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**Special Town Meeting
November 1, 2006**

The meeting was televised by Amherst Community Television and shown on the Government Channel.

The Special Town Meeting was called to order by the Moderator, Harrison Gregg at 7:43 p.m. There were 242 town meeting members. 122 checked in and a quorum was declared. The call and the return of the warrant were read by the Town Clerk, Sandra J. Burgess.

Town Meeting voted to take up the articles of this meeting in the following order: 1, 4, 3, 2.

ARTICLE 1. Resolution – Stop Genocide in Darfur Region of Sudan (Spiegelman)
VOTED to adopt the following resolution:

TO STOP THE GENOCIDE IN THE DARFUR REGION OF SUDAN,

Be it Resolved, that Amherst Town Meeting urges the President and Congress the United States to take immediate action to apply pressure to the government of Sudan to end the genocide in the Darfur region;

that Amherst Town Meeting urges the President and Congress to press for immediate deployment of the already-authorized UN peacekeeping force; and for strengthening the understaffed and under-equipped African Union force already in Darfur until the UN peacekeeping force is deployed; and for increasing humanitarian aid and ensuring access for delivery;

that Amherst Town Meeting urges the Massachusetts Legislature to enact a Bill, which, like Senate Bill 2659, would divest the Commonwealth's investment funds from targeted companies doing business with the government of Sudan in such a way as to support or passively enable the Darfur genocide;

that copies of this resolution be distributed to the President, members of the Massachusetts Congressional delegation, other members of Congress in positions of leadership of the House and Senate and committees with jurisdiction over foreign policy and commerce, the Governor of Massachusetts and members of Amherst's delegation to the state legislature, and other leaders of the state legislature as deemed appropriate; and

that this resolution be posted on the official Town of Amherst website.

Action taken on November 1, 2006.

[Motion to dismiss was defeated Yes, 53; No 83 (Tally Vote)]

ARTICLE 2. Resolution – Impeach President George W. Bush and Vice President Richard B. Cheney (Gray)

VOTED as amended; Yes 85, No 29 (Tally Vote) to adopt the following resolution:

**RESOLUTION TO IMPEACH PRESIDENT GEORGE W. BUSH
AND VICE PRESIDENT RICHARD B. CHENEY**

WHEREAS, George W. Bush and Richard B. Cheney have committed acts which many serious Constitutional scholars consider to be impeachable offenses, including the following:

1) George W. Bush ordered the National Security Agency to conduct electronic surveillance of U.S. citizens without seeking warrants from the Foreign Intelligence Surveillance Act (FISA) Court, duly

constituted by Congress in 1978 for the purpose of approving such warrants, thus violating Title 50 United States Code, Section 1805;

2) George W. Bush and Richard B. Cheney conspired to commit the torture of prisoners in violation of the "Federal Torture Act" Title 18 United States Code, Section 113C, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Geneva Convention, which under Article VI of the Constitution are part of the "supreme Law of the Land";

3) George W. Bush and Richard B. Cheney conspired with others to defraud the United States by intentionally misleading Congress and the public regarding the threat from Iraq in order to justify invading and attacking that country in violation of Title 18 United States Code, Section 371 and the United Nations Charter;

4) George W. Bush and Richard B. Cheney attempted to strip U.S. citizens of their constitutional rights by ordering their indefinite detention without access to legal counsel, without charge and without the opportunity to appear before a civil judicial officer to challenge their detention, based solely on President's designation of U.S. citizens as "enemy combatants", all in subversion of law;

5) As part of the continuing war in Iraq, George W. Bush and Richard B. Cheney have violated the constitutional and international human rights of non-citizens by arbitrarily detaining hundreds of persons at Guantanamo Bay and other locations for more than four years without due process, without charges, and with limited – if any – access to counsel or courts;

6) George W. Bush and Richard B. Cheney have arrogated excessive power to the executive branch in violation of basic constitutional principles of the separation of powers while acting to undermine the authority of the legislative branch and the judiciary by issuing "signing statements" that claim that the executive branch may disregard laws enacted by Congress when the President or his subordinates deem it appropriate, and by the above referenced conduct; and,

WHEREAS, Petitions from the country at large may be presented by the Speaker of the House according to Clause 3 of House Rule XII;

NOW, THEREFORE, BE IT RESOLVED George W. Bush and Richard B. Cheney, by such conduct, warrant impeachment, trial, removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States;

