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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. RES. __

Impeaching Peter Brian Hegseth, Secretary of Defense, for high crimes and misdemeanors.

IN THE HOUSE OF REPRESENTATIVES

Mr. MASSIE introduced the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Impeaching Peter Brian Hegseth, Secretary of Defense, for high crimes and misdemeanors.

Resolved, That Peter Brian Hegseth, Secretary of Defense, also referred to as Secretary of War by the Administration, 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 Peter Brian Hegseth, Secretary of Defense, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I: WAGING WAR IN CONTRAVENTION OF THE WAR POWERS RESOLUTION OF 1973 SECTION 2(c)

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct while Secretary of Defense, Peter Brian Hegseth, in violation of his oath to support and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—especially with regard to the commission of war—has abused the powers of the Department of Defense in that:

The Declare War Clause of the United States Constitution - Article I, Section 8, Clause 11 - vests in Congress the exclusive initiatory powers of war, while the Military, Administrative, and Clemency Clause of the United States Constitution - Article II, Section 2, Clause 1 - establishes the President as the Commander-in-Chief of the Armed Forces and vests in him operational control over wars lawfully authorized by Congress. In an effort to statutorily delineate the circumstances under which the President may introduce United States Armed Forces into hostilities absent congressional authorization, the 93rd Congress of the United States enacted into law House Joint Resolution 542, the War Powers Resolution of 1973 (Public Law 93-148), by overriding the veto of President Richard Nixon.

Peter Brian Hegseth, in his capacity as Secretary of Defense, has executed unlawful orders in contravention of Section 2(c) of the War Powers Resolution of 1973, section 1541(c) of title 50, United States Code.

Section 2(c) provides that "the constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces."

The War Powers Resolution further expressly provides that nothing contained therein "shall be construed as granting any

authority to the President" to introduce United States Armed Forces into hostilities which the President would not otherwise possess in the absence of the Resolution. Accordingly, the reporting and termination procedures subsequently established by the Resolution do not themselves constitute affirmative statutory authorization to commence hostilities; rather, the introduction of United States Armed Forces into hostilities must rest upon one of the authorities or circumstances identified in section 2(c) in order for a conflict to be considered lawful.

With respect to United States Armed Forces being entered into hostilities in the Islamic Republic of Iran on February 28, 2026, Secretary Hegseth directed and caused United States Armed Forces to be introduced into hostilities against the Islamic Republic of Iran notwithstanding that—

(1) Congress had not declared war against the Islamic Republic of Iran;

(2) Congress had not enacted any specific statutory authorization for the introduction of United States Armed Forces into hostilities against the Islamic Republic of Iran; and

(3) no national emergency had been created by an attack by the Islamic Republic of Iran upon the United States, its territories or possessions, or its armed forces.

Furthermore, no imminent attack upon the United States, its territories or possessions, or its Armed Forces existed, as affirmed in the March 17, 2026, resignation letter of Joe Kent, then-Director of the National Counterterrorism Center, in which he stated: "I cannot in good conscience support the ongoing war in Iran. Iran posed no imminent threat to our nation."

The introduction of United States Armed Forces into hostilities against the Islamic Republic of Iran therefore satisfied none of the circumstances expressly identified in section 2(c) of the War Powers Resolution and was undertaken, from its inception, without congressional authorization or independent Article II authority, thereby rendering both the initial introduction of United States Armed

Forces into hostilities, and all subsequent actions taken thereafter, unlawful.

Secretary Hegseth nevertheless knowingly executed and implemented the order to commence such hostilities, employing the powers, personnel, weapons, and resources of the Department of Defense to initiate military action against another sovereign nation, in violation of section 1541(c) of title 50, United States Code.

Secretary Hegseth abused the powers of his high office through the following means:

> (1) Executing an unlawful order to commence hostilities despite the absence of a declaration of war, specific statutory authorization, or a national emergency created by an attack upon the United States, its territories or possessions, or its Armed Forces.
>
> (2) Continuing to employ the personnel and resources of the Department of Defense in those hostilities after their unlawful initiation and in the continued absence of any subsequent declaration of war or specific statutory authorization by Congress.

Through these actions, Secretary Hegseth knowingly executed and implemented unlawful orders to initiate war against a foreign nation notwithstanding the absence of congressional authorization, an attack upon the United States giving rise to the national emergency contemplated by law, or an imminent threat requiring immediate defensive action, thereby substituting unlawful executive action for the constitutional and statutory judgment of Congress.

In all of this, Secretary Hegseth has acted in a manner contrary to his trust as Secretary of Defense 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 of America.

Wherefore, Secretary of Defense Peter Hegseth, 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 his duties and the rule of law. Peter Brian

Hegseth 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: WAGING WAR IN CONTRAVENTION OF THE WAR POWERS RESOLUTION OF 1973 SECTION 5(c)

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct while Secretary of Defense, Peter Brian Hegseth, in violation of his oath to support and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—especially with regard to the commission of war—has abused the powers of the Department of Defense in that:

The Declare War Clause of the United States Constitution - Article I, Section 8, Clause 11 - vests in Congress the exclusive initiatory powers of war, while the Military, Administrative, and Clemency Clause of the United States Constitution - Article II, Section 2, Clause 1 - establishes the President as the Commander-in-Chief of the Armed Forces and vests in him operational control over wars lawfully authorized by Congress. In an effort to statutorily delineate the circumstances under which the President may introduce United States Armed Forces into hostilities absent congressional authorization, the 93rd Congress of the United States of America enacted into law House Joint Resolution 542, the War Powers Resolution of 1973 (Public Law 93-148), by overriding the veto of President Richard Nixon.

Secretary Hegseth carried out unlawful orders, and continues to do so, in contravention of Section 5(c) of the War Powers Resolution of 1973, section 1544(c) of title 50, United States Code.

Section 5(c) of the War Powers Resolution of 1973 provides that "at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory

authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution."

