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

David N. Cicilline

Ted Lieu

James Raskin

Jerrold Nadler

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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. RES.

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

IN THE HOUSE OF REPRESENTATIVES

Mr. CICILLINE (for himself, Mr. TED LIEU of California, Mr. RASKIN, Mr. NADLER, and [see ATTACHED LIST of cosponsors]) 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.

1 *Resolved*, That Donald John Trump, President of the
2 United States, is impeached for high crimes and mis-
3 demeanors and that the following article of impeachment
4 be exhibited to the United States Senate:

5 Article 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 John Trump, President of the

1 United States of America, in maintenance and support of
2 its impeachment against him for high crimes and mis-
3 demeanors.

4 ARTICLE I: INCITEMENT OF INSURRECTION

5 The Constitution provides that the House of Rep-
6 resentatives “shall have the sole Power of Impeachment”
7 and that the President “shall be removed from Office on
8 Impeachment for, and Conviction of, Treason, Bribery, or
9 other high Crimes and Misdemeanors”. Further, section
10 3 of the 14th Amendment to the Constitution prohibits
11 any person who has “engaged in insurrection or rebellion
12 against” the United States from “hold[ing] any office . . .
13 under the United States”. In his conduct while President
14 of the United States—and in violation of his constitutional
15 oath faithfully to execute the office of President of the
16 United States and, to the best of his ability, preserve, pro-
17 tect, and defend the Constitution of the United States,
18 and in violation of his constitutional duty to take care that
19 the laws be faithfully executed—Donald John Trump en-
20 gaged in high Crimes and Misdemeanors by inciting vio-
21 lence against the Government of the United States, in
22 that:

23 On January 6, 2021, pursuant to the 12th Amend-
24 ment to the Constitution of the United States, the Vice
25 President of the United States, the House of Representa-
26 tives, and the Senate met at the United States Capitol

1 for a Joint Session of Congress to count the votes of the
2 Electoral College. In the months preceding the Joint Ses-
3 sion, President Trump repeatedly issued false statements
4 asserting that the Presidential election results were the
5 product of widespread fraud and should not be accepted
6 by the American people or certified by State or Federal
7 officials. Shortly before the Joint Session commenced,
8 President Trump, addressed a crowd at the Ellipse in
9 Washington, DC. There, he reiterated false claims that
10 “we won this election, and we won it by a landslide”. He
11 also willfully made statements that, in context, encour-
12 aged—and foreseeably resulted in—lawless action at the
13 Capitol, such as: “if you don’t fight like hell you’re not
14 going to have a country anymore”. Thus incited by Presi-
15 dent Trump, members of the crowd he had addressed, in
16 an attempt to, among other objectives, interfere with the
17 Joint Session’s solemn constitutional duty to certify the
18 results of the 2020 Presidential election, unlawfully
19 breached and vandalized the Capitol, injured and killed
20 law enforcement personnel, menaced Members of Con-
21 gress, the Vice President, and Congressional personnel,
22 and engaged in other violent, deadly, destructive, and sedi-
23 tious acts.

24 President Trump’s conduct on January 6, 2021, fol-
25 lowed his prior efforts to subvert and obstruct the certifi-

1 cation of the results of the 2020 Presidential election.
2 Those prior efforts included a phone call on January 2,
3 2021, during which President Trump urged the secretary
4 of state of Georgia, Brad Raffensperger, to “find” enough
5 votes to overturn the Georgia Presidential election results
6 and threatened Secretary Raffensperger if he failed to do
7 so.

8 In all this, President Trump gravely endangered the
9 security of the United States and its institutions of Gov-
10 ernment. He threatened the integrity of the democratic
11 system, interfered with the peaceful transition of power,
12 and imperiled a coequal branch of Government. He there-
13 by betrayed his trust as President, to the manifest injury
14 of the people of the United States.

15 Wherefore, Donald John Trump, by such conduct,
16 has demonstrated that he will remain a threat to national
17 security, democracy, and the Constitution if allowed to re-
18 main in office, and has acted in a manner grossly incom-
19 patible with self-governance and the rule of law. Donald
20 John Trump thus warrants impeachment and trial, re-
21 moval from office, and disqualification to hold and enjoy
22 any office of honor, trust, or profit under the United
23 States.