To provide that Donald J. Trump is ineligible to again hold the office of President of the United States or to hold any office, civil or military, under the United States.

IN THE HOUSE OF REPRESENTATIVES

Mr. Cicilline introduced the following bill; which was referred to the Committee on

A BILL

To provide that Donald J. Trump is ineligible to again hold the office of President of the United States or to hold any office, civil or military, under the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Section 3 of the Fourteenth Amendment to the Constitution of the United States states: “No person shall be a Senator or Representative in Con-
gress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.”.

(2) Section 5 of the Fourteenth Amendment states: “The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.”.

(3) The Presidency is an office under the United States.

(4) Mr. Donald J. Trump did engage in insurrection against the United States by mobilizing, inciting, and aiding those who attacked the United States Capitol on January 6, 2021, to disrupt certification of the 2020 Presidential Election as required by the Twelfth Amendment to the Constitution and the Electoral Count Act of 1887 (3 U.S.C. 15), and a majority of both the House of Representatives and the United States Senate concluded as
much through the House of Representatives’ vote to
impeach Mr. Trump for high crimes and mis-
demeanors and the majority of the Senate voting to
convict Mr. Trump of Incitement of Insurrection on
February 13, 2021, with a vote of 57–43.

(5) Evidence has come forward that Mr. Trump
and his advisors strategically refused to accept the
results of the 2020 Presidential Election in Novem-
ber 2020 and attempted to cast doubt on the elec-
tion results, including as follows:

(A) Recorded testimony by Jason Miller,
former Trump Campaign Senior Advisor,
played during the June 13, 2022, hearing held
by the Select Committee to Investigate the Jan-
uary 6th Attack on the United States Capitol
(hereinafter referred to as the “January 6th
Committee”) revealed that Rudy Giuliani, Mr.
Trump’s lawyer, urged Mr. Trump to declare
victory on election night. Mr. Miller recalled
Mr. Giuliani saying “They’re stealing it from
us. Where did all the votes come from?”.

(B) In the same hearing, recorded testi-
mony by William Stepien, former Trump Cam-
paign Manager, revealed that he encouraged
Mr. Trump not to declare victory but rather to
say that votes were still being counted and it
was too early to declare a winner. Mr. Stepien
testified that Mr. Trump disagreed with this
approach.

(C) In the same hearing, recorded testi-
mony by Mr. Stepien alluded to a divide within
the White House between “Team Normal” and
those insistent on challenging the election, in-
cluding Mr. Giuliani.

(D) The January 6th Committee presented
evidence in an October 13, 2022 hearing that
an October 31, 2020, draft statement prepared
by Tom Fitton, an outside advisor for Mr.
Trump, indicated a plan for Mr. Trump to de-
clare victory on the night of the 2020 Election
before all ballots were counted or the final re-
sults were known, claiming that all ballot-count-
ing must stop at that point in the evening.

(6) Evidence has shown that Mr. Trump at-
ttempted to implement a detailed strategy, drafted by
his lawyer, John Eastman, to have Mr. Mike Pence
refuse to certify the 2020 Presidential Election re-
sults on January 6, 2021, despite Mr. Trump and
his advisors being repeatedly advised that the plan
was unconstitutional, including as follows:
(A) A Memo from John Eastman to Mr. Trump outlined a 6-point detailed strategy, titled “January 6 scenario,” to overturn the 2020 Presidential election.

(B) Mr. Eastman’s plan involved Mr. Trump asking Mr. Pence to refuse to certify certain electoral votes from 7 States, announcing that there were no electors validly appointed from these States and these States’ votes would need to be discarded, then announce the majority of the valid electors voted for Mr. Trump instead of Joseph Biden.

(C) The memo continued that if Members of Congress opposed this unlawful change in the slates of electors for these States, Mr. Pence was to declare that neither candidate would reach the needed 270 electoral votes, then call for the vote to be made by the House of Representatives in a voting system that would assign each State one vote, understanding that Republicans controlled a majority of States and would most likely vote for the reelection of Mr. Trump.

(D) Recorded testimony by Marc Short, Mr. Pence’s Chief of Staff, played during the
June 16, 2022, January 6th Committee hearing
made clear that John Eastman presented legal
theories to Mr. Pence that suggested that he
had the authority to reject electors who voted
for President Biden. Mr. Short testified that
Mr. Pence was unconvinced by these theories,
and in his book, Mr. Pence wrote that he “had
told the president many times that the vice
president, as president of the Senate, is af-
forded no authority to reject or return votes to
the states and no vice president in history had
ever asserted that authority.”.

