

Impeaching VP Cheney, for high crimes and misdemeanors

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H. RES. 333

Impeaching Richard B. Cheney, Vice President of the United States, for high crimes and misdemeanors.

IN THE HOUSE OF REPRESENTATIVES

April 24, 2007

Mr. KUCINICH submitted the following resolution; which was referred to the Committee on the Judiciary

[For status of bill:

<http://www.govtrack.us/congress/bill.xpd?bill=hr110-333&page-command=print>]

RESOLUTION

Impeaching Richard B. Cheney, Vice President of the United States, for high crimes and misdemeanors.

Resolved, That Richard B. Cheney, Vice President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Richard B. Cheney, Vice President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

Article I

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has purposely manipulated the intelligence process to deceive the citizens and Congress of the United States by fabricating a threat of Iraqi weapons of mass destruction to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, to wit:

(1) Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and Congress of the United States about an alleged threat of Iraqi weapons of mass destruction:

(A) `We know they have biological and chemical weapons.' March 17, 2002, Press Conference by Vice President Dick Cheney and His Highness Salman bin Hamad Al Khalifa, Crown Prince of Bahrain at Shaikh Hamad Palace.

(B) ` . . . and we know they are pursuing nuclear weapons.' March 19, 2002, Press Briefing by Vice President Dick Cheney and Israeli Prime Minister Ariel Sharon in Jerusalem.

(C) `And he is actively pursuing nuclear weapons at this time . . .' March 24, 2002, CNN Late Edition interview with Vice President Cheney.

(D) `We know he's got chemicals and biological and we know he's working on nuclear.' May 19, 2002, NBC Meet the Press interview with Vice President Cheney.

(E) `But we now know that Saddam has resumed his efforts to acquire nuclear weapons . . . Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt that he is amassing them to use against our friends, against our allies, and against us.' August 26, 2002, Speech of Vice President Cheney at VFW 103rd National Convention.

(F) `Based on intelligence that's becoming available, some of it has been made public, more of it hopefully will be, that he has indeed stepped up his capacity to produce and deliver biological weapons, that he has reconstituted his nuclear program to develop a nuclear weapon, that there are efforts under way inside Iraq to significantly expand his capability.' September 8, 2002, NBC Meet the Press interview with Vice President Cheney.

(G) `He is, in fact, actively and aggressively seeking to acquire nuclear weapons.' September 8, 2002, NBC Meet the Press interview with Vice President Cheney.

(H) `And we believe he has, in fact, reconstituted nuclear weapons.' March 16, 2003, NBC Meet the Press interview with Vice President Cheney.

(2) Preceding the March 2003 invasion of Iraq the Vice President was fully informed that no legitimate evidence existed of weapons of mass destruction in Iraq. The Vice President pressured the intelligence community to change their findings to enable the deception of the citizens and Congress of the United States.

(A) Vice President Cheney and his Chief of Staff, Lewis Libby, made multiple trips to the CIA in 2002 to question analysts studying Iraq's weapons programs and alleged links to al Qaeda, creating an environment in which analysts felt they were being pressured to make their assessments fit with the Bush administration's policy objectives accounts.

(B) Vice President Cheney sought out unverified and ultimately inaccurate raw intelligence to prove his preconceived beliefs. This strategy of cherry picking was employed to influence the interpretation of the intelligence.

(3) The Vice President's actions corrupted or attempted to corrupt the 2002 National Intelligence Estimate, an intelligence document issued on October 1, 2002, and carefully considered by Congress prior to the October 10, 2002, vote to authorize the use of force. The Vice President's actions

prevented the necessary reconciliation of facts for the National Intelligence Estimate which resulted in a high number of dissenting opinions from technical experts in two Federal agencies.

(A) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate stated `Lacking persuasive evidence that Baghdad has launched a coherent effort to reconstitute it's nuclear weapons program INR is unwilling to speculate that such an effort began soon after the departure of UN inspectors or to project a timeline for the completion of activities it does not now see happening. As a result INR is unable to predict that Iraq could acquire a nuclear device or weapon.'.

(B) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate also stated that `Finally, the claims of Iraqi pursuit of natural uranium in Africa are, in INR's assessment, highly dubious.'.

