

Shoshana Abrams:

All right. Welcome to our first communicator call, which is really going to be our policy call for January 2021. Thank you all so much for being flexible with us last week. I really felt that we needed to just hold the space together and breathe into that moment as a community, so I hope that call met you where you are and with what you needed to do. But, we're really excited to dive into the policy that we're working on this year on the call tonight. It really is good to be with you all and to catch up with you.

Shoshana Abrams:

I'm excited for this call because there's going to be a lot more discussion. We're even going to have some time for breakout rooms at the end. But, first, we're going to hear from FCNL's Legislative Director on Militarism and Human Rights, Heather Brandon-Smith, and we'll have lots of time for questions. We're going to have some discussion as well about how to frame our ask for conservative offices and how to frame it for progressive offices, so we can start to build out what your approach is going to be with your members of Congress. Then, at the end, we're going to put you into breakout rooms so you can practice your elevator pitch for the 2002 AUMF repeal that we're going to be asking for this year. So, don't skip that part. It's going to be the fun part.

Shoshana Abrams:

Just for tech, please try and keep yourself muted until we get to the question and answer part of the call. For questions, you can either put your questions into the chat or you can use the raise hand function on Zoom, which is found under the participant tab. If you're calling on the phone, we want to hear your questions as well. You can use the raise hand function on the phone by pressing star nine, and the unmute button on the phone is star six.

Shoshana Abrams:

All right. As we start with the call, I'd love for you all to take a moment and think about what your advocacy goal is this year. And, not passing the repeal of the 2002 AUMF, because that is our goal, what is your personal advocacy goal? I'm going to get a meeting with this member, or we're going to have team meetings and be really strong. What is your personal advocacy goal this year? What does that look like? Just take a moment and think about it. If you want to write it in the chat, feel free to do so. We'd really love to hear what your goals are.

Shoshana Abrams:

Wonderful. I'm seeing some of them come through the chat. I saw something about meeting with the teams, meeting new congresspeople, statewide Senate lobby visits, becoming more consistent with writing letters to the editor. It's really great. Wonderful. So many in the chat. I will send some of those out so you can get inspired by other people's goals. I think it's really cool to see that you all are working towards building these goals and working together to advance our lobbying.

Shoshana Abrams:

We need to think about the things that we can control all the time. We can't always control the thing that happens at the end. We can all work together on these really tangible goals that we're in control of to meet our bigger collective goals. That's something I've been thinking about a lot today, what we can control. I hope that resonates with all of you.

Shoshana Abrams:

Are you ready to hear from Heather? Yes? Seeing some nods. All right. Great. Heather, are you on the call?

Heather Brandon-Smith:

I am.

Shoshana Abrams:

Okay. Great. Let me introduce you. Some of you might really know Heather well from her work with advocacy teams in 2019. But, she might be new to some of you as well. Heather Brandon-Smith is FCNL's Legislative Director for Militarism and Human Rights. Heather leads FCNL's work to repeal the outdated war authorizations, promote respect in human rights and international law, and reduce U.S. armed interventions around the world. Just a few goals in her role here.

Shoshana Abrams:

Prior to joining FCNL, Heather served as the advocacy counsel for National Security at Human Rights First, where she advanced U.S. national security policies that are consistent with human rights and the rule of law. Heather is an adjunct professor of law at Georgetown University Law Center and University of New Hampshire. Her writing has appeared in an array of publications from The Hill, to Lawfare, to Just Security, as well as The American Conservative. She holds an LLM from Georgetown University and an BA in politics and international relations. She also has an LLB and an LLM from the University of New South Wales, in Sydney, Australia. You will hear the accent soon. Heather is a joy to work with. I'm sure you'll love getting to know her. Heather, take it away. Tell us about the AUMFs.

Heather Brandon-Smith:

Thank you very much, Shoshana, for that lovely, warm welcome. It's really great to be back with you all tonight, well, with most of you. I'm really excited to get to know the newer advocacy team members over the coming year as we work together to end endless war and repeal congressional war authorizations for those wars, the 2001 and the 2002 authorizations for the use of military force, or AUMFs. I'm really excited because between the composition of Congress now and President-Elect Biden's campaign commitments to ending endless war, we believe there are real opportunities to build on the progress that we've made over the last few years, and really make some significant steps in 2021.

Heather Brandon-Smith:

I want to start out by giving everyone a brief overview of the problem. A lot of you will know this already, but I just wanted to do a bit of back to basics. These endless wars, they're really still one of the most pressing issues that we're facing today. We're in our 20th year of a war that has lasted longer than the Civil War, the Spanish-American War, World War I, World War II, and the Korean War combined. These wars have cost over 6.4 trillion dollars. They resulted in the deaths of approximately 800,000 people, including 335,000 civilians. 37 million people have been displaced by these wars. Nearly 7,000 U.S. soldiers have been killed, and more than 50,000 have been wounded in action. These figures don't include those who have returned from battles suffering from post-traumatic stress disorder or other mental illness.

