniform with clear support for their critical missions that protect us. It also gives the American people a voice in that. But, I deeply regret that my colleagues are not serious enough about exercising our Article One authority to put forward a real, updated alternative to counter the President -- persistent threats we see in Iraq, Syria, and elsewhere.

"So therefore, I see today's effort as nothing more than a political message that does nothing to that end. It ties the hands of the President at a time when he is responsibly facing down a very dangerous Iranian regime, the Islamic Republic of Iran, the largest state sponsor of terror, that lives by the motto "death to America." These critical constitutional issues of war and peace deserve better than that. I think we're serious, we will work on both sides of the aisle. I know my conference has great interest in working on a modernized 2002 AUMF, and I hope the other side can join us in that effort in the following year. But with respect to this, with no replacement, it



would be very dangerous. It would tie our hands' ability to attack ISIS in Iraq. I think it's ill-advised, and for that reason I oppose it."

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