

**COMMITTEE ON THE JUDICIARY**  
**HEARING ON “EXECUTIVE POWER AND ITS CONSTITUTIONAL**  
**LIMITATIONS”**  
**FRIDAY, JULY 25, 2008**  
**THE HONORABLE DENNIS J. KUCINICH**

Our country has been at war in Iraq, and has occupied the streets and villages of Iraq for five years, four months, and 6 days. The war has caused the deaths of 4,127 American soldiers and the deaths of as many as one million innocent Iraqis. The war will cost the American people upwards of \$3 trillion and is the main contributing factor to the destruction of our domestic economy.

Mr. Chairman, I would ask unanimous consent to enter S.J. Res. 45 into the record. The primary justifications for going to war, outlined in the legislation which the White House sent to Congress in October of 2002, have been determined conclusively to be untrue:

- Iraq did not pose “a continuing threat to national security”
- Iraq was not “continuing to possess and develop a significant chemical and biological weapons capability...”
- Iraq was not “actively seeking a nuclear weapons capability”
- Iraq was not “supporting and harboring terrorist organizations”
- Iraq had not “demonstrated its willingness to attack, the United States”
- Members of Al Qaeda were not “known to be in Iraq”
- Iraq had not “demonstrated capability and willingness to use weapons of mass destruction. . .”
- Iraq could not “launch a surprise attack against the United States or its Armed Forces”
- Therefore there was not an “extreme magnitude of harm that would result to the United States and its citizens from such an attack”
- The aforementioned did not “justify action by the United States to defend itself”
- Iraq had no “ongoing support for international terrorists”
- Iraq had not demonstrated “development of weapons of mass destruction.”

However, many Members of Congress relied on these representations from the White House to inform their decision to support the legislation that authorized the use of force against Iraq. We all know present and former colleagues who have said that if they knew then what they know now, they would not have voted to permit an attack upon Iraq.

The war was totally unnecessary, unprovoked and unjustified. The question for Congress is this: what responsibility do the President and members of his Administration have for that unnecessary, unprovoked and unjustified war? The rules of the House prevent me or any witness from utilizing familiar terms. But we can put two and two together in our minds. We can draw inferences about culpability.

Mr. Chairman, I would ask unanimous consent to enter H. Res. 333, H. Res. 1258, and H. Res. 1345 into the record. I request that each Member read the three bills I have authored, bills which are now awaiting consideration by the Judiciary Committee. I am confident the reader will reach the same conclusions that I have about culpability.

What, then, should we do about it?

The decision before us is whether to honor our oath as Members of Congress to support and defend the Constitution that has been trampled time and again over the last seven years.

The decision before us is whether to stand up for the checks and balances designed by our founding fathers to prevent excessive power grabs by either the judicial, legislative or executive branch of government.

The decision before us is whether to restore faith in government, in justice, and in the rule of law.

The decision before us is whether Congress will endorse with its silence the methods used to take us into the Iraq war.

The decision before us is whether to demand accountability for one of the gravest injustices imaginable.

The decision before us is whether Congress will stand up to tell future Presidents that America has seen the last of these injustices, not the first.

I believe the choice is clear.

I ask this committee to think, and then to act, in order to enable this Congress to right a very great wrong and to hold accountable those who have misled this Nation.