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Is the US President Blocked from Issuing Pardons During Impeachment?

Presidential pardon power is famously broad.

ALEX KASPRAK

PUBLISHED 1 OCTOBER 2019

Original URL: <https://www.snopes.com/fact-check/pardon-during-impeachment/>



Image via Getty Images

Claim

A president under impeachment is prohibited from issuing pardons.

Rating

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**False**[About this rating](#) 

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Origin

Following U.S. House Speaker Nancy Pelosi's September 2019 announcement of a formal impeachment inquiry into U.S. President Donald Trump, we received questions asking if the president is blocked from issuing pardons during an impeachment investigation. The answer, unequivocally, is no. Asked of this assertion, **Michael McConnell**, director of the Constitutional Law Center at Stanford Law School, told us by email "no basis for it whatsoever" exists.

As we discussed in an earlier explainer about the president's potential ability to **self-pardon**, very few limits exist on presidential pardon power. Based on social media comments, it appears that at least some of this misconception may stem from a misreading of the U.S. Constitution. Article II, **Section 2**, of the Constitution reads, in part, "The President [...] shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment":

Is a pardon even an option at this point? Since the POTUS is involved in impeachment
"shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment"

impeachment"

2:39 PM · Sep 30, 2019 · [Twitter Web App](#)

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He will try but he can't. All pardons are frozen during an official impeachment.



Tea Pain @TeaPainUSA · Sep 27

POLL: Will Trump issue pardons to any of his Ukraine conspirators before he's impeached?

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3:46 PM · Sep 27, 2019 from [Orange, CA](#) · [Twitter for iPhone](#)

“Except in cases of impeachment,” is not, as some have taken it, a Constitutional requirement that no pardons be issued during a presidential impeachment. Instead, it is widely **understood** to prohibit pardons that “restore the standing of a Federal officer who has been impeached and removed from his position.” As such, the claim is “False.”