

ARTICLES OF IMPEACHMENT AGAINST PRESIDENT DONALD J. TRUMP

Whereas James Madison, father of the Constitution, instructed, “It is proper to take alarm at the first experiment on our liberties;”

Whereas Benjamin Franklin at the constitutional convention declared that the Constitution’s impeachment power was intended as a civilized, nonpunitive substitute for tyrannicide;

Whereas Virginia delegate to the constitutional convention George Mason explained that “attempts to subvert the Constitution” would be impeachable offenses;

Whereas the Constitution is not a suicide pact;

Whereas President Donald J. Trump proclaimed on July 23, 2019, “Then I have Article 2, where I have the right to do anything I want as president.”

Whereas the impeachment power reaches clear and present dangers to our constitutional order; and,

Whereas the impeachment power of Congress is the sole guardrail left against presidential dictatorship in the aftermath of the Supreme Court’s appalling decision in *Trump v. United States*, 603 U.S. 593 (2024) immunizing the President from prosecution for crimes orchestrated from the White House:

Now be it resolved by the House of Representatives that President Donald J. Trump is impeached for high crimes and misdemeanors and that the following articles of impeachment to be exhibited to the Senate:

ARTICLES OF IMPEACHMENT EXHIBITED BY THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN THE NAME OF ITSELF AND OF ALL THE PEOPLE OF THE UNITED STATES OF AMERICA, AGAINST PRESIDENT DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES OF AMERICA, IN MAINTENANCE AND SUPPORT OF ITS IMPEACHMENT AGAINST HIM FOR HIGH CRIMES AND MISDEMEANORS IN VIOLATION OF HIS CONSTITUTIONAL OATH OF OFFICE TO PRESERVE, PROTECT, AND DEFEND THE CONSTITUTION OF THE UNITED STATES.

ARTICLE 1

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, issued a flagrantly unconstitutional executive order on January 20, 2025, “Protecting the Meaning and Vale of American Citizenship,” contrary to section 1 of the Fourteenth Amendment and the United States Supreme Court decision in *United States v. Wong Kim Art*, 169 U.S. 649 (1989) stripping a certain category of children born in the United States and subject to the jurisdiction thereof of their birthright citizenships.

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

Wherefore Donald J. Trump, by such conduct, warrants impeachment, trial, and removal from office.

ARTICLE 2

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, issued a flagrantly unconstitutional executive order on January 20, 2025, (“Application of Protecting Americans From Foreign Adversary Controlled Applications Act to TikTok”) declining for at least 75 days (and potentially forever) enforcement against TikTok of the “Protecting Americans from Foreign Adversary Controlled Applications Act.”

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ARTICLE 3

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, issued pardons or commutations on January 20, 2025, Granting Pardons and Commutations of Sentences for Certain Offenses Relating to Events at or Near the United States Capitol on January 6, 2021,) to more than 1,500 insurrectionist aiming by force and violence, to overturn the presidential election of 2020, including by hanging Vice President Mike Pence. The insurrectionist beneficiaries included leaders of Proud Boys and Oath Keepers, who are modeled on the Gestapo or the Brown Shirts of the Third Reich.

James Madison, at the Virginia ratification convention, elaborated that if the President abused his pardon power by sheltering his political or personal friends, impeachment would be justified: “If the President by connected in any suspicious manner, with any purpose and there are grounds to believe he will shelter him, the House of Representatives can impeach him.”

There is a credible risk that President Donald J. Trump will order either officers of the United States or private parties like friends Steve Bannon, Proud Boys, or Oath Keepers to commit crimes that will benefit Mr. Trump politically or personally by promising them pardons for their crimes. On or about April 12, 2019, the *New York Times* reported that President Trump personally instructed the Customs and Border Protection Commissioner, Kevin McAleenan, to block asylum seekers promising that if McAleenan faced jail time Mr. Trump would pardon him.

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ARTICLE 4

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 24, 2025, illegally discharged at least 17 Inspectors General under the Inspectors General Act of 1978, as amended, by refusing to provide Congress 30-days' notice and a substantive reason for the firing. There is no plausible claim that such featherweight restrictions on the President's removal power in furtherance of legitimate oversight of the executive branch violates the Constitution's separation of powers. James Madison explained in *Federalist 48* that the doctrine did not create Chinese walls between the three branches but only enjoined that one branch is not completely administered by another branch or exercise an "overruling" influence over another branch in the administration of their respective powers. The United States Supreme Court upheld far greater restrictions on the President's removal authority than the Inspectors General Act in *Morrison v. Olson*, 487 U.S. 654 (1988) (independent counsel), and *Humphrey's Executor*, 295 U.S. 602 (1935) (multi-member independent agencies.)

Spurning the Constitution and laws of the United States, President Trump, through his press secretary Karoline Leavitt declared on January 29, 2025, "[The President] is the executive of the executive branch and therefore he has the power to fire anyone in the executive branch that he wishes to."

