

ARTICLE OF IMPEACHMENT

ARTICLE IV

UNLAWFUL ACTS OF WAR, EXTRAJUDICIAL KILLING,
AND THE FORCIBLE ABDUCTION OF A HEAD OF STATE
WITHOUT CONGRESSIONAL AUTHORIZATION

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

ARTICLE I, SECTION 8 OF THE CONSTITUTION OF THE UNITED STATES VESTS IN THE CONGRESS THE EXCLUSIVE POWER TO DECLARE WAR. THE WAR POWERS RESOLUTION OF 1973 REQUIRES THE PRESIDENT TO NOTIFY CONGRESS WITHIN 48 HOURS OF COMMITTING UNITED STATES ARMED FORCES TO HOSTILITIES AND PROHIBITS THE CONTINUATION OF COMBAT OPERATIONS BEYOND 60 DAYS WITHOUT CONGRESSIONAL AUTHORIZATION. THE FIFTH AMENDMENT TO THE CONSTITUTION PROHIBITS THE DEPRIVATION OF LIFE WITHOUT DUE PROCESS OF LAW. THE LAWS OF WAR, BINDING UPON THE UNITED STATES THROUGH TREATY AND CUSTOMARY INTERNATIONAL LAW, PROHIBIT THE KILLING OF SURVIVORS AND NON-COMBATANTS, EXTRAJUDICIAL EXECUTION, AND THE FORCIBLE REMOVAL OF HEADS OF STATE ABSENT A LAWFUL DECLARATION OF WAR.

PRESIDENT DONALD JOHN TRUMP HAS VIOLATED EACH OF THESE PROVISIONS – COMMITTING ACTS OF WAR WITHOUT CONGRESSIONAL AUTHORIZATION, DIRECTING OR PERMITTING THE KILLING OF SHIPWRECKED SURVIVORS AND CIVILIANS WITHOUT LEGAL JUSTIFICATION, AND ORDERING THE FORCIBLE ABDUCTION OF THE SITTING HEAD OF STATE OF A SOVEREIGN NATION – CONDUCT THAT CONSTITUTES HIGH CRIMES AND MISDEMEANORS AND, IN ITS MOST EXTREME ELEMENTS, POTENTIAL WAR CRIMES UNDER THE LAWS OF THE UNITED STATES AND THE LAW OF NATIONS.

II. STATEMENT OF FACTS

BEGINNING IN SEPTEMBER 2025 AND CULMINATING IN THE LARGE-SCALE MILITARY OPERATION OF JANUARY 3, 2026, PRESIDENT DONALD JOHN TRUMP ORDERED, DIRECTED, AND OVERSAW AN EXTENDED CAMPAIGN OF MILITARY FORCE AGAINST THE SOVEREIGN NATION OF VENEZUELA, CONDUCTED WITHOUT A DECLARATION OF WAR, WITHOUT CONGRESSIONAL AUTHORIZATION, AND IN DEFIANCE OF THE WAR POWERS RESOLUTION. SPECIFICALLY:

