

# THE IMPEACHMENT PROCESS

The Constitution provides a way to remove federal officials, but it is not an easy process. The House of Representatives may, by majority vote, impeach a federal official (such as the president or federal judges) for "Treason, Bribery, or other high Crimes and Misdemeanors." Once the House impeaches a federal official, the case goes to the Senate, which tries the case. By a two-third vote, the Senate may convict and remove a federal official from office.

**Most important thing to remember: Impeach simply means formally accused by the House of Representatives.**

<b>THE LEGISLATIVE BRANCH AND THE IMPEACHMENT PROCESS</b>	
Both the House of Reps and the Senate play a role in the impeachment process.	
<b>HOUSE OF REPS</b>	<b>SENATE</b>
<b>1.</b> The House of Representatives has the sole power to impeach.	<b>1.</b> The Senate acts as the judge and jury.
<b>2.</b> The House of Representatives debates the articles and votes on individual articles of impeachment.	<b>2.</b> The Senate then holds a trial to determine whether or not official is guilty of article(s) passed by the House.
<b>3.</b> A simple majority (50%+1) is needed to impeach.	<b>3.</b> A supermajority (2/3 vote) is needed to be found guilty of the impeachment charges. Punishment is removal from office.

Only two presidents have been impeached:

- 1) Andrew Johnson was impeached by the House in 1868 in the wake of post-Civil War politics, but the Senate failed to convict him (by a one vote margin) and he remained in office.
- 2) Bill Clinton was impeached by the House in 2000 on two counts: committing perjury and obstructing justice in the investigation of sex scandals surrounding the President's relationships with Paula Jones and Monica Lewinsky. The Senate failed to convict him and he remained in office.

Wait a minute! Wasn't Richard Nixon impeached?

NO! Richard Nixon came close to impeachment when on July 31, 1974, the House Judiciary Committee voted to *recommend* his impeachment to the House as a result of the Watergate scandal. Nixon avoided impeachment by resigning from the presidency a few days later.