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February 10, 2015

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The Honorable John Boehner  
Speaker of the House

The Honorable Nancy Pelosi  
House Minority Leader

Dear Mr. Speaker, Madam Minority Leader, Mr. Majority Leader, and  
Mr. Minority Leader:

Nearly a decade ago, the United States was on the verge of losing the war in Iraq, which was being torn apart by terrorism, sectarian violence, and a widening civil war. At that time in 2006, the Iraq war was also dividing Americans at home, with Republicans and Democrats deeply split on the Iraq war strategy, and public support for continued U.S. military operations rapidly dwindling. At that pivotal moment in the Iraq campaign, the Center for the Study of the Presidency & Congress—in conjunction with the U.S. Institute of Peace, CSIS, and the Baker Institute—convened the bipartisan Iraq Study Group (ISG). It was charged with finding common ground that could help bridge our partisan divides at home and solidify public support for a new way forward in Iraq. The ISG was founded on the principle that America's foreign policy and national security is strongest when we are united.

In that same spirit, CSPC recently reached out to a panel of experts from the diplomatic, military, and think tank communities to help inform the current debate about U.S. actions in Iraq and the greater Middle East. The experts convened by CSPC will work to develop policy options and strategic concepts designed to address the future of U.S. strategy in the Middle East. Given the importance of the region—both in terms of key U.S. allies and our national interests—it is vital that the United States develop a long-term strategy for addressing regional turmoil and conflict. In this examination of the entire region, the immediate challenge is that posed by sectarian violence fueled by the Syrian civil war and the weakness of the Iraqi state and governing institutions.

Tragically, Iraq is once again being torn apart by sectarian violence, giving rise to the hybrid terrorist army the Islamic State of Iraq and the Levant (ISIL), which is a direct threat to the region and U.S. national security writ large. The Obama Administration's decision to both reintroduce U.S. military forces into Iraq and lead an anti-ISIL coalition represents another important strategic pivot for the United States. For the sake of national unity, we believe the time has come once again for Congress to engage on this crucial issue.

The Honorable John Boehner  
The Honorable Nancy Pelosi  
The Honorable Mitch McConnell  
The Honorable Harry Reid  
February 10, 2015  
Page Two

While a broader strategy for the region is under examination, it is necessary to display the U.S. commitment to defeating ISIL and bringing about the desired resolution to the Syrian Civil War. The vacuum created by the bloodshed and destruction of the Syrian Civil War has allowed ISIL—and other radical Islamic groups—a safe haven from which to destabilize the region, and, as we have seen from events in Paris, plan, facilitate, and inspire terrorist attacks against the United States and European allies. In formulating the described long-term strategy for the region, a key first step is to indicate U.S. political resolve and strategic aims through the passage of an authorization for the use of military force (AUMF) to combat—and ultimately destroy—ISIL and to facilitate U.S. assistance to the Syrian opposition.

With the 114<sup>th</sup> Congress in place, now is the time for a formal Congressional vote authorizing military force against ISIL—as an opportunity to define U.S. national interests in the region, to display U.S. commitment towards our local allies and coalition members in the fight against ISIL, and to reaffirm the role of Congress in U.S. foreign policy. The alternative is for Congress to once again cede its critical war-making authority to the Executive Branch. We fear that is a prescription for continued political divisiveness, as it is easier to criticize the White House for “mission creep,” “unilateralism,” and “imperial” tendencies safely from the sidelines than to take a stand—especially during a period of divided government. The result would be the feckless leadership for which Washington is unfortunately gaining a global reputation.

Despite several hearings on the matter, we still feel that Congress has so far been largely absent on the ISIL issue, as the Obama Administration has continued to use existing authorities to execute its strategy. President Obama has acted under his authority as Commander-in-Chief, as detailed in Article II of the Constitution, to defend American citizens and to stem the humanitarian catastrophe on the ground. More troubling, however, is the Administration’s reliance on the open-ended 2002 Authorization for the Use of Military Force against Iraq. That authorization was passed under very different circumstances than those that we now face in the Middle East—as a terrorist safe haven grows in the shattered remains of Syria and spills into Iraq.

