

**MEMORANDUM**

May 11, 2016

**Subject:** Presidential References to the 2001 Authorization for Use of Military Force in Publicly Available Executive Actions and Reports to Congress

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**This memorandum was prepared to enable distribution to more than one congressional office.**

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This memorandum sets out information and analysis concerning presidential references in official notifications and records to the Authorization for Use of Military Force (2001 AUMF; Public Law 107-40; 50 U.S.C. § 1541 note), enacted in response to the September 11, 2001 terrorist attacks on the United States, to justify and undertake military and other action. It contains very brief discussions of the relevant provisions of the 2001 AUMF, and the uses of U.S. armed forces connected with 2001 AUMF authority, as well as excerpted language and other information from the notifications.

## **Use of Military Force Authorization Language in the 2001 AUMF**

Section 2(a) of the 2001 AUMF authorizes the use of force in response to the September 11 attacks:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

....

### **SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.**

(a) **IN GENERAL.**—That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

The 2001 AUMF does not include a specified congressional reporting requirement, but states that the authorization is not intended to supersede any requirement of the War Powers Resolution, which does require congressional reporting for initial and continuing deployments of U.S. armed forces into imminent or ongoing hostilities.

## Executive Branch Policy Concerning Utilization of 2001 AUMF Authorization

Prior to the U.S. military campaign against the Islamic State that began in summer 2014, executive branch officials made statements that included certain interpretations<sup>1</sup> concerning the 2001 AUMF, including the following interpretations:

- The 2001 AUMF is primarily an authorization to enter into and prosecute an armed conflict against Al Qaeda and the Taliban in Afghanistan.
- The 2001 AUMF authorizes the President to use military force against Al Qaeda and the Taliban outside Afghanistan, but such uses of force must meet a higher standard of threat to the United States and must use limited, precise methods against specific individual targets rather than general military action against enemy forces.
- Because the 2001 AUMF authorizes U.S. involvement in an international armed conflict, the international law of armed conflict informs the authority within the 2001 AUMF. This law permits the use of military force against forces associated with Al Qaeda and the Taliban as co-belligerents; such forces must be operating in some sort of coordination and cooperation with Al Qaeda and/or the Taliban, not just share similar goals, objectives, or ideologies.

According to the Obama Administration, this interpretation of the scope of 2001 AUMF authority fits within the overall framework of presidential power to use military force against those posing a threat to U.S. national security and U.S. interests.<sup>2</sup> In situations where the 2001 AUMF or other relevant legislation does not seem to authorize a given use of military force or related activity, the executive branch will determine whether the President's Article II powers as Commander in Chief and Chief Executive, as interpreted by the executive branch itself, might authorize such actions. In this way, similar U.S. military action to meet U.S. counterterrorism objectives might be interpreted to fall under different authorities, of which the 2001 AUMF is just one, albeit important, example.

## Records of Executive Actions and Presidential Reporting to Congress Referencing the 2001 AUMF

CRS has located 37 relevant occurrences of an official record, disclosed publicly, of presidential reference to the 2001 AUMF in connection with initiating or continuing military or related action (including non-lethal military activities such as detentions and military trials).<sup>3</sup> Of the 37 occurrences, 18 were made during the Bush Administration, and 19 have been made during the Obama Administration. The notifications reference both statutory and constitutional authority for the President to take such action, as well as statutory provisions requiring congressional notification, including reference to provisions in the 2001 AUMF. As will be discussed in detail below, the manner in which Presidents have presented information on military deployments and actions in these notifications, the constitutional and statutory authority for such actions, and the reporting requirements for such actions, have changed over time.

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<sup>1</sup> See, e.g., testimony of Mary McLeod and Stephen W. Preston, General Counsel, Department of Defense, before the Senate Committee on Foreign Relations, hearing on the Authorization for Use of Military Force, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., May 21, 2014, <http://www.cq.com/doc/congressionaltranscripts-448155675>.

<sup>2</sup> Cf. Stephen W. Preston, "The Legal Framework for the United States' Use of Military Force Since 9/11," delivered at the Annual Meeting of the American Society of International Law, Washington, DC, April 10, 2015.

<sup>3</sup> Based on notifications from the President concerning deployments of U.S. armed forces in the Federal Register and Compilation of Presidential Documents. It is possible that actions have been taken under the AUMF without being disclosed in these publications, and may have been disclosed to Congress through other means.

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## Notifications of Deploying U.S. Armed Forces and/or Using Military Force Involving Reference to the 2001 AUMF

Both President Bush and President Obama have provided formal notifications of military deployments and/or action to Congress at various times since enactment of the 2001 AUMF, referring to that authorization to various degrees and ends. While presidential reports to Congress concerning the use of military force and other activities undertaken by the U.S. armed forces initially provided a fairly simple and straightforward discussion of actions and related authorities, over time these reports became increasingly detailed, complicated, and difficult to decipher with regard to determining applicable presidential authority. At all times, both Presidents have relied primarily on their constitutional Article II powers as Commander in Chief and Chief Executive. In many instances, reference to 2001 AUMF authority has been supplementary and indirect; in only a few cases has a President relied directly on 2001 AUMF authority as justification for a military operation, deployment, or other action. This is not to say that 2001 AUMF authority does not serve as a sole or primary legal basis for military action in any given situation reported in a notification, only that the notification language is susceptible to more than one interpretation when it concerns presidential authority to use to military force or undertake other military action.

Below are provided several tables of information concerning presidential notifications and records of other executive action referencing the 2001 AUMF. Each table provides:

- a date of each notification or record;
- the relevant military activity, location, and/or purpose of such activities, as available;
- the constitutional and statutory authority provided in the notification or record as provided; and
- the reference to applicable reporting requirements precipitating each respective notification or record.

