

STUDY GUIDE

THE US SENATE



I. Letter from the Secretary-General

Dear Participants,

It is I, Recep Eren Durgut, a senior student at Bogazici University Industrial Engineering Department. As the Secretary-General, I would like to welcome you all to the 6th official session of BoğaziçiMUN. For February, our academic and organizational team have been working for almost a year now. I would like to thank Deputy Secretaries-General Kaan Akkas and Kaan Oztoprak for their efforts in the journey. And a big appreciation to Oyku Efendi and Kaan Berker for their efforts and cooperation during the process.

From the point the journey of BoğaziciMUN started, it's been years of hard work and sacrifices to achieve the best conference to satisfy your demands and needs. Years of tears, generations, and conflicts have now grown up for the year 2024. By the experience we had gained from the previous versions every year, our capabilities have become the finest version of the BogaziciMUN history. Every year, you, our participants develop a better global perspective, a better understanding of politics, and a sweet and sometimes bitter taste of global interactions. The year 2024 will welcome us with new agendas for future discussions and negotiations. As the Secretary General of BoğaziçiMUN, you have my full trust and support to address these agendas. BogaziciMUN is a place where you can find love, lifelong friendships, and chosen siblings. Months of hard work are just for you to be able to experience the best and find the ones that can change your life. BoğaziciMUN has been 'Bridging the Gap' for years and with the new version of it, the gap, and the way we bridge will be different and unique.

In every story, there has always been a point where the heroes have to say goodbye. I would like to thank the heroes of the BoğaziciMUN who are retired, but their legacy and vision will always be remembered.

Last but not least,

Welcome to the BoğaziciMUN'24, where we are "Bridging the Gap".

Recep Eren Durgut
Secretary-General of Boğaziçi MUN 2024

II. Letter from Under-Secretaries General

Esteemed Participants,

We are extremely thrilled to welcome you to BoğaziçiMUN 2024! We have had the honor of serving as the Under-Secretaries General of the U.S. Senate and being a part of the exquisite academic team at this year's edition of Boğaziçi MUN. We are very excited to have you all in the committee and experience a unique legislative excellence setting as we wait for February 6th.

We are Efe Babuşcu, a senior undergraduate at Bilkent University majoring in International Relations and minoring in American History, and Şebnem Yaren, a graduate of Boğaziçi University's Management Faculty. In our committee, the U.S. Senate, we aim to push boundaries and introduce you to a very intense congressional setting. We have been working days and nights to provide a diligent, academically satisfying, rich bureaucratic setting for you to enjoy. Hopefully, throughout the conference, we will all challenge ourselves to excellence and collaborate to make our four days unforgettable. Your part, dear Senators, is to study the material carefully, learn about your assigned Senators' positions, political beliefs, and personal lives, and collaborate so that you can navigate through the intricate dynamics of party politics. Surely, we can establish an environment of collaboration, respect, and great ideas. Please feel free to send us an email about anything, like if you have questions about the study guide or the committee in general, at efebabuscu@gmail.com or nilayyaren@gmail.com.

We are proud to be part of an academic team of the most brilliant people of the Model United Nations community and to be able to create our own amongst a selection of amazing committees. The wait is almost over; see you February 6-9th!

Kindest regards,
Efe Babuşcu & Şebnem Yaren

III. Contents

- I. Letter from the Secretary-General.....2**
- II. Letter from Under-Secretaries General.....3**
- III. Contents 4**
- IV. Key Terms and Glossary5**
- V. Introduction to the U.S. Senate7**
 - A. History and Overview 7
 - B. Powers and Jurisdiction..... 9
 - C. Composition and the 116th U.S. Congress 10
- VI. Agenda Item: Gun Control Reform 12**
 - A. Overview of the Issue12
 - B. Timeline of Events15
 - C. Demographics and Gun Violence 20
 - D. Historical Development and Past Efforts 26
 - E. Current Situation 28
 - F. Possible Solutions32
- VII. Agenda Item: First Impeachment of Donald Trump..... 35**
 - A. Introduction to Impeachment35
 - B. Impeachment Efforts Towards Donald Trump37
 - C. Trump-Ukraine Scandal 38
 - D. Obstruction of Congress and Justice and Refusal to Obey Subpoenas52
 - E. Articles of Impeachment 54
 - F. Potential Witnesses to Subpoena 59

IV. Key Terms and Glossary

Federal Government: The federal government in the United States is a system of governance comprising three branches—executive, legislative, and judicial—each with distinct powers, designed to balance and check one another, and responsible for overseeing national affairs and upholding the Constitution.

Second Amendment: The Second Amendment of the United States Constitution grants citizens the right to keep and bear arms, emphasizing the individual's right to own firearms for self-defense and other lawful purposes.

Quid pro quo: In the context of politics, quid pro quo refers to the exchange of favors or benefits, typically involving the granting of something in return for specific actions or concessions, often implying a reciprocal arrangement between parties.

Impeachment: Impeachment is the constitutional process through which a sitting President, Vice President, or other federal officials can be charged with and removed from office for "high crimes and misdemeanors" as determined by the House of Representatives and subsequently tried by the Senate.

Subpoena: A subpoena is a legal document that compels an individual to testify as a witness or produce certain documents or evidence in a legal proceeding, issued by a court or other authorized entity.

Gun Violence: Gun violence refers to the use of firearms to cause harm, injury, or death, often in criminal activities or through accidents, highlighting the societal and public health concerns associated with the misuse of guns.

Filibuster: A filibuster is a parliamentary tactic, often used in the U.S. Senate, where a member speaks or takes other actions to delay or block a vote on legislation, requiring a supermajority to end debate and proceed to a vote.

Bill: A bill is a proposed law presented to a legislative body for consideration and debate, outlining specific changes or additions to existing laws or the introduction of new regulations.

Act: An Act is a formal written law that has been passed by a legislative body, such as a parliament or congress, and has received approval from the relevant authorities, becoming part of the legal framework.

V. Introduction to the U.S. Senate

A. History and Overview

The United States Senate, established as part of the Constitutional framework in 1789, stands as one of the two chambers of the United States Congress, alongside the House of Representatives. Its foundations stem from a desire to ensure fair representation and a system of checks and balances within the federal government. Comprised of 100 senators, two from each state, the Senate holds a significant role in shaping legislation, confirming federal appointments, ratifying treaties, and overseeing certain governmental functions. Its distinct structure and historical evolution reflect the intentions of the nation's Founding Fathers to create a balanced, deliberative body that upholds state interests while contributing to the federal legislative process.

The roots of the Senate trace back to the Constitutional Convention of 1787, where delegates debated the structure of the legislative branch. The Senate emerged as a compromise between larger and smaller states, aiming to strike a balance in representation. The Connecticut Compromise, proposed by Roger Sherman, facilitated the bicameral system by instituting equal representation in the Senate and proportional representation based on population in the House of Representatives. This compromise ensured that both the interests of populous states and smaller states were accounted for within the federal legislative process. This arrangement was a key feature to persuade smaller states to join the union, fostering unity and cooperation among the states.

Throughout its history, the Senate has been a pivotal arena for impassioned debates and critical decisions that have shaped American policy and governance. Over the years, the Senate has witnessed various defining moments, including its role in confirming presidential nominations, such as

cabinet members, federal judges, and Supreme Court justices. Notably, the Senate plays a crucial role in the impeachment process, serving as the jury in trials for impeachment of federal officials. Moreover, its authority to ratify treaties negotiated by the President underscores its significant influence in the realm of foreign policy. The Senate's unique rules and procedures, including the filibuster and unanimous consent, have often led to robust discussions and negotiations, allowing minority viewpoints to be heard while also demanding a degree of consensus to pass legislation.

The Senate's evolution is not merely marked by its constitutional duties but also by the changing dynamics of American politics. Over time, the Senate has experienced shifts in its internal structure, composition, and procedures. Changes such as the direct election of senators through the 17th Amendment in 1913, previously chosen by state legislatures, marked a pivotal transition in ensuring greater accountability and democratization within the Senate. Moreover, the institution has seen fluctuations in its bipartisan nature, with periods of intense partisanship and cooperation shaping the dynamics of legislative proceedings. As the Senate continues to adapt to the evolving landscape of American politics, its legacy as a deliberative body central to the nation's governance remains steadfast, reflecting the vision of its founders while responding to the challenges and demands of a modern democratic society.

In conclusion, the United States Senate stands as a cornerstone of American democracy, rooted in compromise and designed to represent both the unity of the nation and the diversity of its states. Its rich history and pivotal role in the federal legislative process underscore its significance in shaping American governance. As an institution that embodies the principles of deliberation, representation, and accountability, the Senate remains a vital component of the nation's democratic framework, contributing to the complex tapestry of American political life.

B. Powers and Jurisdiction

The United States Senate, as a crucial part of the federal legislative branch, holds significant powers, responsibilities, and jurisdiction essential to the functioning of the government. Central to its role is the enactment, modification, and review of legislation that shapes the nation's laws and policies. The Senate's powers and responsibilities, outlined in the United States Constitution, serve as a critical check on the executive branch and contribute to the system of checks and balances within the federal government.

One of the primary responsibilities of the Senate is its role in the legislative process. As one of the two chambers of Congress, the Senate shares the responsibility of drafting, amending, and passing bills with the House of Representatives. Both chambers must approve identical versions of a bill before it is sent to the President for signature into law. The Senate's unique structure, with two senators representing each state regardless of population, ensures that states have equal representation in the legislative process. This arrangement embodies the Founding Fathers' intention to balance the interests of both larger and smaller states, promoting cooperation and negotiation in the creation of federal laws. Additionally, the Senate holds the authority to propose legislation, debate its merits, and initiate measures addressing various national issues, thereby exercising its legislative prerogative.

Moreover, the Senate possesses several exclusive powers that distinguish it from the House of Representatives and reinforce its role in federal governance. One such exclusive power is the confirmation of presidential appointments, including cabinet members, federal judges, ambassadors, and other high-ranking officials. The Senate's "advice and consent" authority enables it to thoroughly review and approve or reject these appointments, ensuring a level of scrutiny and accountability in the executive branch. Furthermore, the Senate has the responsibility to ratify treaties negotiated

by the President, affirming the nation's commitment to international agreements and shaping U.S. foreign policy. The Senate's involvement in the confirmation of appointments and the ratification of treaties underscores its significant influence on the functioning of the federal government and its impact on both domestic and international affairs.

