Mr. President, we are

now more than halfway through our

fifth year in this war in Iraq. We find

ourselves stuck as an occupier in a

Middle East civil war. Thousands of

our sons and daughters have been

killed or injured. The total financial

cost may be well over $1 trillion—

money, I might add, that this administration

has borrowed against our children’s

future.

America’s reputation internationally

has been severely damaged and critical

military, diplomatic, and intelligence

resources have been diverted from the

war in Afghanistan—a war I supported,

and a country this administration has

increasingly neglected. And now, after

so many errors, so many lives, and so

much damage, this administration is

again raising the prospect of yet another

war in the Middle East—this

time a war with Iran.

I fear this administration has learned

nothing from the colossal error, colossal

misjudgment in the invasion of

Iraq. Let me be clear: I am gravely concerned

about Iran’s activities in the region

and its nuclear agenda. But any

offensive action against Iran must be

approved by Congress. The Constitution

is very clear: Article 1, section 8

vests in Congress the power to declare

a war. Our Founding Fathers did this

for an important reason. Taking a nation

into war is a serious decision and

must be decided with the consent of

the people. The Framers wisely gave

Congress this power based on experience

in other nations in which their executives

too easily took nations to war

in the pursuit of glory, ambition, treasure,

or revenge.

In fact, as my colleague Senator

BYRD of West Virginia has eloquently

said in the past, it is exactly during

the time of war or emergency that our

constitutional principles—checks and

balances, separations of powers—are

the most critical.

Recent statements by this administration

give me concern that this administration

is considering just this—

an offensive military action against

Iran without the consent of Congress.

Both President Bush and Vice President

CHENEY have made public remarks

about Iran that suggest an administration

readying for military aggression.

We know Vice President CHENEY’s historic

views on fundamental checks and

balances in our constitution. They are

disturbing.

For example, in 1996, the PBS documentary

series, ‘‘Frontline,’’ ran an

episode on the fifth anniversary of the

gulf war. It included a troubling interview

with DICK CHENEY, who was Secretary

of Defense during the first Bush

administration. In it, Secretary CHENEY

said:

President George H. W. Bush, nonetheless,

wisely sought, and received,

congressional approval. Yet incredibly,

Secretary of Defense CHENEY said at

the time:

Those were his words as Secretary of

Defense. Now, not only a heartbeat

away from the President but also the

closest counsel to the President, we

know what his views are in terms of

the role of Congress and our constitution.

He is not alone. President George

W. Bush has shown similar disregard

for the role of Congress and the law

with his regular use of signing statements.

Let me read an excerpt from his

signing statement from the 2002 Iraq

war resolution. President Bush wrote

that while he appreciated receiving

congressional support,

The President was appreciative that

Congress, the majority of Congress,

gave their support for his war in Iraq.

He made it abundantly clear at his

signing statement he didn’t believe it

was necessary.

And in October 2005, when asked by

members of the Senate Committee on

Foreign Relations whether the President

would circumvent congressional

authorization if the White House chose

military action against Iran or Syria,

Secretary of State Condoleezza Rice replied:

So now we know. Not only the President

but the Vice President and the

Secretary of State view the Constitution,

when it comes to the declaration

of war, as an annoyance, not to be

taken seriously, if it would in any way

stand in the path of a commander in

chief’s agenda. Apparently, the President,

the Vice President, and the Secretary

of State see congressional approval

for war as an option, not a fundamental

requirement under the Constitution.

This should trouble every

American.

Let me also be clear that nothing

this Congress has previously said or

done authorizes offensive military action

against Iran. Nothing.

Following the attacks of September

11, Congress passed Senate Joint Resolution

23 on September 18, 2001. It authorized

the President to use armed

forces This language was certainly never intended

to allow this President to initiate

offensive military action against

Iran.

Later, in October 2002, Congress

passed the Authorization for Use of

Military Force Against Iraq Resolution.

It authorized the President to use

armed forces

Again, that resolution was never intended

to allow military action against

Iran.

Even more troubling is how this administration

missed early opportunities

to deal with the challenge of Iran.

For example, shortly after the toppling

of Saddam Hussein, moderates in the

Iranian Government faxed an offer to

the State Department—a ‘‘grand bargain,’’

they called it. It arrived at a

time when moderates were still in

power in Iran and it reportedly had the

approval of the Supreme Leader Ayatollah

Ali Khomenei.

The grand bargain offered to put all

issues on the table with the United

States—Iran’s support for terrorist

groups in the region, its nuclear program,

among other things. Tragically,

this administration ignored it, as it ignored

so many diplomatic opportunities

prior to the invasion of Iraq. Hellbent

on use of our great military, it ignored

a diplomatic opportunity that

could have been historic. The Iranian

moderates were discredited, replaced

by hard-line elements who today are

pursuing more reckless policies in the

region.

A war with Iran could have devastating

consequences. It could further

inflame an already intense Middle

East, further radicalize terrorist organizations,

lead to more death and disability,

and severely disrupt trade and

oil shipments in the Middle East. It

could entangle our beleaguered military

in yet another complex, long-term

conflict.

Richard Armitage, President Bush’s

former Deputy Secretary of State,

warned us. He said:

How right he was. Accordingly, any

such decision must be taken seriously

and with deliberation.

Last week, I introduced a resolution

affirming in very plain, concise language

the constitutional requirement

that this President, any President,

must seek congressional approval before

initiating an offensive military action,

such as one in Iran. Perhaps that

time may inevitably arrive—I hope

not—but if it does, this President cannot

stand alone or act alone. The Constitution

requires that he come to this

Senate and the House of Representatives

in the Capitol to make his case to

the American people.

I recall his press conference of 2

weeks ago. The President brought up

an image which was hard to comprehend—

the image of a third world

war, a third world war if we didn’t take

action against Iran. I know Iran is a

threat in the region, I know they sponsor

terrorism, I know a nuclear Iran is

not a stabilizing force but a destabilizing

force, and yet for this President

to walk away from economic sanctions,

diplomatic alternatives, and to

suggest that the military is the only

way to prove our resolve is to once

again remind us that 5 years ago this

same President came to us and asked

for the invasion of Iraq.

I remember Vice President CHENEY

telling us our soldiers would be greeted

with flowers and parades and a triumphant

welcome. That lasted for such a

short period of time. And now, 3,900

American soldiers, 3,900 American lives

later, tens of thousands who have been

injured and disabled, we find ourselves

embroiled in a conflict with no end in

sight.

This President is looking to the exit

on January 20, 2009. This Congress has

to stand with one voice, Democrats and

Republicans, and remind this President

that as he heads for the exit he

shouldn’t head America into a new

war. We are not prepared for this. We

don’t need this. And the President

needs to understand what we do need is

a chief executive who will follow the

Constitution.