For **Tables 1-8**, each set out in its own section with accompanying analysis, each table includes a group of notifications that are similar in composition and content. Each subsequent table and section, therefore, denotes a change in composition of the notifications referencing the 2001 AUMF in some way.

### *Initial Reporting in the Aftermath of the September 11, 2001 Attacks*

President Bush's reports to Congress concerning military deployments in the weeks following the September 11, 2001 terror attacks were relatively concise, focusing on the need to address the terrorist threat in the immediate aftermath of the attacks, and the deployments and actions taken in response to such threat. The first notification on September 24, 2001 references deployments to "a number of foreign nations" in the "Central and Pacific Command areas of operations." Major military operations in Afghanistan had not yet commenced. The second notification on October 9, 2001 includes similar information but also notifies Congress of the commencement of combat against Al Qaeda and the Taliban in Afghanistan. In these two notifications, President Bush stated that he had taken the actions described pursuant to his constitutional authority as Commander in Chief and Chief Executive. In both notifications, he referred to the 2001 AUMF as evidencing the continuing support of Congress, but did not specifically state he had taken such action pursuant to 2001 AUMF authority. The President stated in these notifications that he was reporting on these actions to Congress consistent with both the War Powers Resolution and the 2001 AUMF. It is possible to conclude that reporting action consistent with the 2001 AUMF would mean that the action was considered taken pursuant to 2001 AUMF authority. See **Table 1** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table I. September 2001 and October 2001 Notifications**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
9/24/2001	<b>Central and Pacific Command deployments</b>	"I have taken these actions pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive."	"I appreciate the continuing support of the Congress, including its passage of Senate Joint Resolution 23, in this action to protect the security of the United States of America and its citizens, civilian and military, here and abroad."	"I am providing this report as part of my efforts to keep the Congress informed, consistent with the War Powers Resolution and Senate Joint Resolution 23, which I signed on September 18, 2001."
10/9/2001	<b>Combat action against Al Qaeda and the Taliban in Afghanistan</b>	"I have taken these actions pursuant to my constitutional authority to conduct U.S. foreign relations as Commander in Chief and Chief Executive."	"I appreciate the continuing support of the Congress, including its enactment of Public Law 107-40, in these actions to protect the security of the United States of America and its citizens, civilian and military, here and abroad."	"I am providing this report as part of my efforts to keep the Congress informed, consistent with the War Powers Resolution and Public Law 107-40."

**Sources:** Federal Register; Compilation of Presidential Documents.***September 2002–September 2003 Notifications***

From September 2002 to September 2003, three notifications from President Bush referenced the 2001 AUMF. In these notifications, the President began referring to previous notifications concerning hostilities against Al Qaeda and the Taliban in Afghanistan and deployments to the "Central and Pacific Command areas of operations." The notifications also added information about deployments to the Philippines, Georgia, Yemen, and Djibouti, operations in the Horn of Africa, detention operations in Guantanamo Bay, Cuba, and maritime interception activities on the high seas in the Central, European, and Pacific Command areas. The President stated that the actions were taken pursuant to Article II authority, and adds that the actions are "consistent with" the 2001 AUMF. The President continued to state that he was reporting on these actions to Congress consistent with both the War Powers Resolution and the 2001 AUMF. See **Table 2** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table 2. September 2002–September 2003 Notifications**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
9/20/2002	<p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Foreign military training, advising, assisting in the Philippines</b></p> <p><b>Foreign military training and equipping in Georgia</b></p> <p><b>Foreign military training and equipping in Yemen</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba</b></p>	<p>“I have taken these actions pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	<p>“In addition, these actions are consistent with Public Law 107–40.”</p>	<p>“I am providing this report as part of my efforts to keep the Congress informed, consistent with the War Powers Resolution and Public Law 107-40.”</p>
3/20/2003	<p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Foreign military training and equipping in the Philippines (continuing)</b></p> <p><b>Foreign military training and equipping in Georgia (continuing)</b></p> <p><b>Foreign military training and equipping in Yemen (continuing)</b></p> <p><b>Deployment to Djibouti for activities against Al Qaeda and other terrorists in Horn of Africa</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the Central and European Command areas of responsibility</b></p>	<p>“I have taken these actions pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	<p>“In addition, these actions are consistent with Public Law 107–40.”</p>	<p>“I am providing this report as part of my efforts to keep the Congress informed, consistent with the War Powers Resolution and Public Law 107–40.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
9/19/2003	<p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Anti-terrorism deployment in the Philippines (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the Central, European, and Pacific Command areas of responsibility (continuing)</b></p> <p><b>Deployment to Georgia to enhance counterterrorism capabilities (continuing)</b></p> <p><b>Deployment to Djibouti to enhance counterterrorism capabilities, and for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p>	<p>“I have taken these actions pursuant to my constitutional authority to conduct United States foreign relations and as Commander in Chief and Chief Executive.”</p>	<p>“In addition, these actions are consistent with Public Law 107–40.”</p>	<p>“I am providing this report as part of my efforts to keep the Congress informed, consistent with the War Powers Resolution and Public Law 107–40.”</p>

**Sources:** Federal Register; Compilation of Presidential Documents.

### *March 2004–December 2008 Notifications*

Beginning in March 2004, President Bush changed the format of periodic notifications to Congress on deployments of U.S. combat-equipped troops:

... I have decided to consolidate supplemental reports I provide to the Congress regarding the deployment of U.S. combat-equipped armed forces in a number of locations around the world. This consolidated report is part of my efforts to keep the Congress informed about such deployments and covers operations in support of the global war on terrorism (including in Afghanistan), Kosovo, Bosnia and Herzegovina, and Haiti.

