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## **Byrd Presses President to Seek Congress OK Before War With Iran**

WASHINGTON, D.C.... U.S. Senator Robert C. Byrd, D-W.Va., is introducing non-binding legislation which makes clear that, before President Bush launches an offensive military action against any Iran, Syria, or any other nation, he must seek the approval of the Congress.

- ▶ The Byrd resolution underlines the plain fact that the Constitution vests the power to declare war in the Congress.
- ▶ The Byrd resolution makes clear that President Bush must seek and receive the approval of Congress before he launches any offensive military action against Iran or Syria.
- ▶ Senator Byrd's resolution would restore the balance of power which an overzealous Executive Branch has sought to tip in its favor, and would make clear the Constitutional responsibilities of both the President and Congress before American troops are committed to any new war.
- ▶ The Byrd resolution recognizes a President's authority to repel an attack on the United States. However, it also recognizes the Congress' Constitutional role to ensure that offensive military action be in the best interest of the nation.

Below is the text of Senator Byrd's remarks as he introduced his legislation.

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To many Americans the word "Vietnam" has become a painful reminder of a bloody quagmire, of a never-ending war without an exit strategy. And certainly Vietnam is a reminder of failed leadership and two destroyed presidencies.

Like the Johnson and Nixon Administrations during the Vietnam era, when its war policies are attacked, the Bush Administration wraps itself in the American flag and often engages in tactics of impugning not only the integrity, but the patriotism of its critics. President Bush has even said that those who compared Iraq to Vietnam send "the wrong message" to our troops. Such a comparison, he suggests, harms our troops.

But I continue to be alarmed that the war in Iraq shows all the signs of degenerating into an equally calamitous debacle as was Vietnam, and that is the point. The war in Vietnam lasted more than 10 years and took more than 58,000 American lives. That long, painful war could have been avoided. Thousands of American lives could have been saved. That is why references to Vietnam are being made when talking about the war in Iraq.

I make the comparison, Mr. President, because I am furious that this government, after the bitter and bloody experience of Vietnam, has failed to heed the lessons of Vietnam. How could we have failed to consider the lessons of Vietnam before stumbling into Iraq? The American public has a right to ask this question! As a U.S. Senator, I have an obligation, both morally and politically, to ask that question. How could we not think about the errors that this country made with respect to Vietnam before we invaded Iraq?

The similarities were obvious. In opposing the Iraqi War Resolution, I, and others, expressed concern that the Iraq resolution was another Gulf of Tonkin Resolution and could well lead to another Vietnam. The Tonkin Gulf Resolution and S.J. Res. 46, I explained:

have several things in common. Congress is again being asked to vote on the use of force without hard evidence that the country poses an immediate threat to the national security of the United States. We are being asked to vote on a resolution authorizing the use of force in a hyped up, politically charged atmosphere in an election year. Congress is again being rushed into a judgment.

I quoted Senator Wayne Morse, one of the two Senators who opposed the Tonkin Gulf Resolution, as he proclaimed: "The resolution will pass, and Senators who vote for it will live to regret it."

Tragically, Mr. President, as the war in Iraq has progressed, the parallels with the Vietnam War continue to mount.

We have learned that, once again, the American people were led down the primrose path in rallying support for a costly war. Congress and the American people were told about weapons of mass destruction in Iraq, about Saddam Hussein's connections to Al Qaeda,

about Iraq trying to purchase uranium from Africa. The cost of the war was once estimated to be less than \$100 billion, but the bill is now rising ever-closer to half a trillion dollars. As a result, the National Journal pointed out, "as with Vietnam, political support for [the war in] Iraq has proved to be fragile in part because it was secured by justification that has been discredited."

In each of the two wars, American soldiers were placed in the treacherously difficult situation of having to fight an uncertain, indistinguishable enemy. Never knowing who was friend and who was foe until they started shooting, as in Vietnam, our soldiers are once again confronted with the deadly situation of trying to ferret out insurgents in a population that is willing to hide them.

