

House Concurrent Resolution No. 54

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOON.

2614L.011

D. ADAM CRUMBLISS, Chief Clerk

2 **WHEREAS**, the Rules and Manual of the House of Representatives of the United States
3 of America, officially titled Constitution, Jefferson's Manual and Rules of the House of
4 Representatives, contains the fundamental source materials describing procedures in the House
5 of Representatives; and

6 **WHEREAS**, Section 603 of Section LIII of Jefferson's Manual provides that
7 impeachment proceedings in the House of Representatives may be set in motion by charges
8 transmitted from the legislature of a state or territory; and

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10 **WHEREAS**, the State of Florida and the former territory of Mississippi have established
11 precedent by transmitting charges to the House of Representatives, which in each case resulted
12 in an investigation by a committee of the House of Representatives; and

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14 **WHEREAS**, Barack Obama in the office of President of the United States of America
15 has repeatedly and intentionally violated the Constitution and other laws of the United States of
16 America, causing the people of the State of Missouri to call into question the integrity of
17 President Barack Obama and to believe that the official actions of President Obama have
18 constituted high crimes and misdemeanors; and

19
20 **WHEREAS**, Barack Obama, in violation of his constitutional oath to faithfully execute
21 the office of President of the United States of America and, to the best of his ability, to preserve,
22 protect, and defend the Constitution of the United States of America, and in violation of his
23 constitutional duty to take care that the laws be faithfully executed, has willfully corrupted and
24 manipulated the executive branch to increase its power and destroy the balance of powers
25 between the three branches of government that is established by the Constitution of the United
26 States; and

27
28 **WHEREAS**, the means used to implement this course of conduct or scheme included
29 one or more of the following acts:

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31 (1) Shortly after being sworn in for his first term as President of the United States,
32 Barack Obama began creating new departments and appointing Czars to oversee these
33 departments. These Czars were never submitted to the United States Senate for approval as
34 required by Article 2, Section 2 of the Constitution. In addition, these Czars and the
35 Departments have budgets that are not subject to being controlled by Congress as provided for

36 by Article 1, Section 8 of the Constitution. He also made recess appointments when the Senate
37 was not in recess and these appointments were struck down by the Supreme Court;

38

39 (2) Article 2, Section 3 of the Constitution mandates that the President of the United
40 States "shall take Care that the Laws be faithfully executed...". Barack Obama, in violation of
41 his oath of office has repeatedly ignored this Constitutional mandate by refusing to enforce laws
42 against illegal immigration, defend in court the Defense of Marriage Act (DOMA), and refusing
43 to enforce Federal voting laws;

44

45 (3) Article 1 of the Constitution establishes the legislative branch of the United States
46 government and sets forth the powers of the Senate and House of Representatives to make laws.
47 These powers are exclusive and the Constitution does not grant the President the power to either
48 make laws or amend them on his own. Barack Obama has ignored these provisions and made
49 or changed laws by either issuing unconstitutional executive orders or instructing governmental
50 departments to take illegal and unconstitutional actions. Specific actions include, but are not
51 necessarily limited to:

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53 (a) Ordering the Environmental Protection Agency to implement portions of the Cap &
54 Trade bill that failed to pass in the United States Senate;

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56 (b) Ordering implementation of portions of the "Dream Act" that failed to pass in
57 Congress;

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59 (c) Orchestrating a government takeover of a major part of the automobile industry in
60 2009;

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62 (d) Ordering a moratorium on new offshore oil and gas exploration and production
63 without approval of Congress;

64

65 (e) Signing an Executive Order on March 16, 2012, giving himself and the Executive
66 branch extraordinary powers to control and allocate resources such as food, water, energy, and
67 health care resources, in the interest of vaguely defined national defense issues. It would amount
68 to a complete government takeover of the United States economy;

69

70 (f) Signing an Executive Order on July 6, 2012, giving himself and the Executive branch
71 the power to control all methods of communications in the United States based on a Presidential
72 declaration of a national emergency;

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74 (g) Signing an Executive Order on January 6, 2013, that contained 23 actions designed
75 to limit the individual right to keep and bear arms guaranteed by the Second Amendment to the
76 Constitution;

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78 (h) Amending portions of the Affordable Healthcare Act and other laws passed by
79 Congress without Congressional approval as required by Article 1 of the Constitution;

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81 (i) Issuing Executive orders in January 2014 amending the HIPPA law to allow the
82 turning over of confidential medical records to Federal agencies if there is any information to be
83 used to add individuals to the NICS list to prohibit them from purchasing firearms;

84

85 (j) Having the EPA impose regulations on the coal industry that will force many utility
86 companies and coal mines out of business. This will cost the United States economy thousands
87 of jobs and dramatically increase the cost of energy to the public. This is being done without
88 Congressional approval;