(E) In the same hearing, recorded testi-
mony by Mr. Short confirmed that Mark Mead-
ows, former White House Chief of Staff, ac-
nowledged to him multiple times before Janu-
ary 6, 2021, that the Vice President had “no
role” in changing the results of an election.

(F) In the same hearing, recorded testi-
mony by Mr. Miller revealed that Pat Cipollone,
former White House Attorney, expressed his be-
 lief that Mr. Eastman’s theory was “nutty,”
and had told Mr. Eastman that he thought so.

(G) In the same hearing, Greg Jacob,
former counsel to Mr. Pence, testified that Mr.
Eastman acknowledged in a January 5, 2021, conversation that if the matter went in front of the Supreme Court of the United States, they would lose, 9–0. Mr. Pence confirmed this in his book, writing: “...even Eastman had conceded to Mr. Jacob that rejecting electoral votes was a bad idea and any attempt to do so would quickly be overturned by a 9-0 vote on the Supreme Court.”.

(H) In the same hearing, Mr. Jacob further testified that Mr. Eastman acknowledged in that same conversation that no other vice presidents, past or future, should have the authority to reject the results of an election. Despite this, Mr. Eastman reaffirmed to Mr. Jacob that Mr. Pence ought to reject the results of the election on January 6th.

(I) In the same hearing, recorded testimony by Eric Herschmann, former White House Attorney, revealed that Mr. Eastman acknowledged that he was willing to accept that there may be violence as a result of his efforts to overturn the election.

(J) In the same hearing, recorded testimony by Mr. Short revealed that Mr. Pence ad-
vised Mr. Trump that the vice president had no legal or constitutional authority to interfere with an election. In his book, Mr. Pence wrote of the first time he heard of challenging the election results: “...there was no ambiguity in the Constitution or the law about the role of the vice president, and I never believed that the vice president’s role was anything more than ceremonial.”

(K) In his book, Mr. Pence also wrote that Mr. Trump questioned why Mr. Pence opposed Congressman Louie Gohmert’s lawsuit filed in Federal court asking “a Texas judge appointed by President Trump to declare that [Mr. Pence] had ‘exclusive authority and sole discretion’ to decide which electoral votes should be counted.”. Mr. Pence said that Mr. Trump “came on strong” and said to him: “I don’t want to see ‘Pence Opposes Gohmert Suit’ as a headline this morning” and asked Mr. Pence “if it gives you power, why would you oppose it?”. Pence also wrote: “I told [President Trump], as I had told him many times before, that I did not believe I possessed the power under the Constitution to decide which votes to accept or
reject. He just kept coming.”. Mr. Pence said
that Mr. Trump replied by saying: “You’re too
honest” and told Mr. Pence that “hundreds of
thousands are gonna hate your guts” and “peo-
ple are gonna think you’re stupid.”.

(L) Mr. Pence wrote in his book that Mr.
Trump told him that “[Mr. Pence had] the ab-
solute right to reject electoral votes,” and told
Mr. Pence “You can be a historic figure...but if
you wimp out, you’re just another somebody.”.

(M) Mr. Pence also wrote in his book that
Mr. Trump told him “I think you have the
power to decertify.”. Mr. Pence wrote that he
told the president again that he did not believe
he had the authority, and that such authority
“belongs to the elected representatives of the
people”. When Mr. Pence said that they had a
duty to support and defend the Constitution,
Mr. Trump reportedly called him “naive” and
later suggested that he would “have to say that
[Mr. Pence] did a great disservice”.

(N) Mr. Jacob testified in the June 16,
2022, January 6th Committee hearing that in
the evening of January 6, after the violence had
been quelled, Mr. Eastman contacted him to
ask whether Mr. Pence would consider “one more relatively minor violation” by delaying the certification of votes for ten days.

(O) Mr. Trump and members of his administration reportedly ran a “command center”, which has also been referred to as a “war room”, in the days leading up to and on January 6 at the Willard InterContinental Washington D.C. Hotel, with the purpose of preventing the certification of Joseph Biden’s victory in the 2020 Presidential election.