The notifications from March 2004 to December 2008 mentioned the 2001 AUMF once, in a section entitled “The Global War on Terrorism,” or a similarly named anti-terror section, but only referred to the fact that presidential reporting “consistent with” 2001 AUMF and War Powers Resolution requirements has been made “[s]ince September 24, 2001.” No direct reliance on 2001 AUMF as legal justification for military action was included. President Bush continued to include language asserting that his actions were taken pursuant to his authority as President under Article II of the Constitution, but that language was moved to the end of each of these notifications, and applied to all actions described in the consolidated notification.

The March 2004 notification also stated that “[o]perations in Iraq are a critical part of the war on terror...” but assert that the two AUMFs passed regarding military action against Iraq (P.L. 102-1 and P.L. 107-243) served as authority for anti-terror activities in Iraq. Beginning with the November 2004 notification, U.S. operations in Iraq are included under the “Global War on Terrorism” or similarly titled anti-terror section

of each notification. In the June 2007 notification the President included deployments in the European Command area under NATO’s Kosovo Force (KFOR) in the anti-terror section. Later notifications removed the reference to KFOR from the descriptions but retained reference to the European Command area deployments as falling under anti-terror operations.

See **Table 3** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table 3. March 2004–December 2008 Notifications**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
3/20/2004	<p><b><u>Under section entitled “The Global War on Terrorism”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe”</b></p> <p><b>Foreign military training and equipping in Georgia (continuing)</b></p> <p><b>Deployment to Djibouti to enhance counterterrorism capabilities in Djibouti, as well as in Kenya, Ethiopia, Yemen, and Eritrea, and for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the Central, European, Northern, Pacific, and Southern Command areas of responsibility (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	<p>none</p>	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our global war on terrorism.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
11/4/2004	<p><b><u>Under section entitled “The Global War on Terrorism”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to Horn of Africa; deployment to Djibouti to enhance counterterrorism capabilities in Djibouti, as well as in Kenya, Ethiopia, Yemen, and Eritrea, and for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	none	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our global war on terrorism.”</p>



Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
5/20/2005	<p><b><u>Under section entitled “The Global War on Terrorism”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to Horn of Africa; deployment to Djibouti to enhance counterterrorism capabilities in Djibouti, as well as in Kenya, Ethiopia, Yemen, and Eritrea, and for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	none	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our global war on terrorism.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/7/2005	<p><b><u>Under section entitled “The War on Terror”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to Horn of Africa; deployments Djibouti for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	<p>none</p>	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107-40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/15/2006	<p><b><u>Under section entitled “The War on Terror”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies”</b></p> <p><b>Deployments to Horn of Africa; deployments Djibouti for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	<p>none</p>	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/15/2006	<p><b><u>Under section entitled “THE WAR ON TERROR”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployments to Horn of Africa; deployments Djibouti for activities against Al Qaeda and other terrorists in Horn of Africa, including Yemen (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	none	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/15/2007	<p><b><u>Under section entitled “THE WAR ON TERROR”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployment of combat-equipped forces in the Horn of Africa (continuing); air- and sea-launched strikes against Al Qaeda targets in Somalia</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	none	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, European (KFOR), and Southern Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/14/2007	<p><b><u>Under section entitled “THE WAR ON TERROR”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployment of combat-equipped forces in the Horn of Africa (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive.”</p>	none	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, European, and Southern Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/13/2008	<p><b><u>Under section entitled “THE WAR ON TERROR”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployment of combat-equipped forces in the Horn of Africa (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct the foreign relations of the United States and as Commander in Chief and Chief Executive.”</p>	<p>none</p>	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, European, and Southern Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/16/2008	<p><b><u>Under section entitled “THE WAR ON TERROR”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployment of combat-equipped forces in the Horn of Africa (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct the foreign relations of the United States and as Commander in Chief and Chief Executive.”</p>	<p>none</p>	<p>“Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, European, Southern, and Africa Command areas of operation in support of those operations and of other operations in our war on terror.”</p>

**Sources:** Federal Register; Compilation of Presidential Documents.



### *June 2009 and December 2009 Notifications*

President Obama's first two consolidated notifications referencing the 2001 AUMF were not organized by designated sections as previous notifications had been, but they continued to include information on a number of deployments in addition to anti-terror operations in roughly the same order and language. The notifications maintained their reliance on Article II authority for all anti-terror and other actions listed in each notification, and to state that anti-terror operations "were previously" reported consistent with the 2001 AUMF and the War Powers Resolution. These two notifications included language relying directly on 2001 AUMF authority to conduct detention operations at Guantanamo Bay, Cuba, but did not refer to 2001 AUMF authority specifically for any other operations. See **Table 4** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table 4. June 2009 and December 2009 Notifications**  
Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/15/2009	<p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployment of combat-equipped forces in the Horn of Africa (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct the foreign relations of the United States and as Commander in Chief and Chief Executive.”</p>	<p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with the law of war”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists and their Taliban supporters, and has deployed various combat-equipped forces to a number of locations in the Central, Pacific, European, Southern, and Africa Command areas of operation in support of those and other overseas operations. These operations and deployments remain ongoing and were previously reported consistent with Public Law 107–40 and the War Powers Resolution.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/16/2009	<p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>Military operations in Iraq under the Multinational Force in Iraq (MNF-I) (continuing)</b></p> <p><b>U.S. armed forces working with “friends and allies in areas around the globe” (continuing)</b></p> <p><b>Deployments to enhance counterterrorism capabilities of “friends and allies” (continuing)</b></p> <p><b>Deployment of combat-equipped forces in the Horn of Africa (continuing)</b></p> <p><b>Maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders (continuing)</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional authority to conduct the foreign relations of the United States and as Commander in Chief and Chief Executive.”</p>	<p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists and their Taliban supporters, and has deployed various combat-equipped forces to a number of locations in the Central, Pacific, European, Southern, and Africa Command areas of operation in support of those and other overseas operations. These operations and deployments remain ongoing and were previously reported consistent with Public Law 107-40 and the War Powers Resolution.”</p>

