

110TH CONGRESS
1ST SESSION

H. RES. 799

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2007

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

RESOLUTION

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

1 *Resolved*, That Richard B. Cheney, Vice President of
2 the United States, is impeached for high crimes and mis-
3 demeanors, and that the following articles of impeachment
4 be exhibited to the United States Senate:

5 Articles of impeachment exhibited by the House of
6 Representatives of the United States of America in the
7 name of itself and of the people of the United States of
8 America, against Richard B. Cheney, Vice President of the
9 United States of America, in maintenance and support of

1 its impeachment against him for high crimes and mis-
2 demeanors.

3 **Article I**

4 In his conduct while Vice President of the United
5 States, Richard B. Cheney, in violation of his constitu-
6 tional oath to faithfully execute the office of Vice Presi-
7 dent of the United States and, to the best of his ability,
8 preserve, protect, and defend the Constitution of the
9 United States, and in violation of his constitutional duty
10 to take care that the laws be faithfully executed, has pur-
11 posely manipulated the intelligence process to deceive the
12 citizens and Congress of the United States by fabricating
13 a threat of Iraqi weapons of mass destruction to justify
14 the use of the United States Armed Forces against the
15 nation of Iraq in a manner damaging to our national secu-
16 rity interests, to wit:

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

22 (A) “We know they have biological and
23 chemical weapons.” March 17, 2002, Press
24 Conference by Vice President Dick Cheney and
25 His Highness Salman bin Hamad Al Khalifa,

1 Crown Prince of Bahrain at Shaikh Hamad
2 Palace.

3 (B) “. . . and we know they are pursuing
4 nuclear weapons.” March 19, 2002, Press
5 Briefing by Vice President Dick Cheney and
6 Israeli Prime Minister Ariel Sharon in Jeru-
7 salem.

8 (C) “And he is actively pursuing nuclear
9 weapons at this time . . .” March 24, 2002,
10 CNN Late Edition interview with Vice Presi-
11 dent Cheney.

12 (D) “We know he’s got chemicals and bio-
13 logical and we know he’s working on nuclear.”
14 May 19, 2002, NBC Meet the Press interview
15 with Vice President Cheney.

16 (E) “But we now know that Saddam has
17 resumed his efforts to acquire nuclear
18 weapons . . . Simply stated, there is no doubt
19 that Saddam Hussein now has weapons of mass
20 destruction. There is no doubt that he is amass-
21 ing them to use against our friends, against our
22 allies, and against us.” August 26, 2002,
23 Speech of Vice President Cheney at VFW
24 103rd National Convention.

1 (F) “Based on intelligence that’s becoming
2 available, some of it has been made public,
3 more of it hopefully will be, that he has indeed
4 stepped up his capacity to produce and deliver
5 biological weapons, that he has reconstituted
6 his nuclear program to develop a nuclear weap-
7 on, that there are efforts under way inside Iraq
8 to significantly expand his capability.” Sep-
9 tember 8, 2002, NBC Meet the Press interview
10 with Vice President Cheney.

11 (G) “He is, in fact, actively and aggres-
12 sively seeking to acquire nuclear weapons.”
13 September 8, 2002, NBC Meet the Press inter-
14 view with Vice President Cheney.

15 (H) “And we believe he has, in fact, recon-
16 stituted nuclear weapons.” March 16, 2003,
17 NBC Meet the Press interview with Vice Presi-
18 dent Cheney.

19 (2) Preceding the March 2003 invasion of Iraq
20 the Vice President was fully informed that no legiti-
21 mate evidence existed of weapons of mass destruc-
22 tion in Iraq. The Vice President pressured the intel-
23 ligence community to change their findings to enable
24 the deception of the citizens and Congress of the
25 United States.

1 (A) Vice President Cheney and his Chief of
2 Staff, Lewis Libby, made multiple trips to the
3 CIA in 2002 to question analysts studying
4 Iraq's weapons programs and alleged links to al
5 Qaeda, creating an environment in which ana-
6 lysts felt they were being pressured to make
7 their assessments fit with the Bush administra-
8 tion's policy objectives accounts.

9 (B) Vice President Cheney sought out
10 unverified and ultimately inaccurate raw intel-
11 ligence to prove his preconceived beliefs. This
12 strategy of cherry picking was employed to in-
13 fluence the interpretation of the intelligence.

14 (3) The Vice President's actions corrupted or
15 attempted to corrupt the 2002 National Intelligence
16 Estimate, an intelligence document issued on Octo-
17 ber 1, 2002, and carefully considered by Congress
18 prior to the October 10, 2002, vote to authorize the
19 use of force. The Vice President's actions prevented
20 the necessary reconciliation of facts for the National
21 Intelligence Estimate which resulted in a high num-
22 ber of dissenting opinions from technical experts in
23 two Federal agencies.