With respect to United States Armed Forces being engaged in hostilities in the Islamic Republic of Iran, pursuant to Section 5(c), the House of Representatives and the Senate agreed, by the yeas and nays, to a concurrent resolution directing the President to remove United States Armed Forces from unauthorized hostilities in Iran (House Concurrent Resolution 86 of the 119th Congress). The House agreed to this concurrent resolution on June 3, 2026, and the Senate agreed to it on June 23, 2026, marking the first successful passage of such a legislative vehicle by both chambers of Congress in the history of the United States of America.

In response, and without lawful cause or excuse, Secretary Hegseth continued to direct United States Armed Forces into hostilities with the Islamic Republic of Iran on June 26, 2026, and continues to do so in violation of Section 1544(c) of Title 50, United States Code.

Secretary Hegseth abused the powers of his high office through the following means:

(1) Directing, authorizing, and sustaining hostile United States military actions in Iran after both Chambers of Congress agreed to House Concurrent Resolution 86, thereby disregarding Congress' express and lawful direction that United States Armed Forces be removed from such hostilities.

(2) Failing and refusing to take all necessary steps within his authority as Secretary of Defense to withdraw United States Armed Forces from hostilities in Iran.

(3) Directing the Department of Defense to ignore the duly agreed concurrent resolution, thereby substituting the judgment of the Executive Branch for the constitutional and statutory judgment of Congress and nullifying Congress' exercise of its war powers.

Through these actions, Secretary Hegseth knowingly executed and sustained unlawful orders that treated the Executive Branch as

possessing authority to determine when war may be commenced, how long it may be sustained, and whether Congress' direction to terminate hostilities must be obeyed. By implementing those orders, he effectuated, in practice, the unilateral continuation of military operations against Iran despite Congress' exclusive constitutional authority to declare war and despite Congress' formal action directing the removal of United States Armed Forces from hostilities. This abuse of office frustrated Congress' ability to exercise its most solemn constitutional responsibility, enabled the continuation of an unlawful war, and ignored—and thus nullified—the fundamental safeguard designed to prevent United States Armed Forces from being used at the will of the Executive alone.

In all of this, Secretary Hegseth has acted in a manner contrary to his trust as Secretary of Defense 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, Secretary of Defense Peter Hegseth, 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 his duties and the rule of law. Peter Brian Hegseth 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 III: WAGING WAR IN CONTRAVENTION OF THE WAR POWERS RESOLUTION OF 1973 SECTION 5(b)

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct while Secretary of Defense, Peter Brian Hegseth, in violation of his oath to support and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—especially with regard to the commission of war—has abused the powers of the Department of Defense in that:

The Declare War Clause of the United States Constitution - Article I, Section 8, Clause 11 - vests in Congress the exclusive initiatory powers of war, while the Military, Administrative, and Clemency Clause of the United States Constitution - Article II, Section 2, Clause 1 - establishes the President as the Commander-in-Chief of the Armed Forces and vests in him operational control over wars lawfully authorized by Congress. In an effort to statutorily delineate the circumstances under which the President may introduce United States Armed Forces into hostilities absent congressional authorization, the 93rd Congress of the United States enacted into law House Joint Resolution 542, the War Powers Resolution of 1973 (Public Law 93-148), by overriding the veto of President Richard Nixon.

Secretary Hegseth carried out unlawful orders, and continues to do so, in contravention of section 5(b) of the War Powers Resolution of 1973, section 1544(b) of title 50, United States Code.

Section 5(b) of the War Powers Resolution of 1973 provides that, within 60 calendar days after a report is submitted or is required to be submitted to Congress by the President of the United States upon the Executive introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, whichever is earlier, the Executive "shall terminate any use of United States Armed Forces... unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such 60-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States."

Section 5(b) further provides that, absent a formal congressional declaration of war, specific statutory authorization for the use of military force, or an extension of the 60-day period enacted into law during that period, "such 60-day period shall be extended for not more than an additional 30 days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces."

With respect to United States Armed Forces being entered into hostilities in the Islamic Republic of Iran, and indicating reliance on and fealty to the War Powers Resolution of 1973 as legal justification for entering United States Armed Forces into hostilities with Iran without the initiatory authority of Congress, President Donald J. Trump transmitted, on March 2, 2026, "a letter informing Congress of action taken consistent with the War Powers Resolution, Public Law 93-148, pursuant to 50 U.S.C. 1543(a)(3); Public Law 93-148, Sec. 4(a); (87 Stat. 555) and 50 U.S.C. 1543(b); Public Law 93-148, Sec. 4(b); (87 Stat. 555)," concerning hostilities that had commenced in Iran on February 28, 2026.

In the 60-day period following said transmission, Congress did not enact, and still has not enacted, any declaration or specific statutory authorization for the use of United States Armed Forces in hostilities against Iran or extend the applicable 60-day period by law, despite remaining physically capable of meeting and carrying out its constitutional responsibilities. Moreover, President Donald J. Trump did not submit the written certification required to invoke the additional 30-day withdrawal period by May 1, 2026. Even assuming the President had validly invoked that separate and limited 30-day extension, it would likewise have expired on June 1, 2026.

Without lawful cause or excuse, and despite the Executive's initial observance of the reporting requirements under section 4(a) of the War Powers Resolution, section 1543(a)(3) of title 50, United States Code, through the President's transmission to Congress of a letter acknowledging the commencement of the statutory timeline, Secretary Hegseth continued to direct, authorize, and sustain the use of United States Armed Forces in hostilities in the Islamic Republic of Iran after the expiration of every potentially applicable statutory period. Secretary Hegseth continued such hostilities after the 60-day period expired on May 1, 2026, and after June 1, 2026, the date on which even the maximum possible additional 30-day withdrawal period would have expired, despite the absence of a declaration of war, specific statutory authorization, or extension enacted by Congress.

Secretary Hegseth further contravened the limited purpose of any such additional 30-day withdrawal period by directing United States Armed Forces to continue engaging in hostilities against the Islamic Republic of Iran in a manner calculated not to terminate the unauthorized use of such forces and bring about their prompt removal, but rather to continue prosecuting the war to pursue additional military objectives not authorized by Congress, and has therefore directed the Department of Defense in violation of section 1544(b) of title 50, United States Code.

