

1 **RESOLUTION SUPPORTING PRESIDENT AND**
2 **ADMINISTRATION REGARDING IRAQ**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Chad E. Bennion**

6 **This concurrent resolution of the Legislature and the Governor expresses support for the**
7 **President of the United States and his administration in taking those actions he deems**
8 **necessary to defend the security of the United States against the continuing threat posed**
9 **by Iraq.**

10 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

11 WHEREAS, in 1990, in response to Iraq's war of aggression against and illegal
12 occupation of Kuwait, the United States led a coalition of nations to liberate Kuwait and its
13 people in order to defend the national security of the United States and enforce United Nations
14 Security Council resolutions relating to Iraq;

15 WHEREAS, after the liberation of Kuwait in 1991, Iraq entered unequivocally into a
16 United Nations sponsored cease-fire agreement, which included the elimination of its nuclear,
17 biological, and chemical weapons programs and the means to deliver and develop them, and to
18 end its support of international terrorism;

19 WHEREAS, the efforts of international weapons inspectors, United States intelligence
20 agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical
21 weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear
22 development program that was much closer to producing a nuclear weapon than intelligence
23 reporting had previously indicated;

24 WHEREAS, Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart
25 the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction
26 stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors
27 from Iraq on October 31, 1998;



28 WHEREAS, in Public Law 105-235, Congress concluded that Iraq's continuing weapons
29 of mass destruction programs threatened vital United States interests and international peace
30 and security, declared Iraq to be "in material and unacceptable breach of its international
31 obligations" and urged the President "to take appropriate action, in accordance with the
32 Constitution and relevant laws of the United States, to bring Iraq into compliance with its
33 international obligations";

34 WHEREAS, since the terrorist attacks of September 11, 2001, the President and his
35 administration have greatly accelerated efforts to address the threat of terrorism to America and
36 its citizens;

37 WHEREAS, members of al Qaida, an organization bearing responsibility for attacks on
38 the United States, its citizens, and interests, including the attacks that occurred on September
39 11, 2001, are known to be in Iraq;

40 WHEREAS, Iraq continues to aid and harbor other international terrorist organizations,
41 including organizations that threaten the lives and safety of United States citizens;

42 WHEREAS, the September 11 attacks underscored the gravity of the threat posed by
43 the acquisition of weapons of mass destruction by international terrorist organizations;

44 WHEREAS, the current Iraqi regime has demonstrated its capability and willingness to
45 use weapons of mass destruction against other nations and its own people;

46 WHEREAS, the risk that the current Iraqi regime will either employ those weapons to
47 launch a surprise attack against the United States or its armed forces or provide the weapons to
48 international terrorists who would do so, and the extreme magnitude of harm that would result
49 to the United States and its citizens from such an attack, combine to justify action by the
50 United States to defend itself;

51 WHEREAS, on September 12, 2002, the President committed the United States to
52 "work with the United Nations Security Council to meet our common challenge" posed by Iraq
53 and to "work for the necessary resolutions," while also making clear that "the Security Council
54 resolutions will be enforced, and the just demands of peace and security will be met, or action
55 will be unavoidable";

56 WHEREAS, the United States is determined to prosecute the war on terrorism and
57 Iraq's ongoing support for international terrorist groups combined with its development of
58 weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and

59 other United Nations Security Council resolutions make clear that it is in the national security
60 interests of the United States that all relevant United Nations Security Council resolutions be
61 enforced, including the use of force if necessary;

62 WHEREAS, the President has authority under the Constitution to take action in order to
63 deter and prevent acts of international terrorism against the United States;

64 WHEREAS, in Public Law 107-243, the United States Congress has supported the
65 President in his efforts to strictly enforce through the United Nations Security Council all
66 relevant Security Council resolutions regarding Iraq and to obtain prompt and decisive action
67 by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and
68 noncompliance and promptly and strictly complies with all relevant Security Council
69 resolutions regarding Iraq; and

70 WHEREAS, in Public Law 107-243, the United States Congress has authorized the
71 President to use the Armed Forces of the United States as he determines to be necessary and
72 appropriate in order to defend the national security of the United States against the continuing
73 threat posed by Iraq and to enforce all relevant United Nations Security Council resolutions
74 regarding Iraq;

75 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
76 Governor concurring therein, express their support of President Bush in using the Armed
77 Forces of the United States as he determines necessary and appropriate in defending the
78 national security of the United States against the continuing threat posed by Iraq and enforcing
79 all relevant United Nations Security Council resolutions regarding Iraq as authorized by the
80 United States Congress.

81 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
82 the United States, President of the United States Senate, the Speaker of the United States
83 House of Representatives, and the members of Utah's congressional delegation.

Legislative Review Note

as of 2-24-03 10:55 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel