

# ARTICLES OF IMPEACHMENT FOR PRESIDENT GEORGE W. BUSH

## U.S. AND INTERNATIONAL VIOLATIONS ALLEGED

INTRODUCED BY REP. DENNIS KUCINICH (D. Ohio)  
JUNE 09, 2008

CITE	VIOLATION	ARTICLES
U.S. Constitution Art. II, Sec. 1 Oath of Office	“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.”	One thru Thirty-five
U.S. Constitution, Art. II, Sec. 3	“[The President] shall take care that the laws be faithfully executed.”	One thru Thirty-five
Title 18, U.S. Code, Sec. 2	“(a)Whoever commits an offense against the U. S. or aids, abets, counsels, commands, induces or procures its commission [and/or] (b)willfully causes an act to be done which if directly performed by him or another would be an offense against the U.S., is punishable as a principal.”	One thru Thirty-five
Covert Propaganda Prohibition included in all Congressional Appropriation Legislation	Prohibits use of any appropriated funds “for propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.”	One thru Four; Ten; Thirty
Title 18, U.S. Code, Sec. 371 [Conspiracy to Defraud the United States]	Prohibits conspiring to use any form of fraud in an effort to impair or obstruct the function of a U.S. Government branch or agency.	One thru Six; Ten thru Thirteen; Sixteen; Twenty-one; Twenty-two; Thirty; Thirty-two; Thirty-five

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Title 18, U.S. Code, Secs. 1341, 1346	Prohibit using mail and wire communications to further a scheme to defraud the public of its right to the honest services of its public officials via false pretenses, representations, promises and material omissions.	One thru Four; Ten; Twenty-one; Thirty; Thirty-two; Thirty-five
U.S. Constitution Art. I, Sec. 9	“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law...”	Five
U.S. Constitution Art. I, Sec. 8	“[Congress shall have the power] to declare War...”	Five thru Seven
War Powers Act of 1973, Sec. 9(d)(1)	“Nothing in this joint resolution—is intended to alter the constitutional authority of the Congress or of the President...”	Five thru Seven
JRes 114, Sec. 3	“[In connection with the exercise of authority to use force, the President shall advise Congress of his determination] that –(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the U.S. against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and (2) acting pursuant to this joint resolution is consistent with the U.S. and other countries continuing to take the necessary actions against international terrorist and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001.”	Five thru Seven
U.S. Constitution, Art. VI	“[A]ll Treaties made...under the Authority of the United States, shall be the Supreme Law of the Land.”	Eight

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Ch. I, Art.2 UN Charter, Section 3	“[All Members shall] settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered” and “4. Refrain in their international relations from the threat or use of force against ... [another state].”	Eight
Title 18, U.S. Code, Sec. 2441	“a) Whoever, [while being a national of the U.S.] commits a war crime, [shall be guilty of a felony].” “(d) [T]he term ‘war crime’ means any conduct-(1) defined as a grave breach in any of the international conventions at Geneva 12 August 1949, or any protocol to such convention to which the U.S. is a party.”	Eight; Seventeen thru Twenty
Add'l Protocol I of 8 June, 1977 to Geneva Conventions of 12 August, Art. 85 (3) (signed by U.S.)	A “grave breach” of the Geneva Conventions includes making civilians the object of attacks.	Eight
Nat'l Defense Authorization Act for Fiscal Year 2008, Sec. 1222	“[No funds appropriated pursuant to this Act] may be obligated ... (1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq. (2) To exercise United States control of the oil resources of Iraq.”	Eleven
Title 18, U.S. Code, Sec. 4	“Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other [U.S. authority, shall be guilty of a felony.]”	Fourteen
Title 18, U.S. Code, Sec. 4	“Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other [U.S. authority, shall be guilty of a felony.]”	Fourteen



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Fourth Geneva Convention	Provides that it is the responsibility of an occupying force to ensure the protection and human rights of civilians.	Fifteen
U.S. Constitution, Art. I, Sec. 9	“The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.”	Seventeen
Fourth Geneva Convention, Commentary	“Every person in enemy hands...is either a prisoner of war...covered by the Third Convention, a civilian covered by the Fourth Convention, or...a member of the medical personnel of the armed forces... covered by the First Convention. There is no intermediate status; nobody in enemy hands can be outside the law.”	Seventeen through Nineteen
U.S. Constitution, Fifth Amendment	No person shall be “deprived of life, liberty, or property, without due process of law...”	Seventeen
Third Geneva Convention	“No physical or mental torture, nor any other form of coercion, may be inflicted on [POWs] to secure...information of any kind whatever. [POWs] who refuse to answer may not be threatened, insulted or exposed to any unpleasant or disadvantageous treatment of any kind.”	Seventeen thru Nineteen
Title 18, U.S. Code, Sec. 2340A	Prohibits torture and conspiracy to do so by U.S. nationals outside the U.S. Torture is an “act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon [a] person within his custody or physical control.”	Seventeen thru Nineteen
International Covenant on Human Rights (ratified by U.S.)	Art. 7:“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Art. 10: “All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.”	Seventeen thru Nineteen



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<p>Convention against Torture (ratified by U.S.)</p>	<p>Art. 2 (1) Each State Party shall take effective...measures to prevent acts of torture in ...its jurisdiction. (2) No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture. (3) An order from a superior officer or a public authority may not be invoked as a justification of torture.</p>	<p>Seventeen thru Nineteen</p>
<p>Convention against Torture (ratified by U.S.)</p>	<p>Art. 3. No State Party shall expel, return... or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture</p>	<p>Nineteen</p>
<p>War Crimes Act of 1996 Title 18, U.S. Code, Section 2441</p>	<p>Makes it a crime for U.S. military personnel and nationals to commit war crimes as specified in the 1949 Geneva Conventions, including violations of Common Article 3 which prohibits: "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; ...outrages upon personal dignity, in particular humiliating and degrading treatment."</p>	<p>Seventeen thru Twenty</p>
<p>Optional Protocol to Fourth Geneva Convention on Rights of the Child (signed by U.S. in 2002)</p>	<p>Children under the age of 18 captured in conflicts are "protected persons" to be considered victims, not prisoners.</p>	<p>Twenty</p>
<p>Title 18, U.S. Code, Section 1385</p>	<p>Prohibits using military for domestic law enforcement without congressional authorization.</p>	<p>Twenty-three</p>



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Foreign Intelligence Surveillance Act of 1978 ("FISA")	Provides that FISA is the exclusive means by which domestic electronic surveillance for foreign intelligence purposes can be conducted and criminalizes violations.	Twenty-four; Twenty-five
U.S. Constitution, Fourth Amendment	"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath...particularly describing the place to be searched, and the persons or things to be seized."	Twenty-four; Twenty-five
Voting Rights Act of 1965, Sec. 2	" No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the U. S. to vote on account of race or color. "	Twenty-eight; Twenty-nine
Title 2, U.S. Code, Sec. 194	Provides that when Congress certifies that a witness has failed to appear or produce records as required by subpoena, the "appropriate United States Attorney ...shall...bring the matter before the grand jury for its action."	Twenty-eight; Twenty-nine
Stored Communications Act of 1986	Prohibits knowing disclosure of customer telephone records to the government unless: (1) pursuant to subpoena, warrant or a National Security Letter (or other Administrative subpoena); with the customers lawful consent; (2) there is a business necessity; or (3) an emergency involving the danger of death or serious physical injury.	Article Twenty-five