Secretary Hegseth abused the powers of his high office through the following means:

(1) Directing, authorizing, and sustaining hostile United States military actions in Iran after the expiration of the 60-day period established under section 5(b) of the War Powers Resolution of 1973, despite the absence of a declaration of war, specific statutory authorization, or an extension enacted by Congress.

(2) Continuing to direct and sustain hostilities in Iran in the pursuit of additional military objectives during and after the expiration of any potentially applicable additional 30-day period, notwithstanding that such 30-day period could be used only when required by unavoidable military necessity respecting the safety of United States Armed Forces in the course of bringing about their prompt removal, as certified as necessary by the President of the United States—a certification never transmitted to Congress by President Donald J. Trump pursuant to section 1544(b) of title 50, United States Code.

(3) Failing and refusing to take all necessary steps within his authority as Secretary of Defense to terminate the unauthorized use of United States Armed Forces and promptly withdraw such forces from hostilities in the Islamic Republic of Iran.

(4) Directing the Department of Defense to treat the mandatory termination requirement as discretionary, thereby substituting the judgment of the Executive Branch for the constitutional and statutory judgment of Congress and nullifying the express

command that the unauthorized use of United States Armed Forces "shall" be terminated.

Through these actions, Secretary Hegseth knowingly executed and sustained unlawful orders that, in practice, displaced the constitutional and statutory judgment of Congress by permitting the Executive Branch to determine when war may be commenced, how long it may be sustained, whether statutory deadlines governing unauthorized hostilities must be obeyed, and whether a war may continue after the expiration of every period permitted by law.

In all of this, Secretary Hegseth has acted in a manner contrary to his trust as Secretary of Defense 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, Secretary of Defense Peter Hegseth, 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 his duties and the rule of law. Peter Brian Hegseth 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 IV: IGNORING LAWS THAT MINIMIZE CIVILIAN CASUALTIES

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct as Secretary of Defense and in violation of his constitutional oath to faithfully execute the office of Secretary of Defense 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—especially during the commission of war—Peter Brian Hegseth has abused the powers of the Department of Defense, in that:

Using the powers of his office, Secretary of Defense Peter Hegseth directed the Department of Defense in a manner that resulted in the death or injury of more than 200 civilians at the Shajarah Tayyebeh Elementary School in Minab, Hormozgan Province, Iran. He did so through a scheme or course of conduct that effected the systemic deterioration and removal of Department of Defense infrastructure that Congress had mandated by law to limit collateral damage to civilians and non-military objects during military operations. While doing so, Secretary Hegseth also cultivated a war-making culture at the Department of Defense which he boasts as being dismissive of "stupid rules of engagement" with preference for "maximum lethality, not tepid legality." Such combination chilled and rendered ineffective components of the Department of Defense responsible for preventing, mitigating, and responding to civilian harm. By directing the Department of Defense in a manner that foreseeably dismantled the safeguards necessary to distinguish civilian objects from military objectives, Secretary Hegseth thereby effected the murder of civilians and abused the trust of the men and women under his command by requiring them to conduct military operations within a targeting and legal-review system that he had deliberately degraded. This undermined the integrity and diplomacy of the United States and its Armed Forces. He thus ignored and injured the interests of the Nation.

Secretary Hegseth engaged in this scheme or course of conduct through the following means:

(1) Secretary Hegseth willfully disregarded and acted to defeat the requirements of section 184 of title 10, United States Code, by systematically dismantling civilian-protection infrastructure, in that:

(A) Secretary Hegseth submitted a legislative proposal to Congress on May 29, 2025, requesting a repeal of section 184 of title 10, United States Code—the statutory requirement for civilian protection systems at the Department of Defense—even as Congress had fully funded such systems for FY 2025 and FY 2026, and after Congress did not enact the requested repeal, Army officials nevertheless confirmed that such civilian-harm mitigation activities had been halted.

(B) Secretary Hegseth intentionally stalled and reversed implementation of the Civilian Harm Mitigation and Response Action Plan (CHMR-AP) and rendered ineffective the Civilian Protection Center of Excellence (CP COE), despite it being congressionally mandated by section 1082 of the James M. Inhofe National Defense Authorization Act (Public Law 117-263) and section 936 of the John S. McCain National Defense Authorization Act (Public Law 115-232).

(C) Secretary Hegseth eliminated funding for the Army's casualty-tracking database—the institutional system for recording and verifying civilian harm reports—so that, should civilians be harmed as a result of United States military action, there would be no functioning system within the Department of Defense to review, verify, and report on such harm.

(D) Secretary Hegseth willfully refused to ensure that DOD components received adequate resources to satisfy CHMR requirements, including by removing more than ninety percent of Civilian Harm Mitigation and Response staff assigned to combatant commands.

(E) Secretary Hegseth failed, by the end of fiscal year 2025, to satisfy any of the 11 objectives or complete 133 actions mandated by Congress for the prevention and mitigation of civilian harm during armed conflict, thereby rendering every such component of the Department of Defense's civilian harm prevention apparatus partially or totally ineffective by the time United States military combat operations against Iran began in early 2026.

(2) Secretary Hegseth removed, without reason or cause, the senior-most Judge Advocates General of the Army, Navy, and Air Force—thereby undermining independent legal oversight of combat operations and legal advice to commanders on the law of armed conflict.

(3) Secretary Hegseth promulgated the 2026 National Defense Strategy with all references to civilian protection omitted, marking

a deliberate and unprecedented departure from prior defense policy that had recognized, in accordance with law, civilian harm mitigation as a strategic priority.

(4) Secretary Hegseth, from the outset of his tenure, instigated a departmental culture hostile to the law of armed conflict and the protection of civilians through his public and repeated denigration of rules of engagement as "stupid," "politically correct," and "overbearing," in that:

(A) On September 30, 2025, while addressing the largest assembled gathering of United States generals and admirals in American history, Secretary Hegseth boasted that we, the United States military, "don't fight with stupid rules of engagement."

