

House Calendar No. 61

116TH CONGRESS
1ST SESSION

H. RES. 755

[Report No. 116–346]

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

DECEMBER 15, 2019

Reported with an amendment, referred to the House Calendar and ordered to be printed

[Strike out all after the resolving clause and insert the part printed in italic]

[For text of introduced resolution, see copy of resolution as introduced on December 10, 2019]

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 articles of impeachment*
- 4 *be exhibited to the United States Senate:*

1 *Articles of impeachment exhibited by the House of Rep-*
2 *resentatives of the United States of America in the name*
3 *of itself and of the people of the United States of America,*
4 *against Donald John Trump, President of the United States*
5 *of America, in maintenance and support of its impeach-*
6 *ment against him for high crimes and misdemeanors.*

7 *ARTICLE I: ABUSE OF POWER*

8 *The Constitution provides that the House of Represent-*
9 *atives “shall have the sole Power of Impeachment” and that*
10 *the President “shall be removed from Office on Impeach-*
11 *ment for, and Conviction of, Treason, Bribery, or other high*
12 *Crimes and Misdemeanors”. In his conduct of the office of*
13 *President of the United States—and in violation of his con-*
14 *stitutional oath faithfully to execute the office of President*
15 *of the United States and, to the best of his ability, preserve,*
16 *protect, and defend the Constitution of the United States,*
17 *and in violation of his constitutional duty to take care that*
18 *the laws be faithfully executed—Donald J. Trump has*
19 *abused the powers of the Presidency, in that:*

20 *Using the powers of his high office, President Trump*
21 *solicited the interference of a foreign government, Ukraine,*
22 *in the 2020 United States Presidential election. He did so*
23 *through a scheme or course of conduct that included solici-*
24 *ting the Government of Ukraine to publicly announce in-*
25 *vestigations that would benefit his reelection, harm the elec-*
26 *tion prospects of a political opponent, and influence the*

1 *2020 United States Presidential election to his advantage.*
2 *President Trump also sought to pressure the Government*
3 *of Ukraine to take these steps by conditioning official*
4 *United States Government acts of significant value to*
5 *Ukraine on its public announcement of the investigations.*
6 *President Trump engaged in this scheme or course of con-*
7 *duct for corrupt purposes in pursuit of personal political*
8 *benefit. In so doing, President Trump used the powers of*
9 *the Presidency in a manner that compromised the national*
10 *security of the United States and undermined the integrity*
11 *of the United States democratic process. He thus ignored*
12 *and injured the interests of the Nation.*

13 *President Trump engaged in this scheme or course of*
14 *conduct through the following means:*

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

20 *(A) a political opponent, former Vice Presi-*
21 *dent Joseph R. Biden, Jr.; and*

22 *(B) a discredited theory promoted by Rus-*
23 *sia alleging that Ukraine—rather than Russia—*
24 *interfered in the 2016 United States Presidential*
25 *election.*

1 (2) *With the same corrupt motives, President*
2 *Trump—acting both directly and through his agents*
3 *within and outside the United States Government—*
4 *conditioned two official acts on the public announce-*
5 *ments that he had requested—*

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

13 *(B) a head of state meeting at the White*
14 *House, which the President of Ukraine sought to*
15 *demonstrate continued United States support for*
16 *the Government of Ukraine in the face of Rus-*
17 *sian aggression.*

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

1 *These actions were consistent with President Trump’s*
 2 *previous invitations of foreign interference in United States*
 3 *elections.*

4 *In all of this, President Trump abused the powers of*
 5 *the Presidency by ignoring and injuring national security*
 6 *and other vital national interests to obtain an improper*
 7 *personal political benefit. He has also betrayed the Nation*
 8 *by abusing his high office to enlist a foreign power in cor-*
 9 *rupting democratic elections.*

10 *Wherefore President Trump, by such conduct, has dem-*
 11 *onstrated that he will remain a threat to national security*
 12 *and the Constitution if allowed to remain in office, and*
 13 *has acted in a manner grossly incompatible with self-gov-*
 14 *ernance and the rule of law. President Trump thus war-*
 15 *rants impeachment and trial, removal from office, and dis-*
 16 *qualification to hold and enjoy any office of honor, trust,*
 17 *or profit under the United States.*

