

Possible Impeachment of President Donald J. Trump
Lesson #4: Congress Considers Impeachment

When and why did Congress’s investigations become formal impeachment hearings, and how do congressional committees work?

Because Congress is so large (435 members in the House, and 100 in the Senate), and because it has so much work to do, most of its work is done first in committees, with the end results reported out for the entire House or Senate to consider. Each member serves on several committees. Each committee is composed of a proportional number of Democrats and Republicans that reflects the number of each party in the chamber at large. Currently (2019), that means that Democrats have a majority on each House committee, and Republicans have a majority on each Senate Committee. Each committee has a Chairperson who is a member of the majority party in that chamber (so in the House all Committee Chairs are Democrats, and in the Senate all Committee Chairs are Republicans). Each committee also has a Ranking Minority Member, usually referred to as simply the Ranking Member, who is the leader of the minority party members on that committee. The Committee Chairs are very powerful; they have full authority over the operations of their committees – but they are expected to consult with their Ranking Members. How much that happens really depends upon the relationships between the members, and how much partisan division there is within the Congress at the time.

Following the release of the Mueller Report, both the House of Representatives and the Senate had been conducting ongoing investigations into various issues that were raised by the report. These investigations were carried out in several congressional committees. This article highlights six of those committees, and the specific areas each was focused on:

<https://www.reuters.com/article/us-usa-trump-congress-committees-factbox/factbox-crowd-of-u-s-congress-committees-investigating-trump-idUSKCN1S21X4>

A) List the six committees here:

(House/Senate) Committee	Chair (Party)	Areas of Focus

In addition to its committee structure, Congress has a group called the “Gang of Eight,” which is composed of the top Democratic and Republican leaders in both the House and the Senate, and the Chair and Ranking Member of both the House and Senate Intelligence Committees.

B) Go online to the websites linked below, and read about Congress’s “Gang of Eight.”

- [https://en.wikipedia.org/wiki/Gang_of_Eight_\(intelligence\)](https://en.wikipedia.org/wiki/Gang_of_Eight_(intelligence))
- <https://www.belfercenter.org/publication/congressional-oversight-intelligence-community>

Take brief notes here about the group, its purpose, and the President’s obligations to it:

Then, complete this chart:

Congressional “Gang of Eight”	
House of Representatives	
Speaker of the House	(Party: ___)
House Minority Leader	(Party: ___)
House Intelligence Committee Chair	(Party: ___)
House Intelligence Committee Ranking (Minority) Member	(Party: ___)
Senate	
Senate Majority Leader	(Party: ___)
Senate Minority Leader	(Party: ___)
Senate Intelligence Committee Chair	(Party: ___)
Senate Intelligence Committee Ranking (Minority) Member	(Party: ___)

How did the wide range of congressional investigations become formal impeachment hearings?

In August 2019, an anonymous whistleblower filed a complaint against President Trump, in reaction to a July 25 phone call that the President had with Ukraine's President Zelensky. The existence of this complaint was revealed by the Washington Post in September, which led Speaker Nancy Pelosi to announce that the House would begin to consider whether or not there was sufficient cause to impeach the President, with witnesses being called to testify behind closed doors. It is standard procedure for the initial stages of an investigation to be conducted in this way, partly to avoid tipping off any potential targets of the investigation about what others have testified to, and partly to protect the privacy of those who are ultimately not charged due to a lack of evidence against them. Nonetheless, President Trump and his supporters, including congressional Republicans, began to protest that the hearings were being held in secret instead of out in the open, and that the President didn't have an opportunity to defend himself. The President also asserted that the hearings were not legitimate, and he announced that no one in his administration was to comply with any subpoenas to testify or turn over documents.

*Speaker Pelosi called for an official vote, on October 31, to formalize the process as an official impeachment inquiry, and assigned the investigation to the **House Intelligence Committee**, which began conducting public hearings in mid-November.*

C) Use the internet to complete this chart. Try to watch some video excerpts of the hearings.

House Intelligence Committee Hearings		
Chair: _____ (D or R)	Key points made in opening/closing statements:	
Ranking Member: _____ (D or R)	Key points made in opening/closing statements:	
Key Witnesses: (circle your assigned witness; use separate paper for additional witnesses) William Taylor • George Kent Marie Yovanovitch • Alexander Vindman Jennifer Williams • Kurt Volker Tim Morrison • Gordon Sondland Laura Cooper • David Hale Fiona Hill • David Holmes	What is/was this witness's title or position? level of experience? reputation? How credible does this witness seem?	Key points made during testimony: Any questions you have?