Heather Brandon-Smith:

All of this has been carried under the auspices of protecting America's national security. But, you have to really question that now. We've got a global pandemic going on. We have the existential threat of climate change. Of course, we have domestic terrorism, like the event that happened at the Capitol last week. It's really becoming increasingly fraught to claim that these endless wars abroad are protecting the security of America and the American people.

Heather Brandon-Smith:

Two years ago, FCNL's advocacy teams were really instrumental in getting the House to repeal the 2002 Iraq AUMF ... to vote to repeal, I should say, the 2002 Iraq AUMF. I really can't understate the significance of this. It was the first time that either chamber of Congress voted to repeal one of these AUMFs. Now we have a real opportunity to finally get this authorization off the books for good.

Heather Brandon-Smith:

I'm going to talk a little bit more about this opportunity and Congress's role in authorizing war in a minute. But, before I do that, I just want to tell you a little bit about my colleague who I work with on this issue, who is also on the call tonight, Julia Gledhill. Julia is the program assistant for militarism and human rights. She advocates for U.S. foreign policy centered on diplomacy and human security through her work with coalition partners, members of Congress, and FCNL's grassroots networks. Julia previously served as the fiscal policy intern in the office of Senator Michael Bennet of Colorado. She also interned in the Center for Diplomatic Engagement at Meridian International Center.

Heather Brandon-Smith:

Most recently, Julia participated in the American Enterprise Institute Summer Honors Program. In the programs war and decision-making course, she delved into the nature and conduct of military operations, the theoretical foundations of military science, and those theories' practical applications in conflict. Julia graduated from Colorado College with a BA in economics and business and a minor in political science. She wrote her economics thesis on the impact of defense spending on income equality in the United States, and she maintains a keen interest in the relationship between macroeconomic policy and individual wellbeing. Julia has been doing fantastic work with us. She joined the Young Fellows program in August last year, and I encourage you all to take a look at the updates that she's written for FCNL's website.

Heather Brandon-Smith:

Now I'm going to do a little bit of a deep dive into the 2001 AUMF and the 2002 Iraq AUMF to set us up for this. First, I want to talk to you a little bit about what the Constitution says about Congress's war powers. Then I'll discuss another important and related law that I'm sure you're familiar, the War Powers Resolution. Then, finally, I'll move on to talk about these AUMFs and our opportunities in Congress to repeal them.

Heather Brandon-Smith:

Under the U.S. Constitution, Congress is given the power to declare war. The Framers of the Constitution didn't want this decision about whether to go to war to be made solely by the president. They wanted to safeguard it, a check on unilateral presidential war making. The Constitution also gives Congress the power to conduct oversight of U.S. wars. Congress has a duty to regularly examine the scope and progress of wars, and, when appropriate, to revise or repeal its authorization to use force. Now, it's also important to note that the president, as commander in chief, which is an Article II power, has some

limited power to use military force without congressional approval. But, it's key to note that this is a limited power. It only allows the president to use force to defend the United States against a sudden attack. Only Congress can allow the president to take the country into a prolonged war.

Heather Brandon-Smith:

This brings me to the War Powers Resolution. In 1973, Congress passed the War Powers Resolution to clarify this division of war powers between the president and Congress, to build a framework around it. The War Powers Resolution requires the president to do three things: to consult with Congress before committing troops to war, to notify Congress within 48 hours after introducing military forces into hostilities or into situations where hostilities are imminent, and to end these foreign military actions after 60 days unless Congress specifically authorizes them.

Heather Brandon-Smith:

Now to the AUMFs. We have two AUMFs that are currently being used to justify U.S. military operations. As I mentioned, these are the 2001 AUMF and the 2002 Iraq AUMF. The 2001 AUMF authorized force against those who were responsible for the 9/11 attacks and those who harbored them. Nearly 20 years later, this AUMF has been used to justify military operations in at least 19 different countries, against groups that did not even exist on 9/11, like ISIS.

Heather Brandon-Smith:

The 2001 Iraq AUMF authorized force against the Saddam Hussein regime in Iraq. But, both the Obama and Trump administrations since claimed that it also provided authority to fight ISIS in both Iraq and Syria as additional authority to the 2001 AUMF. Then the Trump administration last year claimed that the 2002 Iraq AUMF, the Saddam Hussein AUMF, provided a legal basis for the assassination of Iranian General Qasem Soleimani. We've really reached a breaking point when it comes to how broadly these two AUMFs have been stretched. That's the bad news.