18 *ARTICLE II: OBSTRUCTION OF CONGRESS*

19 *The Constitution provides that the House of Represent-*
 20 *atives “shall have the sole Power of Impeachment” and that*
 21 *the President “shall be removed from Office on Impeach-*
 22 *ment for, and Conviction of, Treason, Bribery, or other high*
 23 *Crimes and Misdemeanors”. In his conduct of the office of*
 24 *President of the United States—and in violation of his con-*
 25 *stitutional oath faithfully to execute the office of President*
 26 *of the United States and, to the best of his ability, preserve,*

1 *protect, and defend the Constitution of the United States,*
2 *and in violation of his constitutional duty to take care that*
3 *the laws be faithfully executed—Donald J. Trump has di-*
4 *rected the unprecedented, categorical, and indiscriminate*
5 *defiance of subpoenas issued by the House of Representa-*
6 *tives pursuant to its “sole Power of Impeachment”. Presi-*
7 *dent Trump has abused the powers of the Presidency in a*
8 *manner offensive to, and subversive of, the Constitution, in*
9 *that:*

10 *The House of Representatives has engaged in an im-*
11 *peachment inquiry focused on President Trump’s corrupt*
12 *solicitation of the Government of Ukraine to interfere in*
13 *the 2020 United States Presidential election. As part of this*
14 *impeachment inquiry, the Committees undertaking the in-*
15 *vestigation served subpoenas seeking documents and testi-*
16 *mony deemed vital to the inquiry from various Executive*
17 *Branch agencies and offices, and current and former offi-*
18 *cials.*

19 *In response, without lawful cause or excuse, President*
20 *Trump directed Executive Branch agencies, offices, and offi-*
21 *cials not to comply with those subpoenas. President Trump*
22 *thus interposed the powers of the Presidency against the*
23 *lawful subpoenas of the House of Representatives, and as-*
24 *sumed to himself functions and judgments necessary to the*

1 *exercise of the “sole Power of Impeachment” vested by the*
2 *Constitution in the House of Representatives.*

3 *President Trump abused the powers of his high office*
4 *through the following means:*

5 *(1) Directing the White House to defy a lawful*
6 *subpoena by withholding the production of documents*
7 *sought therein by the Committees.*

8 *(2) Directing other Executive Branch agencies*
9 *and offices to defy lawful subpoenas and withhold the*
10 *production of documents and records from the Com-*
11 *mittees—in response to which the Department of*
12 *State, Office of Management and Budget, Department*
13 *of Energy, and Department of Defense refused to*
14 *produce a single document or record.*

15 *(3) Directing current and former Executive*
16 *Branch officials not to cooperate with the Commit-*
17 *tees—in response to which nine Administration offi-*
18 *cials defied subpoenas for testimony, namely John*
19 *Michael “Mick” Mulvaney, Robert B. Blair, John A.*
20 *Eisenberg, Michael Ellis, Preston Wells Griffith, Rus-*
21 *sell T. Vought, Michael Duffey, Brian McCormack,*
22 *and T. Ulrich Brechbuhl.*

23 *These actions were consistent with President Trump’s*
24 *previous efforts to undermine United States Government in-*

1 *vestigations into foreign interference in United States elec-*
2 *tions.*

3 *Through these actions, President Trump sought to ar-*
4 *rogate to himself the right to determine the propriety, scope,*
5 *and nature of an impeachment inquiry into his own con-*
6 *duct, as well as the unilateral prerogative to deny any and*
7 *all information to the House of Representatives in the exer-*
8 *cise of its “sole Power of Impeachment”. In the history of*
9 *the Republic, no President has ever ordered the complete*
10 *defiance of an impeachment inquiry or sought to obstruct*
11 *and impede so comprehensively the ability of the House of*
12 *Representatives to investigate “high Crimes and Mis-*
13 *demeanors”. This abuse of office served to cover up the*
14 *President’s own repeated misconduct and to seize and con-*
15 *trol the power of impeachment—and thus to nullify a vital*
16 *constitutional safeguard vested solely in the House of Rep-*
17 *resentatives.*

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

23 *Wherefore, President Trump, by such conduct, has*
24 *demonstrated that he will remain a threat to the Constitu-*
25 *tion if allowed to remain in office, and has acted in a man-*

1 *ner grossly incompatible with self-governance and the rule*
2 *of law. President Trump thus warrants impeachment and*
3 *trial, removal from office, and disqualification to hold and*
4 *enjoy any office of honor, trust, or profit under the United*
5 *States.*

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