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90 (k) Hindering the ability of the United States Border Patrol Agency to not only stop
91 illegal immigration, but to stop human and drug trafficking;

92

93 (l) Removing the work requirement from welfare reform legislation without
94 Congressional approval; and

95

96 **WHEREAS**, Article 2, Section 3 of the Constitution mandates that from time to time the
97 President "shall give to Congress information on the State of the Union...". Implicit in this is
98 an obligation for the President to be truthful with the Congress and the American people. Barack
99 Obama has repeatedly violated his oath of office and the requirements of the Constitution by
100 willfully withholding information on important issues or actively taken part in misleading the
101 Congress and the American people. Specific actions include, but are not necessarily limited to:

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103 (1) Using Executive privilege to block Congress from getting documents relating to the
104 Department of Justice's Operation Fast and Furious and the death of United States Border Patrol
105 Brian Terry;

106

107 (2) Had members of his administration provide false information about the act of
108 terrorism committed in Benghazi, Libya on September 11, 2012, and refusing to allow the State
109 Department and other federal agencies to cooperate in the Congressional investigation;

110

111 (3) Falsely labeled the mass murder of American soldiers at Ft. Hood, Texas as
112 "workplace violence" instead of the act of Islamic terrorism it was;

113

114 (4) Falsely labeling the IRS targeting of conservative and Christian groups as a "phony"
115 scandal and refusing to order an active pursuit of the investigation into who was ultimately
116 responsible;

117

118 (5) Refusing to order an independent investigation of the actions of Eric Holder and the
119 Department of Justice in targeting the phone records of members of the news media;

120

121 (6) Telling the American people on a television show that the NSA was not prying into
122 the emails and phone calls of Americans when the facts prove otherwise; and

123

124 **WHEREAS**, the oath of office of the President of the United States requires him to
125 preserve, protect, and defend the Constitution. This obviously includes what may be the most
126 important part of the Constitution, the Bill of Rights. Barack Obama has repeatedly violated his
127 oath of office by seeking to limit both the individual rights and the rights of the States guaranteed
128 in the first ten amendments to the Constitution. Specific actions include, but are not necessarily
129 limited to:

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131 (1) Having the Department of Health and Human Services order religious institutions
132 and businesses owned by religious families to provide their employees free contraception and
133 other services that are contrary to their religious beliefs. This is being done under the auspices
134 of the Affordable Health Care Act and violates the religious freedom clauses of the First
135 Amendment;

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137 (2) Having the military place restrictions on the religious freedom of Chaplains and other
138 members of the military in order to favor gay rights advocates and atheists in violation of the
139 First Amendment;

140

141 (3) Having the military place restrictions on the freedom of speech of members of the
142 military and the civilian employees of the Department of Defense in violation of their rights
143 under the First Amendment;

144

145 (4) Using Executive orders and government agency actions to limit Second Amendment
146 rights. This includes actions by the Veterans Administration to disarm American veterans
147 without due process as required by the Fifth Amendment;

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149 (5) Having the National Security Agency intercept and monitor the private
150 communications of millions of Americans without a court order and in violation of the Fourth
151 Amendment;

152

153 (6) Joining with foreign governments in lawsuits against sovereign states of the United
154 States to prohibit them from enforcing immigration laws. This is in violation of the Tenth
155 Amendment;

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157 (7) Filing suits under the Voting Rights Act against sovereign states of the United States
158 to prevent them from enforcing Voter ID laws despite rulings by the Supreme Court upholding
159 these laws. This is another violation of the Tenth Amendment and the balance of powers;

160

161 (8) Having the IRS propose new regulations on conservative 501 (C)(4) organizations
162 to limit their freedom of speech and political activities during election cycles in violation of the
163 First Amendment to the Constitution;

164 (9) Having the FCC prepare new rules on internet neutrality in violation of the ruling by
165 the United States Supreme Court striking down such regulations;

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167 (10) Having the FCC institute a plan to place agents in newsrooms of radio and
168 television stations as well as print media to monitor whether they are providing the "proper"
169 news content to the public, a direct violation of the First Amendment to the Constitution;

170

171 (11) Having the Secretary of State sign the United Nations Small Arms Treaty despite
172 the opposition of a majority of the United States Senate and with full awareness that the
173 implementation of the treaty would violate the Second Amendment rights of American citizens;
174 and

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176 **WHEREAS**, under Article 2, Section 2 of the Constitution, the President of the United
177 States is the Commander in Chief of the United States military and as such is responsible for
178 using them in a manner that best serves the national security of the United States and protects
179 our soldiers from unnecessary risks and harm. Barack Obama has violated his oath of office in
180 this regard. Specific actions include, but are not necessarily limited to:

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182 (1) In the name of "political correctness", he imposed unnecessary and dangerous rules
183 of engagement on our troops in combat causing them to lose offensive and defensive capabilities
184 and putting them in danger. Many American service personnel have been killed or wounded as
185 a result of this policy;

