THE ADMINISTRATION'S FALSE AND FRAUDULENT URANIUM CLAIMS ARGUABLY VIOLATED CRIMINAL LAWS CONCERNING COMMUNICATIONS WITH CONGRESS

The criminal statute, 18 U.S.C., Sec. 1001, prohibits knowingly and willfully making false and fraudulent statements to Congress in documents required by law. The two uranium claims in the State of the Union Address and the report to Congress concerning Iraq were false and fraudulent, and are in documents that the White House submitted to Congress. See House Document 108–1 and House Document 108–23. The law required the president to give such reports. Article II, Section 3 of the constitution requires presidents to give State of the Union Addresses. Section 4 of Public Law 107–243, which is the Congressional resolution authorizing the war against Iraq, requires the president to give reports to Congress relevant to the war resolution and the president submitted said report on Iraq pursuant to that law. Thus 18 U.S.C., Sec. 1001 was evidently violated.

The criminal statute, 18 U.S.C., Sec. 371, prohibits conspiring to defraud the United States and is applicable since the Supreme Court in the case of Hammerschmidt v. United States, 265 U.S. 182, 188 (1924) held that to ''conspire to defraud the United States means primarily to cheat the government out of property or money, but it also means to interfere with or obstruct one of its lawful government functions by deceit, craft or trickery, or at least by means that are dishonest.'' Senior Administration officials arguably violated Section 371 because their uranium claims had the effect of obstructing or interfering with the function of Congress to reconsider its war resolution and to allow further time for U.N. weapons inspections. If the whole truth had been told, Congress may well have withdrawn the war resolution or delayed the start of the war to allow further U.N. weapons inspections, which would have shown what we now know; that Iraq had no weapons of mass destruction and had not sought the uranium. However, it should be noted that Section 371 does not require proof that the conspiracy was successful.

Additionally, the Downing Street memos should be part of the investigation as to whether one of the several ways in which the Administration deliberately ''fixed'' the facts and intelligence on uranium included its switch of the language in the State of the Union Address to justify the war. These documents provide valuable insight into the mindset of the Administration the summer preceding the Iraq invasion.

CONCLUSION

The above matters are clearly related to your current investigation. Ambassador Wilson's op-ed article focused on the uranium claim made in the 2003 State of the Union Address and he concluded that ''intelligence related to Iraq's nuclear weapons program was twisted to exaggerate the Iraqi threat.'' You are investigating whether any laws were violated when Administration officials—in order to discredit Wilson's claim and/or to retaliate against him—leaked to the press the fact that his wife was a CIA agent. As set forth in this letter, Wilson's original charge that the Administration ''twisted'' the evidence concerns matters that are just as criminal as the Administration's attempts to discredit Wilson and his charge by revealing the identity of Mrs. Wilson as a CIA operative.

Justice Department officials in Washington certainly have the same type of conflict of interest in this matter as they did in the CIA leak case, which resulted in current your assignment. (See 28 CFR, Sec. 45.2(a) prohibiting Department employees from matters in which they have a conflict of interest).

Thank you for your attention to this request. We look forward to your response.

Sincerely,

Maurice D. Hinchey, William D. Delahunt, Bernard Sanders, Pete Stark, George Miller, John Conyers, Jr., Richard E. Neal, Martin Olav Sabo, Marcy Kaptur, Xavier Becerra, Hilda L. Solis, Cynthia McKinney, Doris Matsui, David Wu, Louise Slaughter, Charles B. Rangel, Ed Towns, Jim McDermott, Raúl M. Grijalva, Michael M. Honda.

Albert R. Wynn, Sam Farr, Lynn C. Woolsey, Tammy Baldwin, Chris Cannon, Jerrold Nadler, Carolyn B. Maloney, Jim Moran, Donald M. Payne, Peter J. Visclosky, Carolyn C. Kilpatrick, Dennis J. Kucinich, Neil Abercrombie, Jim McGovern, Maxine Waters, Luis V. Gutierrez, Sheila Jackson-Lee, Barbara Lee, Frank Pallone, Jr., Wm. Lacy Clay, José E. Serrano.

Mr. Speaker, the purpose of this letter is to recognize, first of all, the importance of the investigation as to who it was who revealed the identity of Mrs. Wilson as an operator for the Central Intelligence Agency. Whoever did so violated Federal law, which went into effect in 1968.

□ 2015

That is a very important question. An even more important question is why that was done. And so in the context of this letter, I and the other 39 Members of the House who signed this letter are asking that this investigation be conducted more deeply, be conducted further into the question as to why that revelation was made.

