

May 8, 2018

The Honorable Paul Ryan
Speaker
United States House of Representatives
U.S. Capitol Building, Room H-232
Washington, D.C. 20515

Dear Speaker Ryan,

As House Speaker and as leader of the Republicans in the House, you have a special responsibility to provide leadership for the country and for your fellow House Republicans.

In this regard, we urge you to speak out now in opposition to the recent activities of two members of the House Republican Conference, Representatives Mark Meadows (R-NC) and Jim Jordan (R-OH).

Reps. Meadows and Jordan have abused their office by demanding documents from the Justice Department to which they are not entitled and by [threatening](#) to pursue the impeachment of Deputy Attorney General Rod Rosenstein if these documents are not provided.

The documents they are seeking involve an ongoing criminal investigation by the Justice Department in which President Trump is a subject. If these documents were obtained and then publicly leaked, they could do serious harm to the investigation. It would be even worse if these documents, or their contents, were privately conveyed to President Trump.

Because of concerns like this, it has long been Justice Department policy that they will not provide documents that are part of an ongoing criminal investigation in order to protect the integrity of the investigation.

On April 30, 2018, DOJ Assistant Attorney General Stephen Boyd sent a [letter](#) to Reps. Meadows and Jordan that rejected their request to Deputy Attorney General Rosenstein for the documents involved in the Special Counsel investigation. In his letter, Boyd wrote:

The department recognizes the keen interest that Congress has in the special counsel's investigation, but respectfully, we must adhere to the longstanding position of the department that congressional inquiries pertaining to ongoing criminal investigations threaten the integrity of those investigations.

The Justice Department's longstanding policy is all the more important when Members appear to be acting on behalf of the subject of an active investigation, as President Trump is here.

On May 2, 2018, two days after Boyd's April 30 letter, President Trump attacked the Justice Department for not turning over the documents to Meadows and Jordan and [tweeted](#), "At some point I will have no choice but to use the powers granted to the Presidency and get involved!"

This implies the President may instruct Rosenstein to turn over the documents to Meadows and Jordan and may then use a refusal by Rosenstein to do so as cover for removing Rosenstein from his position. This would leave President Trump free to name his own loyalist to oversee the Special Counsel investigation which he is a subject of.

All of this arises in the context of Reps. Meadows and Jordan threatening to move for a vote on articles of impeachment against Deputy Attorney General Rod Rosenstein if he does not turn over the documents they requested.

In the entire history of our country, impeachment has been used by the House only once against an Executive Branch official other than a president. This occurred in 1876 on grounds of a blatant pattern of corruption.

Using the impeachment process as a weapon to attack an Executive Branch official without any legitimate basis, however, is not new to Reps. Meadows and Jordan. They did the same thing in the last Congress when they pursued a meritless impeachment effort against IRS Commissioner John Koskinen. They [lost](#) by an overwhelming bipartisan vote of 342-72.

We are at a moment of truth.

You recently [publicly stated](#) of both Deputy Attorney General Rosenstein and Special Counsel Mueller, “I think they should be allowed to do their jobs.” You are now facing a situation in which two Republican Members of the House are attempting to interfere with the ability of Rosenstein and Mueller to “do their jobs.”

Your fellow citizens need to hear from you, as the leader of the House of Representatives and as the third ranking leader in our government, that you support and stand for the rule of law.

We strongly urge you to voice your opposition now to the effort by Representatives Meadows and Jordan to obtain documents from the Justice Department that relate to the ongoing criminal investigation involving President Trump.

We also strongly urge you to publicly oppose now any effort to impeach Deputy Attorney General Rosenstein for adhering to long-established Justice Department practices regarding disclosures related to an active criminal investigation.

Sincerely,

/s/ Norman Eisen

Ambassador (Ret.) Norman Eisen
Chief White House ethics lawyer, 2009-2011

/s/ Fred Wertheimer

Fred Wertheimer
President, Democracy 21