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Updated Remarks in favor of SJM 8016

Members of the Committee:

Last year I was among those who spoke in favor of SJM 8016. I feel then as I did now that we need to begin an investigation into the potentially illegal activity of the Executive Branch of our federal government. As I already detailed, there are allegations of crimes far more serious than those which forced the resignation of Richard Nixon. There's allegations of lying us into a war that has caused thousands of U.S. deaths and hundreds of thousands of foreign deaths. There's profiteering on this war. There's spying illegally on the domestic population. Members of all political persuasions have raised these questions. A greater majority of the population supports this now then last year.

The only arguments I've heard in opposition are without substance.

There's the argument that this is a distraction. In a form of government where we've had extended hearings on steroid use by athletes, but no time to actually check the accountability of our Executive Branch, despite more than substantial evidence, this is both brazen and obscene. If questioning with this much evidence having been presented whether there is violation of the essence of the laws of our government by the Executive Branch of our government is a side issue to the actual running of our government then we might as well throw in the towel. We might as well admit we have a form of government that no longer works except to allow a very few people to steal from all the rest of us. They can kill others who've never harmed us. They can send our young men and women off to die when they feel about it. They can spy on us to hear what we're saying and they can lock us up if they don't like what they hear. They can loot the economy to deepen their own pockets. If these crimes of the Executive Branch mean nothing to that part of our government that can do something about it, then we've lost. If the will of the people to look at the crimes means nothing to that part of our government that can do something about it, we've already lost.

I don't believe we've lost. Do something about it. Send this Bill to Congress and hold the Executive Branch Accountable

Paul Richmond
January 17, 2008

Attachments: Remarks of March 1, 2007 in favor of SJM-8016

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REMARKS IN SUPPORT OF SENATE JOINT MEMORIAL 8016

“It is all too easy to slide from a case of genuine military necessity, where the power sought to be exercised is at least debatable, to one where the threat, is not critical and the power either dubious or nonexistent.”

That’s a quote from the late justice, William Rehnquist. He wrote an entire book on the creeping power of the Executive branch and the loss of civil liberties in time of war. The above was his conclusion and warning.¹

Today you’re going to hear accusations that the Bush and Cheney administration manufactured a war and after manufacturing this war, began to attack our Constitution, moving us from a representative form of government to something very different. The easy way to take such comments is to write them off, call them the remarks of some fringe organization.

The people voicing real fears over the long term effect of this administration aren’t just “peace activists” – though by last count, 57% of this country wants us out of Iraq.² The people calling for Bush’s and Cheney’s impeachment come from all ends of the political spectrum. One of the first people to call for the impeachment of George W. Bush was a lawyer for President Richard Nixon, named John Dean. Dean has chronicled how the abuses of the present Bush administration have dwarfed Nixon’s Secrecy, Stonewalling and vendettas.³

There is no dearth of proof that this current administration has committed impeachable offenses, and far more than I can list in the few minutes I have to speak. Others have already chronicled this in great detail

In 2003 Attorney Francis Boyle came up with a draft Impeachment Resolution⁴. The violations in this include:

- Suspension of writ of habeas corpus
- Mass round ups and incarceration of foreigners
- Driving our country into an Illegal War

¹ William Rehnquist, All the Laws But One, ISBN 0-679-767-32-0, page 224.

² See for example http://www.usatoday.com/news/world/iraq/2006-06-26-iraq-poll_x.htm

³ John Dean, Worse than Watergate, ISBN 0-316-00023-X. Prior to publication, the phrase “Worse than Watergate” had been used by MSNBC’s Chris Matthews in a debate with RNC Chairman Ed Gillespie – Gillespie did not dispute this assertion. Dean xi, Hardball 9.30.2003.