(P) This “command center” reportedly served as a central location for members of Mr. Trump’s administration to attempt to convince legislators not to vote for the certification of the 2020 Presidential election results and to call on Mr. Trump’s supporters to pressure elected officials not to certify those results.

(Q) Those working at the “command center” also reportedly attempted to pressure Mr. Pence to delay or block the certification of the 2020 Presidential election results.

(R) Recorded testimony by Eric Herschmann, former White House Attorney, played during the June 16, 2022, January 6th
Committee hearing revealed that Mr. Giuliani seemed to concede on the morning of January 6 to Mr. Herschmann’s belief that the Vice President had no authority to reject the results of the election, admitting: “Look, I believe that you’re probably right.”

(S) Despite advice that the Vice President could not reject electors, including from Mr. Pence, on January 5, 2021, Mr. Trump tweeted that “The Vice President has the power to reject fraudulently chosen electors”.

(T) On January 6, 2021, when Mr. Pence did not attempt to reject the electors, Mr. Trump tweeted: “Mike Pence didn’t have the courage to do what should have been done to protect our Country and our Constitution, giving States a chance to certify a corrected set of facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth!”. In Mr. Pence’s book, reflecting on the rioters “ransacking the Capitol” and some of them chanting “Hang Mike Pence!”’, he wrote that “[President Trump] had decided to be part of the problem.”.
(7) Evidence has shown that Donald Trump intentionally cast doubt on the legitimacy of the 2020 Presidential election through promoting unfounded theories of voter and election fraud, despite being advised no significant fraud existed, including as follows:

(A) Donald Trump spent months promoting the false narrative that the 2020 Presidential Election was fraudulent, tweeting and making statements including: “[b]ecause of the new and unprecedented massive amount of unsolicited ballots which will be sent to ‘voters’, or wherever, this year, the Nov 3rd Election result may NEVER BE ACCURATELY DETERMINED, which is what some want” on September 17, 2020; “We have to win the election. We can’t play games. Go out and vote. Do those beautiful absentee ballots, or just make sure your vote gets counted. Make sure because the only way we’re going to lose this election is if the election is rigged,” on August 17, 2020; and “With Universal Mail-In Voting (not Absentee Voting, which is good), 2020 will be the most INACCURATE & FRAUDULENT Election in history...It will be a great embarrass-
ment to the USA. Delay the Election until peo-

tle can properly, securely and safely vote???”
on July 30, 2020.

(B) Recorded testimony by former Attor-

ney General Bill Barr played during the June

9, 2022, January 6th Committee hearing re-

vealed that Mr. Barr had told Mr. Trump that

“the idea of saying the election was stolen and

putting out this stuff...was bullshit.”.

(C) Recorded testimony by Mr. Barr

played during the June 13, 2022, January 6th

Committee hearing revealed that Mr. Trump

complained that the Department of Justice was

not investigating claims of election fraud, to

which Mr. Barr replied that the Department

would investigate credible and specific claims,

but the Department was not an extension of the

president’s personal legal team and suggested
the election fraud claims were “just not meri-

torious”.

(D) In the same hearing, recorded testi-

mony by Mr. Barr further revealed that he

found Mr. Trump’s allegations about the Do-

minion voting machines perpetuating fraud to
be disturbing: “...‘disturbing’ in the sense that I saw absolutely zero basis for the allegations.”.

(E) Recorded testimony by Ivanka Trump, Mr Trump’s daughter, played during the June 9, 2022, January 6th Committee hearing revealed that she accepted Mr. Barr’s conclusion that there was no evidence of fraud sufficient to overturn the election.

(F) In a June 13, 2022, January 6th Committee hearing, Al Schmidt, former City Commissioner of Philadelphia, testified that there was no significant evidence of voter fraud in the 2020 election in his State like Mr. Trump had claimed.

(G) In the same hearing, Byung J. “BJay” Pak, former U.S. Attorney for the Northern District of Georgia, testified that Mr. Trump requested that he investigate a video which he believed showed election workers pulling out a suitcase of ballots in Atlanta, Georgia. An investigation revealed that the suitcase was in fact an official lockbox, and Mr. Pak confirmed his investigations found no evidence of widespread voter fraud sufficient to undermine confidence in the election results in Georgia.
Mr. Pak reportedly resigned in January 2021 in response to pressure from Mr. Trump to overturn the results in Georgia.

