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By:  Reynolds H.C.R. No. 66

CONCURRENT RESOLUTION

WHEREAS, President Donald J. Trump has departed frequently from the norms and ethical standards long established for his office, but while the number of scandals clouding his administration is unprecedented, their nature was anticipated by the framers of the United States Constitution; and

WHEREAS, Newly liberated from the tyranny of King George III, the founding fathers were determined to strengthen their new republic against any chief executive who should prove unfit or evince despotic tendencies; during the Constitutional Convention, James Madison warned against "incapacity, negligence, or perfidy," and said that simply enduring a reprobate until the next election would be unwise, for "He might pervert his administration into a scheme of peculation"--the theft of public funds--"or oppression. He might betray his trust to foreign powers"; his fellow Virginian, George Mason, feared "attempts to subvert the Constitution" and cautioned against a chief executive who "might engage in the corrupting of electors" or use the power of the pardon "to stop inquiry and prevent detection"; and

WHEREAS, Still another Virginian, Edmund Randolph, championed a clause forbidding the president from "receiving emoluments from foreign powers"; Abraham Baldwin of Georgia worried that the head of the executive branch might fail in his constitutional duty to properly staff that branch of government, or that "in a fit of passion," he might discharge "all the good officers of government"; and

WHEREAS, Resolved to discourage malfeasance or monarchical behavior by the executive while maintaining a rigorous system of checks and balances, after much discussion and parsing of language, the framers established impeachment as a mechanism for Congress to investigate "Treason, Bribery, or other high Crimes and Misdemeanors," the last echoing a similar phrase used in the English Parliament since 1450 to describe both criminal and noncriminal offenses against the state; and

WHEREAS, In the excesses of the Trump administration, the framers would recognize grotesque illustrations of their greatest fears; although our intelligence agencies have confirmed that Russia interfered extensively in the 2016 election to support President Trump, he has tried to deny the attack on our democracy and failed to muster a credible response; he hid his efforts to conduct business in Moscow during his campaign, and he has gone to extraordinary lengths to conceal from even his closest advisors the nature of his many private conversations with his Russian counterpart, Vladimir Putin; moreover, he has taken actions and adopted positions favorable to the Kremlin while undermining our NATO allies and Western values; his efforts to stymie the investigation into Russian intervention so alarmed the FBI that it opened a counterintelligence investigation to determine whether he was trying to assist our adversary, and the special counsel is considering whether the president has obstructed justice; despite warnings from his own lawyers, he has dangled a pardon for his former campaign manager, although just such an offense set Richard Nixon on the path to impeachment; and

WHEREAS, President Trump's personal lawyer has pleaded guilty to the felonious violation of campaign finance laws on his behalf and at his direction; the president's failure to divest his business interests, including investments abroad, almost certainly violates the Emoluments Clause, and as he has used his office to publicize his properties, not only foreign nations, but also domestic actors, have curried favor through lavish spending, a matter now before the courts; while he refused to release his tax returns, unlike all his predecessors in the modern era, exhaustive reporting by the *New York Times* found an elaborate pattern of deception over the course of decades and concluded that he had evaded more than $400 million in taxes and engaged in "instances of outright fraud"; more troubling still, the president has ignored his constitutional duty to appropriately staff the government with "good officers," forcing out experienced professionals and leaving a quarter of his cabinet posts to mere placeholders, including the acting secretary of defense, who has little experience of either diplomacy or military administration; and

WHEREAS, Other outrageous acts by this president constitute attempts to erode the separation of powers, trample on civil liberties, and ignore the rule of law, all while setting Americans against each other with lies and ugly rhetoric; the dizzying number of transgressions against his duty under the constitution has tended to obscure the central fact that citizens cannot trust that the president is acting in their interest, rather than his own; with great moral clarity, however, the late John Dingell, our longest-serving member of congress, in his final message to the nation reminded us: "In democratic government, elected officials do not have power. They hold power in trust for the people who elected them. If they misuse or abuse that public trust, it is quite properly revoked"; now, therefore, be it

RESOLVED, That the 86th Legislature of the State of Texas hereby respectfully urge the United States Congress to impeach President Donald J. Trump; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.