

# 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.

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## 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]

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## 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                   *riated 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 *cial 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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1<sup>ST</sup> Session

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