(H) In the same hearing, recorded testimony by Richard Donoghue, former acting Deputy Attorney General, revealed that Mr. Trump was repeatedly informed that allegations of voter fraud were not supported by the evidence. Mr. Donoghue stated that as each conspiracy theory was debunked, Mr. Trump “wouldn’t fight us on it, but he would move on to another allegation.”

(I) Recorded testimony by General Mark Milley, Chairman of the Joint Chiefs of Staff, played during an October 13, 2022, January 6th Committee hearing revealed that, in an Oval Office meeting after the election, either Mr. Trump or Secretary of State Mike Pompeo acknowledged that President-Elect Biden would be taking over as President.

(J) In the same hearing, recorded testimony by Alyssa Farah, former White House Communications Director, revealed that, a week after the election had been called for President-Elect Biden, Mr. Trump acknowledged his elec-
tion loss in private, saying, “Can you believe I lost to this effing guy?” in reference to President-Elect Biden.

(K) In the same hearing, recorded testimony by Cassidy Hutchinson, former Aide to then-Chief of Staff Mark Meadows, revealed that Mr. Meadows told her that Mr. Trump repeatedly confided to Mr. Meadows that he had lost the election but wanted to continue to try to overturn the result.

(8) Evidence has shown that Mr. Trump, after the November 2020 Presidential Election, tried to have the results overturned through intimidation of State officials and attempting to have voting machines seized, including as follows:

(A) The January 6th Committee presented evidence in a July 12, 2022, hearing that on the evening of December 18, 2020, Donald Trump was visited in the White House by Sidney Powell (attorney for Mr. Trump), Michael Flynn (former National Security Adviser for Mr. Trump), and Patrick Byrne (founder of Overstock.com) for a private, unplanned meeting. The Committee showed a draft executive order which ordered the Secretary of Defense to
seize States’ voting machines and appoint a Special Counsel (Ms. Powell) to prosecute perpetrators of election fraud.

(B) In the same hearing, recorded testimony by Pat Cipollone, former White House counsel, revealed that he was of the opinion that Ms. Powell, Mr. Flynn, and Mr. Byrne were not giving Mr. Trump good legal advice. Mr. Cipollone testified that when he expressed his concerns to Mr. Trump, the aforementioned three began “attacking [him] verbally”.

(C) Hon. Jeffrey A. Rosen, former Acting Attorney General, testified in a June 23, 2022, January 6th Committee hearing that Mr. Trump asked the Department of Justice in late December to seize voting machines from State governments, which Mr. Rosen insisted they had no authority to do.

(D) In the same hearing, Richard Donoghue, former acting Deputy Attorney General, testified that because they refused to say that there was election fraud, Mr. Trump threatened in a December 31, 2020, meeting to remove both Mr. Donoghue and Mr. Rosen from their positions, saying: “People tell me
that I should just get rid of both of you, I
should just remove you...Maybe something will
finally get done.”.

(E) Mr. Trump “publicly and privately at-
ttempted to impede Georgia officials” from certi-
fying Georgia’s election results in favor of Jo-
seph Biden, by calling Georgia’s Secretary of
State Brad Raffensperger an “enemy of the
people” for refusing to overturn Georgia’s elec-
tion results and by placing “inappropriate pres-
sure on the Office of the U.S. Attorney for the
Northern District of Georgia” to pursue base-
less voter fraud claims, according to documents
from the 2021 impeachment.

(F) In a June 21, 2022, January 6th
Committee hearing, the Committee played a re-
corded interview with Mike Shirkey, the then-
Republican Majority Leader of the Michigan
State Senate, in which Mr. Shirkey revealed
that he received nearly four thousand text mes-
sages after Mr. Trump publicly disclosed Mr.
Shirkey’s personal cellphone number on Twitter
in an effort to pressure Mr. Shirkey to hold a
vote to decertify the 2020 election results in
Michigan.
(G) After Al Schmidt, former City Commissioner of Philadelphia, said that he believed that there was no significant evidence of voter fraud, Mr. Trump tweeted that Mr. Schmidt “refuse[d] to look at a mountain of corruption and dishonesty”, and Mr. Schmidt and his family members began to receive specific and targeted threats.

(H) In an October 13, 2022, January 6th Committee hearing, the Committee presented a recorded call between Mr. Trump and Secretary Raffensperger in which Mr. Trump told Secretary Raffensperger he wanted to “find 11,780 votes”, which would be “one more than” Mr. Trump would need to prevail against President-Elect Biden. During that same call, Mr. Trump implied that Secretary Raffensperger would potentially face legal consequences if Secretary Raffensperger did not find the votes Mr. Trump requests.

