

119TH CONGRESS
1ST SESSION

H. RES. 415

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

IN THE HOUSE OF REPRESENTATIVES

Mr. GREEN of Texas submitted the following resolution; which was referred to the Committee on

RESOLUTION

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

Resolved, That Donald John Trump, President of the United States, is unfit to be President, unfit to represent the American values of decency and morality, respectability and civility, honesty and propriety, reputability and integrity, is unfit to defend the ideals that have made America great, is unfit to defend liberty and justice for all as extolled in the Pledge of Allegiance, is unfit to defend the American ideal of all persons being created equal as exalted in the Declaration of Independence, is unfit to ensure domestic tranquility, promote the general welfare and to ensure the blessings of liberty to ourselves and our posterity as lauded in the preamble to the United States Constitution, is unfit to protect government of the people, by the people, for the people as elucidated in the Gettysburg Address, and is impeached for high crimes and misdemeanors, 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 committed as President of the United States constituting harm to American society to the manifest injury of the people of the United States of America.

ARTICLE I

Devolving democracy within the United States into authoritarianism with himself (Donald John Trump) as an authoritarian President. Merriam-Webster defines authoritarianism as, “relating to, or favoring a concentration of power in a leader or an elite not constitutionally responsible to the people”.

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.” 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, causing the devolution of democracy within the United States of America into authoritarianism with himself as an authoritarian President.

Early in his campaign, President Trump indicated his dictatorial/authoritarian intentions. On December 5, 2023, Fox News aired a town hall interview hosted by Sean Hannity with then-candidate, Donald Trump, where he was asked, “Under no circumstances, you are promising America tonight, you would never abuse power as retribution against anybody,” to which, Trump replied, “Except for day one.” In speaking to the audience, Trump, referring to Hannity, said, “We love this guy. He says you're not going to be a dictator, are you? I said, no, no, no. Other than day one. We're closing the border and we're drilling, drilling, drilling. After that, I'm not a dictator. Okay?”

Unfortunately, President Trump’s authoritarianism did not end on day one, but instead continued through condoning the undermining of the judicial independence of the federal judiciary, disregarding the separation of powers, violating the due process clause in the Fifth Amendment of the United States Constitution, denigrating federal judges, condoning the flouting of orders of United States Federal Courts, including orders of the United States Supreme Court, in that:

On Wednesday, April 16, 2025, James E. Boasberg, Chief Judge United States District Court for the District of Columbia found that probable cause existed to hold the Trump Administration defendants in contempt for a willful disregard for its order. The relevant part of the Memorandum Opinion stated as follows:

(1) “On the evening of Saturday, March 15, 2025, this Court issued a written Temporary Restraining Order [TRO] barring the Government from transferring certain individuals into foreign custody pursuant to the Alien Enemies Act. At the time the Order issued, those individuals were on planes being flown overseas, having been spirited out of the United States by the Government before they could vindicate their due-process rights by contesting their removability in a federal court, as the law requires... Rather than comply with the Court’s Order, the Government continued the hurried removal operation. Early on Sunday morning — hours after the Order issued — it transferred two planeloads of passengers protected by the TRO into a Salvadoran mega-prison.”

(2) “As this Opinion will detail, the Court ultimately determines that the Government’s actions on that day [March 16, 2025] demonstrate a willful disregard for its Order, sufficient for the Court to conclude that probable cause exists to find the Government in criminal contempt. The Court does not reach such conclusion lightly or hastily; indeed, it has given Defendants ample opportunity to rectify or explain their actions. None of their responses has been satisfactory.”

(3) “One might nonetheless ask how this inquiry into compliance is able to proceed at all given that the Supreme Court vacated the TRO after the events in question. That Court’s later determination that the TRO suffered from a legal defect, however, does not excuse the Government’s violation. Instead, it is a foundational legal precept that every judicial order ‘must be obeyed’ — no matter how ‘erroneous’ it ‘may be’ — until a court reverses it.”

(4) “If a party chooses to disobey the order — rather than wait for it to be reversed through the judicial process — such disobedience is punishable as contempt, notwithstanding any later-revealed deficiencies in the order... That foundational ‘rule of law’ answers not just how this compliance inquiry can proceed, but why it must.”

(5) “The rule ‘reflects a belief that in the fair administration of justice no man can be judge in his own case,’ no matter how ‘exalted his station’ or ‘righteous his motives.’”

(6) “The Constitution does not tolerate willful disobedience of judicial orders — especially by officials of a coordinate branch who have sworn an oath to uphold it. To permit such officials to freely ‘annul the judgments of the courts of the United States’ would not just ‘destroy the rights acquired under those judgments’; it would make ‘a solemn mockery’ of ‘the constitution itself.’

(7) ““So fatal a result must be deprecated by all.””

(8) “For the foregoing reasons, the Court will find probable cause that Defendants’ actions constitute contempt. It will provide them an opportunity to purge such contempt. If they opt not to do so, the Court will proceed to identify the contemnor(s) and refer the matter for prosecution. A separate Order so stating will issue this day.”

