

House Concurrent Resolution No. 5024

By Representatives Barton, Anthimides, Bradford, B. Carpenter, Concannon, DeGraaf, Dove, Estes, Francis, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Highland, Hildabrand, Hoffman, Hutchins, Hutton, Johnson, K. Jones, Kahrs, Kelley, Kiegerl, Lunn, Macheers, Mast, McPherson, O'Brien, Osterman, F. Patton, Pauls, R. Powell, Rhoades, Rubin, Ryckman, Ryckman Sr., Scapa, Schwab, Schwartz, C. Smith, Sutton, Thompson, Vickrey, Waymaster, Weber and Whitmer

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1 A CONCURRENT RESOLUTION urging the President of the United
2 States to obey the Constitution and abandon the threatened transfer of
3 terrorist detainees to Fort Leavenworth.

4 WHEREAS, The President of the United States, Barack Obama, has
5 threatened to move the terrorist detainees currently held at Naval Station
6 Guantanamo Bay to Fort Leavenworth without regard to the wishes or the
7 safety of the people of Kansas; and

8 WHEREAS, The President has threatened to close the detention
9 facility at Naval Station Guantanamo Bay; and

10 WHEREAS, The threat of the transfer has been underscored by visits
11 to Fort Leavenworth by officials of his Administration, preparing for the
12 threatened transfer; and

13 WHEREAS, Many detainees that have been released have continued
14 to fight against this country and its allies; and

15 WHEREAS, This President and others have insisted that the mere
16 existence of the detention facility at Guantanamo has inflamed terrorists
17 around the world and aided in their recruitments; and

18 WHEREAS, Transferring the detainees to Fort Leavenworth will only
19 transfer the ire of terrorists worldwide from Guantanamo to Fort
20 Leavenworth; and

21 WHEREAS, This President has a demonstrated willingness to violate
22 American law; and

23 WHEREAS, This President has said that he will go around the
24 Congress to accomplish his agenda; and

25 WHEREAS, Closing the Naval Station at Guantanamo has been high
26 on this President's agenda since before he was first elected; and

27 WHEREAS, The President has continually sought to weaken our
28 standing in the world; and

29 WHEREAS, The terrorists have demonstrated an ability and
30 willingness to conduct attacks in America, in furtherance of their savage
31 war against America; and

1 WHEREAS, Detonating large bombs in civilian communities in the
2 vicinity of Fort Leavenworth would be exactly the sort of demonstration
3 that the terrorists would try; and

4 WHEREAS, Fort Leavenworth does not have the necessary facilities
5 to hold and care for the detainees and would, for example, be forced to
6 transport them through the city of Leavenworth to access medical care,
7 thereby presenting additional soft, tempting targets for attacks; and

8 WHEREAS, The surrounding community does not have the law
9 enforcement, emergency response resources or the physical capability to
10 harden potential civilian targets in the surrounding area. Transferring
11 detainees to Fort Leavenworth represents a predictable, direct and
12 unnecessarily high risk to American citizens in the vicinity of Fort
13 Leavenworth; and

14 WHEREAS, The Naval Station at Guantanamo is a high security
15 facility designed to both house high risk detainees and be secure from
16 attack by external forces. This facility has not been the object of an
17 external terrorist attack and, if it had been attacked, it would not have
18 represented a threat to American civilians or communities; and

19 WHEREAS, The intentional placement of detainees on American soil,
20 physically within an American community, would unnecessarily and
21 intentionally put American citizens at much greater risk. It follows that
22 any move by the President or other members of the Federal, State or local
23 government to move the detainees to Fort Leavenworth would mean
24 intentionally and knowingly placing American citizens at greater risk, in
25 violation of the government's sworn oath to support and defend them
26 against enemies, foreign or domestic; and

27 WHEREAS, Officers from over one hundred countries attend classes
28 at Fort Leavenworth; and

29 WHEREAS, Many of these officers would not bring their families nor
30 be permitted by their countries to attend, if the detainees were transferred
31 to Fort Leavenworth, thereby hurting the local economy; and

32 WHEREAS, These officers and their families represent an important
33 bond and link among our nations. Their loss will not just affect the local
34 economy, but would potentially have grave impacts on our future ability
35 to effectively and successfully find peaceful solutions to international
36 problems: Now, therefore,

37 *Be it resolved by the House of Representatives of the State of Kansas,*
38 *the Senate concurring therein:* That the Legislature of the State of Kansas
39 urges the President of the United States to obey the Constitution of the
40 United States and the laws of this country, the people of which have
41 placed him in a position of great trust and responsibility and depend upon
42 him to ensure that the laws be upheld and that their security be
43 maintained; and

1 *Be it further resolved:* That the President must declare that the
2 detention facility at Naval Station Guantanamo Bay will remain, and that
3 the detainees will continue to be held there, until said detainees are given
4 proper, lawful disposition, in accordance with the Laws of War and the
5 best interests of the safety of the people of the United States and their
6 allies; and

7 *Be it further resolved:* That the Secretary of State shall send enrolled
8 copies of this resolution to President Obama, Vice President Biden and
9 the Kansas congressional delegation.