(I) In a recording played in a June 21, 2022, January 6th Committee hearing, Gabriel Sterling, Chief Operating Officer of the Georgia Secretary of State, said that election workers were being directly threatened by those who be-
lieved the results of the election were fraudulent. He said of the violence perpetrated against election workers: “It has to stop. Mr. President, you have not condemned these actions or this language. Senators, you have not condemned this language or these actions. This has to stop. We need you to step up. And if you’re gonna take a position of leadership, show some. My boss, Secretary Raffensperger, his address is out there. They have people doing caravans in front of their house. They’ve had people come on to their property. It has to stop. This is elections. This is the backbone of democracy. And all of you who have not said a damn word are complicit in this.”.

(9) Evidence has shown that on January 6, 2021, Mr. Trump’s intention was to encourage a mob to go to the Capitol to stop the certification, where lawmakers and Mr. Pence were present, including as follows:

(A) At around 1:30 in the morning of December 19, 2020, Mr. Trump sent out a tweet urging his supporters to come to Washington, D.C. on January 6: “be there, will be wild!”.
(B) The January 6th Committee presented evidence in the July 12, 2022, hearing that Mr. Trump’s tweet launched a barrage of activity online, where previously unconnected right-wing extremist groups began coordinating plans to arrive in Washington, D.C. for January 6.

(C) In the same hearing, the January 6th Committee presented evidence that Homeland Security in Washington, D.C. was aware that these violent groups were planning to arrive in the city.

(D) In the same hearing, recorded testimony by Katrina Pierson, former campaign advisor to the Trump Campaign, revealed that she was concerned that these groups may cause trouble at the January 6 rally, and expressed her concerns to Mr. Meadows.

(E) In the same hearing, the January 6th Committee presented evidence that Mr. Trump made last-minute edits to his rally speech to specifically reference Mr. Pence.

(F) Cassidy Hutchinson, former aide to Mr. Meadows, testified in a June 28, 2022, January 6th Committee hearing that the administration was aware that violence was likely
on January 6, 2021, before that date occurred, and made no moves to prevent such violence.

(G) In the same hearing, Ms. Hutchinson testified that on the morning of January 6, the former Chief of Staff was made aware of people with weapons on the National Mall but seemed untroubled.

(H) In the same hearing, Ms. Hutchinson testified that Mr. Trump was furious that the rally area was not at maximum capacity and wanted the magnetometers removed so that attendees with weapons could enter. “They’re not here to hurt me,” Ms. Hutchinson recalled Mr. Trump saying. “Let my people in. They can march to the Capitol from here.”

(I) In an October 13, 2022, January 6th Committee hearing, the Committee presented evidence that revealed the Secret Service was aware that portions of the crowd gathered outside of Mr. Trump’s rally at the Ellipse were armed. Mr. Trump was informed of the likelihood that part of the crowd was armed, but he nevertheless held the rally and instructed the crowd to descend upon the Capitol.
(J) In the June 28, 2022, January 6th Committee hearing, Ms. Hutchinson testified that Mr. Giuliani told her that January 6 would be a “great day” and that Mr. Trump would “look powerful.”

(K) On January 6 at his rally at the Ellipse, Mr. Trump said: “Democrats are trying to steal the White House...[y]ou can’t let it happen. You can’t let it happen”, and that “[T]hey’re not taking this White House. We’re going to fight like hell, I’ll tell you right now.”

(L) Mr. Trump also said on that day: “If Mike Pence does the right thing we win the election...we become president and you are the happiest people...Mike Pence is going to have to come through for us and if he doesn’t, it’s a sad day for our country.”

(M) Mr. Trump also said: “I said something is wrong here, something is really wrong, can’t have happened and we fight, we fight like hell, and if you don’t fight like hell you’re not going to have a country anymore...[W]e are going to try—give our Republicans, the weak ones because the strong ones don’t need any of our help, we’re try—going to try and give them
the kind of pride and boldness that they need to take back our country. So let’s walk down Pennsylvania Avenue.”.

(N) In a June 28, 2022, January 6th Committee hearing, recorded testimony by former White House aides Nick Luna and Max Miller revealed that Mr. Trump was serious in his intention to go to the Capitol with the crowd.

