
The Adam Schiff Empowerment Act

by Byron York | October 31, 2019 12:01 AM

House Democrats plan to pass their Trump impeachment [resolution](#) Thursday. Its full description is: "Directing certain committees to continue their ongoing investigations as part of the existing House of Representatives inquiry into whether sufficient grounds exist for the House of Representatives to exercise its Constitutional power to impeach Donald John Trump, President of the United States of America, and for other purposes."

A better and much shorter title would be the Adam Schiff Empowerment Act.

The resolution gives Rep. Schiff, chairman of the House Intelligence Committee, far-reaching power over the [Trump impeachment proceedings](#). Speaker Nancy Pelosi remains the ultimate authority, of course, but, like a chairman of the board choosing a chief executive officer, she has picked Schiff to run the show. And in the resolution, Democrats will give him near-total control.

The first thing the resolution will do is give the impeachment investigation to the Intelligence Committee. Until now, three committees — Intelligence, Oversight, and Foreign Affairs — have been conducting impeachment interviews. Going forward, Oversight and Foreign Affairs will be out of the interview picture in favor of Intelligence.

Among other things, that would mean that some Republicans who have been [persistent critics of the process](#) but who have been allowed into depositions by virtue of their membership in other participating committees — two examples are Oversight Committee members Rep. Jim Jordan and Rep. Mark Meadows — will no longer be allowed in the interview room.

"It's totally one-sided," Meadows told me Wednesday evening. "They can continue to do secret depositions. They have noticed depositions for John Bolton and others next week in anticipation of a positive vote Thursday. All it does is limit the committees that will be involved in the depositions."

The resolution also gives Schiff total control over whether transcripts of depositions already completed and those yet to be done will be made public. "The chair is authorized to make publicly available in electronic form the transcripts of depositions conducted by the [Intelligence Committee] in furtherance of the investigation," says the resolution. That means Schiff *can* release transcripts, but it does not mean he *must* release transcripts.

"It says they are authorized to disclose depositions," Meadows noted, "which means they can pick and choose which depositions they will release." Perhaps Schiff will release them all. But he doesn't have to.

The resolution would also give Schiff the authority to call and conduct public hearings on impeachment. Schiff will control the witnesses. Although there has been some discussion about whether Republicans will have the right to call witnesses, the resolution only gives the ranking Republican on the Intelligence Community, Rep. Devin Nunes, the right to ask Schiff to call a witness.

"To allow for full evaluation of minority witness requests, the ranking minority member may submit to the chair, in writing, any requests for witness testimony relevant to the investigation," the resolution says. "Any such request shall be accompanied by a detailed written justification of the relevance of the testimony of each requested witnesses to the investigation." Republicans will get nothing that Schiff does not approve.

"There's no guarantee we can call *any* witnesses," said Republican Rep. Brad Wenstrup, a member of the Intelligence Committee, in an interview Wednesday.

"The rules the Democrats rammed through simply confirm the absolute control Schiff has been exercising this entire time," Nunes said. "He shouldn't be involved in impeachment at all since none of this has any intelligence component, but Pelosi obviously thinks Nadler is incompetent."

That was a reference to Democratic Rep. Jerry Nadler, chairman of the House Judiciary Committee. The Judiciary panel traditionally handles impeachments, but after disastrous hearings with Robert Mueller and Corey Lewandowski, Nadler did not inspire confidence that he could run a successful impeachment effort. So Pelosi passed him by in favor of Schiff.

In the end, Republicans expect Democrats to hold a small number of public hearings, picking a few of the witnesses they believe will be most effective on television and excluding the rest. It will all be run by Schiff, who will be, Republican Rep. Doug Collins said on Fox News Wednesday, "the sole arbiter of everything impeachment."

Republicans can't say for sure, but they expect GOP lawmakers to unanimously vote against the impeachment resolution. Even members who have some doubts about Trump will likely take a stand against the Democratic one-sidedness of the process.

Of course, that won't be enough to stop it. Democrats control the House, and they control the way impeachment will be run. That's what the 2018 election was about. And now, there's nothing Republicans can do to change it.