**Sources:** Federal Register; Compilation of Presidential Documents.

### *June 2010–December 2011 Notifications*

Beginning in June 2010, President Obama’s notifications were broken down into sections, including an anti-terror operations section, in a similar fashion to President Bush’s notifications from 2004 to 2008. Two new sections included in these notifications, however, seem to have removed certain types of operations formerly included in the anti-terror sections of Bush Administration era notifications. Instead of inclusion in the anti-terror section, operations on the high seas were included under a “*MARINE INTERCEPTION OPERATIONS*” section, and actions in Iraq were included under a “*MILITARY OPERATIONS IN IRAQ*” section. It is unclear whether the decision to remove these activities from the anti-terror section, the section that might be most closely associated with 2001 AUMF authority, was part of any reinterpretation of applicable authorities for continuing Iraq and high seas operations.

The notifications included the same language as previous notifications concerning reporting on anti-terror operations “consistent with” the 2001 AUMF and War Powers Resolution. Detention operations in Guantanamo Bay, Cuba continued to be justified under 2001 AUMF authority. In addition, President Obama included reference to the 2001 AUMF in blanket descriptions of presidential authority at the close of the notification:

I have directed the participation of U.S. Armed Forces in all of these operations pursuant to my constitutional and statutory authority as Commander in Chief (including the authority to carryout [sic] Public Law 107-40 and other statutes) and as Chief Executive, as well as my statutory and constitutional authority to conduct the foreign relations of the United States.

Because these consolidated notifications contained information on deployments that did not seem to have a connection to anti-terror operations or other operations that might be connected with 2001 AUMF authority, it is difficult to link conclusively the anti-terror operations information at the beginning of the notification and the reference to 2001 AUMF authority at the end of the notification, separated as they are by intervening sections.

See **Table 5** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table 5. June 2010–December 2011 Notifications**  
Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/15/2010	<p><b><u>Under section entitled “MILITARY OPERATIONS IN SUPPORT OF U.S. COUNTERTERRORISM OBJECTIVES”</u></b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>U.S. armed forces working with “partners around the globe, with a particular focus on the U.S. Central Command’s area of operations”; deployments, “including special operations and other forces”, to enhance counterterrorism capabilities of “friends and allies” “[i]n this context” (continuing)</b></p> <p><b>Deployment to Djibouti to provide command and control support to U.S. forces in the Horn of Africa (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda and affiliates</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my . . . constitutional authority to conduct the foreign relations of the United States.”</p>	<p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carryout [sic] Public Law 107-40 and other statutes) and as Chief Executive, as well as my statutory . . . authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists and their Taliban supporters. It has also deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation in support of those and other overseas operations. Operations and deployments remain ongoing. Previous such operations were reported consistent with Public Law 107-40 and the War Powers Resolution.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/15/2010	<p><b>Under section entitled “MILITARY OPERATIONS AGAINST AL-QA’IDA, THE TALIBAN, AND ASSOCIATED FORCES AND IN SUPPORT OF RELATED U.S. COUNTERTERRORISM OBJECTIVES”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>“In furtherance of U.S. efforts against members of al-Qa’ida, the Taliban, and associated forces . . . ,” U.S. armed forces working with “partners around the globe, with a particular focus on the U.S. Central Command’s area of operations”; deployments, “including special operations and other forces”, to enhance counterterrorism capabilities of “friends and allies” “[i]n this context” (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda and affiliates (continuing)</b></p> <p><b>“A classified annex to this report provides further information.”</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my . . . constitutional authority, to conduct the foreign relations of the United States.”</p>	<p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107-40 and other statutes) and as Chief Executive, as well as my statutory . . . authority, to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists and their Taliban supporters. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Previous such operations and deployments have been reported, consistent with Public Law 107-40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/15/2011	<p><b>Under section entitled “MILITARY OPERATIONS AGAINST AL-QA’IDA, THE TALIBAN, AND ASSOCIATED FORCES AND IN SUPPORT OF RELATED U.S. COUNTERTERRORISM OBJECTIVES”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Detention of approximately 1,000 Al Qaeda, Taliban, and associated fighters</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>“In furtherance of U.S. efforts against members of al-Qa’ida, the Taliban, and associated forces . . . ,” U.S. armed forces working with “partners around the globe, with a particular focus on the U.S. Central Command’s area of responsibility”; deployments, “including special operations and other forces”, to enhance counterterrorism capabilities of “friends and allies” “[i]n this context” (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda and affiliates (continuing)</b></p> <p><b>“A classified annex to this report provides further information.”</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my . . . constitutional authority, to conduct the foreign relations of the United States.”</p>	<p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107-40 and other statutes) and as Chief Executive, as well as my statutory . . . authority, to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists and their Taliban supporters. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Previously such operations and deployments have been reported, consistent with Public Law 107-40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/15/2011	<p><b>Under section entitled “MILITARY OPERATIONS AGAINST AL-QA’IDA, THE TALIBAN, AND ASSOCIATED FORCES AND IN SUPPORT OF RELATED U.S. COUNTERTERRORISM OBJECTIVES”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>U.S. forces executing clear-hold-build strategy in Afghanistan</b></p> <p><b>Detention of approximately 2,500 Al Qaeda, Taliban, and associated fighters (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba (continuing)</b></p> <p><b>“In furtherance of U.S. efforts against members of al-Qa’ida, the Taliban, and associated forces . . . ,” U.S. armed forces working with “partners around the globe, with a particular focus on the U.S. Central Command’s area of responsibility”; deployments, “including special operations and other forces”, to enhance counterterrorism capabilities of “friends and allies” “[i]n this context” (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda and affiliates (continuing)</b></p> <p><b>“A classified annex to this report provides further information.”</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my . . . constitutional authority to conduct the foreign relations of the United States.”</p>	<p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107-40 and other statutes) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists and their Taliban supporters. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Previously such operations and deployments have been reported, consistent with Public Law 107-40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

