



IMPEACHMENT - GENERAL

Rules and Procedures

- [*Impeachment and Removal*](#)
“This report briefly surveys the constitutional provisions governing the impeachment power, examines which individuals are subject to impeachment, and explores the potential grounds for impeachment. In addition, it provides a short overview of impeachment procedures in the House and Senate and concludes with a discussion of the limited nature of judicial review for impeachment procedures.” (Congressional Research Service R44260, updated October 29, 2015.)
- [*"How the Impeachment Process Works"*](#)
Since House Speaker Nancy Pelosi announced last month that the House would launch a formal impeachment inquiry, “the rising furor has heightened interest in how the impeachment process works. Here’s what you need to know.” (*New York Times*, updated October 4, 2019.)
- [*"A Premature Primer: How Do Impeachment Proceedings Actually Work?"*](#)
“How exactly is a president impeached, and what happens when he is? ... This post aims to explicate in some detail the framework and both past proposed and executed impeachment procedures.” (*Lawfare*, June 5, 2017.)

History

- [*"Federal Impeachment and Criminal Procedure: the Framers’ Intent"*](#)
“Members of the 1787 Convention, members of the Congress that framed the Bill of Rights, and the author of the original amendments opposed without qualification the idea that impeachment was a criminal process subject to constitutional criminal provisions.” (*Maryland Law Review*, 1993.)
- [*"The Invention—and Reinvention—of Impeachment"*](#)
“It’s the ultimate political weapon. But we’ve never agreed on what it’s for.” (*The New Yorker*, October 21, 2019.)

- ["The Proceedings of the Senate, Sitting for the Trial of Andrew Johnson, President of the United States"](#)
(February 24, 1868.)
- [Articles of Impeachment against President Richard M. Nixon adopted by the House Judiciary Committee on July 27, 1974](#)
- ["Resolution Impeaching William Jefferson Clinton, President of the United States, for high crimes and misdemeanors"](#)
(December 19, 1998.)

Public Opinion

- ["Do Americans Support Impeaching Trump?"](#)
"An updating calculation of support for and opposition to impeachment, accounting for each poll's quality, recency and sample size, since August 1, 2018." (fivethirtyeight.com, continuously updated.)

INQUIRY - HOUSE

Rules and Procedures

- [*Congressional Access to Information in an Impeachment Investigation*](#)
"Interbranch disputes over information access have raised interest in whether invocation of the impeachment power will improve the House's ability to acquire withheld information. ... The report considers whether the impeachment power may strengthen the House's investigative authorities in a manner that would improve the chamber's ability to obtain information, especially through the courts." (Congressional Research Service R45983, October 25, 2019.)
- [*The Impeachment Process in the House of Representatives*](#)
"The procedures the House has developed for accomplishing this constitutional responsibility are described below. The House has used this process mostly to impeach federal judges, although the House has also impeached two presidents and one Cabinet official." (Congressional Research Service R45769, updated October 10, 2019.)
- [*Legal Sidebar: Impeachment Investigations: Law and Process*](#)

“This Sidebar identifies procedural options for the House as it proceeds with an impeachment investigation. The Sidebar also describes some of the ways in which an impeachment investigation, as compared to a more traditional investigation for legislative or oversight purposes, might bolster the House’s ability to obtain, either voluntarily or through the courts, information from the executive branch.” (Congressional Research Service LSB10347, October 2, 2019.)

- ["Investigative Rules and Practices Followed by House Republicans"](#)
“For 20 of the last 25 years, Republicans controlled the U.S. House of Representatives and led oversight and investigations. These are some of the rules and practices they followed, but now oppose.” (*Co-Equal*, 2019.)

Investigation

- ["The most powerful players in Trump’s impeachment inquiry"](#)
Plots the “Democrats, Republicans, and nonpartisan figures in the headlines and shadows to show who matters in the impeachment inquiry.” (*Politico*, November 1, 2019)
- ["Trump impeachment tracker"](#)
Tracks “requests and subpoenas from House Democrats as they collect documents and testimony and move toward drafting articles of impeachment against Trump.” (CNN, continuously updated.)
- ["Subpoenas and Requests for Evidence in the Trump Impeachment Inquiry"](#)
Tracks compliance with requests and subpoenas by witnesses. (*New York Times*, continuously updated.)

Executive Privilege

- ["Executive Privilege and Individuals outside the Executive Branch"](#)
“Recent testimony by Kris Kobach, former Kansas Secretary of State, and Corey Lewandowski, former manager of Donald Trump’s 2016 presidential campaign, are likely the first times the executive branch has actually made such an assertion [of executive privilege] to Congress.” (Congressional Research Service IN11177, October 9, 2019.)

- ["The Executive's Privilege: Rethinking the President's Power to Withhold Information"](#)

Executive privilege should not be understood as an implied, affirmative authority belonging to the president to withhold or control information, or as an evidentiary privilege related to the various "executive" privileges recognized in judicial proceedings. "Instead, it should be understood as an extremely narrow limit on Congress's implied oversight authority—that is, the executive's privilege against, or immunity from, compelled congressional process in the context of oversight." (*Lawfare*, October 31, 2019.)

TRIAL - SENATE

Rules and Procedures

- ["Tom Daschle and Trent Lott: The Senate Can Hold a Fair Impeachment Trial. We Did It in 1999"](#)

Holding a fair impeachment trial is difficult. We hope senators will look to the Senate's last presidential impeachment trial as a model. (*Washington Post*, October 23, 2019.)

- ["McConnell prepped Republicans for a Senate trial. Here's what that trial might look like."](#)

"Senate impeachment trials are rare in American history, but there are some rules and precedent for how it all works." *Washington Post* reporter Paul Kane answers questions including, "Can the rules change by Senate vote? Who collects evidence? And does public opinion matter?" (*Can He Do That?* podcast, *Washington Post*, October 18, 2019.)

- [Impeachment resources](#)

Constitutional authority; grounds for impeachment; process and rules; and historic impeachment trial information. (Senate.gov)

- ["Rules of Procedure and Practice in the Senate when Sitting on Impeachment Trials"](#)

Revised pursuant to Senate Resolution 479, 99–2. (August 16, 1986.)

- ["Can the Senate Decline to Try an Impeachment Case?"](#)

"Does the Senate have an obligation to conduct a trial of the president if the House impeaches him?" (*Lawfare*, January 21, 2019.)

Podcast Playlist

Going on a trip? Want to use your commute to learn more about impeachment? Here is a running list of illuminating podcasts and recorded interviews about impeachment.

- [Amicus, interview with Frank Bowman](#)
In this episode, Lithwick is joined by Frank Bowman, a law professor and author of the book, *High Crimes and Misdemeanors: A History of Impeachment for the Age of Trump*. (Slate, July 6, 2019.)
- [Here & Now, interview with Bob Barr](#)
“Former Georgia Republican Congressman Bob Barr served as a House manager in the impeachment of former President Bill Clinton. He pushed for transparency in the investigation then, and accused Clinton of an ‘utter disregard for the rule of law.’ Today he says that President Trump has not done anything impeachable.” (WBUR, October 10, 2019.)