

By: Burnam

H.C.R. No. 154

HOUSE CONCURRENT RESOLUTION

1           WHEREAS, The elemental source for initiating congressional  
2 impeachment proceedings is found in The Constitution, Jefferson's  
3 Manual, and Rules of the United States House of Representatives;  
4 Section 603 of Jefferson's Manual of Parliamentary Practice  
5 authorizes federal impeachment proceedings to be initiated by joint  
6 resolution of a state or territorial legislature as a matter of  
7 privilege; and

8           WHEREAS, Precedent for employing this authority is  
9 well-established and documented in Hinds' Precedents of the House  
10 of Representatives of the United States; one such entry relates to a  
11 1903 joint resolution passed by the Florida state legislature  
12 requesting that the U.S. Congress impeach U.S. District Judge  
13 Charles Swayne that resulted in a senate trial; and

14           WHEREAS, Invoking this authority, the people of the state of  
15 Texas charge that President George W. Bush has violated the United  
16 States Constitution and other federal law and abused the power of  
17 his office to the extreme detriment of the country and the interests  
18 of its citizens, actions that constitute high crimes and  
19 misdemeanors; and

20           WHEREAS, President Bush conspired with others to defraud the  
21 United States of America by intentionally misleading the congress  
22 and the nation regarding an Iraqi threat to the American people to  
23 justify a war in direct defiance of the United Nations Security  
24 Council and in violation of Section 371, Title 18, United States

1 Code; in so doing, President Bush and members of his  
2 administration: 1) overstated the offensive capabilities of Iraq,  
3 including that country's supposed possession of weapons of mass  
4 destruction, and manipulated and distorted intelligence relating  
5 to Iraq's weapons program during a plenary session of the United  
6 Nations and in direct contradiction to evidence gathered by  
7 international weapons inspectors; 2) manipulated public opinion by  
8 repeatedly and erroneously linking Saddam Hussein and the Iraqi  
9 government with the terrorist organization responsible for the  
10 attacks of September 11, 2001, al Qaeda; and 3) manipulated public  
11 opinion by stating in the State of the Union Address that Saddam  
12 Hussein had sought "significant quantities of uranium from Africa,"  
13 despite confirmation from the Central Intelligence Agency and  
14 officials from foreign governments that the documents supporting  
15 these claims were forged; and

16 WHEREAS, The Bush Administration's decision to invade Iraq in  
17 2003 was an unnecessarily reckless endeavor; while Saddam Hussein  
18 was a despotic leader who had used chemical weapons against Iran, as  
19 well as the Kurdish and Shia people, and required prudent and  
20 efficacious attention by the United States and the international  
21 community in order to maintain peace and stability in the Middle  
22 East, the invasion of Iraq, in fact, necessitated the removal of  
23 United Nations weapons inspectors who were on the ground in Iraq and  
24 uninhibited from performing their job of monitoring Iraq's weapons  
25 of mass destruction capabilities; in fact, during the 11 years  
26 before the invasion, the United States enforced a no-fly zone over  
27 60 percent of Iraq's airspace, significantly restricting the

1 country's military movement and activity throughout its territory;  
2 and

3 WHEREAS, Indeed, Iraq posed no threat to the territory or  
4 people of the United States, yet the 2003 invasion of Iraq has  
5 resulted in the deaths of more than 3,200 American soldiers and a  
6 reported 59,000 Iraqi civilians, over 23,000 wounded American  
7 soldiers, and severely diminished American military readiness; the  
8 fiscal cost of the war will reach \$500 billion by the end of 2007;  
9 and

10 WHEREAS, In addition, to meet the needed manpower to execute  
11 the invasion, President Bush has federalized and deployed members  
12 of the Texas National Guard overseas, thereby subverting the power  
13 granted to congress under Section 8, Article 1, United States  
14 Constitution, to call "forth the militia to execute the laws of the  
15 Union, suppress insurrections and repel invasions"; regrettably,  
16 the illegal deployment of the Texas National Guard deprives the  
17 state of its primary mechanism for defense and emergency response,  
18 needlessly jeopardizing the safety of Texans; and

19 WHEREAS, Under the guise of the war on terror, the Bush  
20 Administration has held American citizens and citizens of other  
21 sovereign nations without charge or trial; despite these secretive  
22 detentions, the United States has been embarrassed by revelations  
23 of torture and abuse of prisoners at Abu Ghraib, and evidence  
24 suggests that President Bush has authorized the use of similar acts  
25 of torture in the interrogation of detainees in American facilities  
26 around the world; and