Heather Brandon-Smith:

The good news is that over the last two years, Congress has begun to step up its exercise of its war powers and to call for these AUMFs to be repealed, and to acknowledge how broadly they've been overstretched from what Congress originally intended. This brings me to the opportunity we have now. Over these last two years, we've seen increasing bipartisan support grow to repeal the 2002 Iraq AUMF. This AUMF isn't being used as the sole authority for any ongoing military operations, yet it remains open to abuse as we saw in January last year when the Trump administration relied on it for that strike against Iranian General Soleimani.

Heather Brandon-Smith:

Over the last two years, the House has voted three times on a bipartisan basis to repeal the Iraq AUMF. And, in the last Congress, Senators Tim Kaine from Virginia and Todd Young from Indiana cosponsored a bipartisan bill to repeal the 2002 Iraq AUMF. This was also cosponsored by Senators Mike Lee from Utah, Chris Coons from Delaware, and Tammy Duckworth from Illinois. But, the bill was never taken up by the relevant committee. However, we have reason to believe this will now change.

Heather Brandon-Smith:

As I'm sure you're aware, following the results of the Georgia runoffs, the Democrats will now take control of the Senate, and we have reason to believe that with sufficient support the relevant Senate committee, the Senate Foreign Relations Committee, this committee will take up a bill to repeal the 2002 Iraq AUMF. What's more, this week, Representative Barbara Lee from California introduced a House bill to repeal the 2002 Iraq AUMF. This bill, for those who like bill numbers, it is H.R.256. I'll say that again: H.R.256. This already has 44 responses, and from our conversations with Congressional staff, we believe that there is a strong likelihood that the relevant House committee, the House Foreign Affairs Committee, will take up this bill.

Heather Brandon-Smith:

So, between these opportunities and the Biden administration statements about ending forever war, and, also, they have said that they want to repeal old AUMFs, we are really pushing for the 2002 Iraq AUMF, the repeal of that law to be a first 100 days achievement. It's a big goal, but we see this as the first step towards ending endless war and repealing these AUMFs, which is a goal that the Biden administration has said that it has. So, there is still much work to be done, but with your help to continue to build co-responses for Representative Barbara Lee's bill, we think that we can build the support that we need to make this happen. Thank you.

Shoshana Abrams:

Awesome. Thank you, Heather. Do you all know everything about AUMFs now? Feel prepared? Okay. Well, I just wanted to add one exciting thing. This is really exciting. Heather and I had a chat earlier today, and we talked about some of the meetings she's having. There really a lot of hope. I was really worried that we're going to be looking at the same situation as last year. But, really, there are a lot of people in Congress who are pushing for this.

Shoshana Abrams:

We had a legislative retreat on Monday with staff, and we had a guest speaker from a Senate office ... I'm not going to name which one ... a chief of staff from a Senate office who said when Heather asked a question about this goal of repealing the 2002 AUMF, that this is a really achievable goal this year and that there are people who are supportive of it. So, we're just really excited to get this over the finish mark.

Shoshana Abrams:

You all have done a great job educating your members of Congress on these, and I think with your help we could really see this happen. I'm really excited for your work and for your work in partnership with Heather. That being said, we're ready for questions. If you have questions for Heather, go ahead. You can either put them in the chat, or you can use the raise hand function to ask your question.

Shoshana Abrams:

Stu Davis from California says, "Is it critical to do this in the first 100 days?" So, you may have heard a lot of this, Heather. What is the first 100 days? What does that mean?

Heather Brandon-Smith:

I mean, the first 100 days is something that presidents tend to get judged by. They tend to have first 100 days goals. It's a way of showing the progress that they've made on their commitments and their

campaign promises. It's in a sense, it's arbitrary, but it is significant in that it is something that they are judged for.

Heather Brandon-Smith:

The significance of doing this in the first 100 days is that it would really give the Biden administration an opportunity to show that they are serious about this, that they are serious about ending forever wars. In a sense, though, it's an easy fix for them because even if you repeal the 2002 Iraq AUMF, they can continue their ongoing military operations. But, they can't abuse it to expand them in the future. So, it has significance, but at the same time, they could see it as an easy win.

Heather Brandon-Smith:

The other thing is that we've learned a lot of lessons from our time working on these issues during the Obama administration. Democrats in Congress were not particularly eager to limit President Obama's war powers at that time. It was really very much of a we've got our guy in office, and we'll trust him. Over the last two years, though, we've built up a lot of support for repealing the 2002 AUMF and reasserting Congressional war powers and reining in the president's war powers. We are a little concerned that if we don't act quickly on this, we could get back to that complacent place with the Democrats that we were in during the Obama administration.

