

July 18, 2019

The Honorable Steve Cohen, Chair
The Honorable Jamie Raskin, Vice Chair
Subcommittee on the Constitution, Civil Rights and Civil Liberties
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515

RE: Impeachment investigation
H. Res. 13 - Impeaching Donald John Trump, President of the United States,
for high crimes and misdemeanors

Dear Mr. Chairman Cohen and Mr. Vice Chairman Raskin,

We urge you to begin an immediate inquiry into whether to recommend articles of impeachment against President Trump. Your subcommittee and its predecessors have played important roles in the impeachment investigations of President Nixon, President Clinton, and various federal judges, and it should here too.

No further action by the full House or full Committee on the Judiciary is necessary before you may begin this investigation. As you know, the Committee referred H. Res. 13 (“Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors”) to your subcommittee. This empowers your subcommittee to conduct a full impeachment investigation, including to meet, hold hearings, issue subpoenas, receive evidence, consider amendments to the resolution, and submit recommendations to the full Committee as to whether impeachment is warranted.¹

There is already overwhelming publicly available evidence of impeachable offenses committed by this president, including obstruction of the administration of justice, accepting unconstitutional emoluments from foreign governments, abuse of emergency powers, and others. In the face of this evidence and the ongoing dangers posed by this president, Congress has a constitutional duty to begin an impeachment inquiry and that inquiry should begin now in your subcommittee.

An impeachment inquiry is just that: an *inquiry*. Starting such an inquiry does not commit any Member to approving articles of impeachment; it simply begins the process of asking the necessary questions. And it is time to ask those questions, not just in the context of typical divided-government investigative or oversight hearings, but specifically in the context of an *impeachment* inquiry. Public support

¹ See Comm. on the Judiciary, *Rules of Procedure* (116th Cong.), Rules IV(b), VII; *House Practice* (2017), ch. 27 § 7; *Deschler’s Precedents*, ch. 14 § 6.11.

for impeaching President Trump is already higher (45% in favor) than when the Judiciary Committee began its impeachment inquiry in October 1973 (38% in favor).² Any action short of an impeachment investigation understates the gravity of the moment and, even limits the efficacy of investigations.³

We urge you to immediately launch an impeachment inquiry, including open hearings and all appropriate factual investigations, to evaluate whether to recommend to the full Committee on the Judiciary that impeachment is warranted.

Sincerely,

Ron Fein, Legal Director
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Signed By:

Free Speech For People
By the People
Common Defense
Courage Campaign
CREDO Action
Democracy for America
Lawyers for Good Government
Mainers for Accountable Leadership
March for Truth
MoveOn
Progressive Democrats of America
Revolving Door Project
Women's March

² Lydia Saad, *Trump Approval Remains in Low 40s*, Gallup, July 3, 2019, <https://news.gallup.com/poll/259871/trump-approval-remains-low-40s.aspx>; Andrew Kohut, *How the Watergate crisis eroded public support for Richard Nixon*, Pew Res. Ctr., Aug. 8, 2014, <http://pewrsr.ch/V7nvhQ>.

³ See Molly E. Reynolds & Margaret Taylor, *What Powers Does a Formal Impeachment Inquiry Give the House?*, Lawfare, May 21, 2019, <http://bit.ly/2YQOE4u>.