



What is impeachment?

Fast facts

The news of the second impeachment of President Donald Trump has resulted in much news coverage about the possible results. Here's what we know about the process and history of impeachment in the United States.

What does it mean to be impeached? Who can be impeached? How does the impeachment process work?

- **Impeachment** is the formal accusation of serious misconduct against a government official. A legislative body votes on whether to accuse (impeach) the person, who can remain in office until he or she has been tried and found guilty of the charges. **Impeachment does not mean "removed from office"**; however, if an impeached official is found guilty, then removal from office can be a consequence.
- **The House of Representatives** has the sole power to bring charges of impeachment against the president, vice president, or other civilian officials of the United States government (except members of Congress). Committees are appointed in the House to hold investigations, compile evidence, and in a **committee markup** (process in which committees and subcommittees debate, amend, and rewrite articles or legislation), create the **articles of impeachment**. Once the articles of impeachment have been drafted, the House votes on them. If a majority of the House votes to formally accuse the official, then the official is considered **impeached** and the process continues. The House sends the approved articles of impeachment to the Senate.
- **The Senate** then sits as a court to hear the charges against the impeached official. A vote of at least two-thirds of the Senate is required for conviction. If the Senate convicts, then the official is found guilty and will face the subsequent consequences.
- The vice president presides over impeachment charges in the **Senate**, unless the accused official is the president. In that case, the **chief justice of the United States** presides. The Constitution makes this provision because the vice president would assume the role of president if the sitting president were found guilty. The current chief justice in 2021 is **John Roberts**. He holds the highest judicial position in the U.S.
- **The Constitution** specifies that officials shall be removed from office after impeachment and conviction of "**treason, bribery, or other high crimes and misdemeanors**." Officials can be impeached for breaking the law, a severe abuse of power, or grave misconduct in office. However, impeachment is a political trial, not a criminal one. What constitutes "high crimes and misdemeanors" was deliberately undefined in the Constitution so that a president who abuses public trust could be removed even if societal norms and laws

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change. When he was a representative in the House, President [Gerald Ford said](#), “An impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history.” An official *cannot* be impeached for losing the approval of citizens or other government officials, or doing a poor job, which is called **maladministration**.

What are the consequences if an impeached official is found guilty by the Senate?

- If the Senate reaches a two-thirds majority and declares an official guilty, the official can be [removed from office and/or barred from ever holding public office again](#).
- If the official has broken the law, he or she may also face criminal charges in a traditional courtroom.

How often are officials impeached in the U.S.? Has a president been removed from office?

- Not very often. Only 20 people have been impeached in the U.S. and most have been federal judges.
- Three presidents have been impeached in the U.S.
 - In 1868, President [Andrew Johnson](#) was the first president to be impeached. He tried to gain more control over the army by firing his secretary of war without Congress’s approval, in violation of a law at the time. The Senate declared him not guilty by one vote, and he served out the rest of his presidency.
 - President Richard Nixon was never impeached; [he resigned](#) after the articles of impeachment against him were drawn up. He would have been charged with obstruction of justice, abuse of power, and contempt of Congress. The chance that he would be the first president removed from office was high, so he resigned, and Vice President Gerald Ford was sworn in. He is the only U.S. president so far to have **resigned** from office.
 - In 1998 at the end of his second term, President [Bill Clinton](#) became the second president to be impeached for two charges, **perjury** (lying under oath in court) about his relationship with an intern and **obstruction of justice** (encouraging others to make false statements and cover evidence). The Senate acquitted him by a close margin.
 - On December 18, 2019, President **Donald Trump** became [the third president to be impeached](#). He was charged with **abuse of power** and **obstruction of**

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Congress for withholding funds—that Congress had directed to the Ukraine—unless the Ukrainian president announced an investigation into Joe and Hunter Biden, board members of a Ukrainian energy company. Former Vice President Joe Biden was Trump’s rival for the presidential race in 2020. On February 5, 2020, the Senate acquitted Trump on both counts.

- On Wednesday, January 13, 2021, President Donald Trump became the first president to be [impeached for a second time](#). The [articles of impeachment](#) accuse him of **incitement to insurrection**, under the umbrella of high crimes and misdemeanors. Cited in the articles as conduct endangering national security are statements the president made about the 2020 election results being fraudulent, his phone call to the secretary of state in Georgia urging him to “find” votes, and his statements during a rally in Washington, D.C., shortly before a crowd breached the U.S. Capitol building. The Senate trial will not proceed until after Trump has already left office. If the Senate convicts, then he can be barred from ever again holding public office under the [14th Amendment](#) (his presidential pension and secret service protection would not be affected).

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