To recount the events here, back in late 2002, the administration was making claims that Iraq possessed weapons of mass destruction. And on the basis of those claims, it was preparing a final push asking the Congress to support a war against Iraq.

Included in those weapons of mass destruction were references to uranium which allegedly had been imported from Niger in West Africa into Iraq for the purposes of constructing a nuclear weapon. The Central Intelligence Agency and other intelligence operations within the Federal Government expressed serious doubts about the accuracy of that information with regard to enriched uranium coming out of Niger into Iraq.

Nevertheless, the administration continued to press the case, telling the intelligence agencies over and over again to go back and look again, go back and look again, when the intelligence agencies found that they had no evidence, no substantial evidence whatsoever, that that uranium had been imported into Iraq from Niger.

Finally, the Central Intelligence Agency sent a retired ambassador, Ambassador Joseph Wilson, to Niger to investigate whether there was any prospect whatsoever that enriched uranium had been sent from Niger into Iraq. Mr. Wilson conducted a thorough investigation. He came back and reported to the Central Intelligence Agency that no such information was found.

The CIA informed the White House. Nevertheless, the administration continued to assert weapons of mass destruction, including the potential for the creation of a nuclear weapon. Those assertions were made directly to the Congress. It is against the law, it is against Federal law, a criminal violation of Federal law, to misinform the Congress of the United States and to intentionally mislead the Congress.

We believe that that has been done, and that if it had not been for the assertion of nuclear weapons and the belief that there were nuclear weapons being made in Iraq, that this Congress likely would not have passed the resolution authorizing the war in Iraq. If that had not taken place, that resolution had not been passed, we would not be seeing today nearly 2,000 American service men and women having been killed in Iraq; tens of thousands of others seriously wounded; hundreds, tens of thousands, perhaps as much as 100,000 Iraqis killed, many of them women and children, innocent civilians.

And so this question as to why that revelation was made is seriously important. Furthermore, we need to look into the issue of why this misinformation was given to the Congress, and that ought to be done by the Congress. This House of Representatives ought to be conducting hearings now that we know there were no weapons of mass destruction in Iraq prior to our invasion, and that whatever evidence there might have been was flimsy and weak and not anything to be based on.

Why was that done? That is a question of great seriousness presently before this House of Representatives, and it is not being addressed. The most important question of human rationality is why, why something was done? Was it as a result of a cabal that existed within the administration between powerful people who were determined to present information that would mislead the Congress in the way that they did? Because the Congress was misled, unquestionably so.

The Government of the United States is supposed to be open and transparent. Decisionmaking should be subject to powerful checks and balances. That has not been done, and it must be done. This Congress must fulfill its obligations under the Constitution to investigate these breakages of Federal law.

PRICE-MILLER RESOLUTION ON IRAQ

The SPEAKER pro tempore (Mr. SODREL). Under a previous order of the House, the gentleman from North Carolina (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE. Mr. Speaker, I rise in support of the Price-Miller resolution, which we have introduced today, to require the President to submit to Congress a plan for the withdrawal of United States troops from Iraq in the wake of the October 15 constitutional

referendum, beginning with an initial drawdown.

This is not a requirement I propose lightly. As many in this Chamber and in my home State know, I have been an outspoken critic of the Bush administration's policies in Iraq, and I voted against giving the President authority to invade Iraq, regarding it as an abdication of congressional responsibility.

I have supported funding for troops in the field and for Iraqi reconstruction, while calling for an exit strategy, including benchmarks to which the administration should be held accountable, and major policy changes that would increase the probability of achieving at least some of our goals.

But there is no evidence that President Bush has heeded anyone who does not accept his glib assurances and his stay-the-course rhetoric. As a result, the mistakes that have marred this effort from the beginning, poor or nonexistent planning, for example, and weak international participation, have been compounded.

Such failures must not become a rationale for extending our occupation of Iraq. In fact, our presence itself is a target of the insurgents and a magnet for international terrorists. And it may be encouraging some elements of the Iraqi leadership to defer essential decisions and compromises that are necessary if their country is to assume responsibility for its own future.

So we must leave. How we leave does matter: in a away that spares the lives of American troops and Iraqi noncombatants, in a way that minimizes the chance that Iraq will descend into massacres, ethnic cleansing or civil war, and in a way that maximizes the chances for Iraqi self-defense and self-government.

But we must end the occupation, and the approval of the Constitution offers us an opportunity to begin that process. It is an opportunity we must seize. There are no guarantees in this enterprise. Iraq could rise to this challenge with the Kurds and the Shia more fully accommodating the essential interests of Sunnis in changes to the Constitution early next year, based on input from a newly elected Sunni Parliament after December, or Iraq could further descend into sectarian violence.