BE IT FURTHER RESOLVED, by the representative Town Meeting of the Town of Amherst, that our senators and representatives in the United States Congress be, and they are hereby, requested to cause to be instituted in the Congress of the United States proper proceedings for the investigation of the activities of the George W. Bush and Richard B. Cheney, to the end that they may both be impeached and removed from such office;

BE IT FURTHER RESOLVED, that the Amherst Town Clerk be, and is hereby, instructed to certify and transmit to the Speaker of the House of Representatives, under the seal of the Town of Amherst, a copy of this resolution and its adoption by the Town of Amherst, as a petition, and request that this petition be delivered to the Office of the Clerk and entered in the United States Congressional Journal. Action taken November 1, 2006.

[Motion to dismiss was defeated]

ARTICLE 3. Resolution – Urging Direct U.S. Diplomacy with Iran and Urging Against Any U.S. Military Action Toward Iran (Gray)

VOTED as amended to adopt the following resolution:

**RESOLUTION URGING DIRECT U.S. DIPLOMACY WITH IRAN
AND URGING AGAINST ANY U.S. MILITARY ACTION TOWARD IRAN**

WHEREAS, plans for a major U.S. bombing campaign against Iran have already been drawn up by the U.S. Strategic Command under the Bush Administration's direction; and,

WHEREAS, active duty and retired generals and admirals have told the Administration that a bombing campaign against Iran will probably not succeed in destroying Iran's nuclear program, but such an attack could lead to serious economic, political, and military consequences for the United States; and,

WHEREAS, another U.S. attack on an Islamic Middle East country would likely have a devastating and inflammatory effect on relations between the U.S. and the Middle East as a whole; and,

WHEREAS, a U.S. bombing campaign against Iran would likely result in the deaths of thousands of innocent civilians; and,

WHEREAS, the Treaty on the Non-proliferation of Nuclear Weapons, signed by Iran, provides all states with the right to develop, research, produce and use nuclear energy for peaceful purposes; and,

WHEREAS according to comments on March 6, 2006 by Director General of the International Atomic Energy Agency (IAEA), Mohamed ElBaradei, Iran does not possess nuclear weapons; and,

WHEREAS, on August 9, 2005 Iran's Supreme Religious Leader, Ayatollah Ali Khamenei, issued a fatwa that the production, stockpiling and use of nuclear weapons are forbidden under Islam and that Iran shall never acquire these weapons; and,

WHEREAS, the U.N. Security Council has ordered that the IAEA be allowed to resume inspections in Iran and has declined to adopt a resolution authorizing the use of force against Iran for its failure to fully cooperate with the IAEA; and,

WHEREAS, the U.N. Security Council has also declared its intent to "remain seized of the matter", which bars any individual Security Council member from taking unilateral action in the matter; and,

WHEREAS, direct diplomacy between the U.S. and Iran is perceived by many experts as the most effective means of achieving peaceful compliance from Iran, with assurances from the U.S. that Iran's security will not be threatened being viewed as essential to the process;

WHEREAS, recent media reports disclosed some alarming misinformation deemed to be "erroneous, misleading and unsubstantiated" by the IAEA, being disseminated by members of the Bush administration regarding Iran, information apparently designed to mislead the American public regarding whether military action should be considered against Iran;

NOW, THEREFORE BE IT RESOLVED that the Amherst Representative Town Meeting implores the President and our representatives in Congress to actively:

- (1) Promote direct negotiations between the U.S. and Iran.
- (2) Offer Iran guarantees that the U.S. and the world community will not threaten its security.
- (3) Urge Iran to allow open international inspections of its nuclear program.
- (4) Urge Iran not to build nuclear weapons.

- (5) Insure that information provided to the public by this administration on the Iranian nuclear issue is accurate; and,

BE IT FURTHER RESOLVED, we implore the President and our representatives in Congress to restrain from any military action toward Iran;

BE IT FINALLY RESOLVED that the Town Clerk send a copy of this resolution to our congressional delegation, to the President of the United States, to the Iranian ambassador to the United States, the Iranian Embassy, and the U.N. Security Council members.

Action taken on November 1, 2006.

[Motion to dismiss was defeated: Yes 53, No 76 (Tally Vote).