Now is the time for Congress to openly debate the stakes involved in Iraq and Syria, and to put its imprimatur on what authorities the Obama Administration should have to degrade, contain, and ultimately defeat this threat. In our opinion, these legal frameworks have been stretched and manipulated well beyond their original intent. An attached document outlines recommendations for the key issues in the AUMF that we identified during initial discussions.

The Honorable John Boehner  
The Honorable Nancy Pelosi  
The Honorable Mitch McConnell  
The Honorable Harry Reid  
February 10, 2015  
Page Three

A bipartisan AUMF can serve as a valuable tool for demonstrating U.S. willingness to confront ISIL, and will establish a broader strategic framework for this campaign. Such an AUMF should include an explanation of the vital U.S. national interests at stake in the Middle East. ISIL is a destabilizing force that has divided Syria and Iraq along sectarian lines, and directly threatens U.S. allies such as Saudi Arabia, the Persian Gulf States, Jordan, Lebanon, and Turkey. Put simply, the fundamental credibility of the United States is in the balance during this crisis.

Meanwhile, the Syrian Civil War and the dysfunction of the Iraqi government have fueled ISIL's rise and created a grave humanitarian crisis, as millions of refugees are seeking shelter from the violence. ISIL has displayed a public willingness to use mass executions, ethnic cleansing, rape, sexual slavery, and videotaped beheadings to intimidate and conquer whoever opposes its agenda of creating a fundamentalist Caliphate. The recent terrorist attacks in Paris, and reports of ties to Islamist extremist groups in the Middle East to include ISIL, have underscored the threat these groups pose to our allies and the U.S. homeland.

So far, the Obama Administration has devised a strategy to "degrade and defeat" ISIL. U.S. airpower, paired with local ground forces in Iraq and Syria, has had some success in stalling ISIL's territorial advances. Roughly 3,000 US train-and-assist forces deployed to Iraq are helping to reconstitute Iraqi security forces that have fallen into disrepair. U.S. diplomatic initiatives have helped to achieve notable advances, to include the formation of a 60-nation coalition. On the other hand, U.S. efforts to vet, train, and equip an initial force of 5,000 moderate Syrian rebels continue to lag.

Finally, the bipartisan statement that such an AUMF provides—from the elected representatives of the American people—would function as a declaration of America's resolve and unity in confronting this barbarous group that threatens the United States and our key regional partners and interests.

Indeed, our national strategy towards the Middle East—a region with vital national interests and key allies—requires further examination and evaluation, a process that we hope to advance with our continued engagement on this critical issue. More immediately, however, we believe the U.S. has pursued a vague and reactive strategy against ISIL for too long. The time has come for Congress to exercise its Constitutional obligations in regards to the military campaign and to approve a new AUMF to confront this threat.

The Honorable John Boehner  
The Honorable Nancy Pelosi  
The Honorable Mitch McConnell  
The Honorable Harry Reid  
February 10, 2015  
Page Four

The attached suggestions are common sense initiatives that we believe members on both sides of the political aisle can support. Its passage will reaffirm U.S. national interests in the Middle East, strengthen our relationship with our local allies and coalition members, and re-engage Congress in the authorization process. If the U.S. is to intervene again in the Middle East, then let us act together.

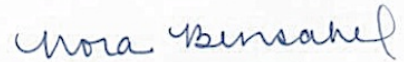
Sincerely yours,



Maxmillian Angerholzer III  
CSPC President & CEO



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Distinguished Practitioner  
in Residence  
School of International Service  
American University



Dr. Nora Bensahel  
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Dan Mahaffee  
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The Hon. Mel Martinez  
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Dr. John A. Nagl  
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The Hon. Tom Ridge  
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W. Bruce Weinrod  
Former Advisor to U.S. Mission at  
NATO, and former Deputy Assistant  
U.S. Secretary of Defense for European  
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Enclosures

The Honorable John Boehner  
The Honorable Nancy Pelosi  
The Honorable Mitch McConnell  
The Honorable Harry Reid  
February 10, 2015  
Page Five

CC: The Honorable Mac Thornberry  
Chairman, U.S. House Committee on Armed Services

The Honorable Adam Smith  
Ranking Member, U.S. House Committee on Armed Services

