

U.S. House Committee on
THE JUDICIARY
CHAIRMAN JERROLD NADLER

(/)

CHAIRMAN NADLER STATEMENT ON JUDICIARY COMMITTEE IMPEACHMENT PROCEDURES

Oct 29, 2019

Washington, D.C. – Today, the House Rules Committee released text of impeachment procedures for the House Judiciary Committee (<https://judiciaryforms.house.gov/components/redirect/r.aspx?ID=364-801>) that are part of impeachment procedures that will be voted on by the full House (<https://judiciaryforms.house.gov/components/redirect/r.aspx?ID=365-801>). The Judiciary impeachment procedures provide clear safeguards for the President during the impeachment inquiry. They include, among other things, the ability to attend hearings, question witnesses, and present evidence to the Judiciary Committee.

House Judiciary Committee Chairman Jerrold Nadler (D-NY) released the following statement on the House Judiciary Committee impeachment procedures:

“This is a serious moment for our Nation. Consistent with its historic role, the House Judiciary Committee will operate under equally serious procedures to govern its part of the House’s ongoing impeachment inquiry. These procedures confer, among other things, rights for the minority and for the President equal to those provided during the Nixon and Clinton inquiries. This Committee is committed to executing its part of the House’s ongoing impeachment investigation with the highest fealty to the Constitution.”

The Rules Committee fact sheet on the impeachment procedures is available here (<https://judiciaryforms.house.gov/components/redirect/r.aspx?ID=366-801>).

A chart on presidential protections afforded in modern impeachment inquiries is available here (<https://judiciaryforms.house.gov/components/redirect/r.aspx?ID=367-801>).

A “frequently asked questions” fact sheet is available here (<https://judiciaryforms.house.gov/components/redirect/r.aspx?ID=368-801>).

Background:

This impeachment process is consistent with prior precedent, including the impeachments of Presidents Nixon and Clinton. A federal district judge soundly rejected (<https://judiciaryforms.house.gov/components/redirect/r.aspx?ID=369-801>) the White House and Republicans' frivolous claim that the House must have a full vote to initiate an impeachment inquiry. Although a vote is not required, House Democrats are committed to conducting a fair, full, and balanced impeachment inquiry.

- In the case of President Nixon, the House began investigating grounds for impeachment in October 1973 but did not pass a formal authorizing resolution until February 1974 and did not enact due process procedures until May 1974. Throughout this period and after the passage of the procedures, the Committee conducted multiple closed-door interviews.[1]
- In the case of President Clinton, Independent Counsel Kenneth Starr spent four years investigating the president, using closed-door interviews and grand jury hearings that were not open to the public, the president, or Congress. The Judiciary Committee did not adopt procedural protections or hold public hearings until one month after receiving the Starr Report.

The procedures offer President Trump the following protections.

- The President's counsel will receive copies of any statements of information and related documents and other evidentiary material (including staff reports) furnished to the Members of the Judiciary Committee.
- The President and his counsel may attend the presentation of evidence by Majority and Minority committee counsel and the President's counsel may ask questions during the presentation.
- The President's counsel may respond to the presentation of evidence.
- The President's counsel may submit written summaries of additional testimony or evidence the President wishes the Judiciary Committee to consider.
- The President and his counsel may attend all hearings of the Judiciary Committee, including any held in executive session.
- The President's counsel may question witnesses called before the Judiciary Committee and may raise objections relating to the examination of witnesses or the admissibility of testimony and evidence.
- The President's counsel may be invited to offer a concluding presentation.
- The resolution permits the Minority to issue subpoenas with the concurrence of the Chair or authorized by a Committee vote. Contrary to the claims of the President and Republican leadership, the minority did not have unilateral subpoena power in the Nixon and Clinton impeachment proceedings.

[1] See Report of the Committee on the Judiciary, Impeachment of Richard M. Nixon, President of the United States, p. 9, August 1974.