In addition to its legislative and oversight functions, the Senate holds the power of impeachment, serving as the jury in impeachment trials for federal officials. The House of Representatives has the authority to impeach federal officials, and the Senate conducts the trial to determine whether the accused individual should be removed from office. The Constitution outlines specific criteria for impeachment, including "treason, bribery, or other high crimes and misdemeanors," reflecting the seriousness of the process and the Senate's role in upholding governmental integrity and accountability. While the House brings charges, it is the Senate's responsibility to hold a fair trial and render a verdict, highlighting the chamber's critical role in preserving the constitutional balance of power.

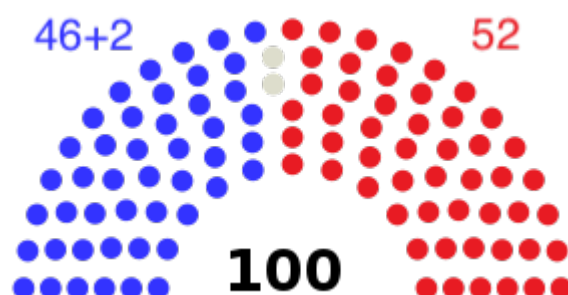
In summary, the United States Senate exercises a wide range of powers, responsibilities, and jurisdiction that are fundamental to the nation's legislative and oversight processes. Its role in federal legislation encompasses not only the enactment of laws but also the scrutiny of executive appointments, the ratification of treaties, and the solemn duty of overseeing impeachment trials. As an integral component of the federal government's checks and balances system, the Senate's powers and responsibilities serve to uphold the principles of democracy, accountability, and representation within the American political landscape.

C. Composition and the 116th U.S. Congress

The 116th Congress of the United States convened for the first time on January 3, 2019. The composition of the Congress was created after the 2018 midterm elections, in which the Democrats won the majority in the House of Representatives and the Republics extended their majority in the Senate.

As mentioned before, the U.S. Senate has two senators from each State, adding up to 100 in total.

Of those, 52 are Republicans, 46 are Democrats, and 2 are Independent Senators (who caucus with Democrats and often vote together).



In the committee of the U.S. Senate at Boğaziçi MUN 2024, the number of senators will be cut off by half. Thus, there will be 50 senators present, one from each State; of those proportionately, 23 will be Democrats, 26 Republicans, and 1 Independent. For this purpose, various majority thresholds will be calculated and implemented as such: Simple Majority ($50\% + 1$) = 26, $\frac{2}{3}$ majority = 30, and Super Majority ($\frac{2}{3}$) = 34.

VI. Agenda Item: Gun Control Reform

A. Overview of the Issue

In addition to their many other uses, guns carry symbolic, cultural, and economic importance in the United States as enshrined in the Second Amendment of the U.S. Constitution, which guarantees the right of citizens to bear arms. Many Americans value the tradition of hunting, shooting, and collecting guns in addition to the protection guns provide. Many regions in the U.S. rely on gun tourism and hunting for the local economy. It is also important to note that the gun industry, in total, employs hundreds of thousands of Americans, including gun instructors, shooting range operators, hunting equipment suppliers, manufacturers, distributors, and firearm and ammunition retailers.¹

On the other hand, many Americans suffer from serious firearm-related injuries and lose friends and family in firearm incidents. According to a report published by the Centers for Disease Control and Prevention (CDC), more than 48,800 people died of gunshot wounds in the United States in 2021.² For instance, in 2020, 79% of all homicides and 53% of all suicides involved firearms.³ Furthermore, a 2016 study conducted by Erin Grinshteyn and David Hemenway found that those living in the United States are seven times more likely to die by homicide than if they lived in another wealthy country, and they are 25 times more likely to die in a gun homicide.⁴ Regretfully, the risk of experiencing gun violence in the U.S. is so high that all those mass shootings occurring and capturing a lot of media attention only account for 0.5% of all U.S. gun fatalities annually.

¹ <https://www.nssf.org/articles/firearm-industry-full-time-jobs-reach-375819-in-2021/>

² https://www.cdc.gov/mmwr/volumes/71/wr/mm7119e1.htm?s_cid=mm7119e1_w

³ Ibid.

⁴ <https://www.sciencedirect.com/science/article/abs/pii/S0091743519300659?via%3Dihub>

Generally speaking, gun control legislation aims to reduce the number of firearms in circulation, limit access to firearms by the American public, and regulate the sale, possession, and use of firearms. These laws operate under a dual system, with federal laws providing a framework that states can build upon or exceed. However, as states have their own gun control measures, areas with dominating political affiliations have enacted legislation in the past that has caused major public outrage. Efforts to pass comprehensive gun control legislation at the federal level have faced significant challenges. Political polarization, differing interpretations of the Second Amendment, and influential interest groups, most notably the National Rifle Association (NRA), have created hurdles for lawmakers seeking to enact substantial reforms.

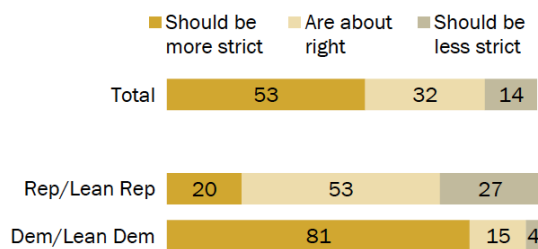
Virtually no one in the U.S. believes that those levels of violence and sorrow should be tolerated: not gun owners, not gun-rights advocates, and certainly not those who believe guns are the root cause of these problems. However, the disagreements on gun control and gun rights come from differences in experts' disagreement on what the actual outcomes of different gun policies will be. For instance, while one group believes creating gun-free zones will reduce gun violence, the opposing group believes such zones will have the

opposite effect. Thus, the debate over gun violence in the U.S. is caused by a disagreement about facts, not about values or objectives.

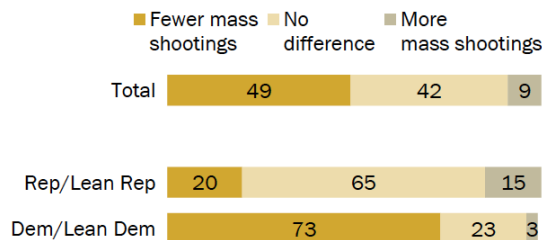
For instance, if we analyze the polling study done by the Pew Research Center, we can readily notice that people have different views on what guns and gun control will cause. Firstly, the partisan lines are evident, as more

Narrow majority favors stricter gun laws, but deep partisan divisions persist

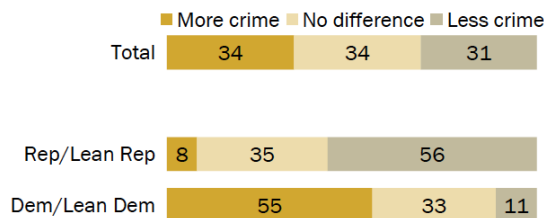
% who say gun laws ...



% who say if it was harder for people to legally obtain guns in the U.S. there would be ...



% who say if more Americans owned guns there would be ...



Note: No answer responses not shown.
Source: Survey of U.S. adults conducted April 5-11, 2021.

PEW RESEARCH CENTER

than 80% of Democrats believe gun laws should be stricter, and only 20% believe the same on the Republican side of the aisle. The most surprising finding is that while Republicans largely believe there would be lower crime rates if more Americans owned guns, the Democrats disagree and say more guns cause more crime.⁵

Additionally, incidents of gun violence have significantly influenced the ongoing debate surrounding gun control in the United States. High-profile mass shootings, particularly those impacting marginalized communities or vulnerable populations, have deeply affected the nation, prompting calls for more stringent firearm regulations. These tragic events have mobilized activists, survivors, and families of victims to

advocate for improved background checks, restrictions on assault weapons, and initiatives addressing mental health issues. The movement to close legal

⁵<https://www.pewresearch.org/politics/2021/04/20/amid-a-series-of-mass-shootings-in-the-u-s-gun-policy-remains-deeply-divisive/>

loopholes has also gained momentum, driven by increased discourse on community violence, suicide prevention, domestic abuse, and the intersection of mental health and firearms.

Given the wide divergence in public opinion on gun use and regulatory measures, it's essential to acknowledge that these viewpoints are influenced by demographics, geographic location, and personal experiences. Factors such as political affiliation, rural versus urban residency, upbringing, and cultural attitudes toward firearms significantly shape individuals' perspectives on gun control.

B. Timeline of Events

December 15, 1791 - The Second Amendment of the United States Constitution is ratified, safeguarding individuals' rights to possess and carry firearms. The amendment states: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."⁶

November 17, 1871 — The National Rifle Association (NRA) was created by Union Army Veterans Colonel William C. Church and General George Wingate. The initial purpose of the NRA was to promote and encourage rifle shooting and marksmanship among civilians, to improve the country's defense and civilians' self-reliance.⁷

June 26, 1934 - The first piece of national gun control legislation, called the National Firearms Act (NFA), was passed. This legislation was part of President Franklin Roosevelt's "New Deal for Crime," which aimed to prevent and stop "gangland crimes of that era such as the St. Valentine's Day Massacre." The NFA placed a tax on manufacturing, selling, and moving

⁶ <https://time.com/5169210/us-gun-control-laws-history-timeline/>

⁷ <https://www.thoughtco.com/us-gun-control-timeline-3963620>

specific firearms mentioned in the law. These included short-barreled shotguns and rifles, machine guns, and firearm silencers. Because of constitutional issues, the NFA went through several changes. The \$200 tax, considered quite expensive during that time, was introduced to limit the movement of these particular weapons.⁸

June 30, 1938 - The Federal Firearms Act (FFA) of 1938 made it necessary for gun makers, importers, and sellers to acquire a federal license to deal in firearms. It outlined a category of individuals, such as those convicted of serious crimes, who were barred from buying guns. Additionally, it required firearm sellers to maintain records of their customers. The FFA was eliminated in 1968 when the Gun Control Act (GCA) was enacted. However, several of its rules and regulations were reinstated by the Gun Control Act.⁹

May 15, 1939 - In 1939, the U.S. Supreme Court reviewed the case United States v. Miller. The court decided that Congress had the authority to control the sale of short-barrel shotguns across states under the National Firearms Act of 1934. They argued that there wasn't proof that a sawed-off shotgun contributed to maintaining or improving a well-organized militia. Therefore, the court concluded that the Second Amendment doesn't protect the right to own or carry such a firearm.¹⁰

October 22, 1968 - After the assassinations of President John F. Kennedy, Attorney General and U.S. Senator Robert F. Kennedy, and Dr. Martin Luther King, Jr., President Lyndon B. Johnson advocated for the Gun Control Act of 1968. This Act replaced the Federal Firearms Act (FFA), making updates to Title II of the National Firearms Act (NFA) to resolve legal issues. It also

⁸ <https://time.com/5169210/us-gun-control-laws-history-timeline/>

⁹ Ibid.