(B) Upon unlawfully renaming the Department of Defense the Department of War, on September 5, 2025, he poetically proclaimed: "Maximum lethality, not tepid legality. Violent effect, not politically correct."

(C) During his confirmation hearing on January 14, 2025, he told the Senate Armed Services Committee he had "thought very deeply about the balance between legality and lethality, ensuring that the men and women on the frontlines have the opportunity to destroy with and close the enemy, and that lawyers aren't the ones getting in the way."

(5) Secretary Hegseth undermined effective journalistic oversight by expelling the traditional Pentagon press corps and imposing credentialing rules that restricted journalists from soliciting or publishing "unapproved" materials, thereby weakening independent reporting on civilian harm and on matters affecting the welfare and safety of United States service members by journalists most familiar with the Department of Defense.

These actions were not isolated administrative or rhetorical choices. Taken together, they degraded the personnel, institutional systems, independent legal review, and civilian-protection safeguards upon which the Department of Defense relies to verify the current status of proposed targets, distinguish civilian objects from military

objectives, reassess targets as circumstances change, and prevent or mitigate civilian harm.

The foreseeable consequences of Secretary Hegseth's scheme manifested in the United States strike on the Shajarah Tayyebeh Elementary School, which killed and injured more than 200 civilians and exposed systemic failures in the Department of Defense targeting process. The events of that strike, and the reported events leading to it, are as follows:

(1) On the morning of February 28, 2026, at approximately 9:45 a.m. local time, the United States, in partnership with Israel, launched Operation Epic Fury, commencing the 2026 Iran War. Within the first hour of the U.S.-Israeli offensive into southern Iran, three BGM-109 Tomahawk cruise missiles fired from United States Navy warships impacted the elementary school between 10:23 and 10:45 a.m. local time.

(2) Because the war was commenced mid-morning on a Saturday, the first day of the Iranian working week, students were in attendance at the school. Despite an attempted evacuation of the school, at the time of the first cruise missile's impact, between 170 and 264 students were present in the facility, most of whom were girls between the ages of seven and twelve years.

(3) Whereas it is unclear how many casualties were inflicted by the first impact, which caused a partial destruction of the structure and the collapse of its roof, it is reported that students were then sheltered in a prayer room deeper in the facility, waiting for rescuers, when a second and a third missile, in rapid succession, impacted the building.

(4) Reported death tolls from the strikes on the elementary school indicate that at least 156 civilians were killed, with some reports suggesting the civilian death toll surpassed 170. Those killed include at least 120 schoolchildren, 26 teachers, 7 parents attempting to evacuate their children, a school bus driver, a pharmacy technician from a nearby clinic, and the six-month-old unborn child of one of the teachers also killed in the attack. An estimated 95 other individuals were wounded.

Under United States military doctrine and the law of armed conflict, which Secretary Hegseth is obligated to uphold, the lawfulness of an attack does not depend solely upon whether civilians were deliberately selected for the purpose of harming them. The obligations of distinction, target verification, and feasible precaution require military decision-makers to determine in good faith that an object is a lawful military objective on the basis of information reasonably available at the time. A failure to undertake the verification and review required by those obligations may render an attack unlawful, a failure directly caused by Secretary Hegseth's dismantling of key infrastructure designed to prevent such errors. With respect to the strike on the elementary school, those institutional failures manifested in systemic noncompliance with Department of Defense targeting doctrine and legal guidance.

The strike on the elementary school was not an isolated targeting failure divorced from the conduct of the Secretary of Defense, nor can Secretary Hegseth's conduct be dismissed as a single targeting error or isolated failure in the fog of war. The elementary school was struck after Secretary Hegseth sought to repeal congressionally mandated civilian-protection requirements, dismantled the Department's civilian-harm mitigation infrastructure, removed the senior-most Judge Advocates General responsible for independent legal oversight, stripped civilian protection from the National Defense Strategy, and publicly denigrated legal restraints on military force as obstacles to "maximum lethality." He thereby weakened nearly every institutional safeguard designed to minimize civilian casualties inflicted by the United States military, and then presided over a targeting process in which a functioning elementary school was struck three times, killing and wounding more than 200 civilians, mostly children.

Such conduct reflects not merely a failure of judgment, but an extraordinary abuse of the powers entrusted to the Secretary of Defense and a profound disregard for the civilians his Department was obligated to protect and the service members he was entrusted to lead.

In all of this, Secretary Hegseth willfully and systemically refused to comply with laws and directives mandated for the

protection of civilians during the commission of armed conflict, chilled and rendered ineffective such components to prevent and mitigate harm to civilians, and therefore, foreseeably effected the death and injury of over 200 civilians, to the manifest injury of the United States.

Wherefore, Secretary of Defense Peter Hegseth, by such conduct, has demonstrated that he will remain a threat to civilians, the lawful conduct of United States military operations, the integrity and credibility of the United States Armed Forces, and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with his duties and the rule of law. Peter Brian Hegseth 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 V: EXTRAJUDICIAL KILLINGS

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct as Secretary of Defense, Peter Brian Hegseth, in violation of his oath to support and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—especially with regard to the commission of war—has abused the powers of the Department of Defense in that:

Using the powers of his office, Secretary of Defense Peter Hegseth directed the Department of Defense in a manner that resulted in the extrajudicial killings of at least 243 persons aboard seagoing vessels alleged to be smuggling narcotics in the Caribbean Sea and the Eastern Pacific Ocean, principally in international waters. He did so through a scheme or course of conduct that chilled independent legal review within the Department of Defense, constructed a purported legal basis for the use of military force without constitutional or statutory authorization, and displaced longstanding precedent and codified maritime law-enforcement practices that are jurisdictionally assigned to the Coast Guard and law enforcement

agencies, by substituting in such place the use of summary lethal force by Army, Navy, Air Force, or Marine Corps elements. While doing so, Secretary Hegseth also oversaw orders denying quarter and failing to provide rescue, including secondary strikes against shipwrecked survivors, who were hors de combat, and the abandonment of shipwrecked survivors at sea, thereby endangering members of our Armed Forces in future military engagements by encouraging adversaries to subject American service members to the same treatment.

