

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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WASHINGTON, DC 20515-6143

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<https://oversight.house.gov>

January 12, 2024

President Donald Trump  
c/o The Trump Organization  
725 Fifth Avenue  
New York, NY 10022

Dear President Trump:

I write today to demand that you immediately return to the American people the \$7,886,072 that we know you have accepted from foreign governments in violation of the U.S. Constitution's Foreign Emoluments Clause—a fact you admitted, once again, at a *Fox News* town hall this week.<sup>1</sup> Given that this is a fraction of your unconstitutional collections from foreign governments and that we do not yet know the complete sum of foreign money you accepted while in office, I also demand that you give Congress a full accounting of the money, benefits and other emoluments “of any kind whatever” you pocketed from foreign governments or their agents during your term as President and that you return the total sum of these foreign emoluments to the American people by writing a check to the U.S. Treasury like the one attached, which you received from the Kuwaiti government.<sup>2</sup>

In a report I released last week, entitled *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump*, the Oversight Committee's Democratic staff used the limited and incomplete set of receipts, ledgers, and other documents produced to the Committee by your former accounting firm, Mazars USA, LLP, as well as publicly available information to prove that, as President, you accepted *at least* \$7.8 million from, at a minimum, 20 foreign governments and one self-declared political entity—including some of the most corrupt and authoritarian regimes in the world—through your businesses.<sup>3</sup> A copy of the report is enclosed for your reference and convenience.

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<sup>1</sup> *Trump Won't Pledge to Divest from Businesses if He Wins Second Term*, CNBC (Jan. 10, 2024) (online at [www.cnbc.com/2024/01/10/trump-wont-pledge-to-divest-from-businesses-if-he-wins-second-term.html](http://www.cnbc.com/2024/01/10/trump-wont-pledge-to-divest-from-businesses-if-he-wins-second-term.html)); *Democracy 2024: Iowa Town Hall with Former President Donald Trump*, at 33:45, Fox News (Jan. 10, 2024) (online at [www.foxnews.com/video/6344671491112](http://www.foxnews.com/video/6344671491112)).

<sup>2</sup> MAZARS-OVERSIGHT\_COMMITTEE-00027307 (online at [https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2024/DOCUMENT%20PACKET%2001-03-2024\\_Redacted.pdf](https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2024/DOCUMENT%20PACKET%2001-03-2024_Redacted.pdf) at 277).

<sup>3</sup> Committee on Oversight and Accountability Democratic Staff, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

The Constitution makes clear that, as President, “without the Consent of Congress” you were prohibited from accepting “any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.”<sup>4</sup> You did not seek or obtain Congress’s consent to keep any of the at least \$7.8 million in foreign emoluments you raked in as President. As such, you violated the Constitution you were sworn to “preserve, protect, and defend.”<sup>5</sup>

Critically, the report was unable to provide a full accounting of the total amount of foreign emoluments you accepted as President, and thus, was unable to determine precisely what you owe to the American people. You spent years litigating against the Committee to prevent us from obtaining any documents regarding the foreign emoluments you received while in office. The Supreme Court rejected your attempt to prevent the facts from coming to light by reaffirming Congress’s well-established authority to obtain such information, and the parties reached a settlement regarding Mazars’ production. In January 2023, however—a mere four months after Mazars had begun producing documents to the Committee—Representative James Comer, as the new Chairman of the Committee on Oversight and Accountability, worked with your attorneys to stop Mazars from producing any further documents and curtail the Committee’s investigation.

Moreover, the ledgers and receipts the Committee ultimately received from Mazars, together with publicly available information, covered just four of your more than 500 opaque businesses and just two years of your presidency—and were themselves materially incomplete in many respects.<sup>6</sup> Yet even this narrow window revealed that you accepted at least \$7.8 million from at least 20 foreign governments, including China, Saudi Arabia, the United Arab Emirates, Qatar, Kuwait, Malaysia, the Philippines, Turkey, and the Democratic Republic of Congo. Each of these countries sought—and in many cases obtained—favours and specific policy outcomes from you and your Administration while they made these payments.<sup>7</sup>

Your violations of the U.S. Constitution and failure to place your duty of loyalty to the American people over your personal financial interests were entirely willful and knowing. You chose not to divest of your ownership of the more than 500 business entities you owned when you entered the White House, despite the advice of ethics experts from across the political spectrum, and you did not adopt a rule of refusing foreign government payments. Instead, you chose to place your businesses in a trust whose explicit “purpose . . . [was] to hold assets for the benefit of Donald J. Trump,” and which could “distribute net income or principal” to you

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<sup>4</sup> U.S. Constitution, Article I, § 9, cl. 8.