¹⁰ Ibid.

expanded the scope of what constituted "destructive devices" (like bombs, mines, and grenades) and broadened the definition of a "machine gun."¹¹

In essence, the legislation prohibited the importation of firearms deemed to lack a "sporting purpose," set a minimum age of 21 for handgun buyers, restricted felons, the mentally unstable, and others from purchasing guns, mandated serial numbers on all manufactured or imported firearms, and enforced stricter licensing and regulation within the firearms industry.

May 19, 1986 - In 1986, Congress passed the Firearm Owners Protection Act, primarily aiming to safeguard the rights of gun owners. The law prohibited the creation of a national registry containing dealer records, restricted ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) inspections to once a year (unless there were multiple violations), eased the criteria for what qualifies as "engaging in the business" of selling firearms, and allowed licensed dealers to conduct sales at "gun shows" within their state. Additionally, it relaxed regulations surrounding the sale and transfer of ammunition.

Furthermore, the legislation incorporated certain gun control measures. This included an extension of the Gun Control Act (GCA) to forbid civilians from owning or transferring machine guns manufactured after May 19, 1986. Additionally, it revised the definition of a "silencer" to encompass components intended for constructing silencers.¹²

January 25, 1994 - Hidden within the long and extensive Violent Crime Control and Law Enforcement Act, signed into law by President Clinton in 1994, lies a section known as the Public Safety and Recreational Firearms Use Protection Act. This part introduced the assault weapons ban—a temporary

¹¹ <https://time.com/5169210/us-gun-control-laws-history-timeline/>

¹² Ibid.

restriction enforced from September 1994 to September 2004. Despite several attempts to renew the ban, efforts have not succeeded.

The rules of this law made it illegal to "produce, transfer, or own a semi-automatic assault weapon," unless it was "legally owned under Federal law on the date when this section was enacted." Nineteen military-style or imitative assault weapons—such as AR-15s, TEC-9s, and MAC-10s, among others—were prohibited from being manufactured or sold. Moreover, it restricted the possession of "specific high-capacity ammunition magazines exceeding ten rounds."¹³

February 28, 1994 - The Brady Handgun Violence Prevention Act of 1993 honors James Brady, the former White House press secretary, who was left permanently disabled due to an injury sustained during the assassination attempt on President Ronald Reagan (Brady passed away in 2014). President Bill Clinton signed this law, which modifies the Gun Control Act (GCA). This legislation mandates that background checks must be conducted before buying a firearm from a licensed dealer, manufacturer, or importer. It set up the National Instant Criminal Background Check System (NICS), which is maintained by the FBI.¹⁴

February 20, 2003 - The Tiahrt Amendment, proposed by Todd Tiahrt (R-Kan.), prohibited the ATF from publicly releasing data showing where criminals purchased their firearms and stipulated that only law enforcement officers or prosecutors could access such information. There have been efforts to repeal this amendment.¹⁵

April 16, 2007 - The Virginia Tech shooting, during which a gunman kills 32 people on a college campus, prompts calls for tighter gun control measures.

¹³ Ibid.

¹⁴ <https://time.com/5169210/us-gun-control-laws-history-timeline/>

¹⁵ Ibid.

The shooter had a history of mental illness and was able to purchase firearms despite a court order declaring him mentally unsound.

June 26, 2008 - In the *District of Columbia v. Heller* case, the U.S. Supreme Court determined that the Second Amendment safeguards an individual's right to have firearms for self-protection. This ruling is controversial because it acknowledges the right of individuals to possess guns for self-defense without regard to specific situations, creating challenges in enforcing stricter regulations.¹⁶

December 14, 2012 - A gunman kills 26 individuals, including 20 children, during the Sandy Hook Elementary School shooting. This led to renewed protests and alarm over gun control legislation. The shooter had a history of mental illness and used firearms that were legally purchased by his mother.

April 17, 2013 - The Manchin-Toomey Amendment was introduced with the aim of broadening background checks to encompass all commercial transactions involving firearms, including online sales and purchases at gun shows. However, the bill did not succeed in the Senate, as it received a vote of 54-46, falling below the required 60 votes necessary to surpass a filibuster.

June 12, 2016 - A mentally ill gunman shoots at Pulse Nightclub, a well-liked nightclub known for its LGBTQ+ inclusivity, situated in Orlando, Florida. The tragic incident resulted in the death of 49 individuals and injuries to 53 others. Surprisingly, the shooter managed to buy firearms despite being under FBI investigation due to suspected connections to terrorism.¹⁷

June 20, 2016 - The Denying Firearms and Explosives to Dangerous Terrorists Act fails to pass with a vote of 53-37, with Republican Senators

¹⁶ Ibid.

¹⁷ <https://www.thoughtco.com/us-gun-control-timeline-3963620>

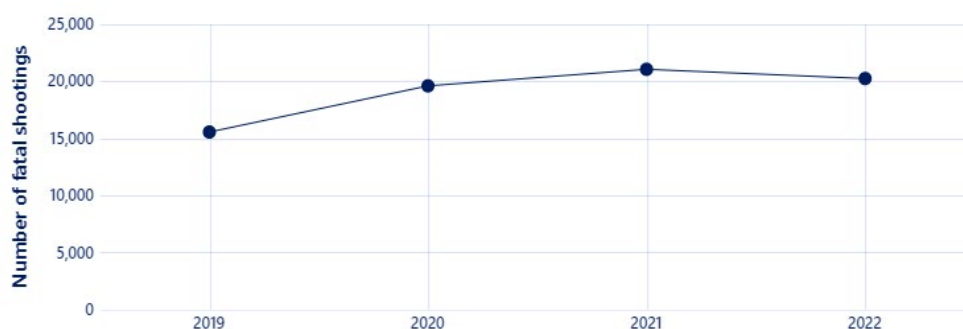
arguing that it violated the Second Amendment rights of law-abiding citizens. The bill would have prevented individuals on the Federal Bureau of Investigation (FBI) Terrorist Watchlist from purchasing firearms.

February 14, 2018 - A gunman kills 17 students and teachers at Marjory Stoneman Douglas High School in Parkland, Florida, during the Parkland school shooting. The shooter in the incident was 18 years old at the time and legally purchased the firearms used in the attack. During the aftermath, there was a significant push from the public to raise the minimum age for firearm purchases.

C. Demographics and Gun Violence

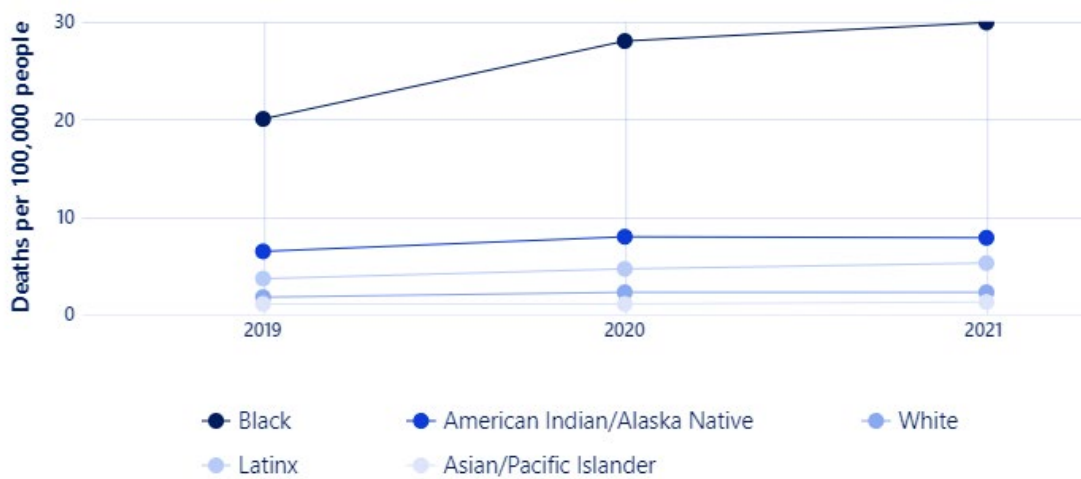
Gun-related deaths have dramatically increased in the United States in the past years, especially after the COVID-19 pandemic. This increase can be explained as a result of several interconnected events, including the pandemic, economic crisis, and record gun sales. In the U.S., fatal shootings have increased 30% since 2019. Although the public is generally informed about this upward trend, the demographics behind it are still ambiguous. Studies show that black men continue to experience higher rates of gun violence as a result of decades of disinvestment; perhaps the most concerning trend is the increase in gun violence against black women, Latino people, and transgender individuals.

Fatal shootings have risen 30 percent since 2019



Since 2019, gun homicide rates for African Americans have increased more than any other racial or ethnic group, with a 48% rise. In particular, black men have experienced a 44% increase, which puts black men at the top of the list as the group most likely to die by gun homicide in America. To be more specific, figures show that black men are 17% more likely to die in gun violence than white men.

Communities of color experience gun homicides at the highest and fastest-growing rates



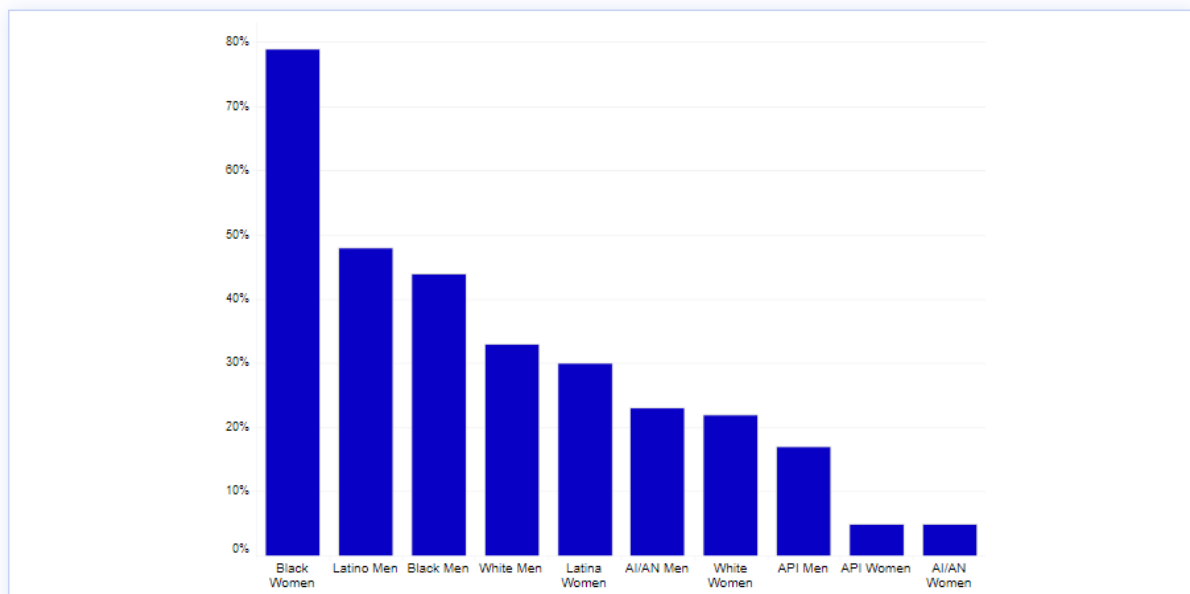
During that time frame, the rate of gun-related homicides among Black women surged by 79 percent, marking a considerably steeper rise compared to other gender and racial/ethnic categories. On average, since 2019, more than 560 extra Black women have lost their lives annually due to gun homicides. This tragic trend has resulted in Black women being over five times more prone to gun homicide deaths compared to white women and twice as likely as white men to face such fatalities.