On March 18, 2025, President Trump published a statement denigrating and calling for the impeachment of a judge. In relevant part, the statement averred as follows:

(1) “This Radical Left Lunatic of a Judge, a troublemaker and agitator who was sadly appointed by Barack Hussein Obama, was not elected President”.

(2) “This judge, like many of the Crooked Judges’ I am forced to appear before, should be IMPEACHED!!!”

On March 18, 2025, NPR published an article related to the President of the United States of America, reporting on the President’s call for a judge to be impeached. In relevant part, the article stated as follows:

(1) “Without naming James Boasberg, the chief judge of the district court of Washington, D.C., Trump said, ‘This judge, like many of the Crooked Judges’ I am forced to appear before, should be IMPEACHED!!!’ He also called Boasberg a ‘Radical Left Lunatic of a Judge, a troublemaker and agitator who was sadly appointed by Barack Hussein Obama.’”

(2) “Reacting to the president’s social media post, Chief Justice John Roberts issued a written statement of his own: ‘For more than two centuries it has been established that impeachment is not an appropriate response to disagreements concerning a judicial decision. The normal appellate review process exists for that purpose.’”

On April 10, 2025, the Supreme Court issued opinion No.24A949 regarding the Trump Administration’s request to vacate an injunction issued by the U.S. District Court for the District of Maryland.

The court's unanimous judgment and reasoning in opinion No. 24A949 (available for perusal), in relevant part, stated:

(1) “On March 15, 2025, the United States removed Kilmar Armando Abrego Garcia from the United States to El Salvador, where he is currently detained in the Center for Terrorism Confinement (CECOT). The United States acknowledges that Abrego Garcia was subject to a withholding order forbidding his removal to El Salvador, and that the removal to El Salvador was therefore illegal. The United States represents that the removal to El Salvador was the result of an ‘administrative error.’”

(2) “The [United States District Court for the District of Maryland’s] order properly requires the Government to ‘facilitate’ Abrego Garcia’s release from custody in El Salvador and to ensure that his case is handled as it would have been had he not been improperly sent to El Salvador.”

Further in the statement of Justice Sotomayor, with whom Justice Kagan and Justice Jackson join, respecting the Court’s disposition of the application averred that:

(1) “The United States Government arrested Kilmar Armando Abrego Garcia in Maryland and flew him to a ‘terrorism confinement center’ in El Salvador, where he has been detained for 26 days and counting. To this day, the Government has cited no basis in law for Abrego Garcia’s warrantless arrest, his removal to El Salvador, or his confinement in a Salvadoran prison. Nor could it. The Government remains bound by an Immigration Judge’s 2019 order expressly prohibiting Abrego Garcia’s removal to El Salvador because he faced a ‘clear probability of future persecution’ there and ‘demonstrated that [El Salvador’s] authorities were and would be unable or unwilling to protect him.’”

(2) “The Government has not challenged the validity of that order. Instead of hastening to correct its egregious error, the Government dismissed it as an ‘oversight.’”

(3) “The Government’s argument, moreover, implies that it could deport and incarcerate any person, including U.S. citizens, without legal consequence, so long as it does so before a court can intervene.”

On April 14, 2025, days after the Supreme Court issued the above opinion No. 24A949, in a meeting with President Nayib Bukele of El Salvador, Attorney General Pamela Bondi, Secretary of State Marco Rubio, and White House Deputy Chief of Staff Stephen Miller—President Donald Trump was present and condoned their untruthful statements opposing the courts opinion related to Abrego Garcia’s removal from the United States and the Supreme Court’s order to facilitate his return. The meeting was recorded by C-SPAN. In the meeting, President Trump condoned and defended the untruths that undermine the Fifth Amendment mandate of due process prior to the removal of citizens and non-citizens from the United States of America.

C-SPAN reported the following: “President Trump Meets with President of El Salvador: During an Oval Office meeting with Salvadoran President Nayib Bukele, President Donald Trump and members of his administration argued they were not required to return deported Salvadoran citizen Kilmar Abrego Garcia to the United States, in spite of the Supreme Court ruling in favor of facilitating his return. President Bukele himself said that he was not authorized to return Mr. Garcia, who was legally present in the U.S. before being deported in March. The Trump administration alleged that he was a member of the MS-13 gang, but it previously admitted that the deportation was an ‘administrative error.’”

On April 17, 2025, days after the White House meeting referenced above, the United States Court of Appeals for the Fourth Circuit rendered an order exposing, with meticulous explication, the untruths utilized — by Attorney General Pamela Bondi, Secretary of State Marco Rubio, White House Deputy Chief of Staff Stephen Miller, and condoned by President Donald Trump —to deny due process mandated in the Fifth Amendment of the Constitution.

