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(Original Signature of Member)

116TH CONGRESS 1ST SESSION



Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors.

## IN THE HOUSE OF REPRESENTATIVES

Mr. NADLER submitted the following resolution; which was referred to the Committee on

# RESOLUTION

Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors.

Resolved, That Donald J. Trump, President of the
 United States, is impeached for high crimes and mis demeanors and that the following articles of impeachment
 be exhibited to the United States Senate:

5 Articles of impeachment exhibited by the House of 6 Representatives of the United States of America in the 7 name of itself and of the people of the United States of 8 America, against Donald J. Trump, President of the 9 United States of America, in maintenance and support of

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its impeachment against him for high crimes and mis demeanors.

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### ARTICLE I: ABUSE OF POWER

4 The Constitution provides that the House of Rep-5 resentatives "shall have the sole Power of Impeachment" and that the President "shall be removed from Office on 6 Impeachment for, and Conviction of, Treason, Bribery, or 7 other high Crimes and Misdemeanors". In his conduct of 8 the office of President of the United States-and in viola-9 tion of his constitutional oath faithfully to execute the of-10 11 fice of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution 12 of the United States, and in violation of his constitutional 13 duty to take care that the laws be faithfully executed— 14 Donald J. Trump has abused the powers of the Presi-15 16 dency, in that:

17 Using the powers of his high office, President Trump solicited the interference of a foreign government, 18 19 Ukraine, in the 2020 United States Presidential election. 20He did so through a scheme or course of conduct that 21 included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, 22 23 harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to 24 25 his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by condi-26

tioning official United States Government acts of signifi-1 2 cant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme 3 4 or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump 5 6 used the powers of the Presidency in a manner that com-7 promised the national security of the United States and undermined the integrity of the United States democratic 8 process. He thus ignored and injured the interests of the 9 10 Nation.

11 President Trump engaged in this scheme or course12 of conduct through the following means:

(1) President Trump—acting both directly and
through his agents within and outside the United
States Government—corruptly solicited the Government of Ukraine to publicly announce investigations
into—

18 (A) a political opponent, former Vice Presi19 dent Joseph R. Biden, Jr.; and

20 (B) a discredited theory promoted by Rus21 sia alleging that Ukraine—rather than Rus22 sia—interfered in the 2016 United States Pres23 idential election.

24 (2) With the same corrupt motives, President
25 Trump—acting both directly and through his agents

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within and outside the United States Government conditioned two official acts on the public announcements that he had requested—

> (A) the release of \$391 million of United States taxpayer funds that Congress had appropriated on a bipartisan basis for the purpose of providing vital military and security assistance to Ukraine to oppose Russian aggression and which President Trump had ordered suspended; and

(B) a head of state meeting at the White House, which the President of Ukraine sought to demonstrate continued United States support for the Government of Ukraine in the face of Russian aggression.

16 (3) Faced with the public revelation of his ac17 tions, President Trump ultimately released the mili18 tary and security assistance to the Government of
19 Ukraine, but has persisted in openly and corruptly
20 urging and soliciting Ukraine to undertake investiga21 tions for his personal political benefit.

22 These actions were consistent with President23 Trump's previous invitations of foreign interference in24 United States elections.

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In all of this, President Trump abused the powers
 of the Presidency by ignoring and injuring national secu rity and other vital national interests to obtain an im proper personal political benefit. He has also betrayed the
 Nation by abusing his high office to enlist a foreign power
 in corrupting democratic elections.

7 Wherefore President Trump, by such conduct, has demonstrated that he will remain a threat to national se-8 curity and the Constitution if allowed to remain in office, 9 and has acted in a manner grossly incompatible with self-10 governance and the rule of law. President Trump thus 11 12 warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, 13 14 trust, or profit under the United States.

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### ARTICLE II: OBSTRUCTION OF CONGRESS

16 The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" 17 and that the President "shall be removed from Office on 18 Impeachment for, and Conviction of, Treason, Bribery, or 19 other high Crimes and Misdemeanors". In his conduct of 20 the office of President of the United States-and in viola-21 tion of his constitutional oath faithfully to execute the of-22 23 fice of President of the United States and, to the best of 24 his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional 25 duty to take care that the laws be faithfully executed— 26

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Donald J. Trump has directed the unprecedented, categor ical, and indiscriminate defiance of subpoenas issued by
 the House of Representatives pursuant to its "sole Power
 of Impeachment". President Trump has abused the pow ers of the Presidency in a manner offensive to, and subver sive of, the Constitution, in that:

7 The House of Representatives has engaged in an impeachment inquiry focused on President Trump's corrupt 8 9 solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of 10 this impeachment inquiry, the Committees undertaking 11 12 the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various Execu-13 tive Branch agencies and offices, and current and former 14 officials. 15

16 In response, without lawful cause or excuse, President Trump directed Executive Branch agencies, offices, 17 and officials not to comply with those subpoenas. Presi-18 dent Trump thus interposed the powers of the Presidency 19 against the lawful subpoenas of the House of Representa-20 tives, and assumed to himself functions and judgments 21 necessary to the exercise of the "sole Power of Impeach-22 ment" vested by the Constitution in the House of Rep-23 resentatives. 24

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1 President Trump abused the powers of his high office 2 through the following means: 3 (1) Directing the White House to defy a lawful 4 subpoena by withholding the production of docu-5 ments sought therein by the Committees. 6 (2) Directing other Executive Branch agencies 7 and offices to defy lawful subpoenas and withhold 8 the production of documents and records from the 9 Committees—in response to which the Department 10 of State, Office of Management and Budget, Depart-11 ment of Energy, and Department of Defense refused 12 to produce a single document or record. 13 (3) Directing current and former Executive 14 Branch officials not to cooperate with the Commit-15 tees-in response to which nine Administration offi-16 cials defied subpoenas for testimony, namely John 17 Michael "Mick" Mulvaney, Robert B. Blair, John A. 18 Eisenberg, Michael Ellis, Preston Wells Griffith, 19 Russell T. Vought, Michael Duffey, Brian McCor-20 mack, and T. Ulrich Brechbuhl.

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These actions were consistent with President
Trump's previous efforts to undermine United States Government investigations into foreign interference in United
States elections.

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1 Through these actions, President Trump sought to 2 arrogate to himself the right to determine the propriety, 3 scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any 4 5 and all information to the House of Representatives in the exercise of its "sole Power of Impeachment". In the his-6 tory of the Republic, no President has ever ordered the 7 8 complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of 9 10 the House of Representatives to investigate "high Crimes 11 and Misdemeanors". This abuse of office served to cover up the President's own repeated misconduct and to seize 12 13 and control the power of impeachment—and thus to nul-14 lify a vital constitutional safeguard vested solely in the 15 House of Representatives.

In all of this, President Trump has acted in a manner
contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause
of law and justice, and to the manifest injury of the people
of the United States.

Wherefore, President Trump, by such conduct, has demonstrated that he will remain a threat to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and

trial, removal from office, and disqualification to hold and
 enjoy any office of honor, trust, or profit under the United
 States.

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