Indigenous American Indian/Alaskan Native (AI/AN) and Latinx populations face a disproportionate burden of gun-related homicides in the United States. The rates of these incidents among AI/AN and Latinx communities are respectively 3.8 and 2.4 times higher than those among white individuals. Among these groups, Latinx communities notably witnessed the second-largest surge in gun homicide rates, increasing by 45 percent since 2019. However, due to persistent issues such as misclassification of ethnicity on death records and the frequent underreporting of crimes, the actual impact of gun violence on Latinx communities is likely more extensive

than officially recorded. This escalation in gun homicide rates for these communities intensifies the existing challenges they already face.

Recent rises in gun-related homicides also impact marginalized communities facing persistent discrimination, including transgender and gender nonconforming individuals. Since 2019, there has been a significant increase in gun homicides affecting transgender and gender nonconforming people, with the yearly counts rising by 40 percent until

Black women experienced the greatest increase in gun homicide rates since COVID's onset



2022. Although the number of deaths due to gun homicides among transgender individuals was just under 30 in 2022, each loss has far-reaching effects beyond the individuals directly involved. The surge in gun homicides among transgender individuals is concerning as it aligns with the increase in hate-motivated violence, compounded by the lack of accurate data regarding gun violence within the broader LGBTQ+ community. Unfortunately, Black transgender women bear a disproportionate brunt, constituting over 60 percent of transgender individuals affected by gun homicides on average, despite estimates indicating that only one in 10 transgender individuals are Black. This distressing escalation serves as a

poignant reminder of the unique challenges faced by Black individuals and women concerning gun violence in the United States.

Understanding the precise factors behind the surges in gun-related homicides, especially as they unfold, remains challenging. However, factors such as chronic underinvestment, discrimination, and notable increases in firearm purchases likely play significant roles, particularly among these emerging groups.

CVIs are among the most evidence-informed strategies for preventing gun homicides today. Community-based violence intervention (CVI) programs offer an effective strategy to combat gun violence and reduce firearm-related fatalities. These programs, employing a violence interruption model, aim to diminish gun violence by engaging closely with a small group of individuals central to these incidents. At the core of violence interruption initiatives are local agents of change who cultivate trust and establish personal connections necessary to mediate conflicts. These agents also link individuals affected by violence to crucial social services. Through violence interruption programs, individuals are presented with opportunities to redirect their life paths.

CVI serves as a promising approach to addressing gun violence by targeting efforts toward minimizing gun-related deaths and injuries. These programs concentrate on engaging with communities impacted by gun violence, directing resources and attention toward individuals most susceptible to either perpetrating or falling victim to violence.

Throughout the development and execution of CVI programs, collaboration takes place with diverse stakeholders, including residents, service providers, and occasionally local authorities. Offering an alternative to relying solely on the criminal justice system, CVIs identify individuals directly involved in

violent acts, provide access to support services, and advocate for non-violent alternatives to resolve conflicts.

Various CVI models are implemented across the nation. For instance, the hospital-based violence intervention model intervenes with individuals hospitalized due to gunshot wounds to prevent potential retaliatory violence and offer connections to support services. In the group-violence intervention model, law enforcement and community members collaborate to discourage individuals at risk from engaging in violent behavior. Among these models, the violence interrupter approach stands out as a promising method, emphasizing a community-centered, public health-oriented strategy to address the issue of gun violence.

Increased financial support for CVIs has been notable in recent years, thanks to initiatives such as the American Rescue Plan, the Bipartisan Safer Communities Act,¹⁸ and Everytown's Community Safety Fund. These initiatives play a vital role in ensuring broader accessibility to these programs. As gun violence remains a pressing concern, the significance and necessity of CVIs continue to grow. It's crucial for those implementing these programs to acknowledge and cater to the distinct needs and realities of the communities most affected.

This refers to Black men, who are the primary focus of many CVIs, as rightfully acknowledged. However, there's an increasing recognition that these programs must also extend their reach to encompass Black women, American Indian/Alaskan Native, Latinx, and transgender communities. To effectively engage these emerging groups, CVIs can adapt by incorporating culturally informed training and outreach strategies, diversifying the pool of trusted messengers, expanding into new neighborhoods, actively listening to survivors' experiences, and more. Sustained funding from governmental and philanthropic sources is vital to expand these programs and ensure their adaptability to changing demographics among survivors. Programs

like Roca Inc.'s Central American Youth Initiative in Boston, Massachusetts; Inner City Innovator's Lady Hope Dealers in West Palm Beach, Florida; and Wambli Ska's violence prevention program in Rapid City, South Dakota, exemplify intentional, diverse, and committed approaches by CVIs, setting a model for others seeking to do the same in responding to evolving community needs.

D. Historical Development and Past Efforts

Gun regulation has stood as a contentious and fiercely debated topic in the United States, inciting impassioned discussions regarding constitutional liberties, public safety, and individual freedoms. The crux of this debate traces its roots back to the nation's birth. In 1791, the ratification of the Second Amendment to the Constitution solidified the statement: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." The vague language therein sowed the seeds for protracted deliberations over its interpretation and intent, laying the groundwork for the ongoing clash surrounding gun control.

During the 19th century, there existed minimal regulation of firearms. Emphasis primarily rested on a well-regulated militia essential for local defense, while guns remained commonplace tools in rural settings. Nevertheless, the 20th-century industrial revolution ushered in more sophisticated and deadly firearms, instigating heightened apprehensions regarding public safety. In response to the violence during the Prohibition era, the inaugural significant gun control legislation emerged in 1934 in the form of the National Firearms Act (NFA). This act mandated the taxation and registration of specific firearm types, encompassing machine guns and short-barreled rifles. Criticism was leveled at this legislation for its failure to address the crux of the violence issue – organized crime – instead focusing on limiting citizens' rights.

Subsequently, in the 1960s, following the assassinations of notable figures like John F. Kennedy, Martin Luther King Jr., and Robert Kennedy, the Gun Control Act (GCA) of 1968 was enacted. This act prohibited mail-order sales of rifles and shotguns, increased licensing regulation within the gun industry, and expanded the category of individuals prohibited from possessing firearms to include convicted felons, those with a history of mental illness, and minors. Critics argued that it did not adequately address the crime rate, resulting in an increase in unregulated black-market firearms purchases.

The 1990s witnessed the implementation of the Brady Handgun Violence Prevention Act (1993) and the Federal Assault Weapons Ban (1994). The Brady Act imposed a five-day waiting period and background checks for handgun purchases, while the Federal Assault Weapons Ban proscribed the civilian manufacturing of certain semi-automatic firearms. Critics contended that these measures disproportionately affected law-abiding citizens and had minimal impact on criminal activities. Post the expiration of the ban in 2004, studies presented inconclusive evidence regarding its efficiency in reducing gun violence.

The emergence of mass shootings in the latter part of the 20th century and the early 21st century injected a fresh sense of urgency into the discourse on gun control. Notable incidents like Columbine, Sandy Hook, and Parkland ignited nationwide discussions on the accessibility of firearms, particularly concerning individuals with mental health issues or criminal backgrounds. Despite these horrible events, legislative efforts have remained minimal because of the deeply entrenched political division on the subject. Attempts to broaden background checks or curtail access to specific firearm categories often encounter staunch opposition. The 2013 Manchin-Toomey Background Check Bill, proposed after the Sandy Hook Elementary School shooting, failed to pass due to a filibuster despite securing majority support in the Senate. Similarly, in 2015, the Stop Online Ammunition Sales Act,

designed to regulate online ammunition sales by necessitating licensed dealers to verify buyers' identity and age, also faltered in the Senate. Historical inefficiencies and potential errors in judgment made by states and organizations stem predominantly from an inadequacy in striking a balance between an individual's right to bear arms and the imperative for public safety. The divergent interpretations of the Second Amendment have led to an impasse in policy formulation, restricting legislative adaptability to evolving societal requisites and advancements in firearm technology.

Past endeavors to resolve the issue primarily concentrated on regulation rather than addressing the fundamental causes of gun violence, such as mental health and socio-economic factors. For instance, initiatives like the Gun Control Act and the Brady Act aimed at restricting firearm access rather than investing in mental health services or poverty alleviation, which might mitigate incentives for firearm misuse. Moreover, legislative efforts often failed to comprehensively consider the intricate interplay between legal and illicit firearm markets. Looking ahead, gun control remains a contentious subject in the United States. Effective policies necessitate a delicate equilibrium between the rights enshrined in the Second Amendment and the imperative to tackle the root causes of gun violence. This could entail a more comprehensive approach, encompassing mental health services, socio-economic assistance, and stricter oversight encompassing both legal and illegal firearm markets.

E. Current Situation

1. The Supreme Court

The Supreme Court, over the past decade, has expanded the Second Amendment's broadness through important rulings, significantly influencing the understanding of its protections. In a 2008 case, *District of Columbia v. Heller*, the Court established that the Second Amendment safeguards an individual's right to possess firearms for self-defense within

their home. This decision invalidated Washington, D.C.'s handgun ban and mandated the government to ensure individuals have a meaningful opportunity to possess functional firearms for self-defense.

Another noteworthy Supreme Court ruling, *New York State Rifle & Pistol Association (NYSRPA) vs Bruen*, reshaped the landscape of constitutional gun laws, departing from prior case law. It challenges laws restricting who can carry handguns in public, affirming that the Second and Fourteenth Amendments safeguard an individual's right to carry a handgun for self-defense outside their residence. These landmark decisions extended the Second Amendment's reach by confirming an individual's right to possess firearms for self-defense, independent of militia involvement, and applying these rights to state and local governments. Before these judgments, interpretations of the Second Amendment varied, leaving the extent of its protections unsettled.