The Honorable Ed Royce  
Chairman, U.S. House Committee on Foreign Affairs

The Honorable Eliot Engel  
Ranking Member, U.S. House Committee on Foreign Affairs

The Honorable John McCain  
Chairman, U.S. Senate Committee on Armed Services

The Honorable Jack Reed  
Ranking Member, U.S. Senate Committee on Armed Services

The Honorable Bob Corker  
Chairman, U.S. Senate Committee on Foreign Relations

The Honorable Bob Menendez  
Ranking Member, U.S. Senate Committee on Foreign Relations

The Honorable Tim Kaine  
U.S. Senator from the Commonwealth of Virginia

## RECOMMENDATIONS REGARDING AN AUTHORIZATION OF USE OF MILITARY FORCE AGAINST (AUMF) THE ISLAMIC STATE OF IRAQ & THE LEVANT (ISIL)

In our opinion, the U.S. campaign against ISIL has seemed overly reactive and tentative, and we are concerned this tendency will only worsen over time. Elements of an AUMF against ISIL should include:

**A THREE-YEAR SUNSET CLAUSE:** Given the experience of the 2001 authorization against al-Qaeda and the 2002 authorization against Iraq, many members of Congress are understandably wary of another open-ended AUMF. The campaign to degrade, contain, and ultimately defeat ISIL, however, will almost certainly take years and extend beyond the Obama Administration's tenure. For their part, U.S. military leaders are justifiably cautious of hard deadlines, and predetermined end dates for military campaigns in which the "enemy gets a vote," and conditions on the ground can change in unforeseen ways. For those reasons, we support the three-year sunset clause proposed by outgoing Senate Foreign Relations Committee Chairman Robert Menendez (D-NJ), which has the endorsement of Secretary of State John Kerry. Such a sunset clause will allow Congress to reevaluate the anti-ISIL campaign with a new administration.

**MINIMAL RESTRICTIONS ON COMBAT FORCES:** The Obama Administration became entangled in an unnecessary semantic knot when it promised "no boots on the ground" in Iraq or Syria. Already administration officials have been forced to explain how that restriction comports with its doubling of the number of U.S. forces in Iraq from 1,500 to roughly 3,000 troops. Chairman of the Joint Chiefs General Martin Dempsey has stated in public testimony that more U.S. advisers and air controllers may be needed to work closely alongside Iraqi ground forces as they attempt to recapture major urban areas like Mosul from ISIL fighters. There is widespread consensus among administration officials and U.S. military leaders that major ground units such as combat brigades will not and should not redeploy to Iraq to take the lead in fighting ISIL on the ground. Beyond clarifying that limitation as Congress' intent, any codified ban on U.S. ground forces will unnecessarily limit the flexibility of U.S. military commanders' response. Active Congressional oversight can ensure that U.S. trainers and enabling forces are used effectively, while avoiding the return of major U.S. ground combat units of the type deployed during the wars in Iraq and Afghanistan.

**NO GEOGRAPHIC LIMITATIONS ON FIGHTING ISIL:** One of the hard lessons of the past decade of conflict is that radical Islamist terrorist groups will seek sanctuary in lightly governed spaces and conflict zones. The Taliban and al-Qaeda were nearly defeated in Afghanistan before reconstituting in the tribal regions of Pakistan. Al-Qaeda in Iraq was nearly defeated before finding new life in Syria's civil war, transforming into ISIL. Putting geographic limitations on a fight against non-state actors who recognize no international borders is counterproductive. If ISIL leaders or affiliates were spotted in Libya, Yemen, or elsewhere for instance, should the U.S. government be barred from targeting them? We do not believe so.

**U.S. SUPPORT CONTINGENT ON IRAQI RECONCILIATION:** As already noted, U.S. efforts to foster a more inclusive government in Baghdad have already made important gains. Continued Congressional support for Iraq should be contingent on further progress in creating political space for Iraq's Sunni minority, to include formation of National Guard units recruited locally to enforce local security. If at any point the Shiite-led government in Baghdad rejects meaningful reconciliation and seeks to simply impose its will militarily on the Sunni minority, then the United States should leverage its position by withholding further support. As some observers have noted, the U.S. military cannot afford to become the air force for sectarian, Shiite-dominated Iraqi Security Forces and Iranian-backed Shiite militias.