

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 5

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING THAT IT IS THE OPINION OF THE IDAHO LEGISLATURE THAT DR. ANTHONY FAUCI'S FEDERAL PARDON DOES NOT CONFER IMMUNITY FROM PROSECUTION OR RESPONSIBILITY FOR STATE CRIMES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Dr. Anthony Fauci has served as the Director of the National Institute of Allergy and Infectious Diseases, helped coordinate the nation's response to COVID-19, and served as the Chief Medical Advisor to the President regarding COVID-19; and

WHEREAS, on January 20, 2025, former President Joe Biden issued a preemptive federal pardon to Dr. Fauci in the waning hours of his administration; and

WHEREAS, former President Joe Biden's preemptive federal pardon of Dr. Fauci does not inspire confidence in Dr. Fauci's conduct or the "trust the science" movement promoted by Dr. Fauci; and

WHEREAS, it is widely recognized that a federal pardon issued by a president may absolve an individual of federal offenses but that such a pardon does not extend to any state-level crimes or violations under a state's jurisdiction; and

WHEREAS, Dr. Fauci has not been charged with a crime in the State of Idaho; and

WHEREAS, the federal pardon granted to Dr. Fauci would not affect the legal procedures, investigations, or potential prosecution for a state crime under the authority of a state government.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that it is the opinion of the Idaho Legislature that a federal pardon issued by a president does not confer immunity from prosecution or responsibility for state crimes and that any legal proceedings involving Dr. Fauci should continue to be subject to state law, if applicable.