

Statement for the Record
Representative Martha Roby
To the House of Representatives Committee on the Judiciary
Hearing on, “The Impeachment Inquiry into President Donald J. Trump:
Constitutional Grounds for Presidential Impeachment”
Wednesday, December 4, 2019 at 10:00 a.m.

Thank you, Chairman Nadler, and thank you to the witnesses for being here today.

The United States House of Representatives has initiated impeachment inquiries against the President of the United States only three times in our nation’s history prior to this one.

Those impeachment inquiries were done in this Committee, the Judiciary Committee, which has jurisdiction over impeachment matters.

Here in 2019 under this inquiry, fact witnesses that have been called were in front of the Intelligence Committee. We have been given no indication that this Committee will conduct substantive hearings with fact witnesses.

As a member serving on the Judiciary Committee, I can say that the process in which we are participating in is insufficient, unprecedented, and grossly inadequate.

Sitting before us is a panel of witnesses containing four distinguished law professors from some of our country’s finest educational institutions. I do not doubt that each of you are extremely well-versed in the subject of Constitutional law.

And yes, there is precedent for similar panels in the aforementioned history, but only after specific charges had been made known and the underlying facts presented in full due to an exhaustive investigation.

However, I don’t understand why we are holding this hearing at this time with these witnesses.

My colleagues on the other side of the aisle have admitted they don’t know what articles of impeachment they will consider. How does anyone expect a panel of law professors to weigh in on the legal grounds for impeachment charges prior to even knowing what the charges brought by this committee are going to be?

Some of my Democratic colleagues have stated over and over that impeachment should be a nonpartisan process, and I agree.

One of my colleagues in the Democratic party stated, and I quote, “Impeachment is so divisive to the country that unless there’s something so compelling and overwhelming and bipartisan, I don’t think we should go down that path, because it divides the country.”

My Democratic colleagues have stated numerous times that they are on a “truth-seeking” and “fact-finding” mission.

Another one of my Democratic colleagues said, and I quote, “We have a responsibility to consider the facts that emerge squarely and with the best interest of our country, not our party, in our hearts.”

These types of historic proceedings – regardless of political beliefs – ought to be about “fact-finding” and “truth-seeking”, but that is not what this has turned out to be.

Again, no disrespect to these witnesses, but for all I know, this is the only hearing that we will have, and none of them are fact witnesses.

My colleagues are saying one thing and doing something completely different. No Member of Congress can look their constituents and say that this is a comprehensive fact-finding, truth-seeking mission.

Ranking Member Collins and Members of the minority on this Committee have written 6 letters over the past month to Chairman Nadler asking for procedural fairness, for all underlying evidence to be transmitted to the Judiciary Committee, to expand the number of witnesses and have an even more bipartisan panel here today, and for clarity on today’s impeachment proceedings since we hadn’t received evidence to review.

The minority has yet to receive a response to these letters.

Right here today is another very clear example for all Americans to truly understand the ongoing lack of transparency and openness with these proceedings. The witness list for this hearing was not released until late Monday afternoon, opening statements from the witnesses today were not distributed until late last night, and the Intelligence Committee’s finalized report has yet to be presented to this Committee.

You hear from those in the Majority that “process” is a Republican talking point, when in reality, it is an American talking point. Process is essential to the institution.

A thoughtful, meaningful process of this magnitude with such great implications should be demanded by the American people.

Whether you identify as a Republican, Democrat, or Independent, whether you agree or disagree with a president, whether you like or dislike a president, the American people should feel cheated by the way this is all taking place. This process is more than incomplete, and the American people deserve better. Today history is being made, and I would suggest it is perfectly bad precedent for the future of our Republic.