

Constitutional Conservatives Condemn Illegal Federal Power Grab in D.C., Cite Threat to Rule of Law

We are a group of conservative and independent former government officials, including many who were elected as Republicans or served in Republican administrations, and others. We have spent decades in public service in federal or state government and have a deep interest in upholding the rule of law and ensuring proper limitations on executive power.

The actions of the President and the Attorney General purporting to appoint an Emergency Police Commissioner for the District of Columbia in plain violation of the District of Columbia Home Rule Act is illegal. This attempted power grab violates Constitutional separation of powers and the provisions of the Home Rule Act. It does violence to principles of limited federal government. It will also set a dangerous precedent as the Administration eyes similar takeovers in other cities. We intend to seek leave to file an amicus brief with the court shortly according to its schedule in the case setting forth these views.

The following have signed this statement:

Donald B. Ayer, Deputy Attorney General in the George H.W. Bush Administration from 1989 to 1990; Principal Deputy Solicitor General in the Reagan Administration from 1986 to 1988; United States Attorney for the Eastern District of California from 1981 to 1986 in the Reagan Administration.

Ty Cobb, Special Counsel to the President in the Trump Administration from 2017 to 2018 and Assistant U.S. Attorney for the District of Maryland from 1980 to 1986.

Barbara Comstock, Representative of the 10th Congressional District of Virginia from 2015 to 2019 (R).

George T. Conway III, Board President for the Society for the Rule of Law.

Mickey Edwards, Representative of the 5th Congressional District of Oklahoma from 1977 to 1993 (R).

Stuart M. Gerson, Acting Attorney General, 1993; Assistant Attorney General for the Civil Division from 1989 to 1993; and Assistant United States Attorney for the District of Columbia from 1972 to 1975.

John Giraudo, Attorney Advisor in the Department of Justice Office of Legal Counsel in the Reagan Administration from 1986 to 1989.

Peter Keisler, Acting Attorney General in the George W. Bush Administration in 2007; Assistant Attorney General for the Civil Division in the Bush Administration from 2003 to 2007; Principal

Deputy Associate Attorney General and Acting Associate Attorney General in the Bush Administration from 2002 to 2003; Assistant and Associate Counsel to the President in the Reagan Administration from 1986 to 1988.

William Kristol, Chief of Staff to the Vice President in the George H.W. Bush Administration from 1989 to 1993.

Philip Lacovara, Counsel to the Special Prosecutor, Watergate Special Prosecutor's Office in the Nixon Administration from 1973 to 1974.

Marty Linsky, Former Assistant Republican Floor Leader, Massachusetts House of Representatives.

J. Michael Luttig, Circuit Judge, United States Court of Appeals appointed by George H.W. Bush from 1991 to 2006; Assistant Attorney General, Office of Legal Counsel and Counselor to the Attorney General in the Bush Administration from 1990 to 1991; Assistant Counsel to the President in the Reagan Administration from 1981 to 1982.

Tom Petri, Representative of the 6th Congressional District of Wisconsin, 1979-2015 (R).

Trevor Potter, Chairman of the Federal Election Commission and Commissioner of the Federal Election Commission from 1991 to 1995; General Counsel to John McCain's Presidential Campaign from 2000 to 2008.

Carter Phillips, Assistant to the Solicitor General in the Reagan Administration.

Marc Racicot, Governor of Montana from 1992 to 2001; Former RNC Chair; Former Judge Advocate General's Corps of the United States Army.

Alan Charles Raul, Associate Counsel to the President in the Reagan Administration from 1986 to 1988.

Hon. Denver Riggleman, Representative of the 5th Congressional District of Virginia from 2019 to 2021 (R).

Jonathan C. Rose, Special Assistant to President Nixon from 1971 to 1973; Associate Deputy Attorney General from 1973 to 1975; Assistant Attorney General at the Office of Legal Policy from 1981 to 1984.

Paul Rosenzweig, Deputy Assistant Secretary for Policy, Department of Homeland Security in the George W. Bush Administration from 2005 to 2009.

Nicholas Rostow, Special Assistant to the President for National Security Affairs and Legal Adviser to the National Security Council under Reagan and George H.W. Bush Administrations

from 1987 to 1993; Special Assistant to the Legal Adviser, U.S. Department of State from 1985 to 1987; Senior Research Scholar at Yale Law School.

Claudine Schneider, Representative of the 2nd Congressional District of Rhode Island from 1981-1991 (R).

Rina Shah, Geopolitical Adviser & Former RNC Delegate.

Robert Shanks, Deputy Assistant Attorney General, Office of Legal Counsel in the Reagan Administration from 1981 to 1984.

Fern M. Smith, Judge of the U.S. District Court for the Northern District of California appointed by President Reagan from 1988 to 2005.

Peter Smith, Representative-at-Large of Vermont from 1989 to 1991 (R).

Jeff Timmer, The Lincoln Project.

David Trott, Representative of the 11th Congressional District of Michigan from 2015 to 2019 (R).

Olivia Troye, Special Advisor, Homeland Security and Counterterrorism to Vice President Mike Pence, 2018-2020.

Stanley A. Twardy, Jr., United States Attorney for the District of Connecticut from 1985 to 1991 and Chief of Staff to Connecticut Governor Lowell P. Weicker, Jr from 1991 to 1993.

William Joseph Walsh, Representative of the 8th Congressional District of Illinois from 2011 to 2013 (R).

William F. Weld, Governor of Massachusetts from 1991 to 1997 (R) and United States Assistant Attorney General for the Criminal Division from 1986 to 1988.

Christine Todd Whitman, Governor of New Jersey from 1994 to 2001 (R).