- 1. BEGINNING IN SEPTEMBER 2025, PRESIDENT TRUMP ORDERED THE UNITED STATES MILITARY TO CONDUCT A SERIES OF STRIKES ON VESSELS IN THE CARIBBEAN SEA AND THE EASTERN PACIFIC OCEAN, ALLEGED TO BE ENGAGED IN DRUG TRAFFICKING CONNECTED TO VENEZUELA. THESE STRIKES, CONDUCTED OVER A PERIOD OF MONTHS, KILLED AT LEAST 163 PEOPLE IN AT LEAST 47 SEPARATE ATTACKS ON 48 VESSELS. THESE MILITARY OPERATIONS WERE CONDUCTED WITHOUT A DECLARATION OF WAR AND WITHOUT CONGRESSIONAL AUTHORIZATION, IN VIOLATION OF THE WAR POWERS RESOLUTION AND THE CONSTITUTIONAL REQUIREMENT THAT CONGRESS AUTHORIZE THE USE OF MILITARY FORCE.**
- 2. REPORTS OF RECORD, INVESTIGATED BY BIPARTISAN COMMITTEES OF BOTH THE SENATE AND THE HOUSE ARMED SERVICES COMMITTEE, INDICATE THAT THE UNITED STATES MILITARY CONDUCTED A FOLLOW-ON ATTACK THAT KILLED THE SURVIVORS OF AN INITIAL STRIKE – INDIVIDUALS WHO HAD SURVIVED THE DESTRUCTION OF THEIR VESSEL AND WHO POSED NO CONTINUING THREAT. TIME MAGAZINE REPORTED THAT EXPERTS CHARACTERIZED THE KILLING OF SURVIVORS, IF CONFIRMED, AS MURDER AND A WAR CRIME. DEFENSE SECRETARY PETE HEGSETH WAS IDENTIFIED AS POTENTIALLY SUBJECT TO CRIMINAL CHARGES UNDER THE UNIFORM CODE OF MILITARY JUSTICE AND THE UNITED STATES WAR CRIMES ACT OF 1996. THESE KILLINGS, CARRIED OUT UNDER PRESIDENTIAL AUTHORITY AND IN THE CONTEXT OF MILITARY OPERATIONS ORDERED BY PRESIDENT TRUMP, CONSTITUTE ACTS FOR WHICH THE PRESIDENT BEARS CONSTITUTIONAL RESPONSIBILITY.**
- 3. ON JANUARY 3, 2026, PRESIDENT TRUMP ORDERED THE EXECUTION OF OPERATION ABSOLUTE RESOLVE – A LARGE-SCALE MILITARY STRIKE ACROSS CARACAS, THE CAPITAL OF VENEZUELA, INVOLVING THE BOMBING OF MILITARY INFRASTRUCTURE ACROSS NORTHERN VENEZUELA AND THE FORCIBLE ENTRY INTO THE PRIVATE RESIDENCE OF VENEZUELAN PRESIDENT NICOLAS MADURO. UNITED STATES DELTA FORCE OPERATORS CAPTURED PRESIDENT MADURO AND HIS WIFE, CILIA FLORES, TRANSPORTED THEM OUT OF VENEZUELA, AND DELIVERED THEM TO DETENTION IN NEW YORK CITY. CIVILIAN CASUALTIES WERE INFLICTED DURING THE OPERATION, INCLUDING THE REPORTED DEATH OF AT LEAST ONE CIVILIAN IN A RESIDENTIAL APARTMENT BUILDING STRUCK DURING THE OFFENSIVE.**
- 4. THE FORCIBLE ABDUCTION OF A SITTING HEAD OF STATE OF A SOVEREIGN NATION – THE REMOVAL OF PRESIDENT MADURO FROM HIS OWN COUNTRY BY MILITARY**

FORCE, WITHOUT A DECLARATION OF WAR, WITHOUT CONGRESSIONAL AUTHORIZATION, AND WITHOUT ANY LAWFUL BASIS IN DOMESTIC OR INTERNATIONAL LAW – CONSTITUTES AN ACT WITHOUT PRECEDENT IN THE MODERN CONDUCT OF AMERICAN FOREIGN POLICY. THE NEW YORK TIMES EDITORIAL BOARD CONDEMNED THE ATTACK AS AN ACT OF 'LATTER-DAY IMPERIALISM' LACKING 'ANY SEMBLANCE OF INTERNATIONAL LEGITIMACY, VALID LEGAL AUTHORITY OR DOMESTIC ENDORSEMENT.' THE UNITED NATIONS SECURITY COUNCIL CONVENED AN EMERGENCY SESSION. CHINA DEMANDED MADURO'S IMMEDIATE RELEASE, CHARACTERIZING THE ACTION AS A 'CLEAR VIOLATION OF INTERNATIONAL LAW.'