Sources: Federal Register; Compilation of Presidential Documents.

*June 2012–June 2014 Notifications*

This group of notifications continued much the same as the preceding group but added reference to detention operations in Afghanistan, with the President relying on the 2001 AUMF as direct authority for such actions. See **Table 6** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table 6. June 2012–June 2014 Notifications**  
Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/15/2012	<p><b>Under section entitled “MILITARY OPERATIONS AGAINST AL-QA’IDA, THE TALIBAN, AND ASSOCIATED FORCES AND IN SUPPORT OF RELATED U.S. COUNTERTERRORISM (CT) OBJECTIVES”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Detention of approximately 2,748 individuals in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 169 detainees (continuing)</b></p> <p><b>“In furtherance of U.S. efforts against members of al-Qa’ida, the Taliban, and associated forces . . . ,” U.S. armed forces working with “partners around the globe, with a particular focus on the U.S. Central Command’s area of responsibility”; deployments, “including special operations and other forces”, to enhance counterterrorism capabilities of “friends and allies” “[i]n this context” (continuing)</b></p> <p><b>Direct military action in Somalia against Al Qaeda/Al Shabaab</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda and affiliates (continuing)</b></p> <p><b>“A classified annex to this report provides further information.”</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . statutory authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>“United States Armed Forces are detaining in Afghanistan approximately 2,748 individuals under the Authorization for the Use of Military Force (Public Law 107–40) as informed by the laws of war.”</p> <p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107–40 and other statutes) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists, their Taliban supporters, and associated forces. In support of these and other overseas operations, the United States has deployed combat equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Previously such operations and deployments have been reported, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>



Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/14/2012	<p><b>Under section entitled “MILITARY OPERATIONS AGAINST AL-QA’IDA, THE TALIBAN, AND ASSOCIATED FORCES AND IN SUPPORT OF RELATED U.S. COUNTERTERRORISM OBJECTIVES”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>Detention of approximately 946 individuals in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 166 detainees (continuing)</b></p> <p><b>“In furtherance of U.S. efforts against members of al-Qa’ida, the Taliban, and associated forces . . . ,” U.S. armed forces working with “partners around the globe, with a particular focus on the U.S. Central Command’s area of responsibility”; deployments, “including special operations and other forces”, to enhance counterterrorism capabilities of “friends and allies” “[i]n this context” (continuing)</b></p> <p><b>Direct military action in Somalia against Al Qaeda/Al Shabaab (continuing)</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda and affiliates (continuing)</b></p> <p><b>“A classified annex to this report provides further information.”</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.</p>	<p>“United States Armed Forces are detaining in Afghanistan approximately 946 individuals under the Authorization for the Use of Military Force (Public Law 107–40) as informed by the law of war.”</p> <p>Conducting detention operations in Cuba “under Public Law 107-40 and consistent with principles of the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107–40 and other statutes) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida terrorists, their Taliban supporters, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Previously such operations and deployments have been reported, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/14/2013	<p><b>Under subsection entitled “Military Operations Against al-Qa’ida, the Taliban, and Associated Forces and in Support of Related U.S. Counterterrorism Objectives”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda, the Taliban, and associated forces (continuing)</b></p> <p><b>Detention of approximately 66 individuals in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 166 detainees (continuing)</b></p> <p><b>U.S. military working to counter Al Qaeda/Al Shabaab in Somalia (continuing)</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>Classified annex provides further information</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>“United States forces in Afghanistan continue to detain approximately 66 third-country nationals under the 2001 Authorization for the Use of Military Force (Public Law 107–40), as informed by the law of war.”</p> <p>Conducting detention operations in Cuba “under the authority provided by the 2001 Authorization for the Use of Military Force (Public Law 107-40) as informed by the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107–40 and other statutes) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida, the Taliban, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Previously, such operations and deployments have been reported, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/13/2013	<p><b>Under subsection entitled “Military Operations Against al-Qa’ida, the Taliban, and Associated Forces and in Support of Related U.S. Counterterrorism Objectives”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>U.S. armed forces working with counterterrorism partners to disrupt and degrade Al Qaeda, the Taliban, and associated forces (continuing)</b></p> <p><b>Detention of approximately 53 individuals in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 162 detainees (continuing)</b></p> <p><b>U.S. Armed Forces captured member of Al Qaeda in Libya in October 2013</b></p> <p><b>U.S. military working to counter Al Qaeda/Al Shabaab in Somalia (continuing); conducted a raid in Somalia to capture a top Al Shabaab commander in October 2013</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>Classified annex provides further information</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>“United States forces in Afghanistan continue to detain approximately 53 third-country nationals under the 2001 Authorization for the Use of Military Force (Public Law 107–40), as informed by the law of war.”</p> <p>Conducting detention operations in Cuba “under the authority provided by the 2001 Authorization for the Use of Military Force (Public Law 107-40), as informed by the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107–40 and other statutes) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida, the Taliban, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Such operations and deployments have been reported previously, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/12/2014	<p><b>Under subsection entitled “Military Operations Against al-Qa’ida, the Taliban, and Associated Forces and in Support of Related U.S. Counterterrorism Objectives”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan (continuing)</b></p> <p><b>U.S. armed forces working with partners in the “region” of Afghanistan to detect and disrupt extremist threats</b></p> <p><b>Detention of approximately 38 individuals in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 149 detainees (continuing)</b></p> <p><b>U.S. military working to counter Al Qaeda/Al Shabaab in Somalia (continuing); conducted a counterterrorism strike in January 2014</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>Classified annex provides further information</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>“United States forces in Afghanistan continue to detain approximately 38 third-country nationals under the 2001 Authorization for the Use of Military Force (Public Law 107–40), as informed by the law of war.”</p> <p>Conducting detention operations in Cuba “under the authority provided by the 2001 Authorization for the Use of Military Force (Public Law 107-40), as informed by the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107–40 and other statutes) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida, the Taliban, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Such operations and deployments have been reported previously, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

