

117TH CONGRESS  
1ST SESSION

# S. RES. 16

To provide for related procedures concerning the article of impeachment  
against Donald John Trump, President of the United States.

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IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2021

Mr. SCHUMER submitted the following resolution; which was considered and  
agreed to

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## RESOLUTION

To provide for related procedures concerning the article of  
impeachment against Donald John Trump, President of  
the United States.

1       *Resolved*, That—

2               (1) pursuant to rules III and IV of the Rules  
3               and Procedures and Practice When sitting on Im-  
4               peachment Trials, on Tuesday, February 9, 2021,  
5               the Senate shall proceed to the consideration of the  
6               article of impeachment and that the Secretary of the  
7               Senate shall notify the House of Representatives of  
8               the time and place fixed for the Senate to proceed  
9               upon the impeachment of Donald John Trump in  
10              the Senate Chamber;

1           (2) under rule VIII of the Procedure and  
2 Guidelines for Impeachment Trials in the United  
3 States Senate—

4           (A) the summons shall be issued in the  
5 usual form to Donald John Trump, provided  
6 that he may have until 12:00 pm on Tuesday,  
7 February 2, 2021, to file his answer with the  
8 Secretary of the Senate;

9           (B) the House of Representatives may  
10 have until 12:00 pm on Monday, February 8,  
11 2021, to file its replication with the Secretary  
12 of the Senate;

13           (C) if the House of Representatives wishes  
14 to file a trial brief, it shall be filed by 10:00 am  
15 on Tuesday, February 2, 2021;

16           (D) if Donald John Trump wishes to file  
17 a trial brief, it shall be filed by 10:00 am on  
18 Monday, February 8, 2021; and

19           (E) the House of Representatives may file  
20 a rebuttal brief no later than 10:00 am on  
21 Tuesday, February 9, 2021;

22           (3) the Senate directs the parties, in addition to  
23 addressing the charge of incitement of insurrection  
24 in the Article of Impeachment approved by the  
25 House on January 13, 2021, to address in their trial

1       briefs whether Donald John Trump is subject to the  
2       jurisdiction of a court of impeachment for acts com-  
3       mitted as President of the United States, notwith-  
4       standing the expiration of his term in said office;  
5       and

6               (4) the Senate directs the parties to be pre-  
7       pared to address at the commencement of the trial  
8       on February 9, 2021, whether Donald John Trump  
9       is subject to the jurisdiction of a court of impeach-  
10      ment for acts committed as President of the United  
11      States, notwithstanding the expiration of his term in  
12      said office.

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