WHY THIS IMPEACHMENT IS A SHAM

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The founders of this country warned against a single party impeachment because they feared it would bitterly, and perhaps irreparably, divide our nation. This risk was openly acknowledged in years past by the very Democrats who are leading the single party impeachment charade today. Our radical liberal colleagues have vowed to impeach President Donald J. Trump since the day of his election, they have desperately created a fraudulent, unprecedented process to pursue that goal, and now they are pulling the trigger on what was described by the Minority’s expert witness in our House Judiciary Committee as “the shortest proceeding, with the thinnest evidentiary record, and the narrowest grounds ever used to impeach a president.” This impeachment is a sham, and here is why.

Although every previous U.S. President has made unpopular decisions and even, at times, infuriated his political opponents, impeachments are—for good reason and by specific design—exceedingly rare. In the 243-year history of our nation, only two previous presidents (Andrew Johnson in 1868 and Bill Clinton in 1998) have been impeached by the House. Richard Nixon resigned in 1974 to avoid it. In each of those three previous impeachments, evidence clearly established that specific criminal acts were committed. That is NOT the case here.

House Democrats began efforts to impeach President Trump immediately upon his election. They introduced four separate impeachment resolutions while they were in the minority in 2017 and 2018, and a new resolution in January 2019. In all, as many as 95 House Democrats—including 17 of 24 Democrats serving on the Judiciary Committee—had voted to proceed with impeachment well before the famous phone call between Presidents Trump and Zelensky ever took place on July 25, 2019.
This is indeed the relevant language of U.S. CONST., Art. II, Sec. 4, and it shows the inherent weakness of the current case.

Because Democrats found no evidence of treason or bribery against President Trump, but had already promised his impeachment to their liberal base, they felt they had no choice but to default to two amorphous articles: “abuse of power” and “obstruction of Congress.”

“Abuse of power” is a non-criminal act, and it is significant that Democrats made this their first article. As Prof. Turley testified to Judiciary: “[This country] has never impeached a president solely or even largely on the basis of a non-criminal abuse of power allegation. There is good reason for that unbroken record. Abuses of power tend to be even less defined and more debatable as a basis for impeachment than [specified] crimes. ...In this case, there needs to be clear and unequivocal proof of a quid pro quo.”

That does NOT exist here.

Democrats know there is zero direct evidence in the record of these proceedings to show that President Trump engaged in any “scheme” of any kind, or that he intended in his dealings with Ukraine to “influence the 2020 United States Presidential election to his advantage.” No impeachment should ever proceed on the basis of mere hearsay, speculation and conjecture that would not even be admissible in a local traffic court.
Once again, Democrats include bold allegations that are completely unsupported by the evidentiary record. For example, Article I alleges “corrupt purposes” or intent at least eight times, but presents zero proof for the claim. There is also zero proof that, for example, President Trump was pursuing “personal benefit” or “ignored and injured the interests of the Nation.” To the contrary, the record is clear that he had exactly the opposite in mind.

As summarized in the Minority Staff Report of Dec. 2: “The evidence shows that President Trump holds a deep-seated, genuine, and reasonable skepticism of Ukraine due to its history of pervasive corruption. . . and his Administration sought proof that newly-elected President Zelensky was a true reformer.” President Trump wanted to ensure that American taxpayer-funded security assistance would not be squandered by what is reported to be the third most corrupt nation in the world. A glaring example that still concerns the president, and millions of Americans, is what who meddled with our 2016 elections, and how. The Trump/Ukraine discussions were never about what will happen in 2020, but rather what already happened in 2016.
There is zero evidence for any “condition.” To the contrary, **four indisputable facts** in the record clearly destroy the Democrats’ case theory:

1) Both President Trump and President Zelensky say there was **no pressure** exerted.
2) The July 25 call transcript shows **no conditionality** between aid funding and an investigation.
3) Ukraine was **not aware** that aid was delayed when the presidents spoke.
4) Ukraine **never opened an investigation**, but still received aid and a meeting with President Trump.
Two bases are summarized for the claim that President Trump abused his powers:

1) He “ignored and injured” the interests of the country “to obtain an improper personal political benefit;” and
2) He “betrayed the nation” to “enlist” Ukraine “in corrupting democratic elections.”

Neither of those allegations is true or supported by a scintilla of evidence in the record.

The Democrats’ second claim is that President Trump “obstructed Congress” by simply doing what virtually every other President in the modern era has ALSO done—to assert a legitimate executive privilege and legal immunity to avoid subpoenas issued to various White House officials. THERE IS NO EVIDENCE OF ANY IMPEACHABLE OFFENSE HERE. On every previous occasion of this assertion in the past, that natural impasse between the executive and legislative branches in our constitutional system has been easily and calmly resolved by either a good faith negotiation—or a simple filing with the THIRD branch of our government—the judicial branch.
Again, the presidential assertion of executive privilege and legal immunity to Congressional subpoenas is quite common in the modern era, and not “unprecedented.”

In spite of their allegation, Democrats know the President Trump has “lawful cause” to challenge their subpoenas in this matter. In this case, House Democrats are trying to impeach President Trump instead of simply seeking judicial review over whether the direct communications between high-ranking advisors and a president under these circumstances are privileged or must be disclosed. That case would be expedited in the courts, but Democrats said they “don’t have time for that.” Why? Because they promised their base they would deliver an impeachment by Christmas!
It should be noted that President Trump has consistently cooperated with Congress in fulfilling its oversight and investigation responsibilities.

For example, over 25 Administration officials have testified before the House Oversight Committee this year, and over 20 have testified before the House Judiciary Committee. At the start of the Democrat’s impeachment inquiry, the White House also produced more than 100,000 pages of documents to the Oversight Committee.

In spite of their allegation, Democrats know the President Trump has “lawful cause” to challenge these subpoenas because they involve direct communications between high-ranking advisors and a president, and most of these individuals are not related to the Ukraine matter at hand. Any objective observer would regard this as a mere “fishing expedition” and harassment of the Administration by Democrat committee chairs with a political agenda. That agenda does not allow them to proceed to a court to get this simple disagreement appropriately resolved.
Democrats know this is an absurd charge. The truth is, in the history of the Republic, there has never been a single party, fraudulent impeachment process deployed against a president like the one being used against Donald Trump.

Democrats are the ones here seeking to nullify our vital constitutional safeguards with this sham. Their ultimate objective is to nullify the votes of the 63 million Americans who voted to elect Donald Trump the President.

The “manifest injury to the people” and “threat to the Constitution” is what is being perpetuated by the House Democrats engaged in this charade.
The REAL abuse of power here is on the part of the House Democrats, as they have recklessly pursued this impeachment—20 times faster than the impeachment investigation of Bill Clinton—to reach their predetermined political outcome. Along the way, they have steamrolled over constitutionally- guaranteed due process, House Rules and the Federal Rules of Civil Procedure. They have: ignored or blocked exculpatory evidence; intimidated witnesses; restricted Republican lines of questioning; denied defense witnesses and involvement of the president’s counsel; restricted Republican review of evidence; denied a Minority hearing; and violated proper Minority notice and fairness at all stages.

Ironically, during the Clinton impeachment, the Democrats published a report which read: “As Rep. Barbara Jordan (D-Tx.) observed during the Watergate inquiry, impeachment not only mandates due process, but ‘due process quadrupled.’” The Democrats of this Congress have done exactly the opposite—and everyone in this country can see that clearly. This impeachment will fail, and the Democrats will justly pay a heavy political price for it. But the Pandora’s Box they have opened today will do irreparable damage to our country in the years ahead. God help us.