Heather Brandon-Smith:

So, that's the significance for us about moving quickly and trying to get this done in the first 100 days. We have the support there. We've galvanized it, and we need to keep it before it starts to wain. That being said, I don't want to say that we're okay if it doesn't happen, but if it doesn't, there are still other ways to get this in. I'm sure a lot of you would be familiar with these must-pass legislative vehicles. In 2019, the 2002 Iraq AUMF repeal provision was attached to the National Defense Authorization Act. That is another avenue. But, our chances of both getting it in as an amendment to the NDAA and keeping it in are greatly heightened by building up co-responses, having a markup in the relevant committee, and just continuing to build support for repealing this law.

Shoshana Abrams:

Great. Thank you. Okay. The questions rolled in quite quickly. We have a bunch of them, so we are going to try to get through as many of these as possible. Okay. Roger from Charleston, West Virginia, says, "Does the naming of Yemen and Cuba as terrorist states qualify them for action under the AUMFs? Just thinking ahead."

Heather Brandon-Smith:

Not immediately, no. Basically, there is a limitation that is under the AUMFs, which is that there needs to be some sort of connection to Al-Qaeda or the Taliban. The executive branch has been very creative in finding ways to say that groups are connected to Al-Qaeda and the Taliban, especially when it came to ISIS, which was fighting Al-Qaeda at the time, that they said that it was covered by the 2001 AUMF. That being said, it would be very difficult to say that Cuba was connected to Al-Qaeda or the Taliban.

Heather Brandon-Smith:

I think Yemen, the Houthis, I'm not aware that they have a connection to Al-Qaeda or the Taliban. But, the Trump administration tried to say that there was a connection between Iran and Al-Qaeda to try and shoehorn that under the 2001 AUMF. So, I mean, I hate to say it, but never say never.

Shoshana Abrams:

Thank you. I see we have a hand raised from John and Kathy. Do you all want to unmute?

John:

Yeah. I want to try out an idea, Heather. We have an ultraconservative representative, Tim Walberg, who has been unwilling to consider repealing the AUMFs because he didn't want to tie the hands of his Republican president. I wonder if he'll change his colors now with choosing to want to tie the hands of a Democratic president. Is there any chance that we can make that reasoning stick?

Heather Brandon-Smith:

I think there is. I think that there's a real opportunity there. It's like the inverse of what I was saying with the Democrats who might be fine with not trying to rein in a Democratic president. You might suddenly find yourself with Republican members of Congress who would quite like to tie the hands of the Democratic president. So, I would absolutely try and make that argument when you meet with the staff or when you meet with the Congressmen.

Heather Brandon-Smith:

Another really interesting thing for members, for advocacy team members who have conservative representatives, is The Heritage Foundation supports repealing this law, supports repealing the 2002 Iraq AUMF. We can get you their latest report that they released in September of last year. They also recommended it the year before. The problem, though, is they are very good at putting out these helpful reports, but they have other priorities when it comes to their lobbying work. So, in a sense, if you can do the lobbying that we wished that The Heritage Foundation would do on repealing the 2002 Iraq AUMF, that could be a real opportunity to start to get through to these conservative members of Congress.

Shoshana Abrams:

I'll just add there that we don't support most of the other things in these reports, but they do have a good thing to say about repealing the 2002 AUMF. Heather, there are a couple questions in the chat asking you to speak more about the 2001 AUMF and a couple questions about why not focus on the 2001 AUMF. Do you want to talk about that decision?

Heather Brandon-Smith:

Yeah. Sure. The 2001 AUMF is the primary law that has been used to justify these endless wars that we're in right now. The reason why not is because it's much more complicated. There's a couple of reasons. It's much more complicated to repeal the 2001 AUMF because it is being used for all operations that are currently being conducted. And, the second is because we really have an opportunity with repealing the 2002 AUMF as a first step. And, through that first step, we can galvanize members behind this concept of repealing AUMFs and then build support for repealing the 2001 AUMF.

Heather Brandon-Smith:

It's really a matter of opportunity. It's not that we don't think that we should be repealing the 2001 AUMF at all. We're working very hard with congressional offices on this. As I'm sure you know, it's a really fraught issue. We have progressives who would love to sunset it tomorrow. Then we have moderate Democrats who want repeal and replace. Then we have similar situation with Republicans, honestly. So, it's a much more complicated thing. We'll never be able to do that in the first 100 days, unfortunately.

Heather Brandon-Smith:

This is something that we have a real opportunity to make happen. Like I said, we will galvanize more support around attacking these AUMFs, and we can use the support that we get from acting on the 2002 AUMF to then parlay that into trying to sunset the 2001 AUMF.

Shoshana Abrams:

Heather, just to add to that, can you talk a little bit about why to lobby on them separately? What happens in an office when you come in with both asks?

Heather Brandon-Smith:

Yeah. Thank you, Shoshana. That's a really good point. A lot of members of Congress, even, and certainly a lot of Congressional staffers, don't understand the difference between these two laws. When you put them together, they start to only talk about the 2001 AUMF and why that cannot be repealed without a replacement ready to go. So, we end up destroying both opportunities there.

