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February 14, 2007

## **IRAN: No Military Action On Iran Without Congressional Authority**

Mr. President, at this moment of challenge for our nation, the vantage point of this august chamber, we look onto a world filled with danger, deeply complex threats against our troops and our national interests abroad, and genuine risks to our security here at home. Keeping our nation strong and our people safe requires that we employ the best and smartest strategies available.

In confronting enemies and threats, we are fortunate to possess a great many assets, all of which we must wisely deploy, including our military, diplomatic, economic, and cultural assets. Our strongest asset remains the democracy that we are privileged to take part in as members of the Senate and as representatives of our constituents. Our democratic institutions, under our Constitution, balance one another and check against excesses and concentrations of power that help us wrestle with difficult challenges in an open and forthright way. This constitutional framework is not an obstacle to pursuing our national security, but the example that we should project to the world. Our democracy, with its tradition of accountable power and open debate, is America at its best. And that's what we need, America at our best, as we deliberately and resolutely confront the threat posed by the Iranian regime.

Now, make no mistake, Iran poses a threat to our allies and our interests in the region and beyond, including the United States. The Iranian president has held a conference denying the Holocaust and has issued bellicose statement after bellicose statement calling for Israel and the United States to be wiped off the map. His statements are even more disturbing and urgent when viewed in the context of the regime's request to acquire nuclear weapons. The regime also uses its influence and resources in the region to support terrorist elements that attack Israel. Hezbollah's attack on Israel this summer, using Iranian weapons, clearly demonstrates Iran's malevolent influence even beyond its borders. We also have evidence, although it is by no means conclusive, of attacks using Iranian-supplied or manufactured weaponry against our own American soldiers. As I have long said and will continue to say, U.S. policy must be clear and unequivocal: We cannot, we should not, we must not permit Iran to build or acquire nuclear weapons. And in dealing with this threat, as I've also said for a long time, no option can be taken off the table.

But America must proceed deliberately and wisely, and we must proceed as a unified nation. The smartest and strongest policy will be one forged through the institutions of our democracy. That is the genius of our American system and our constitutional duty. We have witnessed these past six years-- until the most recent election of a new Congress by the American people-- the cost of congressional dereliction of its oversight duty, a vital role entrusted to Congress by our constituents, enshrined in, and even required by our Constitution. So we are here today because the price that has been paid in blood and treasure; through the rush to war in Iraq and the incompetence of its execution and managing the aftermath; in the excesses of military contracting abuses and the inadequate supply of body armor and armored vehicles on the ground have led to a loss of confidence among our allies and the American people in this Administration. Therefore, Mr. President, we cannot and we must not allow recent history to repeat itself.

We continue to experience the consequences of unchecked Presidential action. Sunlight is the best disinfectant, but this President was allowed, for too long, to commit blunder after blunder under cover of darkness provided by an allied Republican Congress.

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In dealing with the threats posed by the Iranian regime, which has gained its expanding influence in Iraq and the region as a result of the Administration's policies, President Bush must not be allowed to act without the authority and oversight of Congress. It would be a mistake of historical proportion if the Administration thought that the 2002 resolution authorizing force against Iraq was a blank check for the use of force against Iran without further Congressional authorization. Nor should the President think that the 2001 resolution authorizing force after the terrorist attacks of 9/11, in any way, authorizes force against Iran. If the Administration believes that any, any use of force against Iran is necessary, the President must come to Congress to seek that authority.

I am deeply concerned by the recent statements coming out of the Bush Administration. The Administration has asserted evidence that the Iranian regime's complicity, at the highest levels, for attacks within Iraq. Yet at the same time, General Peter Pace, Chairman of the Joint Chiefs of Staff, questions these as assertions, in particular, the capability and intentions of the Iranian government. In this delicate situation, while making disturbing comments, [there are reports that the Administration] is sending a third aircraft carrier to the Gulf.

