

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

We, your Petitioners, the Senate and General Assembly of the State of New Jersey, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, On September 8, 2006, when summarizing a bipartisan Senate Investigation into pre-war intelligence on Iraq, Senator John D. (Jay) Rockefeller IV, the Vice Chairman of the Senate Select Committee on Intelligence said that, "The Committee's investigation into prewar intelligence on Iraq has revealed that the Bush Administration's case for war in Iraq was fundamentally misleading. The Administration pursued a deceptive strategy of using intelligence reporting that the Intelligence Community had already warned was uncorroborated, unreliable, and in critical instances, fabricated;" and

WHEREAS, George W. Bush and Richard B. Cheney subverted the Constitution, its guarantee of a republican form of government, and the constitutional separation of powers by undermining the rightful authority of Congress to declare war, oversee foreign affairs, and make appropriations; they did so by justifying the war with false and misleading statements, deceiving the people of the United States and Congress. They denied the electorate the right to make an informed choice and thereby undermined democracy; and

WHEREAS, The President, the Vice President and members of the President's Administration appear to have deliberately misrepresented the severity of the threat from Iraq by providing distorted intelligence to Congress and the public in order to justify war with Iraq, in violation of Title 18 United States Code, Section 371; and

WHEREAS, The war with Iraq has cost the lives of many New Jersey State residents and squandered taxpayer money from the State of New Jersey; and

WHEREAS, The President has publicly admitted to conducting electronic surveillance of thousands and perhaps millions of American civilians without seeking warrants; and

WHEREAS, George W. Bush, abused his power by failing to take care that the laws were faithfully executed by directing or authorizing the National Security Agency and various other agencies within the intelligence community to conduct electronic surveillance outside of the statutes Congress prescribed as the exclusive means for such surveillance, and to use such information for purposes unknown but unrelated to any lawful function of his office; he also concealed the existence of this unlawful program of electronic surveillance from Congress and the public; and

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

WHEREAS, New Jersey State residents are likely to have been subject to this electronic surveillance; and

WHEREAS, George W. Bush, abused his power by violating the constitutional and international rights of citizens and non-citizens by arbitrarily detaining them indefinitely inside and outside of the United States, without due process, without charges and with limited – if any – access to council or courts. He failed to faithfully execute the laws of the United States by allowing his administration to condone torture, failing to investigate and prosecute high-level officials responsible for torture, and officially refusing to accept the binding nature of a statutory ban on cruel, inhuman, or degrading treatment or punishment; and

WHEREAS, George W. Bush and Richard B. Cheney conspired to commit the torture of prisoners in violation of the “Federal Torture Act” Title 18 United States Code, Section 113C, the UN Torture Convention and the Geneva Convention, which under Article VI of the Constitution are part of the “supreme Law of the Land;” and

WHEREAS, George W. Bush and Richard B. Cheney and members of the President’s administration have acted to strip American citizens 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 U.S. citizen as an “enemy combatant,” all in subversion of law; and

WHEREAS, George W. Bush, in his conduct of the Office of the President of the United States, in violation of his constitutional oath to faithfully execute the Office of 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, arrogated excessive power to the executive branch in violation of basic constitutional principles of the separation of powers; and

WHEREAS, In all of this George W. Bush and Richard B. Cheney acted in a manner contrary to their trust as President and Vice President and that such offenses, when committed, are subversive of constitutional government to the great prejudice of the cause of law and justice, and to the manifest injury of the people of New Jersey and of the United States of America; and

WHEREAS, Petitions from the country at large may be presented by the Speaker of the House according to Clause 3 of House Rule XII; and

WHEREAS, Jefferson's Manual section LIII, 603, states that impeachment may be set in motion by charges transmitted from the legislature of a State; and

WHEREAS, If the President and/or members of his administration committed such offenses, ignoring these offenses would undermine American values of truth and justice; and

WHEREAS, Impeachment is a process defined in the United States Constitution by which charges are brought against a President or Vice President or Civil Officers of the United States; and

WHEREAS, The filing of these charges is followed by a trial in the United States Senate that determines guilt or innocence;

NOW, THEREFORE, Be it resolved, Your Petitioners respectfully request, that George W. Bush and Richard B. Cheney, by such conduct, warrant impeachment and trial, removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the United States; and

BE IT FURTHER RESOLVED, By the legislature of New Jersey, in order to preserve confidence in the office of the Presidency and the Executive branch, that our Senators and Representatives in the United States Congress determine whether there is sufficient evidence to charge President George W. Bush and Vice President Richard B. Cheney with the above offenses, and if so to follow the Constitutional process to the end that they may be impeached and removed from such office; and

BE IT FURTHER RESOLVED, That copies of this Petition be immediately transmitted to the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of New Jersey, and the Clerk of State of the State of New Jersey be and is hereby instructed, to certify to each Senator and Representative in the Congress of the United States, the Speaker and the Clerk of the House of Representatives, and the President of the United States Senate, a copy of this resolution and its adoption by the legislature of the State of New Jersey. The copies shall be marked with the word "Petition" at the top of the document and contain the original authorizing signature of the President of the Senate and Speaker of the General Assembly of New Jersey.

## New Jersey Impeach Groups

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