Heather Brandon-Smith:

I think a really important task for advocacy teams this year is to educate your members of Congress on the difference between these two laws. The 2002 Iraq AUMF is not being used for any current operations that aren't already being justified under the 2001 AUMF. That's why it's so easy to get it off the books. It's not going to affect any current operations. So, regardless of their position on that, on their position on endless war, the Iraq AUMF is something that can come off the books.

Heather Brandon-Smith:

I've been in meetings in the past. I recall one that I was in with Senator Tillis's office. We went in, and our advocacy team started talking about the need to repeal the 2002 Iraq AUMF, and they immediately started talking about 2001 and why they couldn't repeal it. It took the whole meeting of explaining to them they were very different. We actually brought up the Heritage report at that point, which piqued their interest, and then they were much more open to repealing the 2002 AUMF.

Heather Brandon-Smith:

So, we don't want to do all or nothing. We know we want to repeal the 2001 AUMF. But, we also know that if we package them together, we will probably get nothing. So, we want to start off strong with the 2002 AUMF and then take on this more complicated task of tackling the 2001 AUMF.

Shoshana Abrams:

Great. Thank you. Thanks for letting me lead you into an additional question. I saw Lori from Berkeley in the chat asking if you can find out about the current co-sponsors more often. You absolutely can. There are links to the legislation that you can follow on Congress.gov. And, I'm going to ask Theo ... I know he

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has the links handy. If you could put those in the chat, and you can just follow those bills. Those are updated pretty regularly on [Congress.gov](https://www.congress.gov), so you can track what your members of Congress do.

Shoshana Abrams:

I see a hand from Megan from West Virginia.

Meegan:

Hey, I'm [Meegan 00:29:54]. I'm a Meegan.

Shoshana Abrams:

Oh, sorry, Meegan. I'm so sorry.

Meegan:

Yeah. No worries. I'm Meegan from Fayetteville, West Virginia. Currently living in Kingston, Jamaica. Thanks. This is an awesome presentation. Heather, I lost connection for a little bit, so you might already have covered this. If so, I apologize. But, your first part on the 2001 AUFM, about the negative impacts, was so really compelling. The one point I caught on the 2002 AUMF was the assassination of the Iranian general, which I thought was appalling, but other people maybe don't think is quite so appalling. So, I was just wondering if there were other ... I guess you would call it negative impacts of the 2002 AUMF that might be good ammunition. Pardon the military pun. But, anyway, good resources for us as we're trying to undo the beast.

Heather Brandon-Smith:

Yeah. I think for members of Congress who are fine with the Soleimani strike, the Iranian general who was killed, they're not the ones who are worried about the 2002 AUMF being abused to be able to kill more people, unfortunately. So, I think for them the argument is more that it's just not needed, and it's the democratically responsible thing to do, and it is Congress reasserting its war powers and taking back its authority to determine when we go to war, who we go to war against, and where. I think that constitutional argument works best when it comes to those sorts of people.

Heather Brandon-Smith:

We have some great resources on our website, which I'm sure Shoshana will send you if she hasn't already. One of them is called ... I think it's the 2002 Iraq AUMF: What Is It and Why Congress Should Repeal It. The three arguments that we give are that it's not needed for current operations; it's susceptible to abuse, as we've now seen; and, also, it authorized a conflict that is long over. It authorized war against the Saddam Hussein regime in Iraq. It's really the responsible thing to take it off the books.

Heather Brandon-Smith:

I think, depending on who your member of Congress is that you're talking to, you could pick and choose which of those arguments to elevate, and then, like I said, point to The Heritage Foundation report. That's the reason they give. They say it's a responsible course to repeal this authorization and put Congress back in the seat of deciding who we go to war against and where and when.

Meegan:

Great. Thank you.

Shoshana Abrams:

Wonderful. Great questions. We actually have a team that is meeting with someone from Senator Reed's staff, actually, committee staff. I think you may have heard about this visit. They're actually meeting tomorrow morning, and I was wondering if you could give your advice for someone who is on a relevant committee, irrelevant committees, what would the ask be for the Senate?

Heather Brandon-Smith:

That is a great question. Yeah. Senator Reed is someone who we would love to see take more of a leadership role in this. We've met with his staff. They tell us that, sure, he's on board with this, but we have found him to not really be the champion that we would like him to be. So, I would really emphasize the support that there is for this in the House. If we can get to 150 House co-responses for this bill, if it can go through a markup and committee in the House and get passed out of the House floor, I think that's something that's going to really convince the Senate that they need to do something about it.