By subjecting persons merely suspected of criminal conduct to lethal military force without judicial process, without congressional authorization, and without establishing a lawful basis for treating such persons or vessels as military targets, Secretary Hegseth arrogated to himself and the Executive Branch the roles of judge, jury, and executioner and asserted a unilateral power to determine who may live and who may die. Such a power is foreign to the rule of law, repugnant to the legal traditions and fundamental values of the United States and the Western world, and contrary to United States law and customary international law. This conduct undermined the integrity and credibility of the United States and its Armed Forces, damaged the diplomatic standing of the United States, and injured the interests of the Nation.

Secretary Hegseth engaged in this scheme or course of conduct through the following means:

> (1) Secretary Hegseth authorized strikes, beginning on September 2, 2025, without authorization from Congress pursuant to Article I, Section 8, Clause 11 of the United States Constitution, and in the absence of a declaration of war, specific statutory authorization for the use of military force, or a national emergency created by an attack upon the United States, its territories or possessions, or its Armed Forces, as provided in chapter 33 of title 50, United States Code.
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> (2) Secretary Hegseth ordered and oversaw the strike campaign against seagoing vessels alleged to be smuggling narcotics in international waters, comprising at least 69

separate attack events—46 in the Eastern Pacific Ocean, 21 in the Caribbean Sea, and 2 in unspecified locations—which at least struck 73 vessels and killed at least 243 individuals. In doing so:

(A) Secretary Hegseth displaced the statutory framework established by sections 70503 and 70504 of title 46, United States Code, under which Congress expressly treated maritime narcotics offenses, including conduct occurring on the high seas, as federal crimes subject to apprehension, prosecution, and trial in an appropriate United States district court, and instead treated such offenses as predicates for lethal military targeting.

(B) Secretary Hegseth disregarded the statutory restrictions in sections 274 and 275 of title 10, United States Code, governing direct participation by members of the Army, Navy, Air Force, or Marine Corps in civilian law enforcement activities, including federal narcotics enforcement, by employing lethal military force against persons suspected of drug trafficking absent any congressionally enacted authorization for the use of military force or other statutory authorization for such direct military action.

(C) Secretary Hegseth disregarded the maritime law-enforcement framework established by sections 102 and 522 of title 14, United States Code, as well as section 279 of title 10, United States Code, under which only the Coast Guard is authorized to conduct interdiction, search, seizure, and arrest, and he did so by directing members of the Army, Navy, Air Force, or Marine Corps to employ lethal military force in place of the law-enforcement processes.

(3) Secretary Hegseth established targeting guidelines for such strikes on August 5, 2025, by issuing an Execute Order (EXORD) directing the use of United States military force against persons alleged to be members or affiliates of certain "Designated Terrorist Organizations" (DTOs) as follows:

(A) Secretary Hegseth established guidelines that:

(i) used "Designated Terrorist Organizations" as a targeting category, notwithstanding that term is not a congressionally created designation conferring authority to use military force;

(ii) did not require positive identification of any targeted person but instead required only "reasonable certainty" that such person was a member or affiliate of a DTO, a threshold lower than the "near certainty" standard established for drone strikes on suspected al-Qaeda militants during the congressionally authorized Global War on Terror; and

(iii) did not require the presence of weapons or narcotics on targeted vessels alleged to be smuggling narcotics in association with a DTO.

(4) Secretary Hegseth, in the course of such strikes, oversaw orders resulting in the denial of quarter to, and the failure to provide timely rescue for, shipwrecked survivors of initial strikes, including:

(A) On September 2, 2025, during the first strike of the campaign, the United States Navy attacked a seagoing vessel carrying 11 persons between the coast of Venezuela and the nearby Caribbean nation of Trinidad and Tobago. The strike destroyed and capsized the vessel. Approximately 45 minutes later, while two survivors clung to the wreckage, a secondary strike was ordered, killing both survivors. In doing so, Secretary Hegseth has endangered members of our Armed Forces in future military engagements by encouraging adversaries to subject American service members to the same treatment; and

(B) On December 30, 2025, United States Southern Command attacked three vessels approximately 400 nautical miles southwest of Ocos, Guatemala, in the Eastern Pacific Ocean, killing 3 persons and leaving 8 others shipwrecked. Although the campaign had been underway for approximately four months, no recovery assets had been prepositioned to rescue survivors. Rescue assets did not arrive until approximately 45 hours after the strikes, by which time all 8 shipwrecked survivors had died at sea. In doing so, Secretary Hegseth has endangered members of our Armed Forces in future military engagements by encouraging adversaries to subject American service members to the same treatment.

(5) Secretary Hegseth took actions to preempt, constrain, and overcome independent legal objections within the Department of Defense concerning the lawfulness of such strikes, including:

(A) Secretary Hegseth removed the senior-most Judge Advocates General of the Army, Navy, and Air Force without stating a reason or cause, thereby foreseeably chilling the exercise of independent legal judgment by judge advocates tasked with advising military commanders on the lawfulness of combat operations, and subsequently stating at a Pentagon Press conference on February 25, 2025, that he did not want military lawyers to serve as "roadblocks to orders that are given by a commander in chief."

