H. RES. 24

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2021

Resolved,

That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following article of impeachment be exhibited to the United States Senate:

ARTICLE I: INCITEMENT OF INSURRECTION

Resolved, That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following article of impeachment be exhibited to the United States Senate:

Article of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald John Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I: INCITEMENT OF INSURRECTION
The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. Further, section 3 of the 14th Amendment to the Constitution prohibits any person who has “engaged in insurrection or rebellion against” the United States from “hold[ing] any office . . . under the United States”. In his conduct while President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald John Trump engaged in high Crimes and Misdemeanors by inciting violence against the Government of the United States, in that:

On January 6, 2021, pursuant to the 12th Amendment to the Constitution of the United States, the Vice President of the United States, the House of Representatives, and the Senate met at the United States Capitol for a Joint Session of Congress to count the votes of the Electoral College. In the months preceding the Joint Session, President Trump repeatedly issued false statements
asserting that the Presidential election results were the product of widespread fraud and should not be accepted by the American people or certified by State or Federal officials. Shortly before the Joint Session commenced, President Trump, addressed a crowd at the Ellipse in Washington, DC. There, he reiterated false claims that “we won this election, and we won it by a landslide”. He also willfully made statements that, in context, encouraged—and foreseeably resulted in—lawless action at the Capitol, such as: “if you don’t fight like hell you’re not going to have a country anymore”. Thus incited by President Trump, members of the crowd he had addressed, in an attempt to, among other objectives, interfere with the Joint Session’s solemn constitutional duty to certify the results of the 2020 Presidential election, unlawfully breached and vandalized the Capitol, injured and killed law enforcement personnel, menaced Members of Congress, the Vice President, and Congressional personnel, and engaged in other violent, deadly, destructive, and seditious acts.

President Trump’s conduct on January 6, 2021, followed his prior efforts to subvert and obstruct the certification of the results of the 2020 Presidential election. Those prior efforts included a phone call on January 2, 2021, during which President Trump urged the secretary
of state of Georgia, Brad Raffensperger, to “find” enough
to overturn the Georgia Presidential election results
and threatened Secretary Raffensperger if he failed to do
so.

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

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

NANCY PELOSI,
Speaker of the House of Representatives.

Attest:    CHERYL L. JOHNSON,
         Clerk.