Heather Brandon-Smith:

I would really emphasize ... I think the Democrats in the Senate have really been used to being in the minority for a really, really long time. Even though the Democrats have the House, it didn't make a huge impact on them, especially on this issue. So, I would really push the fact that the Democrats now have the power here. They get to determine the legislative agenda, and this is something that has a ton of support in the House. There was already a bipartisan bill in the Senate last year, but it wasn't acted upon.

Heather Brandon-Smith:

Senator Tim Kaine, as I mentioned before, tends to be seen as the leader on this in the Senate. We're hoping he's going to introduce a standalone bill. It doesn't hurt to still, though, ask your senators if they will introduce a standalone bill. Ultimately, we can't have nothing happen because the leader on this issue isn't being as active as we would want him to be. So, I would say ask your senator if they would introduce a standalone bill and also publicly state their support for repealing the 2002 Iraq AUMF, whether it's on Twitter, other kinds of social media, in a press statement. I think we're coming up to ... Actually, it's some time in March will be the anniversary of the invasion into Iraq. Bring that date to the attention of your senator and ask them to put out a statement about that and the need to repeal the 2002 Iraq AUMF.

Shoshana Abrams:

Great. Thank you, Heather. There's so many more questions. I'm trying to cull them a little bit. I hear in this also that our Virginia teams have some work to do with Senator Kaine, so I'm looking at you, Catherine, because I see you right on the screen. But, I hope that there can be some organization there with our Virginia advocacy teams and also with our Indiana advocacy teams, all the members who actually were co-sponsors of S.J.Res.13 last year or last Congress.

Shoshana Abrams:

So, we're getting some questions now about the strategy with respect to are we following Barbara Lee's bill and hoping that they will move into the Senate? What is the strategy for the vehicle that you're thinking about?

Heather Brandon-Smith:

Yeah. Right now, because we don't have a Senate vehicle yet, the strategy is to build up a ton of support in the House while also talking to the Senate to make the Senate see that this is something worth taking up and that this is something that they have success on. Like I mentioned, from the meetings that we've been having, we do have reason to believe that it's Senator Menendez from the Senate Foreign Relations Committee. That's the relevant committee in the Senate, that he would take up a bill if it passed out of the House.

Heather Brandon-Smith:

Obviously, we need to have another senator co-sponsor that bill. We would love to have Senator Kaine and Young reintroduce their bill and then start to build co-responses on the Senate side on this. But, I think to get there, we need to continue building support in the House. But, like I said, from my conversations with both committee staff and Barbara Lee's staff, they seem to be on the same page on this issue, and they want to move quickly.

Heather Brandon-Smith:

We have a new chair of the House Foreign Affairs Committee, Gregory Meeks, who, from my understanding, is really eager to do something on this issue, more so probably than his predecessor, and they are working together on this. So, I think as far as the ... Yeah. The Senate strategy relies on the House strategy. But, at the same time, a parallel effort to get a bill introduced in the Senate and a way to show them that they need to do this is to show them how much support there is for this in the House.

Shoshana Abrams:

Awesome. Okay. I'm going to ask you one more question, and then I hope we can get ... There are a bunch of questions about if you have a progressive member or a conservative member. So, I want to touch on that for a little bit. The last question is really about the state of bipartisanship and if members you've talked to or staff that you've talked to have hope for more bipartisanship, or maybe less, given the current state of things. I wonder if you have any sense of that before we move on to another piece.

Heather Brandon-Smith:

Yeah. That's a really good question. Weirdly enough, a lot of the people who have supported AUMF repeal are also the same people who didn't want to impeach the president and who felt very strongly about that. We have very strange bedfellows when it comes to this issue, in many ways. We have a lot of Freedom Caucus members, Liberty Caucus members, who support us on this in the House, and most libertarian-leaning folks in the Senate. You probably all know Senator Rand Paul is a big proponent of repealing the AUMFs. Senator Mike Lee as well. He co-sponsored the S.J.Res.13, the Kaine-Young bill.

Heather Brandon-Smith:

I have been hearing more about the need to build bipartisan consensus, actually, especially on the House side. It is very divided. We're hoping, though, without President Trump in office, members will feel more free to support this and, like John mentioned before, possibly be more willing to limit the war

powers of a Democratic president. It is really important. We have passed these bills on a bipartisan basis before. But, I think that a lot of Republicans have just toed the line of what President Trump would want, which, even though he claimed to want to end endless war, he didn't want any of the powers that he had to continue these wars and potentially expand them to be taken away. So, with him not there and not exerting that influence, I think we have more of an opportunity to get more Republicans on board with this.

Heather Brandon-Smith:

Again, I'm a broken record. The Heritage Foundation report should be really helpful with this effort as well. There is talk about continuing to build bipartisan support. There's no talk of wanting this to be a Democratic-only thing. We think this is a constitutional issue, not a political issue. I've been saying for years that I don't think this should be a partisan issue, repeal of the 2002 Iraq AUMF. So, yeah, I would love to see more bipartisan support, and we're certainly going to be working on our end to build that as well.