(B) Secretary Hegseth employed an interagency group of lawyers, comprising four career officials and four political appointees from the Department of Defense, the Office of the Joint Chiefs of Staff, the Central Intelligence Agency, the White House,

and the Office of Legal Counsel, to develop a classified memorandum purporting to establish a legal basis for such strikes and to address anticipated objections to their execution, falsely asserting the following:

> (i) the United States is engaged in a non-international armed conflict (NIAC) with 24 Latin American Designated Terrorist Organizations (DTOs), thereby attempting to displace the governing law-enforcement framework, as established in paragraph (2), and substitute an armed-conflict framework for the conduct of military operations against such organizations, despite the absence of congressional authorization for such military action, notwithstanding that—
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> > (I) pursuant to *Little v. Barreme* (1804), and *Utility Air Regulatory Group v. EPA* (2014), an Executive Branch legal memorandum cannot enlarge authority conferred by Congress or legalize conduct otherwise unauthorized by statute;
>
> (ii) the strikes do not constitute "hostilities" within the meaning of chapter 33 of title 50, United States Code, because they do not place United States personnel in danger, presumptively on the basis that such vessels are incapable of self-defense—a predicate that would likewise mean that any military action conducted by drone, or any airstrike against a target lacking air-defense capabilities, could also not constitute "hostilities"; and
>
> (iii) the DTOs are engaged in armed violence against the security forces of allied nations,

> including Mexico, and such violence is financed through cocaine trafficking, such that the strikes may be characterized as attacks against cocaine shipments and the deaths of persons aboard targeted vessels as collateral damage – a rationale inconsistent with the EXORD targeting guidelines described in paragraph (3), which did not require narcotics to be present aboard a targeted vessel and instead authorized targeting based on alleged DTO membership or affiliation.

Secretary Hegseth abused the authority and trust vested in him as Secretary of Defense not only by directing the unlawful use of lethal military force, resulting in the summary execution of at least 243 persons in international waters, but also by using his office to compel members of the Armed Forces to carry out such operations under false legal authorities that he caused to be constructed and imposed upon the chain of command. In denying quarter and refusing rescue, Secretary Hegseth endangered members of the United States Armed Forces in future military engagements by encouraging adversaries to subject American service members to such treatment.

Secretary Hegseth further endangered United States law-enforcement personnel by substituting lethal military targeting for the established maritime law-enforcement practices of interdiction, search, seizure, arrest, and prosecution. By demonstrating that vessels merely suspected of narcotics trafficking may be destroyed and their occupants killed rather than interdicted and arrested, Secretary Hegseth foreseeably increased the likelihood that persons aboard such vessels will perceive future encounters with United States authorities as threats to their lives and respond with lethal force rather than surrender. In this manner, his conduct not only endangered the persons unlawfully targeted by the strike campaign but also made lawful enforcement of United States narcotics laws at sea more dangerous for the Coast Guard and other federal personnel charged with carrying them out.

In all of this, Secretary Hegseth has acted in a manner contrary to his trust as Secretary of Defense 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 of America.

Wherefore, Secretary of Defense Peter Hegseth, by such conduct, has demonstrated that he will remain a threat to civilians and the laws of war, the integrity of United States diplomacy, and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with his duties and the rule of law. Peter Brian Hegseth 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 VI: SUPPRESSING FREE SPEECH

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct while Secretary of Defense, Peter Brian Hegseth, in violation of his oath to support and defend the Constitution of the United States and to faithfully discharge the duties of his office, abused the powers entrusted to him by retaliating against a Member of Congress for constitutionally protected speech and attempting to subject a member of a coordinate branch of government to Executive Branch punishment for the exercise of his legislative and oversight responsibilities, in that:

On November 18, 2025, Senator Mark Kelly, a retired United States Navy Captain and National Aeronautics and Space Administration (NASA) astronaut who flew 39 combat missions during the First Gulf War, and who sits on the Senate Armed Services Committee and the Senate Intelligence Committee, appeared in his official capacity as a Senator in a video addressed to members of the United States Armed Forces, stating: "Our laws are clear. You can refuse illegal orders."

Despite such a statement being consistent with decisions in *United States v. Keenan* (1969), and *United States v. Calley* (1973),

Secretary Hegseth weaponized the Department of Defense to retaliate against and intimidate Senator Mark Kelly for such a statement. Secretary Hegseth did so despite the fact that Senator Kelly is a sitting United States Senator who cannot fulfill his role in representative government if he fears Executive Branch reprisals for expressing his views. As the Supreme Court held in *Bond v. Floyd* (1966), "representative government requires that legislators be given the widest latitude to express their views on issues of policy." Members of Congress, moreover, enjoy Speech or Debate immunity under Article I, Section 6, Clause 1 of the United States Constitution, and Senator Kelly, as a retired service member, is entitled to the full breadth of First Amendment protection.

Using the powers of his office, Secretary Hegseth retaliated against and sought to intimidate United States Senator Mark Kelly for his statement through a scheme or course of conduct intended to interfere with Congress' constitutional authority to oversee the Executive Branch, grossly expand Article II powers at the expense of both the Legislative and Judicial Branches of government, and establish a precedent that would chill the protected speech of millions of retired United States service members and inflict irreparable harm upon their First Amendment freedoms.

Secretary Hegseth engaged in this scheme or course of conduct through the following means:

(1) On November 24, 2025, the Department of Defense, through a social media post on X, threatened that Senator Mark Kelly could be "recall[ed] to active duty for court-martial proceedings or administrative measures" for his statement.

(2) On November 25, 2025, Secretary Hegseth directed the Secretary of the Navy to review Senator Kelly.

(3) On January 5, 2026, Secretary Hegseth issued a Secretarial Letter of Censure against Senator Kelly for:

(A) saying, "You can refuse illegal orders";

(B) saying he would "ALWAYS defend the Constitution";

(C) questioning the legality of military operations as a member of the Senate Armed Services and Intelligence Committees;

(D) criticizing military leadership (Hegseth) for surrounding themselves (himself) with "yes men"; and

(E) allegedly accusing Secretary Hegseth of war crimes.

(4) In the Letter of Censure, Secretary Hegseth also threatened Senator Kelly with "criminal prosecution or further administrative action," including the reduction of Senator Kelly's retired military grade should the Senator continue to question the legality of military operations or criticize Secretary Hegseth.