24 (A) The State Department's Bureau of In-
25 telligence and Research dissenting view in the

1 October 2002 National Intelligence Estimate
2 stated “Lacking persuasive evidence that Bagh-
3 dad has launched a coherent effort to reconsti-
4 tute its nuclear weapons program INR is un-
5 willing to speculate that such an effort began
6 soon after the departure of UN inspectors or to
7 project a timeline for the completion of activi-
8 ties it does not now see happening. As a result
9 INR is unable to predict that Iraq could ac-
10 quire a nuclear device or weapon.”.

11 (B) The State Department’s Bureau of In-
12 telligence and Research dissenting view in the
13 October 2002 National Intelligence Estimate
14 also stated that “Finally, the claims of Iraqi
15 pursuit of natural uranium in Africa are, in
16 INR’s assessment, highly dubious.”.

17 (C) The State Department’s Bureau of In-
18 telligence and Research dissenting view in the
19 October 2002 National Intelligence Estimate
20 references a Department of Energy opinion by
21 stating that “INR accepts the judgment of
22 technical experts at the U.S. Department of
23 Energy (DOE) who have concluded that the
24 tubes Iraq seeks to acquire are poorly suited for
25 use in gas centrifuges to be used for uranium

1 enrichment and finds unpersuasive the argu-
2 ments advanced by others to make the case that
3 they are intended for that purpose.”.

4 The Vice President subverted the national security
5 interests of the United States by setting the stage for the
6 loss of more than 3,800 United States service members;
7 the loss of more than 1 million innocent Iraqi citizens
8 since the United States invasion; the loss of approximately
9 \$500 billion in war costs which has increased our Federal
10 debt; the loss of military readiness within the United
11 States Armed Services due to overextension, lack of train-
12 ing and lack of equipment; the loss of United States credi-
13 bility in world affairs; and the decades of likely blowback
14 created by the invasion of Iraq.

15 In all of this, Vice President Richard B. Cheney has
16 acted in a manner contrary to his trust as Vice President,
17 and subversive of constitutional government, to the preju-
18 dice of the cause of law and justice and the manifest injury
19 of the people of the United States. Wherefore, Vice Presi-
20 dent Richard B. Cheney, by such conduct, is guilty of an
21 impeachable offense warranting removal from office.

22 **Article II**

23 In his conduct while Vice President of the United
24 States, Richard B. Cheney, in violation of his constitu-
25 tional oath to faithfully execute the office of Vice Presi-

1 dent of the United States and, to the best of his ability,
2 preserve, protect, and defend the Constitution of the
3 United States, and in violation of his constitutional duty
4 to take care that the laws be faithfully executed, purposely
5 manipulated the intelligence process to deceive the citizens
6 and Congress of the United States about an alleged rela-
7 tionship between Iraq and al Qaeda in order to justify the
8 use of the United States Armed Forces against the nation
9 of Iraq in a manner damaging to our national security
10 interests, to wit:

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

16 (A) “His regime has had high-level con-
17 tacts with Al Qaeda going back a decade and
18 has provided training to Al Qaeda terrorists.”
19 December 2, 2002, Speech of Vice President
20 Cheney at the Air National Guard Senior Lead-
21 ership Conference.

22 (B) “His regime aids and protects terror-
23 ists, including members of Al Qaeda. He could
24 decide secretly to provide weapons of mass de-
25 struction to terrorists for use against us.” Jan-

1 uary 30, 2003, Speech of Vice President Che-
2 ney to 30th Political Action Conference in Ar-
3 lington, Virginia.

4 (C) “We know he’s out trying once again
5 to produce nuclear weapons and we know that
6 he has a long-standing relationship with various
7 terrorist groups, including the Al Qaeda organi-
8 zation.” March 16, 2003, NBC Meet the Press
9 interview with Vice President Cheney.

10 (D) “We learned more and more that there
11 was a relationship between Iraq and Al Qaeda
12 that stretched back through most of the decade
13 of the ’90s, that it involved training, for exam-
14 ple, on biological weapons and chemical
15 weapons . . .” September 14, 2003, NBC
16 Meet the Press interview with Vice President
17 Cheney.

18 (E) “Al Qaeda had a base of operation
19 there up in Northeastern Iraq where they ran
20 a large poisons factory for attacks against Eu-
21 ropeans and U.S. forces.” October 3, 2003,
22 Speech of Vice President Cheney at Bush-Che-
23 ney ’04 Fundraiser in Iowa.

