

FOR IMMEDIATE RELEASE
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Contact: Paul Michael Neuman
District Office: (310)285-5490
Weekend: (323) 662-3123

California Assemblyman Paul Koretz Submits Impeachment Resolution

California State Assemblyman Paul Koretz (D-Los Angeles) submitted amendments on Friday, April 21, to Assembly Joint Resolution No. 39, calling for the impeachment of President George W. Bush and Vice President Richard Cheney. The resolution references Section 603 of Jefferson's Manual of the Rules of the United States House of Representatives, which allows federal impeachment proceedings to be initiated by joint resolution of a state legislature.

The resolution bases the call for impeachment upon the Bush Administration intentionally misleading the Congress and the American people regarding the threat from Iraq in order to justify an unnecessary war that has cost billions of dollars and thousands of lives and casualties; exceeding constitutional authority to wage war by invading Iraq; exceeding constitutional authority by Federalizing the National Guard; conspiring to torture prisoners in violation of the "Federal Torture Act" and indicating intent to continue such actions; spying on American citizens in violation of the 1978 Foreign Agency Surveillance Act; leaking and covering up the leak of the identity of Valerie Plame Wilson, and holding American citizens without charge or trial.

Koretz submitted amendments gutting AJR No. 39, a resolution unrelated to impeachment, to the Assembly Rules Committee. The Rules Committee may take up the bill next week for referral, allowing him to formally introduce the amended resolution.

The Assemblyman hopes his resolution will help promote a public dialogue about the questionable activities and errant judgment of the President and Vice President: "At both the state and national levels, we will be paying for the Bush Administration's illegal actions and terrible lack of judgment and competence for decades – not only in the billions of dollars wasted on the war and welfare for the rich, but in the worldwide loss of respect for America and Americans. Bush and Cheney must be impeached and removed from office before they undertake even deadlier misdeeds, such as the use of nuclear weapons. There are no bounds to their willingness to ignore the Constitution and world opinion – we can't afford to wait for the next disaster and hope that we can survive it."

AMENDMENTS TO ASSEMBLY JOINT RESOLUTION NO. 39

Amendment 1

Strike out lines 2 and 3 of the heading

Amendment 2

In line 1 of the title, strike out "a moratorium on" strike out line 2 and insert:

the impeachment, conviction, and removal from office of President Bush and Vice President Cheney.

Amendment 3

On page 1, before line 1, insert:

WHEREAS, The Rules and Manual of the House of Representatives of the United States of America, officially titled Constitution, Jefferson's Manual and Rules of the House of Representatives, contains the fundamental source materials describing procedures in the House of Representatives; and

WHEREAS, Section 603 of Section LIII of Jefferson's Manual provides that impeachment proceedings in the House of Representatives may be set in motion by charges transmitted from the legislature of a state or territory; and

WHEREAS, The State of Florida and the former territory of Mississippi have established precedent by transmitting charges to the House of Representatives, which in each case resulted in an investigation by a committee of the House of Representatives, in one case, impeachment proceedings against Judge Charles Swayne of Florida; and

WHEREAS, The actions of George W. Bush in the office of President of the United States of America and Richard Cheney in the office of Vice President of the United States of America have repeatedly and intentionally violated the Constitution and other laws of the United States of America, causing the people of the State of California to call into question the integrity of President Bush and Vice President Cheney and to believe that the official actions of President Bush and Vice President Cheney have constituted high crimes and misdemeanors; and

WHEREAS, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States of America and, to the best of his ability, to preserve, protect, and defend the Constitution of the United States of America, and in violation of his constitutional duty to take care that the laws be faithfully executed, committed a felony under Section 1001 of Title 18 of the United States Code by conspiring to exceed his constitutional authority to wage war, in that on March 19, 2003, by his order, the United States of America invaded the sovereign country of Iraq in direct defiance of the United States Security Council and, by so doing, violated Article 2 of Chapter 1 of the Charter of the United Nations and Principle VI of the Principles of the Nuremberg Tribunal; and

WHEREAS, George W. Bush and Richard Cheney conspired with others to defraud the United States of America by intentionally misleading the Congress and the people of the United States regarding the threat from Iraq in order to justify a war in violation of Section 371 of Title 18 of the United States Code by the following conduct:

