

The following is a summary of an initial draft of **ARTICLES OF IMPEACHMENT AGAINST GEORGE WALKER BUSH** prepared for Rep. Cynthia McKinney (GA) by two of her staff: John Judge & Mike Zmolek. The 17 points are based on the work of numerous publications and legal scholars, prior to her introduction of H. Res. 1106 (109th Congress) on December 8, 2006, incorporating points 1, 10, 11 and 15 below, the remaining points submitted as an extension of remarks.

<i>As President of the United States, George Walker Bush or one of the named officials has:</i>		<i>In violation of:</i>
ARTICLE I. FAILURE TO ENSURE THE LAWS ARE FAITHFULLY EXECUTED: repeatedly violated the letter and spirit of laws and rules of criminal procedure used by civilian and military courts, and has violated or ignored regulatory codes and practices that carry out the law, has contravened the laws governing agencies of the executive and the purposes of these agencies, and in conducting the foreign affairs of the United States of America has proceeded in flagrant violation of the core body of international laws, to which the United States of America is bound by treaty [Article VI of the Constitution defines Senate-ratified treaties as "the supreme Law of the Land"]		Article II, Section 3 of the Constitution: The President "shall take Care that the Laws be faithfully executed"
1. Illegal Domestic Spying: Clandestinely directed the NSA and other agencies, in secret and outside the lawful scope of their mandates, to conduct electronic surveillance of citizens of the United States, and concealed the existence of this unlawful program	Foreign Intelligence Surveillance Act (FISA) [50 USC Chapter 36]	
2. Self-Exemption from Laws upon Signing: Attached signing statements to more than 100 bills, within which he has made over 800 challenges to provisions of laws passed by Congress, exceeding the total of all such previous challenges, to exempt himself from enforcing or from being held accountable to provisions of the said laws (High Misdemeanor)		
3 (a). Suspension of Basic Legal Proceedings: Systematically violated of basic legal and criminal procedures that require any search, seizure, arrest or detention to be non-discriminatory, based on probable cause and sufficient evidence to warrant a stated charge, that provide access to legal counsel, (etc.)	federal and state statutes on criminal and court process, the provisions of the Uniform Code of Military Justice , applicable international law, or appeals to higher courts	
3 (b). Suspension of Basic Legal Proceedings: ordered mass arrests and indefinite detentions based on indiscriminate profiling of specific populations	laws prohibiting harmful extraditions, secret arrest and custody, and denial of defined and legal periods of detention or incarceration	
4. Promoting Illegal War: Advanced and executed a policy based on so-called pre-emptive or preventive war by launching a war of aggression against the sovereign nation of Iraq, resulting in the deaths of tens of thousands of Iraqi civilians and thousands of United States military personnel, without United Nations Security Council authorization	Articles 41 and 42 of the United Nations Charter	
(5) Promoting Illegal Torture: condoned and presided over a vast expansion of the use of torture against unarmed combatants and civilian non-combatants, both foreign and domestic, detained or kidnapped by forces or agents of the United States, leading to extreme pain, psychological trauma, disfigurement and in some cases, death.	the Army Field Manual ; the Federal Torture Statute [18 USC Sec. 2340A]; the Third Geneva Convention banning torture and abuse of Prisoners of War, and Articles 4 and 32 of the Fourth Geneva Convention , which expressly prohibit not merely torture but physical abuse of any kind	
6. Promoting Kidnappings and Renditions for Illegal Torture: Signing a September 17, 2001 executive order (still classified) authorizing a CIA program involving illegal kidnappings and rendering hundreds of detainees to countries where they were subsequently tortured, and detention centers operating outside any known laws	United Nations Convention Against Torture , Article 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"; Fourth Geneva Convention , Articles 31 and 45	
7. Use of Illegal Weapons: authorized or sanctioned the use of illegal weapons, including but not limited to the following:		
7 (a). land mines: which indiscriminately injure and kill combatants and innocent civilians alike in Iraq and Afghanistan	Geneva Conventions Protocol I , Article 85: is a war crime to launch "an indiscriminate attack affecting the civilian population"; Protocol II of the Convention on Certain Conventional Weapons	
7 (b). cluster bombs: including those which upon explosion project lethal plastic fragments not detectable by X-ray	Geneva Conventions Protocol I , Article 85; Protocol I of the Convention on Certain Conventional Weapons , banning weapons which "injure by fragments which ... escape detection by X-rays"; Annexed Articles 22 and 23 of the Hague Convention IV : "It is especially forbidden to kill treacherously individuals belonging to the hostile nation or army"	
7 (c). depleted uranium munitions: being radiological weapons used extensively in Iraq and Afghanistan	Geneva Conventions Protocol I , Articles 35.2, 35.3, 48 and 55.1; classified as "weapons of mass destruction" by the United Nations Subcommittee on Prevention of Discrimination and Protection of Minorities	
7 (d). Napalm: a weapon widely used in Vietnam, an upgraded kerosene-based version of which has more recently been used by United States forces in Iraq, being dubbed the "Mark 77 firebomb"	Chemical Weapons Convention , Article II.1.b, prohibiting weapons "designed to cause death ... through the toxic properties"	
7 (e). white phosphorus: deployed "as an incendiary weapon" in urban areas of Fallujah, Iraq, where there were high concentrations of civilians, during Operation Phantom Fury (November 2004-January 2005)	Chemical Weapons Convention , Article II.1.b	