(C) The State Department's Bureau of Intelligence and Research dissenting view in the October 2002 National Intelligence Estimate references a Department of Energy opinion by stating that `INR accepts the judgment of technical experts at the US Department of Energy (DOE) who have concluded that the tubes Iraq seeks to acquire are poorly suited for use in gas centrifuges to be used for uranium enrichment and finds unpersuasive the arguments advanced by others to make the case that they are intended for that purpose.'.

The Vice President subverted the national security interests of the United States by setting the stage for the loss of more than 3300 United States service members; the loss of 650,000 Iraqi citizens since the United States invasion; the loss of approximately \$500 billion in war costs which has increased our Federal debt; the loss of military readiness within the United States Armed Services due to overextension, lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States. Wherefore, Vice President Richard B. Cheney, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article II

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, purposely manipulated the intelligence process to deceive the citizens and Congress of the United States about an alleged relationship between Iraq and al Qaeda in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, to wit:

(1) Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and the Congress of the United States about an alleged relationship between Iraq and al Qaeda:

(A) `His regime has had high-level contacts with Al Qaeda going back a decade and has provided training to Al Qaeda terrorists.' December 2, 2002, Speech of Vice President Cheney at the Air National Guard Senior Leadership Conference.

(B) `His regime aids and protects terrorists, including members of Al Qaeda. He could decide secretly to provide weapons of mass destruction to terrorists for use against us.' January 30, 2003, Speech of Vice President Cheney to 30th Political Action Conference in Arlington, Virginia.

(C) `We know he's out trying once again to produce nuclear weapons and we know that he has a long-standing relationship with various terrorist groups, including the Al Qaeda organization.' March 16, 2003, NBC Meet the Press interview with Vice President Cheney.

(D) `We learned more and more that there was a relationship between Iraq and Al Qaeda that stretched back through most of the decade of the '90s, that it involved training, for example, on biological weapons and chemical weapons . . .' September 14, 2003, NBC Meet the Press interview with Vice President Cheney.

(E) `Al Qaeda had a base of operation there up in Northeastern Iraq where they ran a large poisons factory for attacks against Europeans and U.S. forces.' October 3, 2003, Speech of Vice President Cheney at Bush-Cheney '04 Fundraiser in Iowa.

(F) `He also had an established relationship with Al Qaeda providing training to Al Qaeda members in areas of poisons, gases, and conventional bombs.' October 10, 2003, Speech of Vice President Cheney to the Heritage Foundation.

(G) `Al Qaeda and the Iraqi intelligence services have worked together on a number of occasions.' January 9, 2004, Rocky Mountain News interview with Vice President Cheney.

(H) `I think there's overwhelming evidence that there was a connection between Al Qaeda and the Iraqi government.' January 22, 2004, NPR: Morning Edition interview with Vice President Cheney.

(I) `First of all, on the question of--of whether or not there was any kind of relationship, there clearly was a relationship. It's been testified to; the evidence is overwhelming.' June 17, 2004, CNBC: Capital Report interview with Vice President Cheney.

(2) Preceding the March 2003 invasion of Iraq the Vice President was fully informed that no credible evidence existed of a working relationship between Iraq and al Qaeda, a fact articulated in several official documents, including:

(A) A classified Presidential Daily Briefing ten days after the September 11, 2001, attacks indicating that the United States intelligence community had no evidence linking Saddam Hussein to the September 11th attacks and that there was `scant credible evidence that Iraq had any significant collaborative ties with Al Qaeda'.

(B) Defense Intelligence Terrorism Summary No. 044-02, issued in February 2002 by the United States Defense Intelligence Agency, which challenged the credibility of information gleaned from captured al Qaeda leader al-Libi. The DIA report also cast significant doubt on the possibility of a Saddam Hussein-al-Qaeda conspiracy: `Saddam's regime is intensely secular and is wary of Islamic revolutionary movements. Moreover, Baghdad is unlikely to provide assistance to a group it cannot control.'.

(C) A January 2003 British intelligence classified report on Iraq that concluded that `there are no current links between the Iraqi regime and the al-Qaeda network'.

The Vice President subverted the national security interests of the United States by setting the stage

for the loss of more than 3,300 United States service members; the loss of 650,000 Iraqi citizens since the United States invasion; the loss of approximately \$500 billion in war costs which has increased our Federal debt; the loss of military readiness within the United States Armed Services due to overextension, lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States.

Wherefore, Vice President Richard B. Cheney, by such conduct, is guilty of an impeachable offense warranting removal from office.

