

IMPEACHMENT INQUIRY PROCEDURES IN THE COMMITTEE ON THE JUDICIARY
PURSUANT TO H. RES. 918

A. INITIAL PRESENTATIONS

1. The Committee on the Judiciary (“Committee”) may receive at a hearing presentation(s) from counsel(s) designated by the chairs and ranking minority members for the majority and minority of the Committees on the Judiciary, Ways and Means, and Oversight and Accountability.
2. The President’s counsel shall be furnished a copy of any report(s), record(s) or other materials referenced in section 2(5) and (6), section 3(5) and (6), or section 4(5) of H. Res. 918 to the extent those materials are not publicly available, and any non-public material furnished to the Committee pursuant to this section. The President and his counsel shall be invited to attend and observe the initial presentations, and the President’s counsel may ask questions, subject to instructions from the chair or presiding member respecting the time, scope and duration of the examination.

B. ADDITIONAL EVIDENCE

1. Any Committee member may bring additional evidence in writing to the Committee’s attention.
2. The President’s counsel shall be invited to respond, orally or in writing as shall be determined by the chair, in consultation with the ranking minority member.
3. Should the President’s counsel wish the Committee to receive additional testimony or other evidence, he or she shall be invited to submit written requests and precise summaries of what he or she would propose to show, and in the case of a witness precisely and in detail what it is expected the testimony of the witness would be, if called. On the basis of such requests and summaries and of the record then before it, the Committee shall determine whether the suggested evidence is necessary or desirable to a full and fair record in the inquiry, and, if so, whether the summaries shall be accepted as part of the record or additional testimony or evidence in some other form shall be received, subject to instructions from the chair or presiding member respecting the time, scope and duration of any examination or presentation. In making such determination, notwithstanding Rule II of the Committee on the Judiciary Rules of Procedure, the chair may schedule a Committee meeting subject to the notice procedures for a Committee meeting under clause 2(g)(3)(A) and (B) of House rule XI.

C. WITNESSES

If and when witnesses are to be called, the following additional procedures shall be applicable to hearings held for that purpose:

1. The President and his counsel shall be invited to attend all hearings, including any held in executive session.
2. Objections relating to the examination of witnesses or to the admissibility of testimony and evidence may be raised only by a witness or his counsel, a member of the Committee, Committee counsel or the President's counsel and shall be ruled upon by the chair or presiding member. Such rulings shall be final, unless overruled by a vote of a majority of the members present. In the case of a tie vote, the ruling of the chair shall prevail.
3. At the discretion of the chair, in consultation with the ranking minority member, notwithstanding clause 2(j)(2) of rule XI, upon recognition by the chair for such purpose under this section during any hearing designated pursuant to H. Res. 918 and these procedures, the chair and ranking minority member shall be permitted to question witnesses for equal specified periods of longer than 5 minutes, as determined by the chair.

The time available for each period of questioning under this section shall be equal for the chair and the ranking minority member. The chair may confer recognition for multiple periods of such questioning, but each period of questioning shall not exceed 90 minutes in the aggregate. Only the chair and ranking minority member, or Committee counsel yielded to by the chair or ranking minority member, may question witnesses during such periods of questioning. At the conclusion of questioning pursuant to this section, the Committee shall proceed with questioning under the 5-minute rule pursuant to clause 2(j)(2)(A) of rule XI.

4. The President's counsel may question any witness called before the Committee, subject to instructions from the chair or presiding member respecting the time, scope and duration of the examination.

D. At the discretion of the chair, in consultation with the ranking minority member, the Committee may receive a concluding presentation from the President's counsel and Committee counsel for the majority and minority.

E. The chair, in consultation with the ranking minority member, shall make a public announcement of the date, time, place and subject matter of any Committee hearing or meeting to consider matters set forth in these procedures as soon as practicable and in no event less than twenty-four hours before the commencement of the hearing or meeting, except as specified in paragraph B(3) and notwithstanding Rule II and Rule III of the Committee on the Judiciary Rules of Procedure.

F. Should the President unlawfully refuse to make witnesses available for testimony to, or to produce documents requested by, the investigative committees listed in the first section of H. Res. 918 in furtherance of the investigations described in the first section of H. Res. 918, the chair shall have the discretion to impose appropriate remedies, including by denying specific requests by the President or his counsel under these procedures to call or question witnesses.