It is crucial to understand that while these cases broadened the interpretation of individual rights under the Second Amendment, the Court acknowledged that this right isn't absolute. Recognizing the need for reasonable firearm regulations to ensure public safety, the Court endorsed measures such as restricting dangerous weapons, prohibiting felons and the mentally ill from firearm possession, and regulating commercial firearm sales. However, these decisions sparked significant public controversy. Over 60 percent of American citizens advocate for stricter gun laws, given that handguns account for over 45 percent of annual murder victims, reflecting the unease and dismay among the populace regarding these outcomes.

2. State Policies

Gun control policies in the United States persist as a complex issue, largely due to the nation's federal system allowing individual states to craft their laws within constitutional bounds. This results in a diverse array of gun

regulations nationwide, creating a patchwork of laws with varying degrees of restriction and oversight.

States like California, New York, and New Jersey have instituted stringent gun laws. For instance, California upholds a ban on "assault weapons," regulates ammunition sales, and imposes limits on purchasing new handguns meeting specific safety standards. New York prohibits possession of "assault weapons" and "large capacity" ammunition magazines, implementing mandatory universal background checks for firearm sales. Conversely, states like Texas, Arizona, and Alaska impose fewer restrictions, permitting open carry and lacking requirements for firearms registration or limits on purchasing multiple firearms.

The disparities among state policies contribute to a lack of uniformity nationwide, leading to potential confusion and complexities for the American populace. Moreover, differences in regulations between states can create loopholes that enable individuals to exploit gaps in the law. For instance, someone prohibited from buying firearms in one state might travel to a neighboring state with more relaxed laws to obtain firearms without facing similar restrictions. On the national level, these divergent state policies often prompt legal challenges. Laws in one state might face constitutional disputes based on interpretations of the Second Amendment, contributing to uncertainty about legislation's application and enforcement.

A growing trend involves the adoption of "red flag laws" or Extreme Risk Protection Orders (ERPOs). Presently, 19 states and the District of Columbia have implemented such laws. These measures authorize family members and law enforcement to petition courts to temporarily confiscate firearms from individuals posing threats to themselves or others. Proposed federal legislation, like the Federal Extreme Risk Protection Order Act, aims to allocate funding and resources to facilitate the establishment and implementation of red flag laws nationwide.

3. Public Outrage and Protests

Public opinion regarding gun control stands deeply divided, evident from the frequent demonstrations representing opposing viewpoints. Notable large-scale protests, like the March for Our Lives rally in 2018, propelled the discourse on gun control into the public spotlight. This demonstration, initiated by Marjory Stoneman Douglas High School students after a tragic shooting incident, aimed to push for stricter gun laws. Their advocacy included calls for comprehensive background checks, the prohibition of assault weapons, and restrictions on high-capacity ammunition magazines.

Conversely, proponents of gun rights consistently organize counter-protests. Often supported by organizations such as the National Rifle Association (NRA) and Gun Owners of America, these individuals advocate for a broad interpretation of the Second Amendment. Their stance emphasizes that this constitutional right should remain unimpeded by legislative measures.

4. Buy-Back Programs

In efforts to reduce the number of firearms in circulation, certain jurisdictions have instituted gun buy-back programs. Typically organized by local law enforcement agencies, these initiatives offer monetary compensation or incentives to encourage individuals to voluntarily surrender their firearms, without any interrogation.

However, the effectiveness of such programs remains a subject of debate. There hasn't been a significant impact on gun violence rates, and most firearms surrendered through these programs are often older, non-functional, or unwanted firearms. Critics contend that these initiatives are more symbolic and frequently miss targeting individuals more likely to be involved in gun-related violence. Often, it's law-abiding citizens who surrender guns that are unlikely to be used in criminal activities. Despite

these criticisms, supporters argue that each firearm removed from circulation potentially diminishes the risk of accidental or intentional misuse.

F. Possible Solutions

Ban on Assault Weapons and High-profile Magazines

Potential solution to curb gun violence revolves around the prohibition of assault weapons and high-capacity magazines. Real-life instances underscore the impact of such measures. For instance, during the period of the federal ban on assault weapons from 1994 to 2004, studies revealed a decrease in the use of assault weapons in crimes. The prohibition of these firearms and high-profile magazines could potentially limit the lethality of mass shootings. In particular, analyses of various mass shootings, including incidents in Aurora, Colorado, and Sandy Hook, Connecticut, have highlighted the use of assault weapons equipped with high-capacity magazines, resulting in a higher casualty count within a shorter time frame.

Advocates for banning these weapons argue that their firepower enables individuals to inflict more harm in a shorter period, intensifying the devastation in instances of mass violence. Furthermore, the implementation of such bans could align with strategies aimed at enhancing public safety, potentially reducing the severity and frequency of tragic incidents associated with these high-powered firearms and magazines.

Better Gun Legislation

An essential element in grappling with the gun control challenge involves the creation and implementation of balanced and effective legislation. For instance, reinstating a federal ban on assault weapons, previously active from 1994 to 2004, could be considered. These firearms have featured in numerous mass shootings, and their prohibition might potentially mitigate the severity of such tragic incidents. However, there could be a downside,

impacting the rights of responsible, law-abiding citizens who possess these weapons for sports or self-defense.

Another legislative proposal could involve setting up a licensing system for gun owners, akin to the system governing motor vehicle operations. This might encompass training prerequisites and periodic renewal procedures. Critics might argue that this would unfairly burden individuals exercising their Second Amendment rights, whereas advocates could emphasize the potential for such a system to ensure a fundamental level of proficiency and safety awareness among firearm owners.

Universal Background Checks

Enhancing and broadening the existing background check system stands as another potential resolution. Advocates propose a comprehensive, universal background check for all firearm transactions, encompassing sales made online, at gun shows, or through private exchanges, as a viable solution. This proposal garners general public support but encounters legislative pushback due to worries about potential government overreach and the violation of Second Amendment rights. Additionally, critics contend that these measures might not completely prevent gun violence, citing instances where perpetrators of mass shootings had successfully passed background checks.

Mental Health Reform

Addressing mental health concerns emerges as a critical aspect in potential solutions, considering the evident link between mental health issues and numerous cases of mass shootings. Reforms in mental health represent a crucial avenue for action. Augmenting funding for mental health services, enhancing early detection of mental health conditions, and establishing more comprehensive treatment programs might dissuade individuals grappling with mental health challenges from turning to violence.

Likewise, the implementation of 'red flag' laws, enabling the temporary removal of firearms from individuals deemed a risk to themselves or others, could prove effective. Critics caution against potential misuses of these laws and the risk of further stigmatizing mental illness. Conversely, proponents stress the necessity of proactive intervention upon detecting warning signs.

Community-based Solutions

Community-based solutions constitute another pivotal element in addressing the complexities of gun control. These solutions encompass diverse approaches, from educational programs emphasizing the responsibilities and risks of gun ownership to community-driven initiatives aimed at conflict resolution and reducing violence in high-risk areas.

An illustrative instance of a community-based solution involves the deployment of violence interruption programs. These programs actively engage in mediating conflicts and preventing retaliatory violence within communities significantly impacted by gun-related incidents. However, the success of these programs relies heavily on substantial funding and unwavering commitment from community members.

Furthermore, directing investment toward socio-economic development can also contribute to curbing gun violence. Recognizing the correlation between poverty, lack of opportunities, and heightened rates of gun-related incidents, initiatives fostering education and employment opportunities may alleviate the desperation and tensions that often lead to such violence within communities.

VII. Agenda Item: Gun Control Reform

a. Introduction to Impeachment

Impeachment in the U.S. is the constitutional process in which the Congress may bring charges of misconduct a civil officer may have committed with the penalty of removal from office and possibly being ineligible to hold an elected office in the future. The Constitution of the U.S. grants the sole power to impeach an individual to the House of Representatives and the sole power to try all impeachments to the Senate. The Constitution also limits the sets of impeachment to "Treason, Bribery, or other high Crimes and Misdemeanors" but fails to elaborate on 'misdemeanors' which has caused the Congress to interpret the scope of impeachment in the past.¹⁸ For instance, In Federalist 65, Alexander Hamilton defined impeachable offenses as "those offences which proceed from the misconduct of public men, or in other words from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to the society itself."¹⁹

On April 15, 1970, then-Congressman Gerald Ford (R-Mich.) proposed impeaching Associate Justice William O. Douglas of the U.S. Supreme Court. In a speech on the floor of the House, Congressman Ford defined an impeachable offense as "whatever a majority of the House of Representatives considers it to be at a given moment in history; ... whatever the Senate considers to be sufficiently serious to require removal of the accused from office ..."²⁰

¹⁸ https://ballotpedia.org/Impeachment_of_federal_officials

¹⁹ Yale University-The Avalon Project, "The Federalist Papers - No. 65," March 7, 1788. Available at https://avalon.law.yale.edu/18th_century/fed65.asp .

²⁰ Dennis J. Owens, High Crimes and Misdemeanors: The Definitions of an Impeachable Offense, 1 J. Legis. 107 (1974). Available at: <https://scholarship.law.nd.edu/jleg/vol1/iss1/8>

The impeachment process in the United States has three steps. First, the House of Representatives should investigate through an impeachment inquiry. Second, the House shall vote and adopt 'articles of impeachment' (which include all the charges brought forward to an individual) with a simple majority. If the House adopts a single or several articles of impeachment, the individual is officially impeached. Third, the Senate shall hold an impeachment trial of the accused and shall vote to either convict or acquit the individual. A two-thirds majority is needed for conviction. The Senate may choose to hold another vote to forbid the convicted individual from holding an elected office ever again in the future, in which only a simple majority is required for it to pass.

In the past, the House has initiated the impeachment process for more than 60 times. However, there have been only 21 impeachments. This includes three presidents, one cabinet secretary, and one senator. Of those who were impeached, only eight officials were found guilty by the Senate and removed from office. All eight were federal judges. The presidents impeached by the House were:

Andrew Johnson in 1868,
William Jefferson (Bill) Clinton in 1998,
Donald John Trump in 2019.

Another notable impeachment effort was towards former President Richard Nixon after the Watergate Scandal; however, he was not impeached as he resigned after Congress started the impeachment process against him in 1974.²¹

This is not a part of the Study Guide, if you are reading the Study Guide and seeing this please send an email to efebabusc@gmail.com stating that you

²¹ <https://www.usa.gov/impeachment>

have read the study guide. This will not guarantee an award but earn you a much higher consideration.

b. Impeachment Efforts Towards Donald Trump

Donald Trump holds the distinction of being the third President of the United States to undergo the impeachment process led by the House of Representatives, following in the footsteps of Andrew Johnson in 1868 and Bill Clinton in 1998. Before Trump, Johnson was the sole president impeached during his inaugural term. Notably, the House Judiciary Committee approved three articles of impeachment against Richard Nixon, yet his resignation preceded the final House vote, rendering the process inconclusive.