27 WHEREAS, These detentions are clear violations of

1 international and federal law; as a signatory to the Geneva  
2 Conventions, the United States is bound to provisions of Article 13  
3 requiring that "Prisoners of war must at all times be humanely  
4 treated . . ." and Article 17 stating that "no physical or mental  
5 torture, nor any other form of coercion, may be inflicted on  
6 prisoners of war to secure from them information of any kind  
7 whatever"; and

8         WHEREAS, Furthermore, the War Crimes Act of 1996 provides  
9 that a person who acts in breach of the Geneva Conventions has  
10 committed a war crime and is subject to punishment under federal  
11 law; similarly, Article VI of the United States Constitution  
12 provides that ". . . all treaties made, or which shall be made,  
13 under the authority of the United States, shall be the supreme law  
14 of the land . . . ."; and

15         WHEREAS, The Bush Administration's defiance of the Geneva  
16 Conventions has potentially threatened the lives and well-being of  
17 American soldiers captured as prisoners of war in future conflicts;  
18 likewise, the Bush Administration's defiance of international law  
19 has tarnished the United States' reputation as a country founded on  
20 principles of human rights and diminished America's integrity and  
21 influence in the international community; and

22         WHEREAS, In an effort to further manipulate public opinion  
23 relating to the justification for the Iraq war, the Bush  
24 Administration leaked classified information, knowingly revealing  
25 the identities of covert U.S. intelligence agents and exposing them  
26 to potential harm and retribution; and

27         WHEREAS, The Bush Administration's breaches of law are not

1 limited to international affairs, having similarly violated the  
2 public trust by suppressing scientific information and altering  
3 government documents relating to the causes and effects of global  
4 warming with the intention of deceiving the American public; and

5 WHEREAS, President Bush's illegal actions have also  
6 undermined the balance of power between the branches of government;  
7 in clear violation of the Fourth Amendment, President Bush has  
8 publicly admitted to ordering the National Security Agency to  
9 contravene provisions of the Foreign Intelligence Surveillance Act  
10 of 1978, specifically authorizing the agency to spy on American  
11 citizens without securing a search warrant; and

12 WHEREAS, President Bush has also subverted congressional  
13 authority with regard to domestic policy by filing hundreds of  
14 signing statements that declare the administration's official  
15 legal interpretation of legislation passed by congress; in more  
16 than 750 instances, the president has asserted an authority to  
17 ignore numerous sections of the bills he has signed into law,  
18 including legislation relating to military rules and regulations,  
19 affirmative-action provisions, requirements that congress be told  
20 about immigration services problems, "whistle-blower" protections  
21 for nuclear regulatory officials, and safeguards against political  
22 interference in federally funded research; and

23 WHEREAS, Moreover, President Bush has overtly undermined the  
24 authority of congress; the Bush Administration has undermined  
25 specific provisions of the Clean Air Act by changing Environmental  
26 Protection Agency rules to allow older power plants, refineries,  
27 and factories to upgrade their facilities without installing newer,

1 more advanced pollution control technologies, thereby increasing  
2 the amount of pollution and threatening the health of all  
3 Americans; and

4 WHEREAS, In order to secure passage of the Medicare  
5 Prescription Drug, Modernization, and Improvement Act of 2003, the  
6 Bush Administration knowingly misled congress regarding the cost of  
7 the bill by providing a \$400 billion cost estimate to lawmakers  
8 while government documents revealed the true cost was calculated by  
9 administration officials to exceed \$500 billion; be it

10 RESOLVED, That the 80th Legislature of the State of Texas  
11 submit the charges contained herein to the United States House of  
12 Representatives under the authority of Section 603 of The  
13 Constitution, Jefferson's Manual, and Rules of the United States  
14 House of Representatives; and, be it further

15 RESOLVED, That the charges contained herein constitute proof  
16 that the president of the United States has wilfully violated his  
17 oath of office to preserve, protect, and defend the Constitution of  
18 the United States; and, be it further

19 RESOLVED, That George W. Bush, if found guilty of the charges  
20 contained herein, should be removed from office and disqualified to  
21 hold any other office in the United States.