(O) In the same hearing, Ms. Hutchinson also testified that Mr. Trump was furious when informed that he could not go to the Capitol himself. Ms. Hutchinson testified that she was told that Mr. Trump attempted to grab the steering wheel of the car himself to make Secret Service take him to the Capitol.

(P) The January 6th Committee presented evidence in a July 21, 2022, hearing that while the insurrection was occurring, Mr. Trump sat in the White House dining room and watched coverage of the insurrection on Fox News for more than two and a half hours.

(Q) In the same hearing, recorded testimony by Mr. Cipollone revealed that at no point
did Mr. Trump contact or give orders to any law enforcement agencies to intervene.

(R) In the same hearing, recorded testimony by Kayleigh McEnany revealed that Mr. Trump contacted Senators from his place in the dining room, encouraging them to delay the certification.

(S) In the same hearing, recorded testimony by Mr. Cipollone revealed that he, Ivanka Trump, Eric Herschmann, and Mark Meadows, among others, believed Mr. Trump should make a public statement in response to the growing violence at the Capitol. Mr. Cipollone remarked that Mr. Trump could have gone to the White House briefing room to make a statement at any point.

(T) The January 6th Committee presented evidence in the same hearing that Donald Trump, Jr. texted Mr. Meadows on the afternoon of January 6, 2021, saying “He’s got to condemn this shit. Asap. The capitol police tweet is not enough.”. Sean Hannity also texted Mr. Meadows expressing a similar sentiment.

(U) The January 6th Committee presented evidence in the same hearing that Minority
Leader Kevin McCarthy called Mr. Trump directly, urging him to call off the violence. When Mr. Trump refused, Mr. McCarthy reportedly reached out directly to Ivanka Trump and Jared Kushner, asking for assistance.

(V) Mr. Trump, while the insurrection was occurring at the Capitol, told the people who stormed the Capitol via a social media video, “[W]e love you, you’re very special.”

(W) Mr. Trump, on social media referring to the insurrection that occurred at the Capitol, declared: “[t]hese are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away.”

(X) In the June 28, 2022, January 6th Committee hearing, Ms. Hutchinson testified that the former Chief of Staff seemed largely unconcerned about the reports of violence and that Mr. Trump wanted to be alone.

(Y) In the same hearing, Ms. Hutchinson testified that the former Chief of Staff told her that Mr. Trump felt that the former Vice President deserved the “Hang Mike Pence” threats,
and that the protestors were doing nothing wrong.

(Z) In the same hearing, Ms. Hutchinson testified that allies and supporters were urging Mr. Trump to tell the protestors to go home, but he was very reluctant to do so.

(AA) The January 6th Committee presented evidence in the July 22, 2022, hearing that in the hour before the Joint Session reconvened following the end of the violence, Mr. Giuliani called several Republicans in Congress, urging them to delay the certification of the votes.

(10) Evidence shows that Mr. Trump’s team recognized the illegality of their and Mr. Trump’s actions, and that he may have been unfit to serve in office, including as follows:

(A) The January 6th Committee presented evidence in a June 16, 2022, hearing that Mr. Eastman emailed Mr. Giuliani on January 11, 2021, saying: “I’ve decided that I should be on the pardon list, if that is still in the works.”.

(B) Ms. Hutchinson testified in a June 28, 2022, January 6th Committee hearing that members of Mr. Trump’s cabinet were dis-
cussing a potential invocation of the Twenty-fifth Amendment.

(C) Ms. Hutchinson testified in the same hearing that Mr. Giuliani and Mr. Meadows both sought presidential pardons in the days after January 6, 2021.

SEC. 2. INELIGIBILITY OF DONALD J. TRUMP TO HOLD ANY OFFICE UNDER THE UNITED STATES.

Under Section 3 of the Fourteenth Amendment to the Constitution of the United States, Donald J. Trump is ineligible to again hold the office of President of the United States, or to hold any office, civil or military, under the United States.

SEC. 3. NO IMPACT ON EXISTING STATE AND FEDERAL PROCESSES FOR ENFORCING SECTION 3 OF THE FOURTEENTH AMENDMENT.

This Act shall not supersede, foreclose, or impair any local, State, or Federal authority, cause of action, or legal process that can give effect to Section 3 of the Fourteenth Amendment to the Constitution of the United States.