Congressman Brad Sherman's document titled "Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors"²² marked the initial endeavors by Democratic representatives Al Green and Brad Sherman in 2017 to begin the impeachment proceedings against Trump.²³ Despite their efforts, an impeachment resolution faced failure in the House in December 2017, with a notable vote margin of 58–364. However, after the 2018 elections, the Democrats secured a majority in the House, prompting multiple inquiries into Trump's conduct and financial dealings.

Initially hesitant towards impeachment, Speaker of the House Nancy Pelosi eventually yielded to mounting pressures due to what she characterized as Trump's persistent obstruction of justice and refusal to comply with Congressional subpoenas. This stance culminated in her indication in May 2019 that an impeachment inquiry might become an imperative course of action owing to Trump's continuous actions.²⁴

²² <https://www.congress.gov/bill/115th-congress/house-resolution/438>

²³ <https://www.foxnews.com/politics/rebs-green-and-sherman-announce-plan-to-file-articles-of-impeachment>

²⁴ <https://www.nytimes.com/2019/03/04/us/politics/trump-obstruction.html>

In February 2019, various House congressional committees spearheaded by Pelosi embarked on investigations delving into assorted scandals within the Trump administration that held the potential to formulate articles of impeachment. These proceedings officially transitioned into a formal impeachment investigation in July 2019, marked by the issuance of several subpoenas.²⁵ While most were adhered to, the administration contested some by invoking executive privilege.

c. Trump-Ukraine Scandal

i. Background

The involvement of Trump has been the primary reason the House of Representatives initiated an impeachment inquiry into the misconduct of Trump. The scandal revolving around Trump and Ukraine arose from Trump trying to coerce the government of Ukraine to provide a damaging narrative about his political opponent, Joe Biden, and to spread misinformation about the debunked theory that Russia has intervened in the 2016 Presidential Elections. Trump has used both government officials and his personal connections to communicate and pressure Ukraine into launching an investigation into Bidens and making an announcement that Ukraine was the actual country that interfered with American elections. Trump blocked the congressionally approved \$400 million military and economic aid package and threatened to cancel the Ukrainian head of state's official visit to the White House in an attempt to acquire quid pro quo from the Ukrainian President, Zelensky. Trump later released the payment when the scandal became public. The Trump Administration and the Ukrainian government established several connections, resulting in an infamous phone call between President Trump and Zelensky on July 25, 2019.

²⁵ <https://www.politico.com/story/2019/08/08/nadler-this-is-formal-impeachment-proceedings-1454360>

ii. Trump

Before the scandal was made public, President Donald Trump expressed his willingness to entertain foreign intelligence concerning his political adversaries. In a June 2019 interview with George Stephanopoulos, when asked about accepting information from foreigners, including Russia or China, Trump stated: "I think maybe you do both. I think you might want to listen. I don't. There's nothing wrong with listening. If somebody called from a country—Norway—we have information on your opponent. Oh. I think I'd want to hear it."²⁶ following Trump's statement, Ellen Weintraub, the chair of the Federal Election Commission, pointed out that, according to federal law, "It is illegal for any person to solicit, accept, or receive anything of value from a foreign national in connection with a U.S. election."²⁷ In a prior instance in July 2016, while Trump was still a candidate in the 2016 United States presidential election, he made a request: "Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing" from 2016 Democratic presidential candidate Hillary Clinton's email server.²⁸

iii. Bidens in Ukraine

In 2014, during the aftermath of the Ukrainian revolution, the Obama administration, led by then-Vice President Joe Biden, sought to offer diplomatic support to the Yatsenyuk government in Ukraine. A notable development during this time was Hunter Biden, Joe Biden's son, joining the board of directors of Burisma Holdings, a Ukrainian energy company, on April 18, 2014. Hunter, who was working as an attorney with Boies Schiller Flexner, was brought in to assist Burisma with corporate governance best practices, and a consulting firm in which Hunter was a partner also entered into an arrangement with Burisma. Despite these connections, in a

²⁶<https://edition.cnn.com/2019/10/02/politics/foreign-dirt-campaigns-trump/index.html>

²⁷<https://www.cnbc.com/2019/10/03/fec-chair-subtweets-trump-after-plea-for-china-to-investigate-bidens.html>

²⁸https://www.washingtonpost.com/politics/ukraine-if-youre-listening--how-trump-tries-to-quell-controversies-by-saying-the-quiet-part-out-loud/2019/09/20/8e68aad0-dbc1-11e9-adff-79254db7f766_story.html

December 2015 interview, Joe Biden stated that he had never discussed Hunter's work at Burisma.

Around the same time, on April 21, 2014, Joe Biden traveled to Kyiv, the capital of Ukraine, where he advocated for reducing Ukraine's dependence on Russia for natural gas supplies. During this visit, he explored ways the United States could contribute technical expertise to support the expansion of domestic natural gas production in Ukraine.

The Ukrainian prosecutor general had been investigating Burisma's owner, Mykola Zlochevsky, for allegations of money laundering, tax evasion, and corruption since 2012. In 2015, Viktor Shokin assumed the role of prosecutor general, inheriting the ongoing investigation. Concerns arose within the Obama administration, as well as among other governments and non-governmental organizations, that Shokin was not adequately addressing corruption in Ukraine. There were suspicions that he was protecting the political elite and hindering anti-corruption efforts, including the investigation into Zlochevsky and Burisma. Some officials even contemplated launching a separate criminal investigation into Burisma for potential money laundering. Shokin claimed that he believed he was fired due to his investigation into Burisma, involving Hunter Biden, although the investigation was inactive at the time of his dismissal.

In December 2015, Joe Biden visited Kyiv again and informed the Ukrainian government that \$1 billion in loan guarantees would be withheld unless they implemented anti-corruption reforms, including the removal of Shokin from his position. The Ukrainian parliament subsequently voted to dismiss Shokin in March 2016, and the loan guarantees were approved in June 2016 after additional reforms were implemented.

During this period, corruption in Ukraine became a bipartisan concern in the U.S., with Republican Senators Rob Portman, Mark Kirk, and Ron Johnson

co-signing a Senate Ukraine Caucus letter in February 2016, urging President Poroshenko to implement urgent reforms, including changes to the Prosecutor General's office. Joe Biden was not alone in targeting Shokin for anti-corruption reasons, as other European and U.S. officials, such as former ambassador to Ukraine Geoffrey Pyatt and assistant secretary of state Victoria Nuland, also expressed concerns about Shokin's failure to address corruption.

In March 2016, during testimony to the Senate Foreign Relations Committee, former ambassador to Ukraine John E. Herbst stated that the EU and the United States had joined efforts to seek Shokin's removal by late 2015. Biden's public statements during his December 2015 visit to Kyiv further indicated his stance on anti-corruption measures.

Victoria Nuland emphasized during the same hearing that the next \$1 billion loan guarantee was contingent on a reboot of the reform coalition and the cleanup of the prosecutor general's office. Simultaneously, protests within Ukraine were demanding Shokin's removal, and the International Monetary Fund (IMF) also threatened to delay \$40 billion of aid due to concerns about corruption in Ukraine. Anders Åslund, a resident senior fellow at the Atlantic Council, remarked that there was widespread consensus among Western nations, including the G-7, the IMF, and the European Bank for Reconstruction and Development (EBRD), that Shokin must be removed, with Joe Biden being a prominent advocate for this stance.

Fast forward to May 16, 2019, when the prosecutor general's office in Ukraine cleared both Joe Biden and his son of alleged corruption. Despite the clearance, there is no evidence suggesting that Joe Biden took actions to shield his son's involvement with Burisma. However, speculation surrounding this issue has been fueled by Trump, Giuliani, and their allies.

After Shokin's dismissal, his successor, Yuriy Lutsenko, initially took a tough stance against Burisma. However, within a year, Lutsenko announced that all legal proceedings and pending criminal allegations against Zlochevsky had been fully closed. A related 2014 investigation by the United Kingdom had initially frozen U.K. bank accounts tied to Zlochevsky, but it was later closed due to a lack of evidence.

In May 2019, Lutsenko stated that there was no evidence of wrongdoing by the Bidens, but he planned to provide information to Attorney General William Barr about Burisma board payments to ascertain whether Hunter Biden had paid U.S. taxes.

As of the available information, there is no substantial evidence to indicate that Joe Biden intervened to protect his son's involvement with Burisma. The concerns raised during the Obama administration centered on broader anti-corruption efforts in Ukraine, with Shokin's removal being part of a coordinated international push for reforms in the country. The subsequent clearance of the Bidens by the Ukrainian prosecutor general's office further adds to the complexity of the narrative surrounding these events.

iv. Rudy Giuliani

Since at least May 2019, Giuliani has been urging Ukrainian President Volodymyr Zelenskyy, the newly elected president of Ukraine, to investigate Burisma and check for irregularities in the Ukrainian investigation of Paul Manafort. On May 7, Zelenskyy and his advisors had a three-hour meeting to figure out how to handle the pressure from Trump and Giuliani and avoid getting entangled in American politics. Giuliani claimed that the investigations he sought would benefit President Trump, his client, and that his efforts had Trump's full support. Initially, Giuliani's actions aimed to provide cover for Trump to pardon Manafort, who had been convicted of eight felony counts in August 2018.

On May 10, Giuliani canceled a planned trip to Ukraine where he intended to encourage president-elect Zelenskyy to pursue inquiries into Hunter Biden and investigate whether Democrats colluded with Ukrainians regarding information about Manafort. Giuliani alleged that he had sworn statements from five Ukrainians who claimed they were instructed in January 2016 to "go dig up dirt on Trump and Manafort" in the Obama White House, though he did not provide evidence for this assertion. Giuliani asserted he canceled the trip because he was "set up" by Ukrainians who opposed his efforts and blamed Democrats for trying to manipulate the narrative. Despite the cancellation, Giuliani met with Ukrainian officials to press for an investigation in June 2019 and August 2019.

As early as May 2019, Trump directed State Department officials to bypass official channels for planning a meeting with Zelenskyy and instead work with Giuliani. In July 2019, just before Trump's phone call to Zelenskyy, Giuliani participated in a 40-minute phone call with U.S. diplomat Kurt Volker and Andriy Yermak, a senior adviser to Zelenskyy. During this call, Giuliani suggested that if Zelenskyy publicly announced an investigation into Biden, it would improve Zelenskyy's relationship with Trump.

In response to a motion from the watchdog group American Oversight, a federal judge on October 23 gave the State Department 30 days to release Ukraine-related records, including communications between Secretary of State Mike Pompeo and Rudy Giuliani. On November 22, the State Department released internal emails and documents supporting Gordon Sondland's congressional testimony that Pompeo participated in Giuliani's activities related to Ukraine. The documents also revealed that the State Department deliberately misled Congress about the reasons for Yovanovitch's removal as ambassador.

