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**Congress of the United States**  
**House of Representatives**  
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COMMITTEE ON  
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HIGHER EDUCATION AND WORKFORCE  
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HOUSE COMMITTEE  
ON FOREIGN AFFAIRS  
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AFRICA, GLOBAL HEALTH, AND GLOBAL HUMAN  
RIGHTS  
INTERNATIONAL DEVELOPMENT, INTERNATIONAL  
ORGANIZATIONS, AND GLOBAL CORPORATE  
SOCIAL IMPACT

July 23, 2021

Dear President Biden,

I am writing today to request more information on the airstrike that the United States carried out on July 20<sup>th</sup>, 2021, in Somalia. I know that your Administration is undergoing a review of the drone program, and I appreciate the seriousness with which you have approached the vexing legal, moral, and policy problem of the ongoing drone program.

Public reporting on Tuesday’s strike indicates that the White House has rejected requests for other drone strikes in Somalia since you took office, but that AFRICOM assesses the White House didn’t need to approve this strike because it was justified by “collective self-defense.”<sup>1</sup>

As you know, “collective self-defense” is a term with variable meanings in national and international law, and especially in the context of your ongoing review of airstrike authorities, its use merits further explanation in this case. This is also an important and timely matter since it seems suggestive of your Administration’s broader approach to airstrikes in Somalia.

I have been deeply engaged on this question throughout my time in Congress, not only focused on the legal merits of individual strikes, but on how our militarized counter-terrorism approach to Al-Shabaab fits into our overall strategy and policy towards Somalia. In that respect, it is noteworthy that this week also saw reporting on the family members of Somali civilians killed by airstrikes conducted under the Trump Administration being unable to contact U.S. authorities or receive the condolence payments for which Congress has repeatedly appropriated funds.<sup>2</sup>

Under the Trump Administration, airstrikes in Somalia increased dramatically with no apparent gains in either weakening Al-Shabaab, advancing Somali security and stability, or pursuing American interests in the region. On the contrary, the increase in strikes corresponded with an almost doubling of terrorist attacks on civilians committed by Al-Shabaab. It is critical that we realize we are not going to simply drone the Al-Shabaab problem to death, and that any kinetic action is part of a broader strategy focused first and foremost on the security of Somali people and the stability of the Somali state.

I request a prompt response to the following questions. I am happy to make myself available for a classified briefing if necessary.

<sup>1</sup> <https://www.nytimes.com/2021/07/20/us/politics/us-drone-strike-shabab-somalia.html>

<sup>2</sup> <https://www.vice.com/en/article/m7exg8/us-airstrikes-have-torn-somali-families-apart-theyre-still-seeking-justice>

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- 1) How does the Department of Defense define “collective self-defense” in the context of the July 20<sup>th</sup> strike?
- 2) Does your Administration see this strike as authorized by the 2001 AUMF, Article II authorities, or some other legal authority?
- 3) What about the July 20<sup>th</sup> strike exempted it from the restrictions you have placed on drone strikes more broadly since entering office? What distinguishes it from the other strikes for which the White House reportedly denied authorization?
- 4) How does the July 20<sup>th</sup> strike fit into your broader Somalia strategy?
- 5) Were there any American assets or interests being threatened on July 20<sup>th</sup> that necessitated this strike?
- 6) How does your Administration plan to better balance our diplomatic and development goals in Somalia with the militarized counter-terrorism approach that was so overemphasized by the previous Administration?
- 7) Why has the Department of Defense failed to make condolence payments to the families of Somali civilians killed by American air strikes?
- 8) Will you commit to providing such payments, as authorized and appropriated by Congress, to Somali and other civilians killed by American air strikes going forward, including those that have yet to receive these payments in recent years?

I thank you in advance for your prompt attention to this important matter, and I look forward to continuing our work together in advancing American interests and values in Somalia.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ilhan Omar', with a long horizontal flourish extending to the right.

Ilhan Omar  
Member of Congress  
Vice Chair, Subcommittee on  
Africa, Global Health, and  
Global Human Rights