House Intelligence Committee Hearings	
Any observations/notes about the questions or comments of Democrats on the committee:	
Any observations/notes about the questions or comments of Republicans on the committee:	

Once the Intelligence Committee completed its investigation, it sent a report to the House Judiciary Committee, which was to consider the Intelligence Committee's findings and decide whether or not to draft articles of impeachment against the President.

D) Use the internet to complete this chart. Try to watch some video excerpts of the hearings.

House Judiciary Committee Hearings	
Chair: _____ (D or R)	Key points made in opening/closing statements:
Ranking Member: _____ (D or R)	Key points made in opening/closing statements:
Witness Panel, Day 1 Democrats called: Noah Feldman Pamela Karlan Michael Gerhardt Republicans called: Jonathan Turley Who are these witnesses?	Key points made during testimony: How credible do these witness seem? Any questions you have?

House Judiciary Committee Hearings	
<p>Witness Panel, Day 2 (featuring the key lawyers representing House Democrats and Republicans, arguing about the case for impeachment)</p> <p>Barry Berke (lawyer for the House Judiciary Committee Democrats)</p> <p>Stephen Castor (staffer for the House Judiciary & Intelligence Committee Republicans)</p> <p>Daniel Goldman (lawyer for the House Intelligence Committee Democrats)</p>	<p>Main takeaways from Berke’s testimony:</p> <p>Main takeaways from Castor’s testimony:</p> <p>Main takeaways from Goldman’s testimony:</p>
<p>Any observations/notes about the questions or comments of Democrats on the committee:</p>	
<p>Any observations/notes about the questions or comments of Republicans on the committee:</p>	

*While many people have expressed concern that focusing on just the Ukraine issue overlooks a wide range of activities that might be impeachable, the Judiciary Committee ultimately drafted just two **Articles of Impeachment** against the President – because they are so clearly defined and documented – and voted on Dec. 13 to send them to the full House for a floor vote:*

- 1. **Abuse of Power** (for pressuring a foreign government to announce an investigation into his political rival, for purposes of influencing our election)*
- 2. **Obstruction of Congress** (for refusing to cooperation with the investigations or comply with subpoenas)*

You can read the full text of the ***Articles of Impeachment*** here:

<https://www.nbcnews.com/politics/trump-impeachment-inquiry/read-articles-impeachment-against-president-donald-trump-n1099021>

What happens next?

Today (December 17), the House Rules Committee is meeting to establish the rules for the floor debate on the Articles of Impeachment. Tomorrow (December 18), the full House will debate, and then they will officially vote on whether or not to impeach the president.

Record the results of the House of Representatives floor vote on impeachment here:

U.S. House of Representatives Floor Vote on Impeachment of President Donald Trump December 17, 2019				
Article 1: Abuse of Power	Democrats (233 total)	Republicans (197 total)	Independents (1 total)	Total 431 (there are 4 vacancies; a simple majority is needed)
Yes				
No				
Not Voting				
Article 2: Obstruction of Congress	Democrats (233 total)	Republicans (197 total)	Independents (1 total)	Total 431 (there are 4 vacancies; a simple majority is needed)
Yes				
No				
Not Voting				

If a majority votes to adopt even one the Articles, then President Trump will have been impeached (which simply means to be officially charged or accused). If that happens, then a full trial will follow in the Senate, probably in January. A 2/3 vote to convict in the Senate would result in his immediate removal from office. (That is not expected to happen, as the Senate is controlled by Republicans who have so far indicated that they do not support the impeachment.)

Additional Resources:

- If you go here and scroll down just a little bit, you will find links to the full transcript from each day's impeachment hearings in both the Intelligence and Judiciary Committees:

<https://www.rev.com/blog/house-judiciary-committee-impeachment-hearing-transcript-day-2>

- Here is the “transcript,” released by the White House, of the July 25, 2019 phone conversation between President Trump and Ukraine’s President Zelensky. Note that this is not verbatim; it is notes taken by a staff person who was assigned to do so during the call.

https://www.nytimes.com/interactive/2019/09/25/us/politics/trump-ukraine-transcript.html?action=click&pgtype=Article&state=default&module=STYLN_trump_playbook&variant=1_trump_playbook®ion=footer&context=guide

- This is a little bit of background about many of the witnesses who testified:

<https://www.npr.org/2019/11/18/779377602/impeachment-public-hearings-week-2-who-is-testifying-and-what-happens-next>

What questions do you have at this point?

Please write any additional questions you currently have, and submit them to your teacher so that they may be considered for inclusion in an upcoming lesson.

Based on what you understand at this point, if you were a member of the House of Representatives, would you vote to impeach President Trump? Why or why not?

(Note: You do not have to provide your personal opinion if you don’t want to. You can satisfy this assignment by choosing a side and explaining the main reasoning behind it, without revealing whether or not it is what you actually believe.)