

1 **Resolution Opposing Bush Executive Orders**
2 **that Violate U.S. Constitution and**
3 **Calling for Public Action**
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5 **WHEREAS**, President George W. Bush has issued executive orders and the CIA has
6 published a National Intelligence Estimate during the past several months that could
7 lead to an extraordinary, unprecedented and unconstitutional taking of legislative and
8 judicial branch prerogatives at great costs to personal rights hard-won by generations of
9 Americans, and

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11 **WHEREAS**, on May 9, 2007, Bush issued a major presidential National Security
12 Directive (National Security and Homeland Security Presidential Directive NSPD
13 51/HSPD 20), which would allow him to assume control of the government upon his
14 own declaration of a "catastrophic emergency", defined in the Directive as "any
15 incident, regardless of location, that results in extraordinary levels of mass casualties,
16 damage, or disruption severely affecting the U.S. population, infrastructure,
17 environment, economy, or government functions,"
18 (<http://www.whitehouse.gov/news/releases/2007/05/20070509-12.html>), and

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20 **WHEREAS**, on July 11, 2007, the CIA published its "National Intelligence Estimate,"
21 which pointed to an imminent Al Qaeda attack on America, a second 9/11 which,
22 according to the terms of NSPD 51, could place the nation under martial law if the
23 president declares such an emergency, and

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25 **WHEREAS**, on July 17, 2007, Bush issued "Executive Order: Blocking Property of
26 Certain Persons Who Threaten Stabilization Efforts in Iraq,"
27 (<http://www.whitehouse.gov/news/releases/2007/07/20070717-3.html>)
28 which "authorizes the Treasury Department to freeze and confiscate the assets of
29 anyone determined 'to have committed, or to pose a significant risk of committing' acts
30 of violence with the 'purpose or effect' of hindering the Iraqi government or
31 reconstruction efforts," and "the freezing of assets of anyone who provides 'material
32 support' to such a person or group, whether or not the person's support was knowing
33 or intentional" and "expressly prohibits even donations of 'food, clothing, and medicine
34 intended to be used to relieve human suffering,'" (ACLU <http://www.aclu.org/natsec/warpowers/31113prs20070727.html>), and

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37 **WHEREAS**, the ACLU (American Civil Liberties Union) further states that the Order's
38 "sweeping provisions pose risks for residents of the United States and for humanitarian
39 work in Iraq"; "could have a serious chilling effect on charitable contributions intended
40 to ease the suffering in Iraq"; "reaches far beyond criminal activity to activity that may
41 be entirely innocent"; and that a "person may find themselves inadvertently in violation of
42 this order and there is no provision for judicial review," and

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44 **WHEREAS**, the conservative (Libertarian) Cato Institute issued a Policy Analysis on
45 "Executive Orders and National Emergencies" (1999) that states: "Congress needs to
46 take more effective action to check presidential usurpations of legislative power and
47 restore the constitutional structure of government. Congress has such power: it may
48 modify or revoke all presidential directives except those undertaken pursuant to
49 constitutional powers, such as the power to pardon, that are vested in the president"
50 (<http://www.cato.org/pubs/pas/pa-358es.html>), and

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52 **WHEREAS**, the July 17 Executive Order violates the rule of law in America – which
53 ensures the innocence of the accused until proven guilty – by empowering the Bush
54 Administration to seize a person's property if found to "pose a significant risk of
55 committing an act of violence," even if no act whatsoever has been committed, now

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57 **THEREFORE, BE IT RESOLVED THAT**, the Washington State Democratic Central
58 Committee (WSDCC) condemns actions by George W. Bush to deprive the American
59 people of their constitutional rights and bestow on himself the right to assume
60 dictatorial powers, and

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62 **BE IT FURTHER RESOLVED THAT**, the WSDCC urgently requests the Washington
63 State Congressional Delegation and the United States Supreme Court Justices, to
64 immediately commit the full strength of their resolve and influence to protecting the
65 rights of all United States citizens by reversing these Executive Orders and constraining
66 Presidential authority to within its constitutional limits by whatever legal means
67 available.

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70 Submitted by the King County Democrats to the Washington State Democratic Central
71 Committee for consideration at its September 29, 2007 meeting in Wenatchee. (Date
72 Submitted 8/28/2007)

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74 The WSDCC Resolutions Committee "RECOMMENDED A PASS WITH
75 AMENDMENT" on this resolution at its September 29, 2007 meeting in Wenatchee.

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77 The WSDCC "PASSED" this resolution at its September 29, 2007 meeting in Wenatchee.