

ARTICLE OF IMPEACHMENT

ARTICLE II

VIOLATION OF THE EMOLUMENTS CLAUSES OF THE CONSTITUTION OF THE UNITED STATES

AGAINST

DONALD JOHN TRUMP

PRESIDENT OF THE UNITED STATES

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:

I. CONSTITUTIONAL FOUNDATION

THE CONSTITUTION OF THE UNITED STATES CONTAINS TWO DISTINCT AND ABSOLUTE PROHIBITIONS ON THE RECEIPT OF FINANCIAL BENEFITS BY THE PRESIDENT OUTSIDE HIS OFFICIAL COMPENSATION. THE FOREIGN EMOLUMENTS CLAUSE, ARTICLE I, SECTION 9, CLAUSE 8, PROHIBITS ANY PERSON HOLDING AN OFFICE OF PROFIT OR TRUST UNDER THE UNITED STATES FROM ACCEPTING ANY PRESENT, EMOLUMENT, OFFICE, OR TITLE OF ANY KIND WHATSOEVER FROM ANY KING, PRINCE, OR FOREIGN STATE WITHOUT THE CONSENT OF CONGRESS. THE DOMESTIC EMOLUMENTS CLAUSE, ARTICLE II, SECTION 1, CLAUSE 7, PROHIBITS THE PRESIDENT FROM RECEIVING ANY OTHER EMOLUMENT FROM THE UNITED STATES OR ANY STATE WHILE IN OFFICE BEYOND HIS FIXED COMPENSATION.

THESE CLAUSES WERE INSERTED BY THE FRAMERS SPECIFICALLY TO PREVENT THE PRESIDENT FROM BEING INFLUENCED BY, BEHOLDEN TO, OR FINANCIALLY ENTANGLED WITH FOREIGN POWERS OR DOMESTIC INTERESTS. THEY REFLECT THE FOUNDERS' MOST FUNDAMENTAL CONCERN: THAT THE PRESIDENT SERVE THE PEOPLE OF THE UNITED STATES, NOT HIMSELF AND NOT FOREIGN POWERS.

II. STATEMENT OF FACTS

THROUGHOUT HIS SECOND TERM IN OFFICE, PRESIDENT DONALD JOHN TRUMP HAS RECEIVED, AND CONTINUES TO RECEIVE, FINANCIAL BENEFITS FROM FOREIGN GOVERNMENTS, DOMESTIC GOVERNMENTS, AND PRIVATE INTERESTS WITH BUSINESS

BEFORE THE FEDERAL GOVERNMENT, IN VIOLATION OF BOTH EMOLUMENTS CLAUSES OF THE CONSTITUTION.

