

# ARTICLE OF IMPEACHMENT

## ARTICLE V

### ADHERENCE TO A FOREIGN ENEMY AND THE PROVISION OF AID AND COMFORT TO THE RUSSIAN FEDERATION

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 II, SECTION 4 OF THE CONSTITUTION OF THE UNITED STATES PROVIDES THAT THE PRESIDENT SHALL BE REMOVED FROM OFFICE ON IMPEACHMENT FOR, AND CONVICTION OF, TREASON, BRIBERY, OR OTHER HIGH CRIMES AND MISDEMEANORS. ARTICLE III, SECTION 3 DEFINES TREASON AS CONSISTING ONLY IN LEVYING WAR AGAINST THE UNITED STATES, OR IN ADHERING TO THEIR ENEMIES, GIVING THEM AID AND COMFORT.**

**THE RUSSIAN FEDERATION, UNDER THE LEADERSHIP OF VLADIMIR PUTIN, HAS BEEN FORMALLY IDENTIFIED BY THE UNITED STATES INTELLIGENCE COMMUNITY, THE DEPARTMENT OF DEFENSE, AND BIPARTISAN MAJORITIES OF THE CONGRESS AS AN ADVERSARY OF THE UNITED STATES – A NATION THAT ILLEGALLY INVADED A SOVEREIGN NEIGHBOR, THAT HAS ACTIVELY SOUGHT TO UNDERMINE AMERICAN DEMOCRATIC INSTITUTIONS, AND WHOSE MILITARY POSTURE IS DIRECTED AGAINST THE INTERESTS OF THE UNITED STATES AND ITS ALLIES. AID AND COMFORT PROVIDED TO SUCH AN ADVERSARY, BY THE PRESIDENT OF THE UNITED STATES, IN HIS OFFICIAL CAPACITY, CONSTITUTES THE GRAVEST BREACH OF THE PRESIDENTIAL OATH AND THE MOST FUNDAMENTAL BETRAYAL OF THE PUBLIC TRUST.**

### II. STATEMENT OF FACTS

**PRESIDENT DONALD JOHN TRUMP HAS, DURING HIS SECOND TERM IN OFFICE, TAKEN A SERIES OF OFFICIAL ACTIONS THAT HAVE MATERIALLY BENEFITED THE RUSSIAN FEDERATION IN ITS WAR AGAINST UKRAINE, WEAKENED THE MILITARY AND INTELLIGENCE**

**POSITION OF AN AMERICAN PARTNER NATION FIGHTING RUSSIAN AGGRESSION, AND PROVIDED DIPLOMATIC COVER AND STRATEGIC ADVANTAGE TO AN ADVERSARY OF THE UNITED STATES. EACH OF THE FOLLOWING ACTS IS DOCUMENTED BY PUBLIC STATEMENTS OF SENIOR ADMINISTRATION OFFICIALS AND BY CONTEMPORANEOUS REPORTING CONFIRMED BY MULTIPLE INDEPENDENT NEWS ORGANIZATIONS.**