5. PRESIDENT TRUMP CONDUCTED THE ENTIRE VENEZUELA MILITARY CAMPAIGN WITHOUT SEEKING OR OBTAINING CONGRESSIONAL AUTHORIZATION, IN EXPLICIT DEFIANCE OF THE WAR POWERS RESOLUTION, AND OVER THE PUBLIC OBJECTION OF MEMBERS OF CONGRESS OF BOTH PARTIES. THE REPUBLICAN-CONTROLLED SENATE TWICE REJECTED RESOLUTIONS THAT WOULD HAVE LIMITED THE PRESIDENT'S MILITARY AUTHORITY IN THE REGION. RATHER THAN SEEKING AUTHORIZATION, THE PRESIDENT PROCEEDED IN OPEN DEFIANCE OF CONGRESSIONAL WILL AND IN VIOLATION OF THE CONSTITUTIONAL DIVISION OF THE WAR POWER BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCHES.
6. PRESIDENT TRUMP PUBLICLY ANNOUNCED FOLLOWING THE CAPTURE OF PRESIDENT MADURO THAT THE UNITED STATES WOULD 'RUN' VENEZUELA AND TAP ITS OIL RESERVES – CLAIMING EXECUTIVE AUTHORITY OVER A SOVEREIGN NATION WITHOUT CONSTITUTIONAL BASIS, WITHOUT CONGRESSIONAL AUTHORIZATION, AND FOR THE TRANSPARENT PURPOSE OF SECURING ECONOMIC RESOURCES, FURTHER ESTABLISHING THAT THE VENEZUELA OPERATION WAS MOTIVATED AT LEAST IN PART BY ECONOMIC INTERESTS RATHER THAN SOLELY BY LEGITIMATE LAW ENFORCEMENT OR NATIONAL SECURITY NECESSITY.

III. LEGAL ANALYSIS

THE CONSTITUTIONAL ALLOCATION OF THE WAR POWER IS AMONG THE MOST DELIBERATE AND CONSEQUENTIAL DECISIONS THE FRAMERS MADE. THEY VESTED THE POWER TO DECLARE WAR IN CONGRESS – NOT THE PRESIDENT – PRECISELY BECAUSE THEY UNDERSTOOD THAT THE DECISION TO COMMIT THE NATION TO ARMED CONFLICT IS THE GRAVEST DECISION A REPUBLIC CAN MAKE, AND THAT IT MUST NOT REST IN THE HANDS OF A SINGLE INDIVIDUAL. PRESIDENT TRUMP'S VENEZUELA CAMPAIGN WAS A WAR. IT KILLED AT LEAST 163 PEOPLE. IT BOMBED A SOVEREIGN NATION'S CAPITAL. IT REMOVED THAT NATION'S HEAD OF STATE BY MILITARY FORCE. BY ANY MEASURE OF LAW OR HISTORY, IT WAS AN ACT OF WAR – AND IT WAS CONDUCTED WITHOUT THE CONSTITUTIONAL AUTHORITY THE FRAMERS REQUIRED.

THE KILLING OF SHIPWRECKED SURVIVORS – IF CONFIRMED BY THE ONGOING BIPARTISAN CONGRESSIONAL INVESTIGATION – CONSTITUTES A POTENTIAL WAR CRIME UNDER THE

LAWS OF THE UNITED STATES AND THE LAW OF NATIONS. THE PRESIDENT OF THE UNITED STATES BEARS CONSTITUTIONAL RESPONSIBILITY FOR MILITARY ACTIONS CONDUCTED UNDER HIS ORDERS.

THE FORCIBLE ABDUCTION OF A SITTING HEAD OF STATE IS NOT A LAW ENFORCEMENT ACTION. IT IS AN ACT OF WAR – ONE THAT HAS DRAWN CONDEMNATION FROM THE INTERNATIONAL COMMUNITY, ALARMED AMERICA'S ALLIES, AND SET A PRECEDENT THAT ANY SITTING HEAD OF STATE ANYWHERE IN THE WORLD MAY BE SUBJECT TO AMERICAN MILITARY SEIZURE AT THE PRESIDENT'S PERSONAL DIRECTION. SENATOR ANDY KIM STATED PLAINLY THAT THE STRIKE 'SENDS A HORRIBLE AND DISTURBING SIGNAL TO OTHER POWERFUL LEADERS ACROSS THE GLOBE THAT TARGETING A HEAD OF STATE IS ACCEPTABLE POLICY FOR THE U.S.' THIS SIGNAL, SENT WITHOUT CONGRESSIONAL AUTHORIZATION AND IN DEFIANCE OF INTERNATIONAL LAW, DAMAGES THE STANDING OF THE UNITED STATES IN THE COMMUNITY OF NATIONS AND CONSTITUTES AN ABUSE OF EXECUTIVE POWER OF THE GRAVEST KIND.

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**