Shoshana Abrams:

Wonderful. You've talked about different conservative arguments you can use for conservative members of Congress. What about those super progressive members of Congress who maybe have already sponsored these bills, if you have ... I think Ilhan Omar is on both of them. What do you do when you have a member of Congress who's already signed on to both the 2001 and the 2002 repeal?

Heather Brandon-Smith:

Well, first thing is thank them for co-sponsoring these bills and the fantastic support that they've given. Also, then, you ask them if they can talk to their friends and get them to sign on. As Shoshana mentioned, we have Ilhan Omar on these bills. She's a member of the House Foreign Affairs Committee, the Committee of Jurisdiction, which is fantastic. She also has a whole squad of people, which has just grown by two members. I think that Cori Bush and Jamaal Bowman are now considered members of that squad. So, ask her and her staff if they can talk to other members of Congress and get them to come along and co-sponsor these bills.

Heather Brandon-Smith:

Having members of Congress talk to each other about this is a game changer when it comes to building support for these issues. So, yeah, when you have a member of Congress who is already fantastic, don't feel like you have nothing to talk to them about. Thank them and ask if they can talk to us, and if they can talk to their friends and bring them along to the party.

Shoshana Abrams:

Wonderful. Thank you so much. Anything else that we should think about for maybe Democratic members of Congress who are not super ... who maybe will be more hesitant now that Trump is not in office? Anything else that we should make sure to offer?

Heather Brandon-Smith:

Yeah. I think with these moderate members who aren't worried about the law being abused in the way that they might've been when President Trump was in office, it's actually a similar argument that you're making to the conservatives, which is that a restoration of the Division of Constitutional War Powers.

Congress is the body that gets to declare war. By keeping this AUMF on the books, which both Republican and Democratic presidents have interpreted far beyond what Congress intended, is highly problematic.

Heather Brandon-Smith:

As I said, it wouldn't affect current operations, so they're not going to push back on you on that. Or, if they do, that's where it's a really great opportunity to educate them and say, "No, this is not the 2001 AUMF. This is not being used for any current operations." But, just really emphasize to them that the democratically responsible thing to do is to repeal this law and to put Congress back into the driving seat when it comes to determining whether we go to war.

Shoshana Abrams:

Awesome. We have shared a lot of information with you. I think a couple different ways. So, what we are going to do now? Thank you, Heather, so much for that really thorough question and answer. I know we didn't get to everyone. The great news is that Heather and Julia are available to you all as you have questions, and we'll be putting out more resources for you as well. We are going to now do just a few minutes of you in small groups and what we're going to ask you to do is to work on your elevator pitch to your member of Congress on why it's important to repeal the 2002 AUMF.

Shoshana Abrams:

So, think about this a little bit. You're in an elevator after the pandemic, so just ... You're not actually in an elevator because we're not going to be there. And, we're doing this within the first 100 days. So, a virtual, not real elevator you happen to be in with them. What are you going to say in that 30-40 seconds to convince them they need to repeal the 2002 AUMF? That's what you're doing. Take turns. I'm going to put you in small groups. So, you won't have too many in your group. And, you are doing your elevator pitch for how to get your members of Congress to repeal the 2002 AUMF.

Meegan:

How long are we in the group?

Shoshana Abrams:

You are in the group for about seven minutes. And, you'll get-

Meegan:

It's an elevator group, time, pitch, out for the elevator pitch.

Shoshana Abrams:

Well, you need a little-

Meegan:

We're in an elevator, to make our elevator pitch.

Shoshana Abrams:

Yes. Something like that. All right. So, if you're on the phone, you will automatically be sent to a group, and if you are on the computer, you will need to click yes to go to your room.

Speaker 5:

Don't you think we should vote to have the 2002 repeal? Because it's been declared ended. I thought those might be a couple of talking points.

Shoshana Abrams:

Yeah, that's great. Definitely picked on some of the main points that heather shared.

Speaker 5:

Yeah. It's nice to have Heather back, too.

Shoshana Abrams:

Wonderful. Well, welcome back, everyone. I hope you had some nice discussion in your small groups, and you did some elevator pitching. I think it's very fun to make yourself do those types of activities, to think about what you would say, and also to think about what you resonated with from Heather's presentation. She shared a lot of content, and it's not all meant to stick. Don't worry if you don't remember everything. But, it's helpful to pull out what resonated with you and what you are going to use when you talk to your members of Congress.