- 1. ON OR ABOUT MARCH 3, 2025, PRESIDENT TRUMP ORDERED THE SUSPENSION OF UNITED STATES MILITARY AID TO UKRAINE. THIS SUSPENSION WAS CONFIRMED PUBLICLY BY SENIOR ADMINISTRATION OFFICIALS AND WAS REPORTED ACROSS MULTIPLE MAJOR NEWS ORGANIZATIONS. UKRAINE WAS, AT THE TIME OF THE SUSPENSION, ACTIVELY ENGAGED IN ARMED CONFLICT AGAINST THE RUSSIAN FEDERATION, WHICH HAD ILLEGALLY INVADDED UKRAINIAN TERRITORY IN FEBRUARY 2022. THE SUSPENSION OF AMERICAN MILITARY AID DIRECTLY REDUCED UKRAINE'S CAPACITY TO RESIST RUSSIAN FORCES AND DIRECTLY BENEFITED THE MILITARY POSITION OF THE RUSSIAN FEDERATION ON THE BATTLEFIELD.**
- 2. ON OR ABOUT MARCH 5, 2025, PRESIDENT TRUMP ORDERED THE SUSPENSION OF UNITED STATES INTELLIGENCE SHARING WITH UKRAINE. CIA DIRECTOR JOHN RATCLIFFE AND NATIONAL SECURITY ADVISER MIKE WALTZ BOTH PUBLICLY CONFIRMED THE SUSPENSION. AMERICAN INTELLIGENCE HAD BEEN, SINCE THE BEGINNING OF RUSSIA'S FULL-SCALE INVASION IN FEBRUARY 2022, CRITICAL TO UKRAINE'S ABILITY TO TRACK RUSSIAN TROOP MOVEMENTS, PROTECT UKRAINIAN CITIES FROM RUSSIAN MISSILE AND DRONE ATTACKS, AND CONDUCT MILITARY OPERATIONS AGAINST RUSSIAN FORCES. TIME MAGAZINE REPORTED, CITING FIVE SENIOR WESTERN AND UKRAINIAN OFFICIALS, THAT AS A DIRECT RESULT OF THE INTELLIGENCE SUSPENSION, 'THERE ARE HUNDREDS OF DEAD UKRAINIANS.' THE RUSSIAN ADVANCE ACCELERATED IN THE KURSK REGION FOLLOWING THE SUSPENSION. A TOP RUSSIAN LAWMAKER HAD PUBLICLY CALLED FOR PRECISELY THIS ACTION – A HALT TO AMERICAN INTELLIGENCE SHARING – DAYS BEFORE TRUMP ORDERED IT, STATING IT WOULD 'ALLOW US TO ACHIEVE RESULTS MORE QUICKLY.' TRUMP'S ORDER FULFILLED RUSSIA'S STATED OBJECTIVE.**
- 3. ON FEBRUARY 18, 2025, SENIOR UNITED STATES OFFICIALS – INCLUDING SECRETARY OF STATE MARCO RUBIO, NATIONAL SECURITY ADVISER MIKE WALTZ, AND SPECIAL ENVOY STEVE WITKOFF – CONDUCTED HIGH-LEVEL PEACE NEGOTIATIONS WITH SENIOR RUSSIAN OFFICIALS, INCLUDING FOREIGN MINISTER SERGEY LAVROV AND A FOREIGN POLICY ADVISER TO PRESIDENT PUTIN, IN RIYADH, SAUDI ARABIA. UKRAINE WAS NOT INVITED TO PARTICIPATE IN THESE NEGOTIATIONS AND WAS NOT INFORMED OF THEIR SUBSTANCE IN ADVANCE. UKRAINIAN PRESIDENT VOLODYMYR ZELENSKY PUBLICLY STATED: 'I WILL NEVER ACCEPT ANY DECISIONS BETWEEN THE UNITED STATES AND RUSSIA ABOUT UKRAINE, NEVER.' THE KREMLIN PUBLICLY EMBRACED THE TALKS AS ENDING RUSSIA'S INTERNATIONAL ISOLATION, WITH SPOKESMAN DMITRY PESKOV DECLARING: 'FROM**

**NOW ON, WE WILL TALK ABOUT PEACE, NOT WAR.<sup>1</sup> THE TALKS RESULTED IN AN AMERICAN AGREEMENT TO PURSUE THE NORMALIZATION OF UNITED STATES- RUSSIA RELATIONS – A GOAL THAT SERVED RUSSIAN STRATEGIC INTERESTS – WITHOUT ANY CORRESPONDING CONCESSION FROM RUSSIA.**

- 4. IN THE PERIOD PRECEDING AND SURROUNDING THE RIYADH TALKS, SENIOR TRUMP ADMINISTRATION OFFICIALS MADE PUBLIC STATEMENTS ADOPTING POSITIONS ON THE UKRAINE CONFLICT THAT MIRRORED RUSSIA'S STATED DEMANDS: SECRETARY OF DEFENSE PETE HEGSETH PUBLICLY STATED THAT NATO MEMBERSHIP FOR UKRAINE WAS 'UNREALISTIC' – A POSITION LONG SOUGHT BY RUSSIA AS A PRECONDITION FOR ANY SETTLEMENT; THE ADMINISTRATION INDICATED UKRAINE SHOULD EXPECT TO PERMANENTLY CEDE TERRITORY SEIZED BY RUSSIAN MILITARY FORCE; AND PRESIDENT TRUMP PUBLICLY DESCRIBED UKRAINIAN PRESIDENT ZELENSKY AS A 'DICTATOR WITHOUT ELECTIONS,' A CHARACTERIZATION THAT ECHOED RUSSIAN PROPAGANDA AND WAS MADE WITHOUT ANY CORRESPONDING CRITICISM OF RUSSIAN PRESIDENT PUTIN, WHO HAS GOVERNED RUSSIA WITHOUT MEANINGFUL DEMOCRATIC ACCOUNTABILITY FOR MORE THAN TWO DECADES.**
- 5. THE CUMULATIVE EFFECT OF THE ACTIONS DESCRIBED IN ALLEGATIONS 1 THROUGH 4 WAS TO MATERIALLY WEAKEN UKRAINE'S MILITARY POSITION, STRENGTHEN RUSSIA'S NEGOTIATING POSITION, LEGITIMIZE RUSSIA'S INTERNATIONAL STANDING AFTER YEARS OF ISOLATION FOLLOWING ITS ILLEGAL INVASION, AND ADVANCE A FRAMEWORK FOR THE RESOLUTION OF THE UKRAINE CONFLICT THAT SATISFIED RUSSIA'S CORE STRATEGIC DEMANDS – ALL WHILE THE UNITED STATES PROVIDED NO DOCUMENTED CONCESSION FROM RUSSIA IN RETURN. FORMER AND CURRENT AMERICAN MILITARY AND INTELLIGENCE OFFICIALS DESCRIBED THESE ACTIONS AS A BETRAYAL OF A PARTNER NATION AND AS DIRECTLY BENEFICIAL TO THE MILITARY POSITION OF THE RUSSIAN FEDERATION.**