(5) In response to a January 12, 2026, complaint filed by Senator Mark Kelly against Secretary Hegseth for retaliating against and intimidating the Senator for his First Amendment-protected speech, Secretary Hegseth filed a memorandum of opposition to Senator Kelly's motion for a preliminary injunction, egregiously asserting:

(A) Senator Kelly, as a retired naval officer, has diminished First Amendment protections;

(B) Department of Defense actions against Senator Kelly's constitutional rights, due to his statements relating to military affairs, and his being a retired naval officer, constitute nonjusticiable military personnel decisions;

(C) Secretary Hegseth's opinions supersede the court's jurisdiction to determine whether the government could censure, threaten, and financially punish Senator Kelly because of his speech; and

(D) Senator Kelly is required to exhaust military administrative remedies before seeking relief in an Article III court, thereby seeking to place the adjudication

of Senator Kelly's constitutional rights within military processes controlled by the Executive Branch.

Thus, in addition to abusing the powers of the office of Secretary of Defense for politically motivated reprisal against Senator Kelly for the Senator's criticism of conduct implicating potential war crimes, Secretary Hegseth grossly violated, or sought to violate, the separation of powers by attempting to subordinate both the Legislative and Judicial Branches, in matters concerning constitutional rights, to the authority of the Department of Defense. In the same effort, Secretary Hegseth sought, without precedent, to extend to retired service members the diminished First Amendment protections applicable to active-duty service members under *Parker v. Levy* (1974), including retired service members serving in Congress and exercising constitutional oversight over the military. He further asserted, in substance, that the military, rather than Article III courts, possesses supremacy to determine the constitutional rights of civilians and to adjudicate whether its own actions conform to the Constitution and laws of the United States, at minimum with respect to the speech of retired service members, despite such position being in flagrant conflict with *Marbury v. Madison* (1803), which holds that "it is emphatically the province and duty of the judicial department to say what the law is," not the military.

The result of such effort, had Secretary Hegseth been successful, would have subjected the speech and congressional oversight activities of nearly twenty percent of the current Congress—and whatever proportion of future Congresses may consist of retired service members—as well as the speech of millions of other retired service members, to the will and discretion of the Department of Defense, without any immediate avenue of recourse outside the Department to vindicate their constitutional rights. Such a result would constitute one of the most extraordinary expansions of Executive Branch power in the history of the United States.

In all of this, Secretary Hegseth abused the powers of the Department of Defense by retaliating against and attempting to intimidate a sitting United States Senator through threats of punishment for speech protected by the First Amendment to the United States Constitution, in an effort to deter that Senator from

fulfilling his constitutional role in overseeing the Executive Branch. In doing so, Secretary Hegseth weaponized the Department of Defense to chill a core function of the Legislative Branch, encroach upon the constitutional role of the Judicial Branch by seeking to insulate such retaliation from meaningful judicial review, and, through the precedent he sought to establish, place the First Amendment rights of millions of United States veterans at risk of irreparable harm.

Wherefore, Secretary of Defense Peter Hegseth, by such conduct, has demonstrated that he will remain a threat to the Constitution and the separation of powers if allowed to remain in office, and has acted in a manner grossly incompatible with his duties, the rule of law, and the constitutional liberties entrusted to his protection. Peter Brian Hegseth 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 VII: KIDNAPPING OF A SOVEREIGN FOREIGN LEADER

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "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 Secretary of Defense—and in violation of his constitutional oath to faithfully execute the office of Secretary of Defense 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—especially during the commission of war—Peter Brian Hegseth has abused the powers of the Department of Defense, in that:

Using the powers of his office, Secretary of Defense Peter Hegseth directed the Department of Defense to carry out an unprecedented military operation—code-named ABSOLUTE RESOLVE—to capture and kidnap President Nicolás Maduro, the leader of the Bolivarian Republic of Venezuela, and his wife, Cilia Flores, from Venezuela—an act of war against a sovereign country executed under the guise of narcotics law enforcement, though in

actuality intended to assert U.S. control over Venezuela's oil reserves. In doing so, he gambled the lives of Army, Navy, Air Force, and Marine Corps personnel in order to facilitate the illegal taking of national oil. To wit, immediately following such attack, Secretary Hegseth appeared alongside President Donald J. Trump, during which the President announced in reference to Venezuela, "We're going to run the country until such time as we can do a safe, proper, and judicious transition. So, we don't want to be involved with, uh, having somebody else get in. And we have the same situation that we had... we're going to run it, essentially"; and "We're going to have our very large United States oil companies, the biggest anywhere in the world, go in... and start making money... and we are ready to stage a second and much larger attack if we need to do so," thus, revealing the motives behind the forcible removal of President Maduro, which extended far beyond the narcotics-law-enforcement rationale on which the operation was falsely predicated.

On January 3, 2026, Secretary Hegseth directed United States Armed Forces into hostilities in and around Caracas, Venezuela, employing more than 200 United States special operations personnel on the ground and more than 150 aircraft and drones, including fighter aircraft, bombers, armed helicopters, and electronic warfare aircraft, supported by a substantial naval force that included the *Iwo Jima* Amphibious Ready Group and the *Gerald R. Ford* Carrier Strike Group, which together penetrated Venezuelan territory, suppressed and destroyed Venezuelan air defenses, struck multiple targets in the Caracas area, inserted an armed ground force into Caracas to seize Maduro, successfully kidnapped Maduro, killed at least 83 people, including several civilians, and caused 7 American casualties. In doing so:

> (1) Secretary Hegseth executed unlawful orders effecting the removal of the President of a sovereign nation, placed boots on the ground, conducted preparatory bombardments, inflicted substantial casualties, and subsequently caused regime change, each of which constitutes acts of war;
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> (2) Secretary Hegseth executed unlawful orders violating Article I, Section 8, Clause 11 of the United States Constitution by—

(i) ordering United States Armed Forces to commit an act of war against Venezuela without a declaration of war by Congress against such nation; and

(ii) making rules concerning Captures on Land, a power specifically vested in Congress, where Congress had made no rules authorizing or otherwise applicable to such operation; and

(3) Secretary Hegseth executed unlawful orders in contravention of Section 2(c) of the War Powers Resolution of 1973, section 1541(c) of title 50, United States Code, by entering United States Armed Forces into hostilities in Venezuela on January 3, 2026, without a declaration of war, a specific statutory authorization, or a national emergency created by attack upon the United States, its territories or possessions, or its Armed Forces.

