

Congress of the United States
Washington, DC 20515

April 19, 2018

President Donald J. Trump
The White House
1600 Pennsylvania Ave. NW
Washington, D.C. 20500

Dear Mr. President:

One year ago, we wrote to you to request that you provide the Congress and the American people with the legal basis for the strikes you ordered on April 6, 2017 against the Shayrat airbase in Syria. To date, we have not received a reply, nor has the Administration provided a full legal justification for strikes under domestic and international law to the Congress or the American people.

This issue has taken on a heightened urgency following the additional round of missile strikes you ordered on April 13, 2018 against targets associated with chemical weapons production in Syria. As we stated in our 2017 letter, we share your outrage and disgust at the horrific use of chemical weapons by the Syrian regime, with support from their Iranian and Russian sponsors.

However, the legality of military action is not a secondary consideration – it is a central question of vital importance under our Constitution and our system of checks and balances. The letter you provided Congress on April 15, 2018 under the War Powers Resolution states that you took this action under your Article II authority as Commander in Chief, similar to the limited public justification you provided in 2017. This is not sufficient information for the American public to understand what limits, if any, you and your Administration believes constrains you as the President from taking military action anywhere in the world for any purpose “to defend important U.S. national interests.”

Accordingly, we reiterate that your Administration must provide a legal basis for both the 2017 and 2018 strikes. We know through ongoing litigation under the Freedom of Information Act (FOIA) by an outside group, that a memo detailing this analysis already exists and we are highly dismayed that despite our repeated requests, the Administration has refused to make it available to Congress. This lengthy, largely unclassified memo and any additional legal analysis underpinning the 2018 strikes must be provided to Congress immediately. It is unacceptable that the Administration has withheld its legal opinions, especially if these justifications become precedent for additional unilateral military action against other nations without Congress’s approval.

Thank you for your prompt attention to this request.

Sincerely,



Adam B. Schiff
MEMBER OF CONGRESS



Tim Kaine
U.S. SENATOR