During his call with Zelenskyy, Trump said, "I will ask [Giuliani] to call you along with the attorney general. Rudy very much knows what's happening,

and he is a very capable guy. If you could speak to him, that would be great." In November, Trump denied directing Giuliani to go to Ukraine, but after his impeachment acquittal, he acknowledged that he had. Giuliani had previously asserted in September that "everything I did was to defend my client."

v. Naftogaz

Starting from March 2019, while Giuliani was pushing the Ukrainian administration to investigate the Bidens, a bunch of businessmen and Republican donors used their connections with Trump and Giuliani to try and change the leadership of the Ukrainian state-owned oil and gas company Naftogaz. Their goal was to get Naftogaz contracts awarded to businesses owned by Trump's allies. However, this plan faced a setback when Volodymyr Zelenskyy won the 2019 Ukrainian Presidential Election.

In May, during a state visit for President Zelenskyy's inauguration, former Secretary of Energy Rick Perry reportedly pressured Zelenskyy to dismiss members of the Naftogaz supervisory board. Perry, though, denied this, stating in a press conference on October 7: "That was a totally dreamed-up story." Following this, Perry was issued a subpoena on October 10 by the House Intelligence Committee, the House Oversight Committee, and the House Foreign Affairs Committee, which partially concerned his dealings with Naftogaz.

According to The Wall Street Journal, Perry supposedly intended to replace Amos Hochstein, a former Obama administration official, as a board member at Naftogaz with someone aligned with Republican interests. Perry, however, refuted these reports.

vi. Efforts to "Get Rid" of Marie Yovanovitch

As early as April 2018, Rudy Giuliani, along with associates Lev Parnas and Igor Fruman, seemed to have made a decision to support President Trump's

re-election efforts. They identified U.S. Ambassador to Ukraine Marie Yovanovitch as a problem in this endeavor. Yovanovitch, nominated as the U.S. ambassador to Ukraine on May 18, 2016, with a thirty-year diplomatic career, was known for her efforts to encourage Ukraine to combat corruption. During her tenure, she worked to strengthen the Ukrainian National Anti-Corruption Bureau, which aimed to address corruption issues in Ukraine.

However, Yovanovitch became the target of a conspiracy-driven smear campaign. Trump's personal attorney Giuliani, conservative commentator John Solomon of The Hill, and Ukraine's then-top prosecutor Yuri Lutsenko accused her of being part of a conspiracy involving anti-corruption probes in Ukraine and efforts by the Trump administration to investigate ties between Ukrainian officials and Hillary Clinton's 2016 presidential campaign. Lutsenko, accused of corruption by Ukrainian civil society organizations, claimed that Yovanovitch interfered in Ukraine politics and provided him with a "do-not-prosecute" list, hindering his anti-corruption efforts. The U.S. State Department dismissed Lutsenko's allegations as an "outright fabrication" and termed it a "classic disinformation campaign." Later, Lutsenko retracted his claims about the "do-not-prosecute" list.

In testimony before the House Intelligence Committee, George Kent from the State Department's Bureau of European and Eurasian Affairs dismissed narratives about Ukraine pushed by Solomon and Fox News personalities Sean Hannity and Laura Ingraham as "entirely made up." These narratives were based on Solomon's interviews with the corrupt former Ukrainian prosecutor Yuriy Lutsenko. Despite the questionable source, President Trump, his son Donald Trump Jr., Giuliani, Solomon, and conservative media outlets amplified these stories. Giuliani confirmed in a November 2019 interview that he wanted Yovanovitch out of the way to facilitate his investigations.

On April 24, 2019, after complaints from Giuliani and other Trump allies that Yovanovitch was impeding Trump's efforts to persuade Ukraine to investigate Joe Biden, Trump ordered Yovanovitch's recall. She returned to Washington, D.C., on April 25, and her recall became public knowledge on May 7, with her mission as ambassador terminated on May 20, 2019. In a July 25, 2019, phone call with Ukrainian President Zelenskyy, Trump pressured the Ukrainian government to investigate Biden and criticized Yovanovitch, calling her "bad news."

Documents provided by Lev Parnas to the House Intelligence Committee outlined text exchanges in which Lutsenko pushed for Yovanovitch's removal in exchange for providing damaging information on Joe Biden. In encrypted WhatsApp messages, Lutsenko insisted that Yovanovitch should be ousted before he would make helpful public statements. It is believed that Lutsenko targeted Yovanovitch due to her anti-corruption efforts in Ukraine. One week before an April 1, 2019, conference on anti-corruption, Parnas exchanged encrypted WhatsApp text messages with Robert F. Hyde, suggesting that the ambassador was under surveillance and her security was at risk.

An audio tape from April 2018, recorded at a private dinner between Trump and top donors, captured Trump demanding Yovanovitch's removal, saying, "Get rid of her! Get her out tomorrow. I don't care. Get her out tomorrow. Take her out. Okay? Do it." This recording appeared to support Parnas's account that he had told Trump Yovanovitch was working against him.

Yovanovitch's abrupt removal dismayed career State Department diplomats. Acting Assistant Secretary of State Philip Reeker testified that he urged top State Department officials to issue a statement expressing strong support for Yovanovitch, but this proposal was rejected. Former senior U.S. diplomats Philip Gordon and Daniel Fried praised Yovanovitch and condemned Trump's treatment of her, stating that it had demoralized the

U.S. diplomatic corps and undermined U.S. foreign policy. Diplomatic organizations expressed alarm at Trump's disparagement of Yovanovitch in his call with Zelenskyy. Michael McKinley, a career foreign service officer, resigned in protest of Trump's attacks against Yovanovitch and the State Department's unwillingness to protect career diplomats from politically motivated pressure.

Yovanovitch's removal became a focal point in the House of Representatives impeachment inquiry against Trump, and her recall was labeled "a political hit job" by Democratic members of Congress. Trump later claimed she was "no angel" and falsely asserted that Yovanovitch had refused to hang his portrait.

vii. July 25 Phone Call

On July 25, 2019, a phone call took place between President Donald Trump of the United States and President Volodymyr Zelensky of Ukraine. The call, lasting approximately 30 minutes, became a focal point of controversy that played a central role in subsequent political events.

During the conversation, President Trump expressed concerns about alleged corruption in Ukraine and suggested an investigation into the business activities of Joe Biden and his son Hunter Biden in Ukraine. Notably, Hunter Biden had served on the board of a Ukrainian energy company.

A key part of the controversy stemmed from a transcript of the call, which was later released by the White House. In the transcript, President Trump asked President Zelensky for a "favor" and discussed the possibility of Ukraine investigating the Bidens. Critics argued that this demonstrated an inappropriate solicitation of foreign interference in U.S. domestic politics.

Subsequent to the call, a whistleblower within the U.S. intelligence community raised concerns about the nature of the conversation, leading

to a formal impeachment inquiry against President Trump. The inquiry focused on whether the president had abused his power by pressuring a foreign government to investigate a political opponent.

Please read the full text of the Phone Call on this website as it is an important piece of evidence: <https://edition.cnn.com/2019/09/25/politics/donald-trump-ukraine-transcript-call/index.html>

viii. Withholding of Ukrainian Military Aid

The Trump administration's withholding of military aid to Ukraine until the country agreed to investigate the Bidens became a focal point of controversy and an impeachment inquiry. The events unfolded against the backdrop of Congress's mandate to provide increased military assistance to Ukraine in the face of Russian aggression. In fiscal year 2019, Congress appropriated \$400 million for Ukraine, aiming to support the country's efforts in countering threats from Putin's Russia and Russian-backed separatists in eastern Ukraine.

Initially, the administration notified Congress in February and May 2019 of its intention to release the allocated military aid, citing Ukraine's progress in combating corruption as a key factor. However, in June 2019, the Trump administration unexpectedly placed the military aid on hold. Reports later revealed that, at least a week before the July 25 call between Trump and Ukrainian President Zelenskyy, Trump directed his acting chief of staff, Mick Mulvaney, to withhold the \$400 million. The decision was conveyed to the State Department and Pentagon, with instructions to attribute the delay to an "interagency process."

During an October 17 press conference, Mulvaney offered multiple reasons for the aid freeze. He claimed that Trump believed other European countries were not contributing enough, viewed Ukraine as corrupt, and insisted on cooperation with a U.S. Justice Department investigation into alleged

Ukrainian interference in the 2016 U.S. presidential election. When pressed on the issue of a quid pro quo by reporter Jonathan Karl, Mulvaney responded, "Get over it. There's going to be political influence in foreign policy." However, later on the same day, Mulvaney denied any quid pro quo and criticized the media's interpretation of his comments.

In the infamous July 25 call, Trump explicitly linked the military aid to a request for investigations. Zelenskyy, expressing gratitude for U.S. support in defense, was met with Trump's statement, "I would like you to do us a favor though." The favor included investigations into CrowdStrike and Joe Biden and his son. Ukraine heavily depends on American military aid to counter Russian-backed separatists, and the sudden suspension was reportedly a shock to Ukrainian officials.

As news of the whistleblower complaint emerged, three House committees initiated an investigation into whether Trump and Giuliani attempted to coerce Ukraine into investigating the Bidens by withholding military aid. On September 11, the Trump administration released the aid, potentially in response to the mounting scrutiny.

Former New York City Mayor Rudy Giuliani, Trump's personal lawyer, seemingly confirmed a connection between military aid and investigations in a September 20 tweet. Giuliani argued that any U.S. president had the right to demand anti-corruption efforts in exchange for financial assistance. Trump echoed a similar sentiment on September 23, emphasizing the importance of addressing corruption in recipient countries.

Despite the aid being reinstated in time, its temporary withholding had a significant psychological impact on Ukrainian soldiers. Trump's justifications for the aid freeze remained inconsistent. Initially citing corruption, he later attributed it to the lack of contribution from other European nations.

The controversy continued with conflicting statements from individuals involved. Republican senator Ron Johnson claimed that ambassador Gordon Sondland linked military aid to investigations, while Sondland later conveyed that there was no quid pro quo. However, The Washington Post reported that Sondland planned to testify that Trump directly relayed the connection in a phone call.

The Wall Street Journal disclosed concerns among career civil servants at the Office of Management and Budget about the legality of freezing the aid. Michael Duffey, a political appointee, was granted authority to keep the aid on hold. Emails revealed that Duffey, in coordination with the White House, initiated the freeze shortly after the July 25 call, despite pushback from the Pentagon citing legal concerns.

