



# Impeachment of the President of the USA

## Why in News

**Donald Trump** has become the **first President of the USA** in history **to be impeached twice** by the **House of Representatives**. He was charged for **inciting an insurrection**.

- On 6<sup>th</sup> January, 2021, as the USA Congress assembled to **certify [President-elect Joe Biden's victory](#)**, a mob of Donald Trump supporters occupied the USA Capitol in a failed bid to overturn the election results.

## Key Points

### ▪ Mechanism of Impeachment of President in USA:

- **Two Houses:** The legislature of the United States of America i.e. Congress of the United States consists of two houses:
  - **The Senate**, in which each state, regardless of its size, is represented by two senators.
  - **House of Representatives**, to which members are elected on the basis of population.
- **Reasons for Impeachment:** The USA Constitution states that the President can be removed for conviction of **treason, bribery, or other high crimes or misdemeanour**.
- **Earlier Impeachments:**
  - **Three USA Presidents, Trump** in 2019, **Bill Clinton** in 1998 and **Andrew Johnson** in 1868, previously were impeached by the House but **acquitted by the Senate**.
  - Thus, **no USA President ever has been removed from office through impeachment**.

### ▪ Mechanism of Impeachment of President in India:

- In India, the President can be removed only for '**violation of the Constitution**' and the Constitution **does not define the meaning** of the phrase 'violation of the Constitution'.
- The **impeachment charges can be initiated by either House of Parliament** - Lok Sabha or Rajya Sabha.

## Mechanism of Impeachment of President in India and the USA

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### Procedure for Impeachment of President of India (Article 61)



The President can be removed from office by a process of impeachment for 'violation of the Constitution'. The impeachment charges can be initiated by either House of Parliament.



These charges should be signed by **one-fourth members** of the House (that framed the charges), and a 14 days' notice should be given to the President.



After the impeachment resolution is passed by a **majority of two-thirds of the total membership** of that House, it is sent to the other House, which **investigates the charges**.



If the other House also passes the impeachment resolution by a majority of **two-thirds of the total membership**, then the President stands impeached from his office from the date on which the resolution is so passed.

### Procedure for Impeachment of President of US



Any member of the House of Representatives can introduce a resolution of impeachment if they suspect the President is guilty of "**treason, bribery, or other high crimes or misdemeanours**".



The House of Representatives considers the set of charges. If a **simple majority (51%)** support impeachment, the process moves to trial.



**The trial begins.** The Chief Justice of the Supreme Court presides over it, while members of the House form the prosecution and Senators act as the jury. The president can appoint defence lawyers.



At the end of the trial, a Senate vote delivers the outcome. If **at least two-third (67%)** of Senators find the president guilty, he is removed from office and the Vice President takes over for the remainder of the term.

[Source:IE](#)

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