⁴ <http://www.counterpunch.org/boyle01172003.html>

U.S. Senator Russell Feingold presented a Resolution to Censure George W. Bush for his unconstitutional wiretapping, something outside the powers of his office, for which Bush misled the public, and failed even to inform the legislative branch.⁵

U.S Representative John Conyers completed a report of more than 350 pages⁶, calling for an inquiry into such impeachable offenses as:

- making false statements to Congress
- Misuse of Government Funds
- Violation of Federal laws and international treaties prohibiting torture and cruel and unusual treatment
- Retaliating against witnesses in violation of the whistleblower laws.
- Violating FISA and the Fourth Amendment by intercepting countless communications without warrant
- Violating the National Security Act by failing to keep all members of the Senate and House Intelligence Committees “fully and currently informed.”
- determining to go to war before Congressional Authorization
- Manipulating and Misstating Intelligence to justify a pre-emptive war

Conyers report provides no less than 27 pages of legal standards and authority.⁷

Other cases have been made by:

- Elizabeth de la Vega an Assistant U.S. Attorney and member of the Organized Crime Strike Force;⁸
- The Center for Constitutional Rights an organization that has been involved in cases ranging from Brown v. Board of Ed. to Hamden v. Rumsfeld;⁹
- Attorney John Bonifaz, a MacArthur Fellow;¹⁰ and
- Elizabeth Holtzman, a Representative involved in the Impeachment of Richard Nixon¹¹

At present, a majority of people in this country favor impeaching George W. Bush if he illegally wiretapped citizens,¹² or if he lied about the reasons that got us into this unwinnable war.¹³ No one who has looked honestly at the facts, disputes that this president and his administration have lied regarding either. As Senator Oemig pointed out in this legislation Senator John D. Rockefeller’s bipartisan investigation into prewar intelligence determined as much.¹⁴

⁵ <http://thomas.loc.gov/cgi-bin/query/D?c109:3:./temp/~c1091tkrvS::>

⁶ <http://www.afterdowningstreet.org/constitutionin crisis>

⁷ <http://www.afterdowningstreet.org/downloads/crisis/legalstandards.pdf>

⁸ Elizabeth de la Vega, U.S. v. Bush, ISBN 10:1-58322-756-3

⁹ http://www.democracynaction.org/dia/organizationsORG/ccr/campaign.jsp?campaign_KEY=2702

¹⁰ John Bonifaz, The Case for Impeaching George W. Bush, ISBN 1-56025-606-0

¹¹ <http://www.thenation.com/docprint.mhtml?i=20060130&s=holtzman>

¹² <http://www.vermontguardian.com/dailies/012006/011606.shtml>, citing to Zogby Poll

¹³ <http://www.afterdowningstreet.org/?q=node/3528>

¹⁴ “The Committee’s investigation into prewar intelligence on Iraq has revealed that the Bush Administration’s case for war was fundamentally misleading. The Administration pursued a a deceptive

Why is Impeachment the responsibility of local government? Officials on a state level are better able to hear the people they represent. It is natural that a drive to remove this illegal President begins at a local level.

Some say there isn't the time to do this. The impeachment of Clinton took four months. Once it gathered momentum, it took five months to press Nixon to resign. Prior to the start of these five months as many Republican representatives "supported" President Nixon as now "support" this administration. The most famous question that brought Nixon down, "what did the President know and when did he know it," was asked by Howard Baker (R. Tenn.) who began as one of these supporters.¹⁵

The Bush and Cheney administration needs to be held accountable for what it has done to this country, before it, or a future administration does even worse. As the U.S. Supreme Court has noted, the process to do this is Impeachment.¹⁶

You have the power to do this by voting in favor of Senate Joint Memorial 8016.

Do it.

Respectfully submitted, March 1, 2007,

Paul Richmond

strategy of using intelligence reporting that the Intelligence community had already warned was uncorroborated, unreliable and in critical instances, fabricated." Remarks of Senator Rockefeller, 9.08.2006.

¹⁵ Judith Volkart, Esq. , from the collection Impeach the President, the Case Against Bush and Cheney, p.17, ISBN 10:1-58322-743-1.

¹⁶ Nixon v. Fitzgerald, 457 U.S. 731 at 757, 102 S.Ct. 2690, 73 L.Ed. 2d 349 (1982).

EXHIBITS

- 1) Impeachment Resolution of Francis Boyle
- 2) Senate Resolution 398, 109th Congress, Relating to the censure of George of George W. Bush, submitted by Senator Feingold.
- 3) Summary of Report "Constitution in Crisis" by John Conyers