The President owes an on-going consultation to this Congress and owes straight talk to the country. We have to get this right. The Congress should debate our current course, including the current silent-treatment policy toward our adversaries. I believe we can better understand how to deal with an adversary such as Iran if we have some direct contact with them. I think that can give us valuable information and better leverage to hold over the Iranian regime. And if we ever must, with Congressional agreement, take drastic action, we should make clear to the world that we have exhausted every other possibility.

I welcome the agreement announced yesterday between the United States and North Korea. It demonstrates the central value of using every tool in our arsenal to achieve our objectives. I only wish the Administration had pursued this course six years ago when an agreement with North Korea was within reach. The wasted time has allowed North Korea to develop nuclear weapons in the interim. Failure to use diplomacy has damaged our national security interests. The important step forward our country has made with North Korea raises the obvious question: Why will the President refuse to have any kind of process involving Iran as I and others have urged? The United States engaged in talks with North Korea within a multilateral process, but also had ongoing bilateral discussions. We should have such a process of direct engagement with Iran, as recommended by many, including the Iraq Study Group. We need friends and allies to stand with us in this long war against terrorism and extremism, and to contain and alter the regimes that harbor and support those who would harm us. During the cold war, we spoke to the Soviet Union while thousands of missiles were pointed at our cities, while its leaders threatened to bury us, while the regime sewed discord and military uprisings and actions against us and our allies. That was a smart strategy used by Republican and Democratic Presidents alike, even though it was often a difficult one.

As we discuss potential evidence of Iranian complicity in supplying arms to insurgents, along with the refusal to suspend their nuclear ambitions, we need to deliver a strong message to Iran that we will not stand by and tolerate this behavior. However, we need to deliver that message forcefully through direct talks. The lives of American soldiers are at risk and we should not outsource our discussions with the Iranians on this and other issues. When I say no option should be taken off the table, I include diplomacy.

Currently, our intelligence on Iran is of uncertain quality. We need to examine the facts closely and carefully. No action can or should be taken without explicit Congressional authorization. And knowing what we know now, this body needs a steady stream of real, verifiable intelligence. We, in the Congress, cannot do our part

in deciding what needs to be done if we do not know what is happening. And it does not appear that the administration has any real grasp on the facts on the ground, even after all these years. The public unclassified sections of the NIE report recently issued, made it very clear in their conclusions that sectarian violence would still exist in Iraq absent Iran.

So we have a lot to sort out here. We have all learned lessons from the conflict in Iraq, and we have to apply those lessons to any allegations that are being raised about Iran. Because, Mr. President, what we are hearing has too familiar a ring and we must be on guard that we never again make decisions on the basis of intelligence that turns out to be faulty. If we find evidence of potential Iranian complicity, we will take appropriate action, but that requires a partnership to defend and protect America's national security interests between the Congress and the President.

Oversight will also lead to a consensus approach that brings together the best judgments and strategies of our nation and will examine the consequences of action, the reality of any perceived or alleged threat, and the consequences of taking action. I sometimes fear that the word "consequence" has been taken out of the vocabulary of this Administration. We have to look over the horizon. We have to make hard choices among difficult options.

So, Mr. President, there are no easy answers to the complex situations we confront in the world today, but if we do face threats, then Congressional consultation and authorization will bring the American people into the debate. Whatever steps, if any, may be required should be taken by our nation, not just by our President. We must act as Americans, not as members of one party or another. Our nation has been divided by a failed policy and the relentless pursuit of it. We are facing that again with the escalation policy that the President is pursuing today.

Mr. President, if we face up to our constitutional responsibilities as the Congress, if we conduct the oversight that is required, if we exercise our checks and balances, then we are likely to reach a better conclusion than we have thus far. We must be tough and smart, deliberative and wise, and we must look at all of our assets, not just the brave men and women who wear the uniform of our country to implement the best policy. We should start by employing our best values, the democratic values that give strength to our nation and our cause, and that serve as an example and beacon to people who wish to live in peace and freedom and prosperity around the world.

Mr. President, I yield the floor.

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