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ARTICLE 5

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 28, 2025, fired one member of the National Labor Relations Board, without statutory cause, and two members of the Equal Employment Opportunity Commission, before expiration of their respective statutory five-year terms.

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ARTICLE 6

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 24, 2025, froze spending on grants or loans in violation of the rescission or deferral provisions of the Impoundment Control Act and the congressional power of the purse. James Madison in *Federalist 58*, amplified, “This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.” The Supreme Court unanimously denied the President impoundment power in *Train v. City of New York*, 420 U.S. 35 (1975).

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ARTICLE 7

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 28, 2025, promised federal employees 8 months salary through September 2025 if they submitted their resignations by February 6, 2025, contrary to the civil and criminal provisions of the Anti-Deficiency Act, 31 U.S. C. 1341 (a) (1). Congress has not appropriated funds for such a buy-out offer.

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ARTICLE 8

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 20, 2025, issued an executive order “Declaring a National Energy Emergency” for the specific, illicit purpose of evading federal laws governing the production, transmission, or export of energy. There is no credible evidence that the United States confronts a national energy emergency.

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ARTICLE 9

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 20, 2025, issued a Proclamation “Declaring a National Emergency at the Southern Border of the United States” absurdly characterizing unauthorized immigration of unarmed men, women, and children through our border with Mexico as a military “invasion” under Article IV, section 4 of the Constitution for the illicit purpose of evading immigration laws governing asylum or otherwise including indefinitely suspending physical entry by any alien whom are all unrebuttably presumed to be “invaders,” subject to a military response.

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ARTICLE 10

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 20, 2025, issued an executive order “Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists” as a pretext for probably drone warfare against Mexican drug cartels as prologue to a United States military invasion without a constitutionally required congressional declaration of war. The drug cartels do not plausibly meet the statutory definition of foreign terrorist organization in 8 U.S.C. 1182 (a) (3) (B).

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ARTICLE 11

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, has threatened military attacks without constitutionally required declarations of war under Article I, section 8, clause 11, on Panama if it does not cede the Panama Canal to the United States and on Denmark if it does not cede Greenland to the United States. President Trump continues to the United States as a co-belligerent with Ukraine in its war with Russia without a congressional declaration of war and as a co-belligerent with Israel in its wars in Gaza, the West Bank, Lebanon, Syria, and Iran without congressional declarations of war. In addition, Mr. Trump continues to project and use military force in Iraq, Libya, Yemen, and Somalia not in self-defense without a congressional declaration of war. President Trump is a clear and present danger to provoking or initiating war with China without a constitutionally required congressional declaration.

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ARTICLE 12

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, has refused to divest himself of any direct or indirect financial interest in a wide array business ventures intended to exploit his position as President to offer or withhold political favors to encourage patronage of these ventures by Americans or foreigners doing business with the United States to enrich himself or his family contrary to the prohibitions of the Constitution's domestic and foreign emoluments clauses, Article I, section 1, clause 5, and Article I, section 9, clause 8. In so doing, President Trump has cast doubt on his loyalty to the United States and the rule of law.

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ARTICLE 13

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 20, 2025, issued an executive order “Restoring Freedom of Speech and Ending Federal Censorship” as an Orwellian pretext for suppressing free speech or association Mr. Trump hates or dislikes. Towards that end, President Trump is posed to remove every FBI agent or Department of Justice lawyer who worked on the January 6 insurrection investigation or other federal criminal investigations or prosecutions of Mr. Trump because of their putative adverse opinions or personal loyalty to him unrelated to job qualifications or performance. The Supreme Court has made clear in *Pickering v. Board of Education*, 391 U.S. 563 (1968), *Elrod v. Burns*, 427 U.S. 347 (1976), and *Branti v. Finkel*, 445 U.S. 507 (1980) that the First Amendment protects government employees from discharge based on free speech or associations that do not impair job performance, except for top policymaking officials.

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ARTICLE 14

In his conduct of the office of President of the United States, Donald J. Trump, in violation of his constitutional duty to preserve, protect, and defend the Constitution of the United States, and to take care that the laws be faithfully executed, on January 20, 2025, issued an Orwellian executive order “Ending Radical Indoctrination in K-12 Schooling” to propagandize students into believing Americans are God’s new chosen people—a master race superior to others-by prohibiting instruction in slavey, subjugation of women, the extermination of Native American Indians, including the Trail of Tears and chronic broken treaties to steal Indian lands or resources, racist immigration laws, conscription of blacks to fight in segregated units, the odious separate-but-equal doctrine of the United States Supreme Court, thousands of black lynchings with impunity, racist concentration camps for Japanese Americans in World War II, the savage murder of Emmet Till, McCarthyism, chronic government lies, American criminal wars of aggression in Iraq, Libya, and elsewhere, ad infinitum.

The executive order is a dagger at inculcating critical thinking, indispensable to an enlightened national order. The Supreme Court underscored in *Sweezy v. New Hampshire*, 354 U.S. 234 (1957): “To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation...Particularly is that true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of

suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise, our civilization will stagnate and die.”

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