Through these actions, Secretary Hegseth knowingly directed United States Armed Forces into hostilities against a sovereign foreign nation without clear constitutional or specific statutory authority, employing military force of a nature and magnitude rising to the level of constitutional war. In doing so, Secretary Hegseth usurped Congress's constitutional authority over war and transformed the Department of Defense into an instrument for objectives extending far beyond the apprehension of Nicolás Maduro for purposes of narcotics law enforcement, including regime change and the acquisition of foreign oil.

In all of this, Secretary Hegseth abused the powers of the Department of Defense, violated the laws and treaty obligations of the United States, and subordinated the constitutional allocation of war powers to Executive objectives neither authorized nor approved by Congress.

Wherefore, Secretary of Defense Peter Hegseth, by such conduct, has demonstrated that he will remain a threat to the Constitution and the wellbeing of United States military personnel if allowed to remain in office, and has acted in a manner grossly incompatible with his duties and the rule of law. Peter Brian Hegseth

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 VIII: UNLAWFUL WAR IN YEMEN

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that civil officers of the United States, including the Secretary of Defense, "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." In his conduct while Secretary of Defense, Peter Brian Hegseth, in violation of his oath to support and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—especially with regard to the commission of war—has abused the powers of the Department of Defense in that:

Using the powers of his office, Secretary of Defense Peter Hegseth directed the Department of Defense in a manner leading to the deaths of an estimated 224 civilians, as well as approximately 500 to 600 Houthi fighters, through the initiation and direction of Operation Rough Rider. The operation comprised more than 1,100 strikes against targets in Yemen over approximately 52 days. In less than eight weeks, there were nearly as many civilian deaths in Yemen as United States military actions had caused in that country during the preceding twenty-three years. Secretary Hegseth initiated and directed these hostilities in the absence of any of the predicates required in section 2(c) of the War Powers Resolution of 1973 for the President to introduce United States Armed Forces into hostilities. Moreover, Secretary Hegseth acknowledged the absence of any imminent threat to the United States, further undermining any assertion of Article II authority to initiate such hostilities without congressional authorization.

Secretary Hegseth initiated and directed Operation Rough Rider without congressional authority pursuant to Article I, Section 8, Clause 11 of the United States Constitution, or statutory authorization, in that:

(1) Secretary Hegseth executed unlawful orders in contravention of Section 2(c) of the War Powers Resolution of 1973, section

1541(c) of title 50, United States Code, by entering and sustaining United States Navy and Air Force personnel into hostilities in Yemen between March 15 and May 6, 2025, without a declaration of war, a specific statutory authorization, or a national emergency created by attack upon the United States, its territories or possessions, or its Armed Forces.

(2) Secretary Hegseth executed unlawful orders in contravention of section 4(a) of the War Powers Resolution of 1973, section 1543(a) of title 50, United States Code, by continuing to direct United States Armed Forces into hostilities in Yemen after March 17, 2025, despite the President of the United States having failed to notify Congress of such hostilities within 48 hours of their commencement, as required by section 4(a), and notwithstanding that the President did not transmit such a report to Congress until March 28, 2025, thereby further undermining any possible Article II authority for the continued hostilities, especially during such 13-day period.

(3) Outside of the requirements to engage in hostilities pursuant to the War Powers Resolution of 1973, Secretary Hegseth directed Operation Rough Rider in the absence of any imminent threat requiring military action without prior congressional authorization, as evidenced by a leaked Signal chat involving Secretary Hegseth, concerning the potential execution of Operation Rough Rider, in which:

> (A) Several senior United States government officials, including Secretary Hegseth, each possessing unfettered access to military and intelligence information, advised there was no immediate need to enter United States Armed Forces into hostilities in Yemen, thereby asserting there was no imminent threat to the United States, its possessions or territories, or its Armed Forces, as indicated through the following communications:
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> > (i) Vice President JD Vance stating, "there is a strong argument for delaying [Operation Rough Rider] a month";

(ii) then-Acting Chief of Staff to the National Security Advisor Joe Kent stating, "There is nothing time sensitive driving this timeline. We'll have the exact same options in a month";

(iii) Central Intelligence Agency Director John Ratcliffe stating, "a delay would not negatively impact us and additional time would be used to identify better starting points for coverage on Houthi leadership";

(iv) addressing the timing of Operation Rough Rider, Secretary Hegseth stated, "we can easily pause"; and

(v) addressing the Vice President's concerns regarding Operation Rough Rider's immediate commencement, Secretary Hegseth stated, "VP: I understand your concerns… 2 immediate risks on waiting: 1) this leaks and we look indecisive; 2) Israel takes action first – or Gaza cease fire falls apart – and we don't get to start this on our own terms… This is not about the Houthis [it's about] [r]eestablish[ing] deterrence, which Biden cratered."

Thus, Secretary Hegseth knew there was no imminent threat to the United States, its territories or possessions, or its Armed Forces, as, had such a threat existed, there would have been no basis for him to state that "we can easily pause." Moreover, the only 'immediate risks' identified by Secretary Hegseth concerned media optics and Israeli affairs, rather than the direct affairs of the United States of America, the nation to which his oath is sworn.

In all of this, Secretary Hegseth abused the powers entrusted to him as Secretary of Defense by subordinating the constitutional limits on the use of military force and the laws governing the conduct of hostilities to his own policy objectives, notwithstanding his knowledge that no imminent threat to the United States existed, and demonstrated a profound disregard for civilian life, the rule of law,

the constitutional authority of Congress, and his duty to ensure the lawful conduct of the United States Armed Forces.

Wherefore, Secretary of Defense Peter Hegseth, by such conduct, has demonstrated that he will remain a threat to civilians, the lawful conduct of United States military operations, the integrity and credibility of the United States Armed Forces, and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with his duties and the rule of law. Peter Brian Hegseth 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.