186

187 (2) Releasing the identity of American military personnel and units engaged in dangerous
188 and secret operations such as the killing of Osama bin Laden by Navy Seal team 6;

189

190 (3) Article 1, Section 8 of the Constitution gives Congress the exclusive power to declare
191 war. Yet, without consulting Congress President Obama ordered the American military into
192 action in Libya;

193

194 (4) Having the Attorney General tell Secretaries of State that they do not have to comply
195 with the Federal law requiring states to timely send absentee ballots to military personnel; and

196

197 **WHEREAS**, Article 2, Section 2 of the Constitution establishes the President as
198 Commander in Chief of the United States Military. This requires him to use his power and
199 authority to oversee the proper use of the military to properly protect and defend the people and
200 territory of the United States against all enemies, both foreign and domestic. He is further
201 responsible for using the United States military in a manner that is effective and protects
202 members of the military and takes proper care of veterans. The President takes an oath of office
203 that encompasses these duties. Barack Obama has consistently violated these duties and violated
204 his oath. Specific actions include, but are not necessarily limited to:

205

206 (1) Imposing Rules of Engagement on the active military in war zones that have
207 unnecessarily endangered the lives of American soldiers;

208

209 (2) Allowed the leaking of classified information about United States military operations
210 to the media in order to enhance his political image. Such leaks place the lives of United States
211 soldiers in danger;

212

213 (3) Despite being informed in 2009 of problems in the Veterans Administration
214 involving treatment of veterans, took no action to improve the situation, but instead ordered the
215 VA to spend a major part of its budget on green energy projects at VA facilities instead of on
216 veteran care;

217

218 (4) Endangered the lives of members of the American military and American civilians
219 by negotiating with terrorists to trade five high level Taliban leaders in exchange for an
220 American soldier who deserted his post and his fellow soldiers. In addition, he did the foregoing
221 action in violation of Federal law since he did not provide the legally required thirty-day notice
222 to members of Congress of his intent to release prisoners from Guantanamo Bay;

223

224 (5) Continues to refuse to enforce immigration laws passed by Congress in violation of
225 Article 2, Section 3 of the Constitution, and further has used illegal and unconstitutional
226 Executive orders to grant amnesty or de facto amnesty to illegal aliens currently in the United
227 States;

228

229 (6) Has deliberately destroyed the morale and effectiveness of Border Patrol agents by
230 interfering with their attempts to fulfill their oath of office and enforce laws legally passed by
231 the United States Congress;

232

233 (7) By his deliberate actions encouraged parents of thousands of children in Central
234 America to send their children, often unaccompanied by adults, across the United States border
235 and then asking for billions of taxpayer dollars to care for these children;

236

237 (8) Ordered the Border Patrol and Department of Homeland Security to place thousands
238 of these children on buses or planes and dumping them in communities around the country; often
239 without any prior notifications to the local elected officials in these communities;

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241 (9) Allowed the TSA to let these children, as well as possible teenage gang members and
242 unidentified persons to fly in United States Airlines at taxpayer expense without proper
243 identification required by Federal law;

244

245 (10) Has refused to respond to lawful requests by Governors of the southern Border
246 States to close the Southern border to any further illegal immigration and has created a severe
247 financial crisis for Border States and other states in order to advance his own political agenda;

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249 (11) Has ordered the release of thousands of illegal aliens who have been convicted of
250 serious crimes in the United States to be released and stay in the country after they have served
251 their sentences. This violates the requirements of Federal law that such people be immediately
252 deported;

253

254 (12) Ordered the immediate release of approximately 68,000 other criminals in Federal
255 prisons that have been convicted of drug offenses. These actions endanger the lives and property
256 of honest and law-abiding American citizens that the President is legally and constitutionally
257 required to protect;

258

259 (13) Has authorized the IRS, HHS, BATF, DHS, and EPA to propose new regulations
260 not authorized by Congress that will adversely affect the rights of Americans protected by the
261 First, Second, Fourth, and Fifth Amendments to the Constitution; and

262

263 **WHEREAS**, in all of this, Barack Obama has undermined the integrity of his office, has
264 brought disrepute on the Presidency, has betrayed his trust as President and has acted in a manner
265 subversive of the rule of law and justice, to the manifest injury of the people of the United States;
266 and

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268 **WHEREAS**, Barack Obama, by such conduct, warrants impeachment and trial, and
269 removal from office and disqualification to hold and enjoy any office of honor, trust, or profit
270 under the United States:

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272 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
273 Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate
274 concurring therein, hereby request the Missouri Congressional delegation to cause to be
275 instituted in the Congress proper proceedings for the investigation of President Barack Obama,
276 to the end that he may be impeached and removed from office; and

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278 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
279 Representatives be instructed to prepare properly inscribed copies of this resolution for each
280 member of the Missouri Congressional delegation.

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