

October 20, 2020

The Honorable Nancy Pelosi  
Speaker  
United States House of Representatives  
H-232, The Capitol  
Washington, D.C. 20515

Dear Speaker Pelosi:

We write to urge you and your colleagues to impeach Attorney General Bill Barr this week.

Attorney General Barr has acted to subvert the laws that he, as our nation's chief federal law enforcement official, is duty-bound to uphold. In addition, his unlawful actions have unduly expanded the power of the Executive branch at the expense of the Legislative branch, thereby undermining the very foundation of our democracy and pushing our nation towards autocracy.

Dozens of members of your caucus and various outside groups have for months urged an inquiry into Barr's impeachment on any of several grounds. They include: misleading Congress with respect to the Mueller investigation and other matters; overruling career prosecutors for political purposes, such as helping the president's allies; sanctioning investigations into the president's political rivals; supporting the use of federal troops against protestors in support of racial justice while standing aside for armed right-wing protestors; prohibiting the referral of an Intelligence Community whistleblower complaint to Congress; and failing to comply with subpoenas issued by the House of Representatives while ordering others to not comply with subpoenas from the House of Representatives.

For example, on Friday Phillip Halpern, a federal prosecutor in San Diego, resigned his position and cited political meddling by Attorney General Barr as the reason. He is the third prosecutor to do so. Halpern wrote: "Barr overruled career prosecutors in order to assist the president's associates and/or friends, who potentially harbor incriminating information. This career bureaucrat seems determined to turn our democracy into an autocracy."

Attorney General Barr has made a career out of undermining our democracy and it is pellucidly clear that he has been ramping up efforts to undermine the upcoming elections and invalidate the votes of millions of Americans. Moreover, the administration's successful efforts to delay to 2021 court proceedings that would vindicate Congress's rights and to stack the courts with unqualified Trump judges — and Trump justices — means that the window for your actions to matter is rapidly closing.

In a lawless administration whose only principle is helping the president's friends and hurting his enemies, and in the face of widespread efforts by the administration to prevent the peaceful transition of power, the final line of accountability lies with you. Article I, Section 2, Clause 5 of the U.S. Constitution grants the U.S. House of Representatives the sole power of impeachment. It is long past time that you exercise the impeachment power to remove Attorney General Barr.

Should you impeach Attorney General Barr prior to October 23rd, the Senate would be required to take one of two actions. On one hand, the Senate would be obligated to hold a trial, which would occupy a day or more of floor time and delay the hasty and irregular consideration of Amy Coney Barrett as a Supreme Court associate justice. In the alternative, Senate Republican leadership would be forced to go “nuclear” by changing the rules that govern how that chamber responds to receiving articles of impeachment from the House of Representatives. Either outcome is desirable.

The obligation of the Senate to hold a trial, even if it is perfunctory, would have the salutary effect of delaying the confirmation process and may help push it towards after Election Day, after which the political dynamics may shift in such a way that the confirmation would become substantially less likely. Delaying or preventing the confirmation of a Supreme Court associate justice in a process widely seen as illegitimate is a welcome outcome. In addition, it is not inconceivable that some Republican Senators have grown uncomfortable with Attorney General Barr’s tactics and may want more than a rubber stamp process.

Similarly, a decision by Senator McConnell to go nuclear and change long-standing Senate rules to short-cut impeachment proceedings and speed through a Supreme Court justice confirmation would lay the groundwork for future reform of Senate procedure and the rebalancing and depoliticization of the Federal Judiciary. The House of Representatives needs a Senate that is capable of acting on the legislation it reports, and only reform of how the Senate operates can make that possible.

The best time for the House of Representatives to consider an impeachment of Attorney General Barr was months ago. The second-best time is right now. If you wait, it may be too late for the House, for the Senate, for the Supreme Court, and for our democracy. Time is running out.

Sincerely yours,

American Family Voices  
Be A Hero  
Blue Future  
Brave New Films  
Center for Popular Democracy  
Clean Elections Texas  
Climate Hawks Vote  
Debt Collective  
Demand Progress  
Empire State Indivisible  
Equal Justice Society

For All  
Free Speech for People  
Housing Works, Inc  
Mainers for Accountable Leadership  
Movement Voter Project  
Our Revolution  
Raices Action  
Revolving Door Project  
Sunrise Movement  
United We Dream Action

cc: All Democratic members of the House of Representatives