Article III

In his conduct while Vice President of the United States, Richard B. Cheney, in violation of his constitutional oath to faithfully execute the office of Vice President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has openly threatened aggression against the Republic of Iran absent any real threat to the United States, and done so with the United States proven capability to carry out such threats, thus undermining the national security of the United States, to wit:

(1) Despite no evidence that Iran has the intention or the capability of attacking the United States and despite the turmoil created by United States invasion of Iraq, the Vice President has openly threatened aggression against Iran as evidenced by the following:

(A) `For our part, the United States is keeping all options on the table in addressing the irresponsible conduct of the regime. And we join other nations in sending that regime a clear message: We will not allow Iran to have a nuclear weapon.' March 7, 2006, Speech of Vice President Cheney to American Israel Public Affairs Committee 2006 Policy Conference.

(B) `But we've also made it clear that all options are on the table.' January 24, 2007, CNN Situation Room interview with Vice President Cheney.

(C) `When we--as the President did, for example, recently--deploy another aircraft carrier task force to the Gulf, that sends a very strong signal to everybody in the region that the United States is here to stay, that we clearly have significant capabilities, and that we are working with friends and allies as well as the international organizations to deal with the Iranian threat.' January 29, 2007, Newsweek interview with Vice President Cheney.

(D) `But I've also made the point and the President has made the point that all options are still on the table.' February 24, 2007, Vice President Cheney at Press Briefing with Australian Prime Minister in Sydney, Australia.

(2) The Vice President, who repeatedly and falsely claimed to have had specific, detailed knowledge of Iraq's alleged weapons of mass destruction capabilities, is no doubt fully aware of evidence that demonstrates Iran poses no real threat to the United States as evidenced by the following:

(A) `I know that what we see in Iran right now is not the industrial capacity you can [use to develop a] bomb.' Mohamed ElBaradei, Director General of International Atomic Energy Agency, February

19, 2007.

(B) Iran indicated its `full readiness and willingness to negotiate on the modality for the resolution of the outstanding issues with the IAEA, subject to the assurances for dealing with the issues in the framework of the Agency, without the interference of the United Nations Security Council'. IAEA Board Report, February 22, 2007.

(C) `... so whatever they have, what we have seen today, is not the kind of capacity that would enable them to make bombs.' Mohamed El Baradei, Director General of International Atomic Energy Agency, February 19, 2007.

(3) The Vice President is fully aware of the actions taken by the United States towards Iran that are further destabilizing the world as evidenced by the following:

(A) The United States has refused to engage in meaningful diplomatic relations with Iran since 2002, rebuffing both bilateral and multilateral offers to dialogue.

(B) The United States is currently engaged in a military buildup in the Middle East that includes the increased presence of the United States Navy in the waters near Iran, significant United States Armed Forces in two nations neighboring to Iran, and the installation of anti-missile technology in the region.

(C) News accounts have indicated that military planners have considered the B61-11, a tactical nuclear weapon, as one of the options to strike underground bunkers in Iran.

(D) The United States has been linked to anti-Iranian organizations that are attempting to destabilize the Iranian government, in particular the Mujahideen-e Khalq (MEK), even though the state department has branded it a terrorist organization.

(E) News accounts indicate that United States troops have been ordered into Iran to collect data and establish contact with anti-government groups.

(4) In the last three years the Vice President has repeatedly threatened Iran. However, the Vice President is legally bound by the U.S. Constitution's adherence to international law that prohibits threats of use of force.

(A) Article VI of the United States Constitution states, `This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.' Any provision of an international treaty ratified by the United States becomes the law of the United States.

(B) The United States is a signatory to the United Nations Charter, a treaty among the nations of the world. Article II, Section 4 of the United Nations Charter states, `All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.' The threat of force is illegal.

(C) Article 51 lays out the only exception, `Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.' Iran has not attacked the United States; therefore any threat against Iran by the

United States is illegal.

The Vice President's deception upon the citizens and Congress of the United States that enabled the failed United States invasion of Iraq forcibly altered the rules of diplomacy such that the Vice President's recent belligerent actions towards Iran are destabilizing and counterproductive to the national security of the United States.

In all of this, Vice President Richard B. Cheney has acted in a manner contrary to his trust as Vice President, and subversive of constitutional government, to the prejudice of the cause of law and justice and the manifest injury of the people of the United States.

Wherefore Richard B. Cheney, by such conduct, warrants impeachment and trial, and removal from office.

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