- 1. FOREIGN GOVERNMENT OFFICIALS AND AGENTS REPRESENTING FOREIGN STATES – INCLUDING BUT NOT LIMITED TO SAUDI ARABIA, QATAR, AND THE UNITED ARAB EMIRATES – HAVE CONTINUED TO PATRONIZE TRUMP-BRANDED HOTELS, CLUBS, AND PROPERTIES, DIRECTING PAYMENT TO ENTITIES OWNED BY OR FINANCIALLY BENEFITING PRESIDENT TRUMP, WITHOUT THE CONSENT OF CONGRESS AS REQUIRED BY THE FOREIGN EMOLUMENTS CLAUSE.**
- 2. IN OR AROUND JANUARY 2025, IMMEDIATELY PRIOR TO ASSUMING OFFICE FOR HIS SECOND TERM, PRESIDENT TRUMP LAUNCHED A CRYPTOCURRENCY TOKEN DESIGNATED AS THE \$TRUMP MEME COIN, THROUGH WHICH HE AND ENTITIES ASSOCIATED WITH HIM RECEIVED OR STOOD TO RECEIVE HUNDREDS OF MILLIONS OF DOLLARS IN PROCEEDS FROM PURCHASERS WORLDWIDE, INCLUDING PURCHASERS WHO ARE AGENTS, REPRESENTATIVES, OR AFFILIATES OF FOREIGN GOVERNMENTS, OR WHO HAVE SUBSTANTIAL BUSINESS PENDING BEFORE THE FEDERAL GOVERNMENT.**
- 3. PRESIDENT TRUMP LAUNCHED A PROMOTION IN WHICH THE LARGEST HOLDERS OF THE \$TRUMP CRYPTOCURRENCY TOKEN – A CLASS OF PURCHASERS THAT MAY INCLUDE FOREIGN NATIONALS AND FOREIGN GOVERNMENT INTERESTS – WERE OFFERED PRIVATE ACCESS TO THE PRESIDENT OF THE UNITED STATES. THIS SCHEME CREATED A DIRECT FINANCIAL MECHANISM BY WHICH FOREIGN INTERESTS COULD PURCHASE PROXIMITY TO AND INFLUENCE OVER THE PRESIDENT, CONSTITUTING AN EMOLUMENT THAT COMPROMISES THE INDEPENDENCE OF HIS JUDGMENT IN THE CONDUCT OF THE OFFICE.**
- 4. FEDERAL AGENCIES AND ENTITIES WITH BUSINESS BEFORE THE FEDERAL GOVERNMENT HAVE DIRECTED PAYMENT TO TRUMP-OWNED OR TRUMP-BRANDED PROPERTIES, INCLUDING CHARGES ASSESSED TO THE UNITED STATES SECRET SERVICE AND OTHER FEDERAL ENTITIES, THEREBY DIRECTING FEDERAL FUNDS TO THE PERSONAL FINANCIAL BENEFIT OF THE PRESIDENT IN VIOLATION OF THE DOMESTIC EMOLUMENTS CLAUSE.**

III. LEGAL ANALYSIS

THE EMOLUMENTS CLAUSES ARE ABSOLUTE CONSTITUTIONAL PROHIBITIONS, VIOLATED WHEN THE CONDUCT THEY FORBID OCCURS. PRESIDENT TRUMP HAS CHOSEN TO REMAIN FINANCIALLY ENTANGLED WITH GLOBAL BUSINESS INTERESTS WHILE SERVING AS PRESIDENT, AND HAS CREATED NOVEL FINANCIAL INSTRUMENTS THROUGH WHICH FOREIGN AND DOMESTIC INTERESTS MAY PURCHASE ACCESS TO HIS PERSON AND OFFICE.

THE FRAMERS WHO DRAFTED THESE CLAUSES DID SO BECAUSE THEY HAD WITNESSED FIRSTHAND THE CORRUPTION OF PUBLIC OFFICIALS BY FOREIGN GIFTS AND DOMESTIC ENTANGLEMENTS. THEY MADE THE PROHIBITION ABSOLUTE FOR THE PRESIDENT BECAUSE THEY UNDERSTOOD THAT NO OFFICE IS MORE VULNERABLE TO FOREIGN CORRUPTION, AND NO CORRUPTION MORE DANGEROUS TO THE REPUBLIC, THAN THE CORRUPTION OF ITS CHIEF EXECUTIVE. PRESIDENT TRUMP HAS COMMITTED PRECISELY THE OFFENSE THOSE CLAUSES WERE WRITTEN TO PREVENT.

IV. CONCLUSION

WHEREFORE, DONALD JOHN TRUMP, BY SUCH CONDUCT, WARRANTS IMPEACHMENT AND TRIAL, REMOVAL FROM OFFICE, AND DISQUALIFICATION TO HOLD AND ENJOY ANY OFFICE OF HONOR, TRUST, OR PROFIT UNDER THE UNITED STATES.

RESPECTFULLY SUBMITTED,

GREG GUTHUES

CANDIDATE, HAWAII'S 2ND CONGRESSIONAL DISTRICT
STATE OF HAWAII