
U.S. House Committee on
THE JUDICIARY
CHAIRMAN JERROLD NADLER

(/)

Chairman Nadler Announces Next Steps in Committee Investigation of Trump Obstruction, Corruption & Abuse of Power

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Committee Goes to Court for Mueller Grand Jury Material

Nadler Announces Committee is Considering Whether to Recommend Articles of Impeachment

Committee will Issue Subpoenas in August for Testimony

Washington, D.C. – Today, House Judiciary Committee Chairman Jerrold Nadler (D-NY) announced the Committee will intensify efforts to hold President Donald Trump accountable as part of its investigation into obstruction, corruption and abuse of power by Trump and his associates. Nadler announced that the House Judiciary Committee filed a court petition to seek grand jury material from Special Counsel Mueller's report. Nadler also announced that the House Judiciary Committee is considering impeachment as part of its investigation and that they will issue subpoenas in August for key fact witnesses.

Chairman Nadler released the following statement:

“After hearing directly from Special Counsel Robert Mueller, Congress finds itself at an inflection point. President Trump went to great lengths to obstruct the Special Counsel’s investigation. It is clear that any other American would have been prosecuted based on the evidence Mueller uncovered in his report.

“The Committee will now intensify its efforts to hold the President accountable as we move forward with our investigation into obstruction, corruption and abuse of power by Trump and his associates. Today we filed a petition for grand jury material (https://judiciary.house.gov/sites/democrats.judiciary.house.gov/files/documents/3376_001.pdf) which we believe substantiates Mueller and is critically important for examining our witnesses including former White House Counsel Don McGahn. We have continued to negotiate with McGahn to reach an accommodation. If he does not comply, we will go to court early next week to force him to appear for a hearing. We won’t stop there. We will subpoena witnesses for testimony on the President’s obstruction and campaign finance crimes in August.

“The Committee has a responsibility to determine whether to recommend articles of impeachment against the President, which have already been introduced in this Congress and referred to the Judiciary Committee. They are under consideration as part of the Committee’s investigation, although no final determination has been made, regarding these or any other articles that may be introduced by the Committee. The Committee intends to conduct hearings with critical witnesses testifying and to obtain grand jury information in order to determine whether the Committee should recommend articles of impeachment against the President or any other Article 1 remedies, and if so, in what form. The Committee will also consider a range of legislative or other responses to the conduct under investigation.”

The text of the petition for grand jury material is available here (https://judiciary.house.gov/sites/democrats.judiciary.house.gov/files/documents/3376_001.pdf). Below are excerpts from the filing:

- This Court is authorized to disclose these materials pursuant to Rule 6(e)(3)(E) because the Committee seeks to use them preliminarily to or in connection with a judicial proceeding.
- ...the Committee is conducting an investigation whose purposes include determining whether to recommend articles of impeachment that is more than sufficient for purposes of Rule 6(e)’s judicial proceeding exception.
- The Committee has repeatedly made clear that it is assessing whether to approve articles of impeachment with respect to the President.

Background:

Special Counsel Robert Mueller's testimony is an inflection point for the Committee's investigative efforts and exercise of its Article I powers. Hearing from Mueller provides the springboard for future hearings and other evidence gathering that is critical to the Committee's decision-making regarding whether to recommend articles of impeachment.

History has shown that there is no one set way for the Judiciary Committee to consider whether to recommend articles of impeachment. Though there has been a House vote to direct the Committee to begin impeachment proceedings on some occasions in the past, such resolutions merely reaffirm authority that the Judiciary Committee already has. Under parliamentary precedent, the more critical action is the referral to the committee of articles of impeachment, which has already happened.

The potential significance of such a statement is made clear by the ample precedent of the Committee considering articles of impeachment in the absence of a full House vote reaffirming its powers to do so. Some examples include impeachment proceedings involving Judge Walter Nixon (1989), Judge Alcee Hastings (1988), Judge Harry Claiborne (1986), and Justice William O. Douglas (1970). Under former Chairman Goodlatte, the Committee held a series of hearings concerning articles of impeachment filed against then IRS Commissioner Koskinen in 2016 in the absence of a full House vote. Even in Watergate, the Committee had been considering articles concerning Richard Nixon for nearly one year, before their authority was reaffirmed by the full House in February, 1974.

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