

February 5, 2020

Statement on US Senate's Failure to Remove President Trump

By Free Speech For People, By the People, Center for Popular Democracy, Common Defense, Equal Justice Society, Greenpeace USA, Progressive Democrats of America, Revolving Door Project, and Women's March.

The decision of 52 United States Senators to vote that President Donald Trump has not committed bribery or other high crimes or misdemeanors is a grave dereliction of duty that not only emboldens an increasingly unrestrained and lawless president, but endangers the survival of our constitutional democracy.

In the short term, the president has learned that he can use his office, and our money, to extort a foreign government into investigating or harassing his own political opponents for the sake of boosting his re-election prospects. And Trump has shown that he exploits these opportunities immediately. (After all, his phone call extorting the Ukrainian president occurred just *one day after* Special Counsel Robert Mueller's testimony to Congress.) The nation should prepare itself for more of the same—some of which may lie behind the shadows, as Trump's effort to pressure Ukraine almost did—and be ready to respond immediately.

But the long-term damage is even worse. The president's defenders did *not* defend against the impeachment charges by arguing that the president didn't commit the acts of which he was accused. Such a defense could have at least paid lip service to the notion of the rule of law. Of course, the reason that the president did not pursue a defense of actual innocence is that it would have been preposterous in this case. If the facts had been even ambiguous, let alone in his favor, he would have gladly encouraged his hand-picked chief of staff, national security advisor, and other staff to testify in his behalf. Instead, he blocked their testimony, with the complicity of his supporters in the Senate, because he knew that his own hand-picked advisors would inculcate him. The worst part is that these Senators accepted the official defense presented by Trump's legal defense team: "If a president does something which he believes will help him get elected in the public interest, that cannot be the kind of quid pro quo that results in impeachment." This is a recipe for authoritarianism in service of the president's own re-election efforts, and it will not be the end of Donald Trump's impeachable misconduct.

We call on the House to take three immediate steps.

First, a committee of the House should subpoena John Bolton, Mick Mulvaney, and any other witnesses or documents previously contested by the White House—and litigate all the way to the U.S. Supreme Court if necessary. The president was

successful in obstructing congressional proceedings in the fall, when the House desired to move forward expeditiously given the urgency of the danger, but now there is no reason not to proceed to complete America's knowledge of Trump's misconduct in the Ukraine scandal.

Second, the House should re-open its impeachment inquiry. These two articles of impeachment were far from Trump's only impeachable offenses to date. The re-opened impeachment inquiry should consider the full panoply of Trump's misconduct, [including](#):

I. Abuse of power to target political adversaries, critics, and the press

Donald Trump has repeatedly abused his power by directing law enforcement and federal agencies to target, investigate, or retaliate against political adversaries and critics, and has repeatedly misused his office and engaged in other conduct that undermines the freedom of the press.

II. Corruption of electoral processes

Donald Trump has engaged in a corrupt course of conduct and abused his power in order to obtain and retain his office, including by making unlawful hush money payments to influence elections, and by deceiving the American public about this activity.

III. Corruption and self-enrichment

Donald Trump has repeatedly misused his office for personal gain by accepting presents or emoluments from foreign governments without the consent of Congress, receiving or expropriating for himself emoluments from the federal and state governments, and otherwise employing the power of his office for personal financial gain.

IV. Abuse of office to promote discrimination, hostility, and unlawful violence

Donald Trump has repeatedly engaged in conduct violating the constitutional rights of individuals, misused agencies of the executive branch for improper purposes unrelated to any lawful function of his office, or misused his official position to promote discrimination, hostility, or unlawful violence on the basis of race, color, religion, or national origin.

V. Obstruction of the administration of justice

Donald Trump has engaged in a course of conduct or plan designed to obstruct the investigation of interactions with foreign governments or agents

of foreign governments pertaining to the 2016 presidential election; to cover up, conceal and protect those responsible; and to conceal the existence and scope of other covert activities, by interfering or endeavoring to interfere with the conduct of investigations by the Department of Justice, the Special Counsel's Office, and the Federal Bureau of Investigation.

VI. Misuse of armed forces and abuse of emergency powers

Donald Trump has misused the United States Armed Forces for improper political purposes at the southern border, refused to withdraw them from Yemen after being so directed by Congress, and abused emergency powers to build a border wall against Congressional opposition, all in derogation of the powers of Congress to declare war, to make appropriations, and to raise and support armies.

Third, the House should create and staff a new standing committee for the defense of free and fair elections. This committee should be prepared to address, in real-time, through both legislative and judicial venues, further attempts by President Trump to interfere with or unlawfully influence the 2020 presidential election, suppress the vote, abuse his office for political purposes, take other unlawful measures to disrupt a free and fair election, or take action to retaliate against opponents or violate citizens' constitutional rights in the days following the election.