



A handwritten signature in blue ink that reads "Steve Jackson Lee". The signature is written in a cursive style with a large initial "S".

Press Release**New Statement from Checks and Balances on President Trump's Abuse of Office**

October 10, 2019

Statement from co-founders and additional members of Checks & Balances:

In the past several weeks, it has become clear to any observer of current events that the president is abusing the office of the presidency for personal political objectives. Although new facts are being revealed on a daily basis, the following are undisputed, to date:

1) In a July 25, 2019, telephone call with the president of Ukraine – a summary of which has been released by the White House – the president requested “a favor” in the context of a discussion of Ukrainian security matters. Specifically, immediately after President Zelensky thanked the president “in the area of defense” and indicated a readiness to buy additional armaments consistent with a U.S. defense proposal, President Trump asked for “a favor.” The favor was to investigate a baseless theory relating to the 2016 investigation into Russian interference in the U.S. election. The U.S. president further requested that the Ukrainian president coordinate the requested investigation with both his personal attorney and the Attorney General of the United States, presenting both a blurring of lines between personal legal representation and official U.S. government business, and, the appearance of inappropriate politicization of the Office of the Attorney General. He then requested, additionally, that the

Ukrainian government look into allegations relating to his Democratic presidential opponent, Joe Biden, saying “There’s a lot of talk about Biden’s son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great.”

2) Between July and September 2019, the Acting Ambassador to Ukraine, Bill Taylor, the (former) State Department Special Envoy to Ukraine, Kurt Volker, and the Ambassador to the European Union, Gordon Sondland, exchanged a series of telephone calls and text messages revealing that U.S. diplomats were involved in negotiating an exchange involving a White House meeting and foreign aid on one hand, and a Ukrainian investigation into a meritless allegation involving former Vice President Joe Biden, on the other hand. The text messages reveal that U.S. diplomats were seeking from President Zelensky an assurance that “he will help [the] investigation” while concurrently negotiating a “visit to Washington” and “security assistance.” These circumstances led career Ambassador Taylor to communicate that in his judgment it was “crazy to withhold security assistance for help with a political campaign.” These facts are derived from text messages provided to the House of Representatives in connection with the deposition of former Special Envoy Volker and have been released publicly.

3) On October 3, 2019, the president stood in front of U.S. press cameras outside the White House and said, “China should start an investigation into the Bidens because what happened in China is just about as bad as what happened with Ukraine.” The president’s statement was broadcast widely.

A president takes the following oath of office:

I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.

We believe the acts revealed publicly over the past several weeks are fundamentally incompatible with the president’s oath of office, his duties as commander in chief, and his constitutional obligation to “take care that the laws be faithfully executed.” These acts, based on what has been revealed to date, are

a legitimate basis for an expeditious impeachment investigation, vote in the House of Representatives and potential trial in the Senate. Additional evidence that was detailed in the Special Counsel's Report, related matters of foreign emoluments, and persistent obstructive activities should also inform these proceedings. In addition, given that some of the critical facts under consideration by the Congress have been facilitated by a complaint presented to the Inspector General of the U.S. Intelligence Community, any efforts by U.S. government personnel to inappropriately pressure, intimidate or expose the whistleblower or future whistleblowers who follow the procedures provided by law are contrary to the norms of a society that adheres to the rule of law.

As we said in an April 2019 statement, "free and fair elections, without foreign interference, are at the heart of a healthy democracy." The Special Counsel's report revealed, among other things, that the Trump 2016 campaign was open to and enthusiastic about receiving Russian government-facilitated assistance to gain an advantage in the previous election. The report was not only an exposition, it was a warning. The present circumstances are materially worse: we have not just a political candidate open to receiving foreign assistance to better his chances at winning an election, but a current president openly and privately calling on foreign governments to actively interfere in the most sacred of U.S. democratic processes, our elections. These activities, which are factually undisputed, undermine the integrity of our elections, endanger global U.S. security and defense partnerships, and threaten our democracy.

- Jonathan H. Adler
- Donald B. Ayer
- George T. Conway III
- Carrie F. Cordero
- Charles Fried
- Stuart M. Gerson
- Peter D. Keislér
- Orin S. Kerr
- Marisa C. Maleck

- Trevor Potter
- Alan Charles Raul
- Jonathan C. Rose
- Paul Rosenzweig
- Andrew Sagor
- Jaime D. Sneider
- J.W. Verret

Each of us speaks and acts solely in our individual capacities, and our views should not be attributed to any organization with which we may be affiliated.