**Sources:** Federal Register; Compilation of Presidential Documents.

### September 2014 Islamic State-Related Notifications

In June 2014, the United States began deploying increased numbers of military personnel to Iraq in response to the threat posed by the Islamic State, and President Obama notified Congress of these deployments “consistent with” the War Powers Resolution. In August 2014, President Obama notified Congress of the initiation of limited U.S. airstrikes against IS targets, again referencing War Powers Resolution reporting requirements but making no mention of the 2001 AUMF. The President addressed the nation on September 10, 2014 to discuss his intent to engage in a long-term series of airstrikes, new deployments, and other military actions against the Islamic State. Later, on September 23, 2014, the President transmitted two notifications to Congress relating to commencement of anti-IS and other anti-terror operations in Iraq and Syria. In both notifications, President Obama stated that such actions were taken pursuant to his constitutional and statutory authorities, including the authority provided in the 2001 AUMF. The President stated that his notifications were made under War Powers Resolution reporting requirements, without reference to such action being “consistent with” the 2001 AUMF, as in previous notifications. Beginning with the December 2014 periodic consolidated notification to Congress, President Obama included military operations against the Islamic State in the anti-terror section of each notification. See **Table 7** below for more information and precise language related to 2001 AUMF references in these notifications.

**Table 7. September 2014 Islamic State-Related Notifications and December 2014 Notification**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
9/23/2014	<p><b>Systematic campaign of airstrikes and other necessary actions against the Islamic State of Iraq and the Levant (ISIL) in Iraq and Syria</b></p> <p><b>Deployment of 475 additional U.S. Armed Forces personnel to Iraq</b></p> <p><b>Use of U.S. armed forces to train and provide communications, intelligence, and other support to Iraqi security forces</b></p>	<p>“I have directed these actions, which are in the national security and foreign policy interests of the United States, pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>“I have directed these actions, which are in the national security and foreign policy interests of the United States, pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107-40 and Public Law 107-243) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“I am providing this report as part of my efforts to keep the Congress fully informed, consistent with the War Powers Resolution (Public Law 93-148).”</p>

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
9/23/2014	<b>Series of strikes in Syria against the Khorasan Group of Al Qaeda</b>	“I have directed these actions, which are in the national security and foreign policy interests of the United States, pursuant to my constitutional . . . authority as Commander in Chief . . . and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”	“I have directed these actions, which are in the national security and foreign policy interests of the United States, pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107-40) and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”	“I am providing this report as part of my efforts to keep the Congress fully informed, consistent with the War Powers Resolution (Public Law 93-148).”

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/11/2014	<p><b>Under subsection entitled “Military Operations Against al-Qa’ida, the Taliban, and Associated Forces and in Support of Related U.S. Counterterrorism Objectives”</b></p> <p><b>Combat action against Al Qaeda and the Taliban in Afghanistan until end of 2014 (continuing)</b></p> <p><b>U.S. armed forces working with partners in the “region” of Afghanistan to detect and disrupt extremist threats (continuing)</b></p> <p><b>Detention of a “small number” of individuals in Afghanistan (continuing)</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 142 detainees (continuing)</b></p> <p><b>Systematic campaign of airstrikes and other necessary actions against the Islamic State of Iraq and the Levant (ISIL) in Iraq and Syria, and strikes in Syria against the Khorasan Group of Al Qaeda (continuing)</b></p> <p><b>Use of U.S. armed forces to train and provide communications, intelligence, and other support to Iraqi security forces (continuing)</b></p> <p><b>U.S. military working to counter Al Qaeda/Al Shabaab in Somalia (continuing); conducted airstrike in September 2014</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>Classified annex provides further information</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief . . . , and as Chief Executive, as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>“United States forces in Afghanistan continue to detain a small number of third-country nationals under the 2001 Authorization for the Use of Military Force (Public Law 107–40), as informed by the law of war.”</p> <p>Conducting detention operations in Cuba “under the authority provided by the 2001 Authorization for the Use of Military Force (Public Law 107-40), as informed by the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief (including the authority to carry out Public Law 107–40 and other statutes), and as Chief Executive, as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, the United States has conducted combat operations in Afghanistan against al-Qa’ida, the Taliban, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Such operations and deployments have been reported previously, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

**Sources:** Federal Register; Compilation of Presidential Documents.

### *June 2015 and December 2015 Notifications*

The June and December 2015 notifications continued to include information similar to that of the December 2014 notification and June 2012–June 2014, pre-IS notifications, but removed reference to 2001 AUMF authority for detention operations in Afghanistan, presumably because those operations had ended. See **Table 8** below for more information and precise language related to 2001 AUMF references in these notifications.