7 (f). BLU-82B/C-130 "daisy cutter" bombs: massive incendiary bombs deployed by United States forces in Afghanistan, and which upon detonation create a firestorm the size of five football fields or greater, and a vacuum pressure capable of collapsing internal organs	Geneva Conventions Protocol I , Arts. 35, 48, 51, 55	
ARTICLE II. ABUSE OF OFFICE AND OF EXECUTIVE PRIVILEGE: consistently demonstrated disregard for that oath by obstructing and hindering the work of investigative bodies, by seeking to expand the scope of the powers of his office, by failing to ensure a swift response to a natural disaster where lives were in the balance, and by failing to appoint competent officials or to hold those whom he appoints or those to whom the government grants contracts accountable in cases of dereliction of duty, abuse and outright fraud		The Presidential Oath of Office to "faithfully execute the office of President of the United States" under Article II, Section 1 of the Constitution
8. Obstructing Inquiry and Detection: presided over the most secretive Presidency in U.S. history, and an administration which actively interferes with the free flow of information by manipulating the press and frustrating its ability to provide an oversight function by being actively hostile to questioning from the press, by refusing to provide key information to Congressional investigators and to prosecutors investigating the outing of a Central Intelligence Agency Officer, and by consistently invoking executive privilege in order to shelter his office and his appointees from Congressional oversight and judicial accountability (High Misdemeanor)		
9. Replacing the Veto with Signing Statements: subverted the very nature of his office by seeking to add to his office extraordinary and unconstitutional powers and privileges by declining to veto even one bill, and instead attaching signing statements challenging hundreds of laws passed by Congress, thereby seeking to exempt the executive branch from accountability to said laws (High Misdemeanor)		

<p>10. Failure to Uphold Accountability: failed to take responsibility for, investigate or discipline those responsible for an ongoing pattern of negligence, incompetence and malfeasance to the detriment of the lives, property, health and fortunes of the American people; has procured offices for persons who were unfit, and unworthy of them; has failed to account for billions of dollars of government revenue shipped to Iraq; has failed to hold government contractors responsible to Congress and the people through transparent and public reporting and accounting controls; has failed to take any disciplinary measures against those responsible for the failure to follow standard operating procedure in response to the attacks of September 11, 2001; and has failed to hold to account those top officials responsible for allowing a natural disaster to become a catastrophe of incompetence and neglect by ignoring warnings since 1998 that a powerful hurricane could overwhelm the levee system of the City of New Orleans, (etc.)</p>	<p>The Presidential Oath of Office to “faithfully execute the office of President of the United States” under Article II, Section 1 of the Constitution</p>
<p>10(a). Richard Cheney: played a key role in manipulating intelligence in the interest of promoting the illegal invasion of Iraq by pressuring analysts at the Central Intelligence Agency to “fix” their intelligence estimates of the danger posed by Iraq in relation to weapons of mass destruction; promoted the use of torture methods ; promoted the privatization of the armed forces and war racketeering by private contractors, including multi-billion dollar no-bid contracts to his former employer Halliburton, even while holding a pecuniary interest in Halliburton through stock options which grow as Halliburton’s war profits increase</p>	<p>the Vice Presidential Oath of Office to support and defend the Constitution</p>
<p>10(b). Condoleezza Rice: played a leading role in seeking to deceive Congress and the American public by repeating and propagating false statements concerning Iraq’s alleged weapons of mass destruction program, including false information that the purchase of aluminum tubes demonstrated that Iraq was pursuing a nuclear weapon and false information that Iraq was purchasing uranium from Niger; falsely denied that the United States was engaged in practices of kidnapping, rendition and torture</p>	<p>her Constitutional duty to share and provide accurate and truthful intelligence information with the Congress, as former National Security Adviser to the President</p>
<p>10(c). Donald Rumsfeld: as Secretary of Defense oversaw the implementation of a set of changes to policy governing interrogations, including the transferring of General Geoffrey Miller from Guantánamo to Baghdad specifically to “enhance” interrogation techniques, and personally authoring a memorandum in December of 2002 suggesting the use of “stress positions, noise and light discipline ... disrupting sleep patterns” (etc.)</p>	<p>the Federal Torture Statute, the United Nations Convention Against Torture; Geneva Conventions</p>
<p>ARTICLE III. FAILURE TO PRESERVE, PROTECT AND DEFEND THE CONSTITUTION: by violating constitutional oath, which includes the duty not to abuse his powers or transgress their limits, the duty not to violate the rights of citizens, including those guaranteed by the Bill of Rights, and not to act in derogation of powers vested elsewhere by the Constitution, demonstrated a pattern of disregard or contempt for the Constitution</p>	<p>The Presidential Oath of Office to “preserve, protect, and defend the Constitution of the United States” to the best of his ability under Article II, Section 1 of the Constitution</p>
