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Congress of the United States
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ENVIRONMENT
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Dear Colleagues:

As Members of Congress, we have the solemn duty to uphold the Constitution of the United States.

In the six months since President Biden assumed office, he has taken several executive actions that skirt the United States Constitution. I believe the two most obvious offenses are the unilateral extension of the U.S. Centers for Disease Control and Prevention's (CDC) moratorium on evictions and the continued failure to appropriately and adequately defend the United States' southern border.

Less than two months ago, the Supreme Court warned President Biden such an extension would require Congressional authorization. President Biden ordered the CDC to extend the moratorium on August 3, 2021 which will expire again in sixty days, blatantly ignoring the Court. President Biden himself has openly admitted that "the bulk of the constitutional scholarship says that it's not likely to pass constitutional muster."¹ The President's action, despite his previous reiteration of his lack of authority, is a blatant and flagrant disregard for the separation of powers enshrined in the U.S. Constitution.

Furthermore, the President of the United States is bound by the U.S. Constitution's preamble to "provide for the common defense". Specifically, Section Four, Article Four of the Constitution states that the "United States shall guarantee to every State a republican form of government and shall protect each of them against invasion." In other words, the President is required to defend and secure the United States and its citizens. President Biden has failed to uphold these constitutional duties to secure our southern border and has even taken steps to empower his own Department of Justice (DOJ) to sue states who take matters into their own hands when the executive branch neglects to secure the border and protect the people of those states.²

Despite the executive branch's recent exhortations on the coronavirus pandemic, including the CDC's scientifically illiterate guidance on masking for vaccinated people, the reports of thousands of illegal immigrants infected with COVID-19 being released into the United States is particularly

¹ <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/08/03/remarks-by-president-biden-on-fighting-the-covid-19-pandemic/>

² <https://int.nyt.com/data/documenttools/doj-lawsuit-challenging-tx-executive-order-no/46e51606e3b22e30/full.pdf>

egregious. It is bad enough that the border is not secure, must the Biden administration contribute to the worsening of a situation they deemed so dire?

President Biden's recent actions on the border represent a blatant dereliction of his constitutionally prescribed duties. Moreover, his shameless disregard for the limitations of his executive authority is a violation of his oath of office.

Many of us were witness to the politically motivated impeachment proceedings of the previous four years. As conservatives and Republicans, I believe we understand impeachment is a serious constitutional mechanism, meant to be used only in the rarest and most grave circumstances. Sadly, we saw our Democrat colleagues debase it and use it as a talking point for electoral gain. We must strenuously avoid such trivial treatment of our duty.

President Biden continues to disregard his constitutional duties and boundaries. I believe conducting a sober, evidence-based discussion regarding impeachment is warranted. I urge you all to remember our duty to the Constitution and American people to hold this administration accountable.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Gibbs". The signature is written in a cursive, somewhat stylized font.

Bob Gibbs
Member of Congress