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**Table 8. June 2015 and December 2015 Notifications**  
Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
6/11/2015	<p><b>Under subsection entitled “<i>Military Operations Against al-Qa’ida, the Taliban, and Associated Forces and in Support of Related U.S. Counterterrorism Objectives</i>”</b></p> <p><b>Combat mission in Afghanistan ended 2014; U.S. armed forces continue to conduct and support counterterrorism operations against Al Qaeda and to take “appropriate action” against members of the Taliban who threaten U.S. or coalition forces or who support Al Qaeda</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 122 detainees (continuing)</b></p> <p><b>Airstrikes and other necessary actions against the Islamic State of Iraq and the Levant (ISIL) in Iraq and Syria, and in Syria against the Khorasan Group of Al Qaeda (continuing); May 2015 raid in Syria against ISIL</b></p> <p><b>Use of U.S. armed forces to train and provide communications, intelligence, and other support to Iraqi security forces (continuing)</b></p> <p><b>U.S. military working to counter Al Qaeda/AI Shabaab in Somalia (continuing); conducted counterterrorism strikes in Somalia in December 2014 and January and March 2015</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>Deployment to Djibouti to coordinate CT operations in Horn of Africa</b></p> <p><b>Classified annex provides further information</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief and as Chief Executive . . . , as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>Conducting detention operations in Cuba “under the authority provided by the 2001 Authorization for the Use of Military Force (Public Law 107-40), as informed by the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief and as Chief Executive (including the authority to carry out Public Law 107–40 and other statutes), as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, U.S. Armed Forces, including special operations forces, have conducted counterterrorism combat operations in Afghanistan against al-Qa’ida, the Taliban, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Such operations and deployments have been reported previously, consistent with Public Law 107–40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>

<p>12/11/2015</p>	<p><b>Under subsection entitled “Military Operations Against al-Qa’ida, the Taliban, and Associated Forces and in Support of Related U.S. Counterterrorism Objectives”</b></p> <p><b>Combat mission in Afghanistan ended 2014; U.S. armed forces continue to conduct and support counterterrorism operations against Al Qaeda and to take “appropriate action” against members of the Taliban who threaten U.S. or coalition forces or who support Al Qaeda</b></p> <p><b>Conducting secure detention operations in Guantanamo Bay, Cuba for approximately 107 detainees (continuing)</b></p> <p><b>Airstrikes and other necessary actions against the Islamic State of Iraq and the Levant (ISIL) in Iraq and Syria, and in Syria against the Khorasan Group of Al Qaeda (continuing); October 2015 U.S. Armed Forces supported Iraqi Kurdish Peshmerga rescue mission in Hawijah, Iraq; special operations forces deployed to northern Syria</b></p> <p><b>Use of U.S. armed forces to train and provide communications, intelligence, and other support to Iraqi security forces (continuing)</b></p> <p><b>Deployment of combat aircraft and personnel to Turkey for anti-ISIL strikes</b></p> <p><b>U.S. military working to counter Al Qaeda/Al Shabaab in Somalia (continuing); conducted airstrike in December 2015, and airstrikes in support of Somali, AMISOM, and U.S. forces between June 28 and July 29, 2015, and on November 21, 2015</b></p> <p><b>Cooperation with Yemeni government and direct military action in Yemen against Al Qaeda in the Arabian Peninsula (AQAP) (continuing)</b></p> <p><b>Deployment to Djibouti to coordinate CT operations in Horn of Africa</b></p> <p><b>Airstrike in Libya in June 2015 against member of Al Qaeda in the Islamic Maghreb (AQIM); airstrike in Libya on November 13, 2015 against ISIL leader</b></p>	<p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my constitutional . . . authority as Commander in Chief and as Chief Executive . . . , as well as my constitutional . . . authority to conduct the foreign relations of the United States.”</p>	<p>Conducting detention operations in Cuba “under the authority provided by the 2001 Authorization for the Use of Military Force (Public Law 107-40), as informed by the law of war”</p> <p>“I have directed the participation of U.S. Armed Forces in all of these operations [both GWOT and other unrelated operations] pursuant to my . . . statutory authority as Commander in Chief and as Chief Executive (including the authority to carry out Public Law 107-40 and other statutes), as well as my . . . statutory authority to conduct the foreign relations of the United States.”</p>	<p>“Since October 7, 2001, U.S. Armed Forces, including special operations forces, have conducted counterterrorism combat operations in Afghanistan against al-Qa’ida, the Taliban, and associated forces. In support of these and other overseas operations, the United States has deployed combat-equipped forces to a number of locations in the U.S. Central, Pacific, European, Southern, and Africa Command areas of operation. Such operations and deployments have been reported previously, consistent with Public Law 107-40 and the War Powers Resolution, and operations and deployments remain ongoing.”</p>
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## Publicly Available Records of Other Executive Actions Referencing 2001 AUMF Authority

**Tables 9-14** each contain one record of executive action, each concerning in some way the detention of or possible judicial action against terror suspects. In each action, President Bush or Obama cites constitutional authorities under Article II as well as legislative authorities, including the 2001 AUMF, as the legal basis for such actions.

