



EXPLAINER

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Repealing the 2002 Authorization for Use of Military Force

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In October 2002, Congress passed the [2002 Authorization for Use of Military Force](#) (AUMF), which effectively began U.S. involvement in the long, costly, and deadly war in Iraq. Almost two decades later, the 2002 AUMF still remains in effect.

Presidents have used the 2002 AUMF as a legal basis for military efforts far beyond the original Iraq War. Its repeal would be a vital move toward narrowing broad military authorities Congress has ceded to the President. The House has already voted to repeal the 2002 AUMF as well two older AUMFs. The Senate is also considering repeal of existing AUMFs.

Passage of the 2002 AUMF

In response to false claims that Saddam Hussein's regime had "weapons of mass destruction," Congress passed the 2002 AUMF on October 16, 2002, and President George W. Bush deployed the first U.S. troops to Iraq in March 2003. Congress outlined [two specific objectives](#) in the 2002 AUMF:

1. Defend the United States against the threat posed by [Saddam Hussein's](#) regime in Iraq.
2. Enforce relevant U.N. Security Council Resolutions regarding Iraq.

After [\\$2 trillion](#) spent and [300,000 lives lost](#), the war in Iraq officially ended in [December 2011](#) when President Obama brought the last U.S. troops home. Despite the 2002 AUMF's faulty premise and the end of the Iraq War, Congress has still not repealed the authorization.

Broad Use of the 2002 AUMF

After the official end of the Iraq War, both Presidents Obama and Trump used the 2002 AUMF as a legal basis for military engagements not separately authorized by Congress. In 2014, President Obama cited the 2002 AUMF as an "[alternate statutory authority](#)" to the 2001 AUMF (explained below) to justify operations against ISIS in Iraq. Notwithstanding that statement, the Obama Administration continued to maintain that the 2002 AUMF should be [repealed](#).

President Trump asserted that the 2002 AUMF justified military engagement in Iraq, Syria, and [elsewhere](#). He further used the 2002 AUMF to justify a drone strike that killed [Qassem Soleimani](#), one of Iran's top commanders, in January 2020. Congress responded to Trump's unilateral action by passing a [resolution](#) prohibiting military force against Iran, which President Trump subsequently vetoed. The House also passed the [No War Against Iran Act](#) to defund military force against Iran and repeal

the 2002 AUMF, but that bill stalled in the Senate.

Military Force under the Biden Administration

In February 2021, [President Biden ordered an airstrike in Syria](#) to respond to attacks by Iranian proxies against U.S. bases in Iraq. Congress did not authorize U.S. military forces to engage in hostilities in Syria. President Biden justified this attack by claiming the power to act in [self-defense](#) under Article II of the Constitution, rather than relying on an existing AUMF. On June 27, 2021, President Biden ordered [another airstrike](#) against Iranian-backed groups on the Iraq-Syria border, again without authorization from or consultation with Congress.

On July 23, 2021, the Biden Administration conducted its [second airstrike in Somalia](#) within a week. These strikes were unique in that they were ordered by Gen. Stephen Townsend, the head of U.S. Africa Command, not President Biden. A [bipartisan group of Senators](#) said the executive's unilateral action in Somalia goes against the intentions of Congress and sets a dangerous precedent. The Biden Administration offered the 2001 AUMF as its legal justification for the attacks in Somalia.

Shortly after the February strike, President Biden committed to working with Congress to pursue a "[narrow and specific framework](#)" on congressional war authorizations. Regarding AUMFs, [Secretary of State Antony Blinken](#) stated in his confirmation hearing that it is "long past time we revisit and review them. In many instances, they have been cited and used in countries and against groups that were not part of the original authorization."

On June 14, 2021, the Biden Administration issued a [Statement of Administration Policy](#) supporting H.R. 256, Rep. Barbara Lee's bill to repeal the 2002 AUMF. The statement acknowledged, "The United States has no ongoing military activities that rely solely on the 2002 AUMF as a domestic legal basis."

Recent House Activity on the 2002 AUMF

The House has voted four times in the past two years to repeal the 2002 AUMF. Rep. Barbara Lee led these legislative efforts.

Bill/amendment	Date of vote	Outcome
H.Amdt. 555 to H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020	July 12, 2019	House adopted amendment (242-180). Removed in conference with the Senate.
H.R. 550 , No War Against Iran Act (Title II)	January 30, 2020	House passed title (236-166). Not considered in the Senate.
H.R. 7617 , Defense and other appropriations for FY2021 (Sec. 9028)	July 31, 2020	House passed bill (217-197). Removed from the year-end appropriations bill.

H.R. 256 , To repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002	June 17, 2021	House passed bill (268-161). Consideration in the Senate pending.
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Other AUMFs Still in Effect

A total of four AUMFs still remain on the books.

AUMF	Scope
1957	Communist threats in the Middle East
1991	Gulf War
2001	War in Afghanistan and against groups who “planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons.” The 2001 AUMF has been used to justify 41 operations in 19 countries .
2002	War in Iraq to defend the U.S. from false claims that Saddam Hussein’s regime has “weapons of mass destruction.”

Current AUMF Repeal Legislation

Lawmakers have introduced several bills to repeal the four existing AUMFs in the 117th Congress.

Bill	Sponsor(s)	Summary	Status
H.R. 3283	Rep. Peter Meijer	Repeals the 1957 AUMF	Passed the House on June 29, 2021 under suspension .
H.R. 3261	Rep. Abigail Spanberger	Repeals the 1991 AUMF	Passed the House on June 29, 2021 under suspension .
H.R. 255	Rep. Barbara Lee	Repeals the 2001 AUMF	Introduced January 11, 2021.
H.R. 256	Rep. Barbara Lee	Repeals the 2002 AUMF	Passed the House on June 17, 2021 (268-161). Consideration in the Senate pending.
H.R. 2014	Reps. Mike Gallagher, Jared Golden, Peter Meijer, and Abigail Spanberger	Repeals the 1957, 1991, and 2002 AUMFs	Introduced March 18, 2021.

S.J.Res. 10	Sens. Tim Kaine and Todd Young	Repeals the 1991 and 2002 AUMFs	Introduced March 3, 2021. Senate Foreign Relations Committee held a hearing on August 3, 2021 . Markup scheduled for August 4, 2021 .
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In addition to the standalone bills, the FY2022 Defense Appropriations bill ([H.R. 4432](#)) included Rep. Barbara Lee’s amendments to repeal the 2002 AUMF immediately and repeal the 2001 AUMF after eight months. The full committee voted [33-23](#) to pass the legislation, but it has not yet been considered on the House floor.

Repealing all four outdated AUMFs still in effect (1957, 1991, 2001, and 2002) would strengthen Congress’s constitutional role in declaring war. Left unchanged, these AUMFs could continue to be used by future presidents to justify future military action without going to Congress.