ARTICLE 4. Resolution – Immediate Withdrawal of U.S. Troops From Iraq (Gray)
VOTED as amended, Yes 86; No 20 (Tally Vote) to adopt the following resolution:

RESOLUTION FOR IMMEDIATE WITHDRAWAL OF U.S. TROOPS FROM IRAQ

WHEREAS, the Town of Amherst and its citizens strongly support the men and women serving in the United States Armed Forces in Iraq and recognize the sacrifices that each of them is making; and,

WHEREAS, the invasion and occupation of Iraq have fatigued our armed forces and have drained our military of its past capability to respond to crises in other parts of the world and to natural disasters in this country; and,

WHEREAS, the United States war against Iraq has thus far resulted in the death of more than 2,700 U.S. military personnel and the wounding of more than 19,000 other U.S. military personnel (-- with American casualties doubling after the revelations at Abu Ghraib--); and,

WHEREAS, according to a recent study overseen by epidemiologists at Johns Hopkins University's Bloomberg School of Public Health, the 'excess' death toll of Iraqi men, women, and children (that is, deaths post-invasion compared to deaths pre-invasion) has reached 655,000; and,

WHEREAS, the United States invasion and occupation of Iraq has failed to promote stability and peace, resulting instead in the devastation of Iraq's physical and social infrastructure such as 60% unemployment, scarcity of clean water with only \$500 million of the \$2.2 billion appropriated for water projects having been spent, and oil and energy production being below pre-war levels; and,

WHEREAS, the U.S. invasion and occupation of Iraq has created political instability that has placed Iraq on the brink of civil war with insurgent incidents increasing from 150 per week to over 700 per week in the last year; and,

WHEREAS, the United States invasion and occupation of Iraq contributes to the destabilization of the entire Middle East Region; and,

WHEREAS, the Iraqi people have the right to self-determination uninhibited by the continued presence of U.S. troops; and,

WHEREAS, the United States war against Iraq has cost the U.S. an estimated \$250 billion since the U.S. invasion in March 2003; and,

WHEREAS, of the federal funds spent on the Iraq war, \$9 billion of this will be paid by the taxpayers of Massachusetts, which money could have provided 141,346 elementary school teachers, health care for 1,395,832 people or 53,899 affordable housing units for Massachusetts residents; and,

WHEREAS, the presence of U.S. forces in Iraq has inflamed anti-American passions as evidenced by the 2004 annual State Department report which indicated a sharp increase in global terrorism; and,

WHEREAS, the U.S.'s "preemptive war" and occupation of Iraq are illegal, in direct contravention of the U.N. Charter and international law; and,

WHEREAS, the citizens of Amherst and its local elected officials have the constitutional right to petition the national government on this matter of grave concern to our community as part of the national and international debate now underway; and,

WHEREAS, the Amherst Town Meeting has previously passed resolutions against the U.S. led war in Iraq, the most recent resolution having passed in April 2005 by a vote of 110 in favor and 12 against; and

NOW, THEREFORE BE IT RESOLVED that the Amherst Representative Town Meeting hereby expresses its opposition to the United States' continued violation of the United Nations Charter and international law by its occupation of Iraq; and,

BE IT FURTHER RESOLVED, that the Amherst Representative Town Meeting hereby implores the President and our representatives in Congress to actively:

- 1) Develop and implement a plan to begin the immediate withdrawal of U.S. troops from Iraq, with completion in six months;
- 2) Bar the use of any future federal funding for military action in Iraq;
- 3) Reverse any steps previously taken by the U.S. to create a permanent U.S. base in Iraq and bar any future funding for a permanent U.S. presence in Iraq, and
- 4) Take all necessary steps to provide the Iraqi people the opportunity to resume effective control of their internal affairs.

BE IT FURTHER RESOLVED, that the Amherst Representative Town Meeting requests that the financial resources used to prosecute the war be redirected to address urgent domestic needs such as health, education, housing, and the like; and

BE IT FINALLY RESOLVED that the Town Clerk be directed to send a copy of this resolution to our congressional delegation and to the President of the United States.

When distributing the Resolution, the Town Clerk will include a statement with the results of the vote stating the number of Town Meeting members who voted for and the number who voted against the resolution.

Action taken November 1, 2006.

[Motion to dismiss was defeated]

The business of the warrant having been completed, the meeting voted to dissolve at 10:04 p.m. on Wednesday, November 1, 2006. 145 town meeting members were checked in.

Attest:

Sandra J. Burgess
Town Clerk