Shoshana Abrams:

I'd love to hear just a couple of people, maybe one or two folks, try and give their elevator pitch so that we can all hear what you came up with. If you'd like to volunteer for this, you can use the raise hand function on Zoom. And, we'd love to hear from you. So, you can find the raise hand button by clicking on participants and then raise hand. Don't all volunteer at once. Oh, there we go. Stu, go ahead. You have to unmute. Yeah.

Stu:

This is terrible. I'm going to use my own elevator pitch instead of the other two people in the breakout room who had very good ideas. My centrist Democrat House member has not yet co-sponsored, and so, the question I want to ask him in the elevator is do you think this issue of the AUMF repeal presents an opportunity to Democrats and to work across the aisle now that we have a Democratic president?

Shoshana Abrams:

Absolutely. Thank you so much, Stu. I think that would really resonate with a lot of folks. Other volunteers? We can hear one more.

Varina:

Okay. I was only with another person on the elevator. We were surprised. But, I don't see her now on the list here. And, we decided that approaching the issue of the president views this legislation far beyond what Congress had intended. That we thought. Now my Congresswoman is Debbie Dingell, and in spite of being liberal, we have had a heck of a time trying to meet with her. So, we are very disappointed. And, that other people from our group then, unfortunately, are with Weinberg, so couldn't complain about that.

Shoshana Abrams:

Thank you so much, [Varina 00:49:14]. And, Sara Smith, do you want to be ... Yeah. Go ahead.

Sara Smith:

Hi. Well, I do want to say something, too, because there's a picture of me in the FCNL booklet with Senator Warren. That was taken right after I've asked her about the AUMF. We got in the selfie line and went up to her, and she had been talking her usual stump speech about saving money on the wealth tax and having money for preschool kind of things. I says, "Well, what about if we end the endless wars? That would be a great way to do this. We need to repeal the AUMFs." We had a nice little conversation about that in the selfie line. So, I think we should switch these from elevator switches to selfie lines combos.

Shoshana Abrams:

I think that's a great idea. After the pandemic, people can choose between the selfie line and the elevator. I think that's great. All right. We are near the end of the call.

Shoshana Abrams:

I would encourage you as your meeting with your teams, to actually practice as a team what your elevator pitch is for your different members of Congress. It might look different for different members. It's a really fun activity. Get people to be a little silly, put the pressure on, and think about what you would come up with. So, thank you for doing that activity. Thank you for taking in all this information. I know it was a lot of us talking at you, but I hope that we answered some of your questions.

Shoshana Abrams:

My follow-up email to this call is going to be immensely long, so I hope you read and click on all of the links that we're going to send you. And, we will be putting the recording of this call on the main page of the tool kit, unlike normal communicator calls, because this really was a fully policy rundown. So, feel free to also take a look at the advocacy team toolkit for all of the resources here.

Shoshana Abrams:

Just a couple dates to tell you about. If you have a new member of Congress, you should've gotten an email from me this week inviting you explicitly to the new member of Congress call that's happening on Tuesday night. So, I hope that you are able to join us. I will send a link to that in the followup email. If you have not yet registered, you have to register. You won't get the link if you don't register.

Shoshana Abrams:

We also have a new advocacy team member training on Tuesday, January 26th. Sara, is that at 8:00 p.m. Eastern as well?

Sara:

Yes.

Shoshana Abrams:

Okay. Great. So, if you have new members of your team or you'd like to brush up on your training, that call is on Tuesday, January 26th. Our next communicator call is on January 28th. And then, our next national call is on February 3rd. So, just a few calls for you to choose from in the upcoming weeks. We wanted to give you a lot of options for how to connect with FCNL.

Shoshana Abrams:

I also want to let you know that we have a special feature on the advocacy team toolkit, which is request support from FCNL staff form. It's a little button. You can always email us. We're happy to answer emails. But, this is just another way that you can request support, and we'll get back to you to do trainings or whatever you need help with. So, just another way to easily find that on the toolkit. That's all-

Meegan:

Should-

Shoshana Abrams:

Sorry? Go ahead.

Meegan:

Just real quick, if we're new, what's the difference between a communicator call and a national call?

Shoshana Abrams:

That's a great question. The national calls are generally open to all advocacy team members. The communicator calls are usually one or two representatives from each team where we do trainings, and we get to be in small groups more and get to ask questions. and, you then relay the information back to the rest of your team. This call we really wanted to make sure was open to all team members because we didn't get to do our policy update last week. So, the call on the 28th is a communicator call. And so, that's the difference. We also have guest speakers on our national calls.

Shoshana Abrams:

All right. So, I want to let you all go. It's 9:01 on my clock. Thank you so, so much for being with us tonight, for taking in all this policy, for taking in more information when we're all in information overload. Please, please take care of yourselves. Be well. And, thank you all so much. Feel free to unmute and say goodnight.

Meegan:

Good night. Thank you.

Stu:

Good night, everybody. [crosstalk 00:53:33]