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GROUND TRUTH
What is Impeachment?

In their rush to remove the duly elected President of the United States, Democrats have forgotten to articulate the standards required by the U.S. Constitution to impeach the President. To assist in explaining impeachment, please find a helpful Q and A below:

Q: What Is Impeachment?

Impeachment is a political tool for the U.S. Congress to begin the removal of the sitting President. Specifically, Article II, Section 4 of the U.S. Constitution states:

“The President, Vice President and all Civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

Q: How does the Impeachment process work?

The U.S. Constitution provides a framework for impeaching and removing the President.

The process starts in the House of Representatives.

The House will vote on articles of impeachment, which will lay out all of the offenses of “Treason, Bribery, or other high Crimes and Misdemeanors.” The House of Representatives will vote on the articles, with passage requiring a simple majority vote. Given there are 435 Members of the House Representatives, this means articles of impeachment can pass out of the House with 218 Members voting in favor.

The Senate has the power to try impeachments, with the Chief Justice of the United States presiding over the proceedings and every Senator sitting as a juror. The articles of impeachment, as voted out of the House of Representatives, will be presented in the Senate, and the Senate will deliberate whether such articles call for the removal of the President. For the Senate to remove the President from office, two-thirds of the Senate must vote in favor of removal.

Q: How many times has the House of Representatives impeached the President of the United States?

In the history of our Republic, the House of Representatives has only impeached two sitting Presidents: President Andrew Johnson in 1868 and President Bill Clinton in 1998.

Although the House of Representatives initiated impeachment proceedings against President Richard Nixon, the House never formally voted on the articles of impeachment due to President Nixon's resignation in August 1974.

Q: Has the Senate ever voted to remove the President of the United States?

Despite the House of Representatives impeaching President Johnson and President Clinton, the Senate did not have the requisite votes to remove either president.

Q: What does “high Crimes and Misdemeanors” mean?

Unfortunately, “high Crimes and Misdemeanors” is not defined in the Constitution.

During our Founders' debates on the subject of including impeachment in the Constitution, the words “high Crimes and Misdemeanors” replaced the language “maladministration” likely due to adding a sense of gravity to the Congress removing the sitting president from office for more than just being bad at the job.

In the Federalist No. 65, Alexander Hamilton stated that impeachment stems from “the misconduct of public men, or in other words, from the abuse or violation of some public trust.” Importantly, in Hamilton's words, such abuse or violation of public trust is “done immediately to the society itself.” Again, Hamilton emphasized that impeachment goes beyond Congress not liking the President or thinking the President is not good at the job – it must mean something more than political disagreement.

Q: Is it normal for the House Permanent Select Committee on Intelligence (HPSCI) to take the lead in an impeachment investigation?

Absolutely not. In the Nixon and Clinton impeachment investigations, the House Judiciary Committee appropriately carried the weight of the impeachment proceedings. The reason for HPSCI's involvement is, unfortunately, of a political nature.

Chairman Adam Schiff spent the good part of the past three years decrying President Trump as colluding with the Russian government to win the 2016 U.S. presidential election. The reason for such an outcry was likely because Chairman Schiff anticipated a position in a Hillary Clinton Administration and was upset that the American people elected Donald J. Trump to be President in 2016.

Earlier this year, Special Counsel Robert Mueller released his report on Russian active measures targeting the 2016 U.S. presidential election. Although highly anticipated by Democrats, most of all by Chairman Schiff, the Mueller Report was a colossal disappointment to those who sought to overturn the results of the 2016 U.S. presidential election. The Mueller Report clearly states that neither President Trump nor his campaign colluded with the Russians in 2016, despite years of Chairman Schiff's baseless accusations.

Shortly after Chairman Schiff's disastrous public hearing with Special Counsel Mueller in July 2019, Chairman Schiff and/or his staff communicated with the whistleblower who filed the complaint against President Trump regarding the President's routine diplomatic phone call with Ukrainian President Zelenskyy. Despite the substance of the July 25 call having no nexus to intelligence or intelligence-related matters, the matter found itself in the hands of none other than Chairman Schiff.

After anonymous leaks to the press regarding the substance of the complaint, along with Chairman Schiff lying to the American people regarding his and/or his staff's communication with the whistleblower, Speaker Nancy Pelosi announced the opening of an "impeachment inquiry" on September 24, 2019, naming Chairman Schiff as leading such an effort due to his need to rehabilitate his reputation in the wake of the Mueller affair.

Given the classified nature of HPSCI's normal work, Chairman Schiff was able to lead an "impeachment inquiry" from his classified spaces in the basement of the U.S. Capitol. From there, Chairman Schiff held unclassified depositions and interviews, prevented transcript releases for weeks, all while selective leaks occurred that spun a narrative negative to President Trump.

Rather than handing the matter over to the House Judiciary Committee and affording the President the same due process as Presidents Clinton and Nixon, House Democrats chose to let Chairman Schiff continue his inquisition in the public sphere, prohibiting the President from letting his counsel ask questions and ultimately cutting out the House Judiciary Committee from its appropriate role in an impeachment investigation.

Q: Did President Trump commit an impeachable offense?

Unequivocally, no.

Despite House Democrats hyperbole and hysteria, President Trump's July 25 phone call with President Zelenskyy does not reach the Constitutional requirement of "high Crimes and Misdemeanors."

While some Members of Congress may disagree with the President regarding his rhetoric on the call, disagreements on how the President conducts foreign policy is not an impeachable offense. There is no evidence that President Trump withheld U.S. military assistance or a meeting in the Oval Office in exchange for "dirt" on his 2020 opponents, and many of the witnesses used by Chairman Schiff to make his arguments for impeachment lack firsthand knowledge of the call and circumstances surrounding the call. Most importantly, the Ukrainians did not know U.S. military assistance was temporarily paused until sometime in August, and on September 11, 2019, the United States released the aid despite no Ukrainian investigations into President Trump's political rivals.

These facts simply do not support impeaching and removing President Trump from office. If the American people decide they do not agree with President Trump's rhetoric, they have the opportunity to choose a new leader in less than a year.

Q: Despite the absence of an impeachable offense, what happens if House Democrats decide to impeach President Trump anyway?

If House Democrats vote to impeach President Trump, the Senate will initiate a trial to determine whether they should remove President Trump from office.

Q: Why do Democrats want to remove President Trump from office less than a year before the 2020 U.S. presidential election?

Much like Chairman Schiff's anger at the results of the 2016 U.S. presidential election, Democrats cannot fathom why the American people chose Donald Trump as President in 2016. Democrats are afraid that, given the rise of radical socialism in their own party, the American people will choose to keep President Trump in office in 2020.

Rather than risk voters re-electing President Trump, Speaker Pelosi, Senate Minority Leader Chuck Schumer, and Chairman Adam Schiff would rather impeach and remove President Trump than allow the American voter to exercise his or her constitutional rights.