

116TH CONGRESS
1ST SESSION

H. RES. 755

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2019

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

RESOLUTION

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

1 *Resolved*, That Donald J. Trump, President of the
2 United States, is impeached for high crimes and mis-
3 demeanors and that the following articles of impeachment
4 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

1 its impeachment against him for high crimes and mis-
2 demeanors.

3 ARTICLE I: ABUSE OF POWER

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

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

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

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

13 (1) President Trump—acting both directly and
14 through his agents within and outside the United
15 States Government—corruptly solicited the Govern-
16 ment of Ukraine to publicly announce investigations
17 into—

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

20 (B) a discredited theory promoted by Rus-
21 sia alleging that Ukraine—rather than Rus-
22 sia—interfered in the 2016 United States Pres-
23 idential election.

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

1 within and outside the United States Government—
2 conditioned two official acts on the public announce-
3 ments that he had requested—

4 (A) the release of \$391 million of United
5 States taxpayer funds that Congress had appro-
6 priated on a bipartisan basis for the purpose of
7 providing vital military and security assistance
8 to Ukraine to oppose Russian aggression and
9 which President Trump had ordered suspended;
10 and

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

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

22 These actions were consistent with President
23 Trump's previous invitations of foreign interference in
24 United States elections.

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

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

15 ARTICLE II: OBSTRUCTION OF CONGRESS

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

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

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

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

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.

21 These actions were consistent with President
22 Trump’s previous efforts to undermine United States Gov-
23 ernment investigations into foreign interference in United
24 States elections.

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
4 conduct, as well as the unilateral prerogative to deny any
5 and all information to the House of Representatives in the
6 exercise of its “sole Power of Impeachment”. In the his-
7 tory of the Republic, no President has ever ordered the
8 complete defiance of an impeachment inquiry or sought
9 to obstruct and impede so comprehensively the ability of
10 the House of Representatives to investigate “high Crimes
11 and Misdemeanors”. This abuse of office served to cover
12 up the President’s own repeated misconduct and to seize
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.

16 In all of this, President Trump has acted in a manner
17 contrary to his trust as President and subversive of con-
18 stitutional government, to the great prejudice of the cause
19 of law and justice, and to the manifest injury of the people
20 of the United States.

21 Wherefore, President Trump, by such conduct, has
22 demonstrated that he will remain a threat to the Constitu-
23 tion if allowed to remain in office, and has acted in a man-
24 ner grossly incompatible with self-governance and the rule
25 of law. President Trump thus warrants impeachment and

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

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