Our country cannot absolve ourselves of responsibility for creating this quagmire, or for helping avoid the worst-case possibilities going forward, but we must understand, and the President must tell the world we understand, that a sustained American military presence is not part of the solution. It is not feasible. In some ways it exacerbates the difficulties, and it must be ended.

Our resolution draws in concept and content on one introduced in the Senate by Mr. FEINGOLD on June 14. It updates that resolution by taking explicit account of the constitutional referendum and proposing an initial immediate drawdown of troops.

Mr. Speaker, we should never have started this war. We should have and could have utilized other means of containing and controlling whatever threat Saddam Hussein represented. No ideal option is available to us now in ending it, but the October 15 vote offers the best opportunity we are likely to have to begin the process of withdrawal credibly, and hopefully to turn the responsibility for Iraq's future over to the Iraqis themselves, and to repair the diplomacy and foreign policy from which the invasion of Iraq has been such a tragic departure for our country.

PRICE-MILLER RESOLUTION ON IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of North Carolina. Mr. Speaker, I also rise in support of the Price-Miller resolution.

Mr. Speaker, millions of Americans feel increasing frustration with the contrived reasons given for invading Iraq, with the lack of any realistic plan for the aftermath of our invasion, and with the administration's failure to state clearly what has to happen for our military to come home.

And I feel the same frustration. This administration has said simply that we should stay the course, but has failed to declare our port of destination. It is hard to believe that there is a course, that we are not simply drifting rudderless.

Mr. Speaker, it has become painfully clear that most Iraqis now see our military, who has served admirably, as an occupying army. Iraqis believe the United States intends to occupy Iraq on a long-term basis, and they believe that our government intends to dominate the elected Iraqi Government, rather than respect that government as the legitimate government of a fully sovereign nation with control of its own natural resources, security and public safety.

Iraqi suspicions about our intentions undermine the legitimacy of the Iraqi Government and fuel the insurgency that continues unabated. Mr. Speaker, if our presence in Iraq is truly not for Iraq's oil or for a permanent staging area for our military operations in that part of the world, we need to say so. We need to state clearly that we do not intend a long-term occupation of Iraq, and the Iraqis will determine their own future. We need to say out loud that we will transfer to Iraq security forces the bases now used by our military, and that we will maintain no permanent bases or long-term military presence in Iraq.

The Price-Miller resolution calls for more than the platitudes that we stay the course or finish the job. We demand that the President state clearly the remaining mission of our military in Iraq, and to state the time period that the President believes will be required to accomplish that mission, what needs to happen for our men and women to come home, and when does the Bush administration think that it will happen.

Mr. Speaker, there is no better way to persuade the Iraqi people that we really intend to withdrew than to begin withdrawing. The Price-Miller resolution calls for a partial withdrawal as soon as possible. There is still work to be done to help the new Iraqi Government achieve stability and an enduring democracy, and we need to give new urgency to those efforts. We need to train Iraq security forces and engage other nations in that effort. We need to help reconstruction efforts and provide diplomatic support to the new government. But the referendum approving the new Constitution gives us an opportunity, an opportunity we must seize, to change fundamentally what we are fighting for, and what the Iraqi insurgents are fighting against.

Mr. Speaker, we cannot do that unless we say credibly out loud that our military is not there to stay.

THE REPUBLICAN BUDGET IS BAD FOR LATINOS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today I rise in opposition to the proposed Republican budget cuts and the impact it will have on the Latino community. There are nearly 40 million Latinos in the United States, and more than 19 million are in the labor force making contributions to our Nation's prosperity and economic growth. These families have strengthened the fabric of our society through their commitment to family and community.

The Republican budget, in my opinion, ignores the challenges that American families are facing, particularly Latino families. Republicans have proposed cuts to essential programs to our Nation's Latino families in order to pay for the $106 billion tax break for the wealthy few. These tax cuts are reckless, in my opinion, and unfair to the middle- and lower-income families, and reflect this Republican-led Congress's double standard.

The Republican proposal includes a cut of more than $10 billion of Medicaid over the next 5 years. Today, as you know, Medicaid is the largest health insurance program in our country, and Medicaid is a very important program for the Latino families in America. It currently provides health insurance to about 58 million people, including 28 million who are children. Medicaid helps 41 percent of people who live in poverty, many of whom work full time and still do not earn enough to rise out of poverty.

Over 10 million Medicaid recipients are Latinos, and Medicaid covers more than one in three Latino children. Latinos have the highest uninsured rate in America. One out of every three