24 (F) “He also had an established relation-
25 ship with Al Qaeda providing training to Al

1 Qaeda members in areas of poisons, gases, and
2 conventional bombs.” October 10, 2003, Speech
3 of Vice President Cheney to the Heritage Foun-
4 dation.

5 (G) “Al Qaeda and the Iraqi intelligence
6 services have worked together on a number of
7 occasions.” January 9, 2004, Rocky Mountain
8 News interview with Vice President Cheney.

9 (H) “I think there’s overwhelming evidence
10 that there was a connection between Al Qaeda
11 and the Iraqi Government.” January 22, 2004,
12 NPR: Morning Edition interview with Vice
13 President Cheney.

14 (I) “First of all, on the question of—of
15 whether or not there was any kind of relation-
16 ship, there clearly was a relationship. It’s been
17 testified to; the evidence is overwhelming.”
18 June 17, 2004, CNBC: Capital Report inter-
19 view with Vice President Cheney.

20 (2) Preceding the March 2003 invasion of Iraq
21 the Vice President was fully informed that no cred-
22 ible evidence existed of a working relationship be-
23 tween Iraq and al Qaeda, a fact articulated in sev-
24 eral official documents, including:

1 (A) A classified Presidential Daily Briefing
2 ten days after the September 11, 2001, attacks
3 indicating that the United States intelligence
4 community had no evidence linking Saddam
5 Hussein to the September 11th attacks and
6 that there was “scant credible evidence that
7 Iraq had any significant collaborative ties with
8 Al Qaeda”.

9 (B) Defense Intelligence Terrorism Sum-
10 mary No. 044–02, issued in February 2002 by
11 the United States Defense Intelligence Agency,
12 which challenged the credibility of information
13 gleaned from captured al Qaeda leader al-Libi.
14 The DIA report also cast significant doubt on
15 the possibility of a Saddam Hussein-al-Qaeda
16 conspiracy: “Saddam’s regime is intensely sec-
17 ular and is wary of Islamic revolutionary move-
18 ments. Moreover, Baghdad is unlikely to pro-
19 vide assistance to a group it cannot control.”.

20 (C) A January 2003 British intelligence
21 classified report on Iraq that concluded that
22 “there are no current links between the Iraqi
23 regime and the al-Qaeda network”.

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

1 loss of more than 3,800 United States service members;
2 the loss of more than 1 million innocent Iraqi citizens
3 since the United States invasion; the loss of approximately
4 \$500 billion in war costs which has increased our Federal
5 debt; the loss of military readiness within the United
6 States Armed Services due to overextension, lack of train-
7 ing and lack of equipment; the loss of United States credi-
8 bility in world affairs; and the decades of likely blowback
9 created by the invasion of Iraq.

10 In all of this, Vice President Richard B. Cheney has
11 acted in a manner contrary to his trust as Vice President,
12 and subversive of constitutional government, to the preju-
13 dice of the cause of law and justice and the manifest injury
14 of the people of the United States.

15 Wherefore, Vice President Richard B. Cheney, by
16 such conduct, is guilty of an impeachable offense war-
17 ranting removal from office.

18 **Article III**

19 In his conduct while Vice President of the United
20 States, Richard B. Cheney, in violation of his constitu-
21 tional oath to faithfully execute the office of Vice Presi-
22 dent of the United States and, to the best of his ability,
23 preserve, protect, and defend the Constitution of the
24 United States, and in violation of his constitutional duty
25 to take care that the laws be faithfully executed, has open-

1 ly threatened aggression against the Republic of Iran ab-
2 sent any real threat to the United States, and done so
3 with the United States proven capability to carry out such
4 threats, thus undermining the national security of the
5 United States, to wit:

6 (1) Despite no evidence that Iran has the inten-
7 tion or the capability of attacking the United States
8 and despite the turmoil created by United States in-
9 vasion of Iraq, the Vice President has openly threat-
10 ened aggression against Iran as evidenced by the fol-
11 lowing:

12 (A) “For our part, the United States is
13 keeping all options on the table in addressing
14 the irresponsible conduct of the regime. And we
15 join other nations in sending that regime a
16 clear message: We will not allow Iran to have
17 a nuclear weapon.” March 7, 2006, Speech of
18 Vice President Cheney to American Israel Pub-
19 lic Affairs Committee 2006 Policy Conference.

20 (B) “But we’ve also made it clear that all
21 options are on the table.” January 24, 2007,
22 CNN Situation Room interview with Vice Presi-
23 dent Cheney.