<p>11. Manipulating Intelligence and Lying to Justify War: in the service of carrying out a pre-planned scenario to invade Iraq, withheld intelligence from the Congress, actively manipulated the intelligence on Iraq’s alleged weapons programs by pressuring the Central Intelligence Agency and other intelligence agencies to provide intelligence such that “the intelligence and facts were being fixed around the policy”, with Secretary of Defense Rumsfeld created the Office of Special Plans to over-ride existing intelligence reports by providing unreliable evidence, with the intent to misinform the people and their representatives in Congress in order to gain their support for invading Iraq, denying both the people and their representatives in Congress the right to make an informed choice</p>	<p>the separation of powers under the Constitution and his subsequent obligation to share intelligence with the Congress</p>
<p>12. Initiating War Without a Declaration: subverted the rightful authority of Congress to declare war by launching a war of aggression against the sovereign nation of Iraq without seeking a declaration of war</p>	<p>the War Powers Act, the Constitution, its guarantee of a republican form of government, and the constitutional separation of power</p>
<p>13. Suspension of Due Process: systematically deprived citizens and residents of the United States of their constitutional rights to due process under the law, by sanctioning or ordering, at the discretion of the executive, their detention without charge and without trial, by denying the right to a fair and speedy trial and blocking access to counsel for the defense, both of which are rights guaranteed under, by denying those so illegally detained the opportunity to appear before a judicial officer that they might challenge the legal grounds of their detention; by sanctioning and ordering mass arrests and detentions which inevitably involve all of the above named abuses, and by refusing to disclose the identities and locations of those detained, whereby said George Walker Bush, President of the United States, did commit and was guilty of high crimes against the United States of America.</p>	<p>habeus corpus law, the Fifth and Sixth Amendments of the Bill of Rights, and the Presidential Oath of Office to “preserve, protect, and defend the Constitution of the United States” to the best of his ability under Article II, Section 1 of the Constitution</p>
<p>14. Unreasonable Searches and Seizures: clandestinely directed the National Security Agency, the Federal Bureau of Investigation, the Pentagon and the Department of Homeland Security to conduct electronic surveillance of citizens of the United States on U.S. soil without seeking to obtain, before or after, a judicial warrant, including spying on groups and individuals who had committed no illegal acts, involving penetration, entrapment and provocation, thereby reviving practices previously discontinued after they were deemed prejudicial to justice by the United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, chaired by Senator Frank Church</p>	<p>the Fourth Amendment to the Constitution</p>
<p>15. Corrupting the FISA Courts: clandestinely directed the National Security Agency and various other intelligence agencies to conduct electronic surveillance of citizens of the United States on U.S. soil without seeking to obtain, before or after, a judicial warrant, thereby corrupting the powers of the Congress and the judiciary by circumventing the Foreign Intelligence Surveillance Act (FISA) courts established by the Congress, whose express purpose is to put a check on the executive</p>	<p>the separation of powers under the Constitution</p>
<p>16. Non-Cooperation with Congress: in derogation of the legislative functions of the Congress, engaged in a consistent pattern of obstructing and frustrating Congressional investigations, opposed and delayed the formation of a commission to investigate the attacks of September 11, 2001, and once it was formed, refused to turn over key documents and information in compliance with subpoenas; refused requests from the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina and requests from the 9/11 Commission to turn over key documents and information; and made it official policy to refuse cooperation with Freedom of Information Act (FOIA) requests; these actions severely restricting the ability of the people and their representatives in Congress seeking to hold government officials accountable for their decisions to have access to a record of how official decisions were reached, or even to know what the official policies are.</p>	<p>Article I, Section 1 of the Constitution, and the implied obligation to see that the laws made by Congress are faithfully executed</p>
<p>17. Establishment of an Unconstitutional, Parallel Legal System: sanctioned the establishment of said system operating outside the scope of the Constitution under which the participants would not be bound by due process or basic rights of the accused to speedy and fair trials, access to counsel, or even the right to know the charges and evidence against them, replacing these measures with a new form of law involving: secret and indefinite detention without trial or hearing; renditions to other countries outside the reach of law and justice; the use of military tribunals to replace civilian courts; detentions outside normal habeus rules and without access to effective counsel, unmonitored conversations or judicial attention and review; exclusion of the accused from portions of the trial and from access to evidence used against them; acceptance of hearsay, including testimony gained under torture or duress; and a lack of independent judiciary or appeal of conviction</p>	<p>Article 5 of the Geneva Convention, requiring timely status review hearings, the Supreme Court Ruling that the denial of rights under the Geneva Accords is illegal [<i>Hamdan v. Rumsfeld</i>], the Uniform Code of Military Justice, federal criminal procedures and his duty to defend the Constitution</p>