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Congress of the United States
House of Representatives
Washington, DC 20515

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CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS
REMARKS PREPARED FOR
COMMITTEE ON THE JUDICIARY
THE IMPEACHMENT INQUIRY INTO
PRESIDENT DONALD J. TRUMP:
THE CONSTITUTIONAL GROUNDS FOR IMPEACHMENT
1100 LONGWORTH HOUSE OFFICE BUILDING
WEDNESDAY, DECEMBER 4, 2019
10:00AM



- In 1974, when the House of Representatives was considering whether to pursue impeachment against then president Richard Nixon, a site familiar to this congress was playing out in a federal courthouse just blocks from here.
- In the course of ruling on the matters before that court, Chief Judge John Sirica remarked “An impeachment investigation

involving the President of the United States is a matter of the most critical moment to the nation.”

- I regret to say that we find ourselves at a similar crossroads. Last month and for many weeks, in this room, respected career officials from the Department of Defense, the Department of State, the National Security Council and even political appointees of this president, came into this august room, and told a remarkably consistent story.
- The story they told is about the abuse of power. It is one about betrayal—about betraying our storied allies in the face of an implacable foe.
- And, it is about corrupting our elections—the very foundation of the republic and the heart of a representative democracy.
- A dozen government officials, for dozens of hours, testified before an empaneled committee of this House of Representatives—including an expert on Russia at the National Security Council, Fiona Hill; Lt. Col. Alexander Vindman, an official at the National Security Council who listened to the now-infamous July 25, 2019 call; and William Taylor, a decorated military veteran and an individual who has served our nation for 50 years—testified that the President of the United States leveraged congressionally appropriated funds set aside for a foreign ally, in order to leverage that ally to manufacture or procure derogatory information against a domestic political ally.
- When the framers of the Constitution gathered to draft what would become one of the nation’s enduring documents, they did so with ample experience in the institutions of government, and the failings of man.
- Bookended by two experiences—that of life under a monarchy and life under the Articles of Confederation, our first failed

government—the framers sought to calibrate a government of coordinate branches.

- Through a system of checks and balances, the Framers sought to curb the excesses likely to impede the exercise of a government of, by and for the people by distributing power among the three branches of government, with power principally divided between the popularly elected branches of government: a legislature—the Congress, and an Executive—the President.
- Beyond the divisions imbued in a system of checks and balances and the separation of powers, the Founders also created a legislature with the power to address wrongdoing by the President.
- In Article I, Section 2, Clause 5 of the Constitution, the Framers warned that a president could be impeached, and in Article II made clear that such an action was warranted upon a finding of high crimes and misdemeanors.
- It is that enigmatic phrase—high crimes and misdemeanors—which compels are presence here today.
- We have before us a set of undisputed material facts—even my colleagues from the other side of the aisle accept the only version of the facts.
- We are tasked to consider whether this conduct suffices to disturb the results of the last election.
- I want to make something clear—by pursuing this exercise, we are not seeking to overturn the dictates of the last election or we are doing something extra-constitutional or unconstitutional.
- Nothing about this process subverts the constitutional line of succession and nothing about this process is extra-constitutional—it is delineated in our nation’s Constitution.

- The context of the presidential misconduct here is grave, too.
- The President is alleged to have solicited a foreign ally to interfere in the next election, to his benefit.
- As leverage, the president unlawfully withheld foreign military aid, which was appropriated by the Congress to help keep us safe, and be the first line of defense against Russia, our implacable foe.
- The task before us is mighty, and we are asked to apply this set of straightforward facts against a standard of high crimes and misdemeanors.
- And, we are asked to determine whether these facts warrant impeachment and removal.
- The following days before this committee will help illuminate that debate and for help in this endeavor, we turn to the witnesses assembled before us.
 - Noah Feldman, Professor Law, Harvard Law school
 - Pamela Karlan, Professor of Law, Stanford Law School
 - Michael Gerhardt, Professor of Law, University of North Carolina School of Law
 - Jonathan Turley, Professor of Law, George Washington University School of Law