### *November 2001 Military Order on Detention of Terror Suspects*

**Table 9. Military Order on Terror Suspect Detention Referencing 2001 AUMF**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
11/13/2001	<b>Military detention and trial of terrorist suspects</b>	“By the authority vested in me as President and as Commander in Chief of the Armed Forces of the United States by the Constitution . . .”	“By the authority vested in me [by] the laws of the United States of America, including the Authorization for Use of Military Force Joint Resolution (Public Law 107–40, 115 Stat. 224) and sections 821 and 836 of title 10, United States Code . . .”	n/a

**Sources:** Federal Register; Compilation of Presidential Documents.

*Military Commissions Under Executive Order 13425*

**Table 10. Executive Order 13425 Concerning Military Commissions**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
2/14/2007	<p><b>Executive Order 13425: includes Military Commissions</b>  <i>“Section 1. Establishment of Military Commissions.</i>  <b>“There are hereby established military commissions to try alien unlawful enemy combatants for offenses triable by military commission as provided in chapter 47A of title 10.”</b></p>	<p>“By the authority vested in me as President by the Constitution . . . it is hereby ordered as follows . . . .”</p>	<p>“By the authority vested in me as President by . . . the laws of the United States of America, including the Military Commissions Act of 2006 (Public Law 109–366), the Authorization for Use of Military Force (Public Law 107–40), and section 948b(b) of title 10, United States Code, it is hereby ordered as follows . . . .”</p>	not applicable

Sources: Federal Register; Compilation of Presidential Documents.

*Geneva Conventions Application to Detentions Under Executive Order 13440*

**Table 11. Executive Order 13440 Concerning Geneva Conventions Application to Detentions**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
7/20/2007	<p><b>Executive Order 13440— Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency Provisions concerning Geneva Conventions common article 3 application to CIA program with regard to armed conflict against Al Qaeda and the Taliban</b></p>	<p>“By the authority vested in me as President and Commander in Chief of the Armed Forces by the Constitution . . . .”</p>	<p>“By the authority vested in me . . . by . . . the laws of the United States of America, including the Authorization for Use of Military Force (Public Law 107–40), the Military Commissions Act of 2006 (Public Law 109–366), and section 301 of title 3, United States Code . . . .”</p>	not applicable

Sources: Federal Register; Compilation of Presidential Documents.

*Presidential Memorandum Concerning Guantanamo Bay, Cuba*

**Table 12. Presidential Memorandum Concerning Guantanamo Bay, Cuba**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
12/15/2009	<p><b>Presidential Memorandum: includes Guantanamo Bay issues</b></p> <p><b>“[I]n order to facilitate the closure of detention facilities at the Guantanamo Bay Naval Base, I hereby direct that the following actions be taken as expeditiously as possible with respect to the facility known as the Thomson Correctional Center (TCC) in Thomson, Illinois:”</b></p> <p><b>[various actions to move detainees from Guantanamo Bay Naval Base]</b></p>	<p>“By the authority vested in me as President and as Commander in Chief of the Armed Forces of the United States by the Constitution . . .”</p>	<p>“By the authority vested in me as President and as Commander in Chief of the Armed Forces of the United States by . . . the laws of the United States of America, including the Authorization for Use of Military Force (Public Law 107-40, 115 Stat. 224) . . . .”</p>	not applicable

**Sources:** Federal Register; Compilation of Presidential Documents.

*Executive Order Concerning Guantanamo Bay, Cuba*

**Table 13. Executive Order 13567 Concerning Guantanamo Bay, Cuba**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
3/7/2011	<p><b>Executive Order 13567: includes detention at Guantanamo Bay</b>  <i>“Periodic Review of Individuals Detained at Guantanamo Bay Naval Station Pursuant to the Authorization for Use of Military Force</i>                      “[I]n order to ensure that military detention of individuals now held at the U.S. Naval Station, Guantánamo Bay, Cuba (Guantánamo), who were subject to the interagency review under section 4 of Executive Order 13492 of January 22, 2009, continues to be carefully evaluated and justified, consistent with the national security and foreign policy interests of the United States and the interests of justice, I hereby order as follows: [provisions related to review procedures].”</p>	<p>“By the authority vested in me as President by the Constitution . . . .”</p>	<p>“By the authority vested in me as President by . . . the laws of the United States of America, including the Authorization for Use of Military Force of September 2001 (AUMF), Public Law 107–40”</p>	<p>not applicable</p>

**Sources:** Federal Register; Compilation of Presidential Documents.

*Presidential Policy Directive Concerning Detentions*

**Table 14. Presidential Policy Directive 14 Concerning Detentions**

Including relevant notification, authority, and reporting language

Date	Relevant Country, Geographic Area, Targeted Group, or Type of Action	Reference to Constitutional Authority	Reference to Legislative Authority	Reference to Legislative Reporting Requirement
2/28/2012	<p><b>Presidential Policy Directive/PPD-14: Military detention of terrorist suspects</b></p> <p><i>Directive on Procedures Implementing Section 1022 of the National Defense Authorization Act for Fiscal Year 2012</i></p> <p>“[T]he executive branch has the authority to detain in military custody individuals who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, and persons who harbored those responsible for the September 11 attacks, as well as individuals who are part of or substantially supported Taliban or al-Qa’ida forces or associated forces that are engaged in hostilities against the United States or its coalition partners.”</p>	none	<p>“Under the Authorization for Use of Military Force of September 18, 2001 (Public Law 107–40)(2001 AUMF) . . .”</p> <p>“Section 1021 of the National Defense Authorization Act for FY 2012 (Public Law 112–81)(NDAA) affirms that authority.”</p>	not applicable

**Sources:** Federal Register; Compilation of Presidential Documents.