On January 16, 2020, the Government Accountability Office (GAO) concluded that the White House violated federal law by withholding Congress-approved military aid to Ukraine. The GAO determined that the Impoundment Control Act of 1974 had been breached, as President Trump's policy superseded Congress' legislated policy, and the withholding was not a programmatic delay, as claimed by the Trump administration. This GAO report added a legal dimension to the controversy surrounding the withholding of military aid to Ukraine.

ix. Withholding of White House Visit

The withholding of an official White House visit for Ukrainian President Zelenskyy became a key element in the controversy surrounding the Trump administration's dealings with Ukraine. In May 2019, President Trump, in a congratulatory letter to Zelenskyy on his election, mentioned the possibility of a White House visit. However, as the months progressed and Rudy Giuliani, Trump's personal lawyer, along with some State Department officials, pushed for investigations into Burisma and alleged Ukrainian

interference in the 2016 U.S. elections, a White House visit emerged as one of the incentives or consequences based on Zelenskyy's cooperation.

Bill Taylor, the senior U.S. diplomatic official in Ukraine, testified in a congressional hearing that by mid-July 2019, he became aware that a potential White House meeting between Trump and Zelenskyy was contingent on Ukraine launching investigations into Burisma and the alleged interference in the 2016 U.S. elections.

Gordon Sondland, the U.S. ambassador to the European Union and a key figure in Trump's interactions with Ukraine, testified that Trump expressed skepticism about Ukraine's commitment to reforms and anti-corruption efforts. Trump directed Sondland to coordinate with Giuliani regarding these concerns. Sondland, in collaboration with Giuliani, relayed the message about investigations to Ukrainian officials. In August, Sondland texted that the White House visit would be scheduled once Zelenskyy confirmed his commitment to issuing a public statement about investigations into the Bidens and the 2016 election. During his November 20 testimony in the impeachment hearings, Sondland explicitly stated that the White House visit was conditioned on Ukraine publicly announcing investigations into Burisma and the 2016 election, characterizing it as a quid pro quo.

In testimony before congressional committees, Lieutenant Colonel Alexander Vindman, the National Security Council's head of European Affairs, supported the quid pro quo claim. Vindman stated that Sondland informed Ukrainian officials, in his presence, that launching investigations into the Bidens was a prerequisite for securing a meeting with President Trump. Sondland allegedly indicated that "everything," encompassing military aid and the White House visit, was contingent upon Zelenskyy's public announcement of such an investigation.

The linkage between the White House visit and investigations into Burisma, the Bidens, and the 2016 election, as testified by multiple witnesses, raised concerns about the use of official acts as leverage for personal political gain. This aspect of the controversy became central to the impeachment inquiry against President Trump.

d. Obstruction of Congress and Justice and Refusal to Obey Subpoenas

On September 27, 2019, the House of Representatives issued a subpoena aimed at procuring documents that Secretary of State Mike Pompeo had previously declined to release. Among these documents are numerous interactions involving Trump, Giuliani, and Ukrainian government officials. The House mandated that these documents be submitted to the pertinent committees investigating the matter, emphasizing that the failure to comply "shall constitute evidence of obstruction of the House's impeachment inquiry," as explicitly articulated in a letter dispatched to Pompeo. This subpoena followed multiple House requests for the Secretary to furnish the documents, requests that went unanswered. In response, several members of the House actively engaged in the impeachment inquiry communicated their intent to meet with State Department representatives who might offer additional insights. Subsequently, a comparable subpoena was issued to Giuliani for the production of documents.

On October 4, 2019, the House Intelligence Committee extended subpoenas to both the White House and Vice President Mike Pence, seeking documents relevant to the whistleblower complaint. The White House's requested documents encompassed audio recordings, transcripts, notes, and other materials linked to the whistleblower controversy.

On October 8, 2019, White House Counsel Pat Cipollone, in a missive directed to House Speaker Pelosi and the three committee chairpersons overseeing

the impeachment investigation, declared the White House's refusal to cooperate with the inquiry. Cipollone contended that the investigation "violates the Constitution, the rule of law, and every past precedent" and asserted that "The President cannot allow your constitutionally illegitimate proceedings to distract him and those in the Executive Branch." The letter further stated, "[the investigation's] unprecedented actions have left the President with no choice. To fulfill his duties to the American people, the Constitution, the Executive Branch, and all future occupants of the Office of the Presidency, President Trump and his Administration cannot participate in your partisan and unconstitutional inquiry under these circumstances." Responding to this, House Speaker Pelosi warned that continued efforts by the White House to conceal the truth regarding the president's abuse of power would be perceived as further evidence of obstruction. House Democrats have indicated that defiance of their investigation may serve as grounds for a separate article of impeachment on obstruction, consistent with historical impeachment probes that treated obstruction of Department of Justice and Congressional investigations as articles of impeachment.

Jim A. Sale, Giuliani's attorney, communicated via a letter to the House Intelligence Committee on October 15, 2019, expressing Giuliani's refusal to provide documents subpoenaed by the committee. The letter cited attorney-client and executive privilege, characterizing the subpoena as "beyond the scope of legitimate inquiry."

e. Articles of Impeachment

Below are the Articles of Impeachment that were adopted by the House of Representatives. The Senate will try the accused Donald John Trump along the limits of these two Articles of Impeachment. A written copy of the Articles will be provided to the Senators.

Articles of Impeachment Against Donald John Trump

CONGRESS OF THE UNITED STATES OF AMERICA,

IN THE HOUSE OF REPRESENTATIVES,

December 18, 2019.

RESOLUTION

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

Articles 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: Abuse of Power

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 of the office of 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 J. Trump has abused the powers of the Presidency, in that:

Using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election. He did so

through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process. He thus ignored and injured the interests of the Nation. President Trump engaged in this scheme or course of conduct through the following means:

(1) President Trump—acting both directly and through his agents within and outside the United States Government—corruptly solicited the Government of Ukraine to publicly announce investigations into—

(A) a political opponent, former Vice President Joseph R. Biden, Jr.; and

(B) a discredited theory promoted by Russia alleging that Ukraine—rather than Russia—interfered in the 2016 United States Presidential election.

(2) With the same corrupt motives, President Trump—acting both directly and through his agents within and outside the United States Government—conditioned two official acts on the public announcements that he had requested—

(A) the release of \$391 million of United States taxpayer funds that Congress had appropriated on a bipartisan basis for the purpose of providing vital military and security assistance to Ukraine to oppose Russian aggression and which President Trump had ordered suspended; and

(B) a head of state meeting at the White House, which the President of Ukraine sought to demonstrate continued United

States support for the Government of Ukraine in the face of Russian aggression.

(3) Faced with the public revelation of his actions, President Trump ultimately released the military and security assistance to the Government of Ukraine, but has persisted in openly and corruptly urging and soliciting Ukraine to undertake investigations for his personal political benefit.

These actions were consistent with President Trump's previous invitations of foreign interference in United States elections.

In all of this, President Trump abused the powers of the Presidency by ignoring and injuring national security and other vital national interests to obtain an improper personal political benefit. He has also betrayed the Nation by abusing his high office to enlist a foreign power in corrupting democratic elections.

Wherefore President Trump, by such conduct, has demonstrated that he will remain a threat to national security 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. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

ARTICLE II: OBSTRUCTION OF CONGRESS

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 of the office of 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 J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its "sole Power of Impeachment". President Trump has

abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution, in that:

The House of Representatives has engaged in an impeachment inquiry focused on President Trump's corrupt solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of this impeachment inquiry, the Committees undertaking the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various Executive Branch agencies and offices, and current and former officials.

In response, without lawful cause or excuse, President Trump directed Executive Branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to the exercise of the "sole Power of Impeachment" vested by the Constitution in the House of Representatives.

President Trump abused the powers of his high office through the following means:

(1) Directing the White House to defy a lawful subpoena by withholding the production of documents sought therein by the Committees.

(2) Directing other Executive Branch agencies and offices to defy lawful subpoenas and withhold the production of documents and records from the Committees—in response to which the Department of State, Office of Management and Budget, Department of Energy, and Department of Defense refused to produce a single document or record.

(3) Directing current and former Executive Branch officials not to cooperate with the Committees—in response to which nine Administration officials defied subpoenas for testimony, namely John Michael "Mick" Mulvaney, Robert B. Blair, John A. Eisenberg, Michael Ellis, Preston Wells Griffith, Russell T. Vought, Michael Duffey, Brian McCormack, and T. Ulrich Brechbuhl.

These actions were consistent with President Trump's previous efforts to undermine United States Government investigations into foreign interference in United States elections. Through these actions, President Trump sought to

arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any and all information to the House of Representatives in the exercise of its “sole Power of Impeachment”.

In the history of the Republic, no President has ever ordered the complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of the House of Representatives to investigate “high Crimes and Misdemeanors”. This abuse of office served to cover up the President’s own repeated misconduct and to seize and control the power of impeachment—and thus to nullify a vital constitutional safeguard vested solely in the House of Representatives.

In all of this, President Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

Wherefore, President Trump, by such conduct, has demonstrated that he will remain a threat to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

Speaker of the House of Representatives.

Link to PDF version of these Articles of Impeachment:

<https://www.congress.gov/116/bills/hres755/BILLS-116hres755enr.pdf>

f. Potential Witnesses to Subpoena

Below is the list of potential witness the Senate can call to testify. the Senators will have to draft individual subpoenas for each witness. Summoning additional witnesses that are not on this list is **allowed** and **encouraged** however is subject to approval from the Senate Presidency.

Witness Name	Title / Position
Bill Taylor	U.S. Chargé d’Affaires to Ukraine
Catherine Croft	Special Advisor for Ukraine
Christopher Anderson	Former Advisor to Kurt Volker
David Hale	Under Secretary of State for Political Affairs
David Holmes	Counselor for Political Affairs at the U.S. Embassy in Ukraine
Fiona Hill	Senior Director for Europe and Russia of the National Security Council
George Kent	Deputy Assistant Secretary of State for Bureau of European and Eurasian Affairs
Gordon Sondland	U.S. Ambassador to the European Union
Jennifer Williams	Special Advisor to Vice President Mike Pence on European and Russian Affairs
Kurt Volker	U.S. Special Representative for Ukraine
Laura Cooper	Deputy Assistant Secretary of Defense for Russia, Ukraine, Eurasia
Lt. Col. Alexander Vindman	Director for European Affairs for the United States National Security Council
Marie Yovanovitch	Former U.S. Ambassador to Ukraine
Mark Sandy	Acting Director of the Office of Management and Budget
Michael McKinley	Former Advisor to the Secretary of State, Mike Pompeo
Philip Reeker	Assistant Secretary of State for European and Eurasian Affairs
Timothy Morrison	Senior Director for Europe and Russia on the National Security Council