In each war, we went in thinking of ourselves as liberators, but came to be seen by the people we were supposed to be liberating as the invaders.

In each war, where it was so necessary for us to win the hearts and minds of the people of the country, our presence there, instead, alienated them, and turned them against us.

In each war, both the White House and the Pentagon grossly and tragically underestimated the determination and ferocity of our opponents. "Bring them on," President Bush chided the Iraqis and terrorists on July 2, 2003. In the time since he made that statement, we have lost more than 2,800 troops in that war. As of today, 3,062 Americans in total have been killed in Iraq. Former Senator Max Cleland recently pointed out that American forces have now "become sitting ducks in a shooting gallery for every terrorist in the Middle East."

Although Congress should have learned important lessons from the Vietnam War, there are now ominous indications that a path to a new military confrontation is being created before our eyes. Just this month, the President announced his intention to interrupt the flow of support from Iran and Syria into Iraq. What does this saber-rattling comment really mean? Does the President seek to expand the ongoing war beyond Iraq's borders? Are we already on a course to another war in the Middle East? Will Syria or Iran be the Cambodia of a 21<sup>st</sup> century Vietnam?

In the State of the Union Address last night, the President called out Iran no less than seven times. Was this speech the first step in an effort to blame all that has gone wrong in the Middle East on Iran? Was the focus on Iran during the President's address an attempt to link Iran to the war on terrorism, and by extension, start building a case that our response to the 9-11 attacks must include dealing with Iran?

I fear that the machinery may have already been set in motion which may ultimately lead to a military attack inside Iran, or perhaps Syria, despite the opposition of the American people, many in Congress, and even some within his Administration. Wise counsel from Congressional leaders to step back from the precipice of all-out war in the Middle East is too easily disregarded. To forestall a looming disaster, Congress must act to save the checks and balances established by the Constitution.

Today I am introducing a resolution that clearly states that it is Congress, not the President, that is vested with the ultimate decision on whether to take this country to war against another country. This resolution is a rejection of the bankrupt, dangerous, and unconstitutional doctrine of preemption, which proposes that the President may strike another country before it threatens us. This resolution returns our government to the inspired intent of the Framers of the Constitution, who so wisely placed the power to declare war in the hands of the elected representatives of the American people.

If there exists a reckless determination for a new war in the Middle East, I fear that the attorneys of the Executive Branch are already seeking ways to tie this war to the use of force resolution for Iraq, or the resolution passed in response to 9-11. But the American people need only be reminded about the untruths of Iraq's supposed ties to the 9-11 attacks so see how far the truth can be stretched in order to achieve the desired outcome.

If the Executive Branch were to try to prod, stretch, or rewrite the 9-11 or the Iraq use of force resolutions in an outrageous attempt to apply them to an attack on Iran, Syria, or anywhere else, this resolution is clear: the Constitution says that Congress, not the President, must make the decision for war or peace. The power to declare war resides in Congress, and it is we ó the elected representatives of the people ó who are the õdeciders.ö

Congress has an obligation to the people of the United States. With so many of our sons and daughters spilling their blood in one costly war, Senators and Representatives have a moral duty to question whether we are headed for an even more tragic conflict in the Middle East. But in order to question this Administration ó in order to fulfill the duties entrusted to us by the Constitution, to which we have sworn to protect and uphold ó Congress must first insist that the powers given to this body are held sacrosanct. We must insist that these powers, including the power to declare war, are not usurped by this President, or any other President who will follow.

The resolution which I am introducing today is an effort to protect the Constitution from the zeal of the executive branch, whose nature it is to strive for more and more power during a time of war. It is time for Congress to put its foot down and stand up for the

Constitution. Our nation did not ask to be put into another Vietnam, let us not deceive ourselves that we are somehow immune to another Cambodia. Let us stop a reckless, costly war in Iran or Syria before it begins by restoring the checks and balances that our Founders so carefully designed.

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