Wilkinson, Circuit Judge of the United States Court of Appeals for the Fourth Circuit, with whom Circuit Judges King and Thacker join, stated in relevant part as follows:

(1) “It is difficult in some cases to get to the very heart of the matter. But in this case, it is not hard at all. The government is asserting a right to stash away residents of this country in foreign prisons without the semblance of due process that is the foundation of our constitutional order. Further, it claims in essence that because it has rid itself of custody that there is nothing that can be done. This should be shocking not only to judges, but to the intuitive sense of liberty that Americans far removed from courthouses still hold dear. The government asserts that Abrego Garcia is a terrorist and a member of MS-13. Perhaps, but perhaps not. Regardless, he is still entitled to due process. If the government is confident of its position, it should be assured that position will prevail in proceedings to terminate the withholding of removal order... Moreover, the government has conceded that Abrego Garcia was wrongly or ‘mistakenly’ deported. Why then should it not make what was wrong, right?”

(2) “The Supreme Court’s decision does not, however, allow the government to do essentially nothing. It requires the government ‘to “facilitate” Abrego Garcia’s release from custody in El Salvador and to ensure that his case is handled as it would have been had he not been improperly sent to El Salvador.’... ‘Facilitate’ is an active verb. It requires that steps be taken as the Supreme Court has made perfectly clear.”

(3) “‘Facilitation’ does not permit the admittedly erroneous deportation of an individual to the one country’s prisons that the withholding order forbids and, further, to do so in disregard of a court order that the government not so subtly spurns. ‘Facilitation’ does not sanction the abrogation of habeas corpus through the transfer of custody to foreign detention centers in the manner attempted here. Allowing all this would ‘facilitate’ foreign detention more than it would domestic return. It would reduce the rule of law to lawlessness and tarnish the very values for which Americans of diverse views and persuasions have always stood.”

(4) “If today the Executive claims the right to deport without due process and in disregard of court orders, what assurance will there be tomorrow that it will not deport American citizens and then disclaim responsibility to bring them home? And what assurance shall there be that the Executive will not train its broad discretionary powers upon its political enemies? The threat, even if not the actuality, would always be present, and the Executive’s obligation to ‘take Care that the Laws be faithfully executed’ would lose its meaning.”

(5) “Today, both the United States and the El Salvadoran governments disclaim any authority and/or responsibility to return Abrego Garcia. *See President Trump Participates in a Bilateral Meeting with the President of El Salvador*, WHITE HOUSE (Apr. 14, 2025). We are told that *neither* government has the power to act. The result will be to leave matters generally and Abrego Garcia specifically in an interminable limbo without recourse to law of any sort.”

(6) “Now the branches come too close to grinding irrevocably against one another in a conflict that promises to diminish both. This is a losing proposition all around. The Judiciary will lose much from the constant intimations of its illegitimacy, to which by dint of custom and detachment we can only sparingly reply. The Executive will lose much from a public perception of its lawlessness and all of its attendant contagions. The Executive may succeed for a time in weakening the courts, but over time history will script the tragic gap between what was and all that might have been, and law in time will sign its epitaph.”

On April 29, 2025, in an interview with ABC News, while discussing the continued detention of Kilmar Armando Abrego Garcia in El Salvador, the interviewer said, “You could get him back. There's a phone on this desk.” President Donald John Trump replied, “I could.”

Notwithstanding all that has been presented above, the Trump Administration continues to flout the Supreme Court’s April 10, 2025, order, “to ‘facilitate’ Abrego Garcia’s release from custody in El Salvador and to ensure that his case is handled as it would have been had he not been improperly sent to El Salvador.”

On May 2, 2025, Reuters reported that U.S. Supreme Court Justice Ketanji Brown Jackson addressed President Donald Trump’s attacks on the judiciary. In relevant part, the article stated as follows:

(1) “U.S. Supreme Court Justice Ketanji Brown Jackson said on Thursday attacks by Republican President Donald Trump and his allies on judges were ‘not random’ and seemed ‘designed to intimidate the judiciary.’”

(2) Particularly, U.S. Supreme Court Justice Jackson remarked that, “The attacks are not random. They seem designed to intimidate those of us who serve in this critical capacity.”

(3) Justice Jackson added, “The threats and harassment are attacks on our democracy, on our system of government. And they ultimately risk undermining our Constitution and the rule of law.”

On May 4, 2025, when asked, President Trump did not affirm his duty to uphold the Constitution, despite his presidential oath to, “faithfully 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.” In an NBC News Meet the Press interview, when discussing the facilitation of Abrego Garcia’s return, President Trump was asked, “The Constitution says every person, citizens and non-citizens, deserve due process... Don’t you need to uphold the Constitution of the United States as President?” to which he responded by saying, “I don’t know.”

In all this, President Donald John Trump gravely endangered the separation of powers within the government and its institutions. He threatened the integrity of the democratic system by condoning the undermining of the judicial independence of the Federal judiciary, violating the due process clause in the Fifth Amendment of the United States Constitution, denigrating Federal judges, ignoring the separation of powers, condoning the flouting of orders of United States Federal Courts (including orders of the United States Supreme Court) — all of which have caused the devolution of democracy within the United States of America into authoritarianism with himself as an authoritarian President. He thereby betrayed his trust as President, to the manifest injury of the people of the United States.

Wherefore, authoritarian President Donald John Trump, by such conduct, has demonstrated that he will remain a threat to democracy and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. Donald John Trump thus warrants impeachment, trial and removal from office, as he is unfit to be President.