- (1) Overstating the offensive capabilities of Iraq, including that country's supposed possession of weapons of mass destruction, as justification for military action against Iraq;
- (2) Repeatedly manipulating the sentiments of the people of the United States of America by erroneously linking Iraq with the terrorist attacks of September 11, 2001, by Al-Qaeda;
- (3) Repeatedly claiming that satellite photos of sites in Iraq depicted factories for weapons of mass destruction in contradiction of evidence resulting from ground inspections by the United Nations;
- (4) George W. Bush stating that "Saddam Hussein recently sought significant quantities of uranium from Africa" in his State of the Union Address after being told by the Central Intelligence Agency that this was untrue and that the supporting intelligence documents were forged;
- (5) Influencing, manipulating, and distorting intelligence related to Iraq with the intention of using that intelligence to support their goal of invading Iraq;

(6) Invading Iraq with military forces of the United States of America, sacrificing the lives of over 2,000 soldiers of the United States of America and killing over 20,000 Iraqi civilians and conscripts;

(7) Rejecting peaceful resolution of acts of United Nations compliance by Saddam Hussein; and

WHEREAS, George W. Bush has ordered the federalization and deployment of our state's National Guard members overseas and has, thus, exceeded his authority granted in the Constitution of the United States, which Constitution, under Section 15 of Article I, gives the Congress of the United States the power to "provide for calling forth the militia to execute the laws of the union, suppress insurrection and repel invasions;" and

WHEREAS, The federalization and deployment of our state's National Guard members has rendered the National Guard force less able to carry out its state activities effectively, thus depriving the state of its constitutional power to maintain the National Guard for the defense of our state; and

WHEREAS, George W. Bush and Richard Cheney have conspired to commit the torture of prisoners in violation of the "Federal Torture Act" (18 U.S.C. Sec. 2340A), the United Nations Convention Against Torture, and Convention III of the Geneva Conventions, which, under Section 2 of Article VI of the Constitution of the United States of America, are the "supreme law of the land;" and

WHEREAS, George W. Bush has indicated in his signing statement on House Bill No. 1815 of the 105th Congress, Second Session (2205) (the "National Defense Authorization Act for Fiscal Year 2006") his full intention to continue to disregard existing laws and treaties against torture; and

WHEREAS, George W. Bush and Richard Cheney have acted to strip citizens of the United States of America of their constitutional rights by ordering indefinite detention without access to legal counsel, without charge, and without the opportunity to appear before a civil judicial officer to challenge the detention, based solely on the discretionary designation by the President of a citizen of the United States of America as an "enemy combatant," in subversion of law; and

WHEREAS, George W. Bush has admitted ordering the National Security Agency to conduct electronic surveillance on civilians of the United States of America without seeking warrants from the Foreign Intelligence Surveillance Court, duly constituted by Congress in 1978, in violation of the Fourth Amendment to the Constitution of the United States of America and Section 1805 of Title 50 of the United States Code; and

WHEREAS, George W. Bush and Richard Cheney may have committed espionage, fraud, and obstruction of justice through their involvement in the cover-up of the leak of the identity of Valerie Plame Wilson; and

WHEREAS, In all of this, George W. Bush and Richard Cheney have acted in a manner contrary to their trust as President and Vice President, respectively, subversive of constitutional government to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the great State of California and of the United States of America; and

WHEREAS, George W. Bush and Richard Cheney, by such conduct, warrant impeachment and trial, and removal from office; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly,
That our Senators and Representatives in the Congress of the United States of America be, and they hereby are, requested to cause to be instituted in the Congress proper proceedings for the investigation of President George W. Bush and Vice President Richard Cheney, to the end that they may be impeached and removed from office; and be it further

Resolved, That the Secretary of the State of California be, and hereby is, instructed to certify to each Senator and Representative in the Congress of the United States of America, and to the Clerk of the House of Representatives, under the great seal of the State of California, a copy of this resolution and its adoption by the Assembly and Senate of the State of California, and the copies shall be marked with the word "Petition" at the top of the document and contain the original authorizing signature of the Secretary of State of the State of California.

Amendment 4

On page 1, strike out lines 1 to 12, inclusive, strike out pages 2 and 3, on page 4, strike out lines 1 to 13, inclusive