

Talking Points Regarding US Senate Impeachment Trial Memo

1. Serious legal questions exist as to whether Congress can impeach a non-sitting president under Article 2 Section 4. Section 4 provides remedy of removal of “President, Vice President and all civil Officers”, meaning civil servants currently holding office.
2. Serious legal questions exist as to whether Congress can impeach a non-sitting president under Article 1 Section 3.
3. Article 1 Section 3 clearly states when the President of the United States is tried for impeachment, the Chief Justice of the Supreme Court shall preside not the Senate Pro Tempore.
4. The Democrats unconstitutional and “sham” impeachment is merely the attempt of about 50 US Senators limiting 74 million American’s choice for a future Presidential candidate.
5. The Democrats unconstitutional and “sham” impeachment if successful would provide a new procedure to impeach previous Presidents and perhaps future Presidential candidates.
6. President Trump did not incite any violence or any illegal behavior toward government on January 06, 2021.
7. President Trump while delivering his January 6 speech said,

“I know that everyone here will soon be marching over to the Capitol building to peacefully in patriotically make your voices heard.”

President Trump urged his supporters to participate in constitutional-protected free speech and to petition our government for a redress of grievances provided for in the 1st Amendment.

8. President Trump has said that he wanted Congress to do the right thing and only count the electors who had been lawfully slated.
9. President Trump said regarding the Republican members in Congress: *“if they know fight we will have to primary the hell out of them the ones that don't fight. You primary them. We're going to let you know who they are.”* **Urging members of**

his party to vote his way or will primary those voter those members does not mean insurrection in any manner or fashion.

Speech Transcript:

Donald Trump: (13:45)

The weak Republicans, and that's it. I really believe it. I think I'm going to use the term, the weak Republicans. You got a lot of them, and you got a lot of great ones, but you got a lot of weak ones. They've turned a blind eye even as Democrats enacted policies that chipped away our jobs, weakened our military, threw open our borders and put America last. Did you see the other day where Joe Biden said, "I want to get rid of the America first policy." What's that all about, get rid of ...? How do you say, "I want to get rid of America first?" Even if you're going to do it, don't talk about it. Unbelievable, what we have to go through, what we have to go through and you have to get your people to fight. If they don't fight, we have to primary the hell out of the ones that don't fight. You primary them. We're going to let you know who they are. I can already tell you, frankly.

10. President Trump never once called for any of his MAGA supporters on January 6, 2021 (or any other time for that matter) to commit any illegal behavior including the unlawful breach and vandalism of the Capitol.

Speech Transcript:

Donald Trump: (01:12:43)

So we're going to, we're going to walk down Pennsylvania Avenue, I love Pennsylvania Avenue, and we're going to the Capitol and we're going to try and give... The Democrats are hopeless. They're never voting for anything, not even one vote. But we're going to try and give our Republicans, the weak ones, because the strong ones don't need any of our help, we're going to try and give them the kind of pride and boldness that they need to take back our country.

Donald Trump: (01:13:19)

So let's walk down Pennsylvania Avenue. I want to thank you all. God bless you and God bless America. Thank you all for being here, this is incredible. Thank you very much. Thank you.

www.DavesPaper.com

www.DavesPaper.com/call-to-action for additional resources.

editor@davespaper.com with comments, suggestions or questions.