24 (C) “When we—as the President did, for
25 example, recently—deploy another aircraft car-

1 rier task force to the Gulf, that sends a very
2 strong signal to everybody in the region that
3 the United States is here to stay, that we clear-
4 ly have significant capabilities, and that we are
5 working with friends and allies as well as the
6 international organizations to deal with the Ira-
7 nian threat.” January 29, 2007, Newsweek
8 interview with Vice President Cheney.

9 (D) “But I’ve also made the point and the
10 President has made the point that all options
11 are still on the table.” February 24, 2007, Vice
12 President Cheney at Press Briefing with Aus-
13 tralian Prime Minister in Sydney, Australia.

14 (2) The Vice President, who repeatedly and
15 falsely claimed to have had specific, detailed knowl-
16 edge of Iraq’s alleged weapons of mass destruction
17 capabilities, is no doubt fully aware of evidence that
18 demonstrates Iran poses no real threat to the United
19 States as evidenced by the following:

20 (A) “I know that what we see in Iran right
21 now is not the industrial capacity you can [use
22 to develop a] bomb.” Mohamed ElBaradei, Di-
23 rector General of International Atomic Energy
24 Agency, February 19, 2007.

1 (B) Iran indicated its “full readiness and
2 willingness to negotiate on the modality for the
3 resolution of the outstanding issues with the
4 IAEA, subject to the assurances for dealing
5 with the issues in the framework of the Agency,
6 without the interference of the United Nations
7 Security Council”. IAEA Board Report, Feb-
8 ruary 22, 2007.

9 (C) “. . . so whatever they have, what we
10 have seen today, is not the kind of capacity that
11 would enable them to make bombs.” Mohamed
12 ElBaradei, Director General of International
13 Atomic Energy Agency, February 19, 2007.

14 (3) The Vice President is fully aware of the ac-
15 tions taken by the United States towards Iran that
16 are further destabilizing the world as evidenced by
17 the following:

18 (A) The United States has refused to en-
19 gage in meaningful diplomatic relations with
20 Iran since 2002, rebuffing both bilateral and
21 multilateral offers to dialogue.

22 (B) The United States is currently en-
23 gaged in a military buildup in the Middle East
24 that includes the increased presence of the
25 United States Navy in the waters near Iran,

1 significant United States Armed Forces in two
2 nations neighboring to Iran, and the installa-
3 tion of anti-missile technology in the region.

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

8 (D) The United States has been linked to
9 anti-Iranian organizations that are attempting
10 to destabilize the Iranian Government, in par-
11 ticular the Mujahideen-e Khalq (MEK), even
12 though the State Department has branded it a
13 terrorist organization.

14 (E) News accounts indicate that United
15 States troops have been ordered into Iran to
16 collect data and establish contact with anti-gov-
17 ernment groups.

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

23 (A) Article VI of the United States Con-
24 stitution states, "This Constitution, and the
25 Laws of the United States which shall be made

1 in Pursuance thereof; and all Treaties made, or
2 which shall be made, under the Authority of the
3 United States, shall be the supreme Law of the
4 Land.” Any provision of an international treaty
5 ratified by the United States becomes the law
6 of the United States.

7 (B) The United States is a signatory to
8 the United Nations Charter, a treaty among the
9 nations of the world. Article II, section 4 of the
10 United Nations Charter states, “All Members
11 shall refrain in their international relations
12 from the threat or use of force against the ter-
13 ritorial integrity or political independence of
14 any state, or in any other manner inconsistent
15 with the Purposes of the United Nations.” The
16 threat of force is illegal.

17 (C) Article 51 lays out the only exception,
18 “Nothing in the present Charter shall impair
19 the inherent right of individual or collective
20 self-defense if an armed attack occurs against a
21 Member of the United Nations, until the Secu-
22 rity Council has taken measures necessary to
23 maintain international peace and security.”
24 Iran has not attacked the United States; there-

1 fore any threat against Iran by the United
2 States is illegal.

3 The Vice President's deception upon the citizens and
4 Congress of the United States that enabled the failed
5 United States invasion of Iraq forcibly altered the rules
6 of diplomacy such that the Vice President's recent bellig-
7 erent actions towards Iran are destabilizing and counter-
8 productive to the national security of the United States.

9 In all of this, Vice President Richard B. Cheney has
10 acted in a manner contrary to his trust as Vice President,
11 and subversive of constitutional government, to the preju-
12 dice of the cause of law and justice and the manifest injury
13 of the people of the United States.

14 Wherefore Richard B. Cheney, by such conduct, war-
15 rants impeachment and trial, and removal from office.

○