NEWS & UPDATES

Statement


Statement in Response to Attorney General Barr's Address at Federalist Society (<https://checks-and-balances.org/statement-from-co-founders-and-additional-members-of-checks-balances/>)

November 22, 2019

Media Mention

Paul Rosenzweig: I'm Proud to Be Called Human Scum (<https://checks-and-balances.org/paul-rosenzweig-im-proud-to-be-called-human-scum/>)

October 24, 2019

 (<https://twitter.com/chkbal>) @ (<mailto:media@checks-and-balances.org>)

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(<mailto:media@checks-and-balances.org>)



Mission Statement

We are a group of attorneys who would traditionally be considered conservative or libertarian. We believe in the rule of law, the power of truth, the independence of the criminal justice system, the imperative of individual rights, and the necessity of civil discourse. We believe these principles apply regardless of the party or persons in power. We believe in “a government of laws, not of men.”

We believe in the Constitution. We believe in free speech, a free press, separation of powers, and limited government. We have faith in the resiliency of the American experiment. We seek to provide a voice and a network for like-minded attorneys to discuss these ideas, and we hope that they will join with us to stand up for these principles.

WHO WE ARE

Jonathan H. Adler

Johan Verheij Memorial Professor of Law and Director of the Center for Business Law & Regulation at Case Western Reserve University School of Law. Senior fellow at the Property & Environment Research Center and the Center for the Study of the Administrative State at George Mason University Antonin Scalia School of Law.

Donald B. Ayer

Deputy Attorney General, 1989-1990. Principal Deputy Solicitor General, 1986-1988. U.S. Attorney for the Eastern District of California, 1981-1986.

C. Frederick Beckner III

Deputy Assistant Attorney General, Civil Division, 2006-2009. Former Clerk to Samuel Alito, U.S. Court of Appeals, 3rd Circuit

John B. Bellinger, III

Legal Advisor to Department of State, 2005-2009. Senior Associate Counsel to the President and Legal Advisor to the National Security Council 2001-2005.

Phillip D. Brady

White House Staff Secretary, 1991-1993. White House Cabinet Secretary, 1989. Deputy Counsel to President Ronald Reagan. Deputy Assistant to Vice President George H. W. Bush, 1985-1988. Acting Assistant Attorney General, 1984-1985. Associate Attorney General, 1983-1984.

George T. Conway III

Securities and Corporate Litigation at Wachtell, Lipton. Argued successfully before the Supreme Court in Morrison v. National Australia Bank. Declined nomination as assistant attorney general in 2017.

Carrie F. Cordero

Robert M. Gates Senior Fellow & General Counsel, Center for a New American Security. Adjunct Professor of Law, Georgetown University Law Center. Former Counsel to the Assistant Attorney General for National Security, Senior Associate General Counsel at the Office of the Director of National Intelligence and Attorney Advisor at the U.S. Department of Justice, 2003-2010.

Charles Fried

Beneficial Professor of Law, Harvard Law School. Solicitor General, 1985-1989. Associate Justice of the Supreme Judicial Court of Massachusetts, 1995-1999.

Stuart M. Gerson

Acting Attorney General, 1993. Assistant Attorney General, 1989-1993.

Peter D. Keisler

Acting Attorney General, 2007. Assistant Attorney General, 2003-2007. Acting Associate Attorney General, 2002-2003.

Orin S. Kerr

Frances R. and John J. Duggan Distinguished Professor of Law, University of Southern California Gould School of Law. Trial Attorney, Department of Justice Criminal Division, 1998-2001.

Marisa C. Maleck

Appellate, Constitutional, and Administrative Law at King & Spalding. Former clerk to Justice Clarence Thomas.

Trevor Potter

President, Campaign Legal Center; Federal Election Commissioner (1991-1995) and Chairman (1994); Office of Legal Policy at the Department of Justice (1982-1984)

Alan Charles Raul

Former Vice Chairman of the White House Privacy and Civil Liberties Oversight Board. Former General Counsel to the Office of Management and Budget. Former General Counsel to the Department of Agriculture. Former Associate Counsel to the President.

Tom Ridge

Secretary of Homeland Security, 2003-2005. Assistant to the President for Homeland Security, 2001-2003. Governor of Pennsylvania.

Paul Rosenzweig

Deputy Assistant Secretary of Homeland Security, 2005-2009.


Ilya Somin

Professor of Law, Antonin Scalia Law School, George Mason University.

J.W. Verret

Associate Professor of Law, Antonin Scalia Law School, George Mason University. Former Chief Economist and Senior Counsel to the U.S. House Committee on Financial Services.

Each of us speaks and acts solely in our individual capacities, and our views should not be attributed to any organization we may be affiliated with.

 (<https://twitter.com/chkbal>) @ (<mailto:media@checks-and-balances.org>)

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(<mailto:media@checks-and-balances.org>)