### **III. LEGAL ANALYSIS**

**THE CONSTITUTIONAL DEFINITION OF TREASON – 'ADHERING TO THEIR ENEMIES, GIVING THEM AID AND COMFORT'<sup>1</sup> – REQUIRES THAT THE CONDUCT INVOLVE AN ENEMY OF THE UNITED STATES AND THAT THE PRESIDENT PROVIDE MATERIAL BENEFIT TO THAT ENEMY. BOTH ELEMENTS ARE ESTABLISHED BY THE FACTS ALLEGED IN THIS ARTICLE.**

**THE RUSSIAN FEDERATION, WHICH HAS ACTIVELY SOUGHT TO UNDERMINE AMERICAN ELECTIONS, WHICH HAS ILLEGALLY INVADED A NATION THE UNITED STATES HAD COMMITTED BY TREATY TO SUPPORT, AND WHICH THE AMERICAN INTELLIGENCE COMMUNITY HAS CONSISTENTLY IDENTIFIED AS A PRINCIPAL ADVERSARY OF THE UNITED STATES, IS AN ENEMY WITHIN THE MEANING OF THE CONSTITUTION'S TREASON CLAUSE. THE SUSPENSION OF MILITARY AID AND INTELLIGENCE SHARING WITH UKRAINE – ACTIONS THAT A SENIOR RUSSIAN OFFICIAL PUBLICLY CALLED FOR DAYS BEFORE TRUMP ORDERED THEM, AND WHOSE BENEFIT TO RUSSIAN MILITARY OPERATIONS WAS DOCUMENTED WITHIN**

DAYS OF THEIR IMPLEMENTATION – CONSTITUTES THE PROVISION OF AID AND COMFORT TO THAT ENEMY.

THE CONDUCT DESCRIBED IN THIS ARTICLE IS NOT A POLICY DISAGREEMENT. IT IS NOT A DIFFERENCE OF JUDGMENT ABOUT HOW BEST TO SERVE AMERICAN INTERESTS. IT IS A DOCUMENTED PATTERN OF OFFICIAL ACTION THAT PROVIDED MATERIAL MILITARY ADVANTAGE TO AN ADVERSARY OF THE UNITED STATES, AT THE DIRECT EXPENSE OF A PARTNER NATION FIGHTING THAT ADVERSARY, CONFIRMED BY THE ADMINISTRATION'S OWN SENIOR OFFICIALS AND BY THE DOCUMENTED MILITARY CONSEQUENCES THAT FOLLOWED. THAT CONDUCT FALLS WITHIN THE CONSTITUTIONAL DEFINITION OF TREASON AND CONSTITUTES HIGH CRIMES AND MISDEMEANORS WITHIN THE MEANING OF ARTICLE II, SECTION 4 OF THE CONSTITUTION OF THE UNITED STATES.

THE HAWAIIAN ISLANDS, AND THE UNITED STATES MILITARY INSTALLATIONS THAT ANCHOR AMERICAN POWER IN THE PACIFIC, EXIST WITHIN A STRATEGIC ENVIRONMENT THAT DEPENDS UPON THE CREDIBILITY OF AMERICAN COMMITMENTS TO ITS ALLIES AND PARTNERS. A PRESIDENT WHO DEMONSTRATES TO THE WORLD THAT AMERICAN COMMITMENTS MAY BE WITHDRAWN AT WILL, THAT AMERICAN INTELLIGENCE MAY BE WEAPONIZED AS A DIPLOMATIC TOOL AGAINST A PARTNER NATION, AND THAT THE SECURITY INTERESTS OF THE UNITED STATES MAY BE TRADED FOR THE BENEFIT OF AN ADVERSARY, DAMAGES THAT CREDIBILITY IN WAYS THAT DIRECTLY AND IMMEDIATELY ENDANGER HAWAII AND THE PACIFIC THEATER THAT HAWAII ANCHORS.

#### 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