<sup>5</sup> U.S. Constitution, Article II, § 1, cl. 8.

<sup>6</sup> Notably, Mazars has stated that due to “the filings made by the New York Attorney General on January 18, 2022, our own investigation, and information received from internal and external sources,” the statements of financial condition it produced for Donald J. Trump “should no longer be relied upon.” See Letter from William J. Kelly, Mazars USA LLP, to Alan Garten, Esq., The Trump Organization (Feb. 9, 2022) (online at [https://www.documentcloud.org/documents/21208251-doc\\_\\_6462](https://www.documentcloud.org/documents/21208251-doc__6462)).

<sup>7</sup> Committee on Oversight and Accountability Democratic Staff, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

whenever you requested.<sup>8</sup> You also retained the ability to receive reports on any profit, or loss, on your businesses.<sup>9</sup> As such, you retained effective control over—and continued to receive the complete financial benefit of—the businesses you owned while you served as President. You then chose to allow foreign governments and their agents to pay at least millions of dollars to your business entities. And finally, you chose not to obtain—or even seek—Congress’s permission to keep these payments, even though the Constitution explicitly required you to do so.

I note with dismay that on social media, your son, Eric Trump, referred to the Democratic staff report detailing your violations of the Foreign Emoluments Clause as “a joke” and claimed: “All foreign government profits, for stays at our hotels and other properties while my father was in office, were voluntarily [*sic*] donated to the United States Treasury.”<sup>10</sup> To be clear, the Constitution imposes a categorical prohibition on a president’s receipt of *any* payments from foreign governments without Congress’s consent—a prohibition that extends to all revenues, and not merely profits—attributable to spending by foreign governments.<sup>11</sup> The Constitution does not merely forbid the receipt of “profits”—it forbids the receipt of “any present, Emolument, Office, or Title, *of any kind whatever*.” Hence, by its plain language, the Foreign Emoluments Clause does not give presidents any discretion to select sub-categories of foreign emoluments to return to the American people in order to keep others without Congress’s approval. If you think Congress would have swallowed your arguments that you should have been able to accept all money from foreign states other than that portion which you subjectively describe as “profits,” you should have followed the Constitution and come to Congress to ask for our permission.

As the report explains, it is hard to imagine a more ludicrous and half-hearted approach to the categorical prohibition in the Constitution than The Trump Organization’s “voluntary donation” policy, which was grossly underinclusive in several other respects. By its own terms, the policy applied only to certain Trump properties, excluded state-controlled entities, and was not subject to any kind of audit or inspection.<sup>12</sup> Astonishingly, this policy is in effect a clear

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<sup>8</sup> Certification of Trustee of the Donald J. Trump Revocable Trust, at 161 (Feb. 10, 2017) (online at [www.gsa.gov/cdnstatic/Contracting\\_Officer\\_Letter\\_March\\_23\\_2017\\_Redacted\\_Version.pdf](http://www.gsa.gov/cdnstatic/Contracting_Officer_Letter_March_23_2017_Redacted_Version.pdf)). See also *Allen Weisselberg Resigned from the Top of The Trump Organization. So Who’s Running the Company Now?*, Washington Post (July 21, 2021) (online at [www.washingtonpost.com/politics/2021/07/21/weisselberg-trump-organization-eric-donald-ivanka/](http://www.washingtonpost.com/politics/2021/07/21/weisselberg-trump-organization-eric-donald-ivanka/)); *It “Falls Short in Every Respect”: Ethics Experts Pan Trump’s Conflicts Plan*, New York Times (Jan. 12, 2017) (online at [www.nytimes.com/interactive/2017/01/12/us/politics/ethics-experts-trumps-conflicts-of-interest.html](http://www.nytimes.com/interactive/2017/01/12/us/politics/ethics-experts-trumps-conflicts-of-interest.html)).

<sup>9</sup> *Trump Can Quietly Draw Money from Trust Whenever He Wants, New Documents Show*, Washington Post (Apr. 3, 2017) (online at [www.washingtonpost.com/politics/trump-can-quietly-draw-money-from-trust-when-ever-he-wants-new-documents-show/2017/04/03/7f4c0002-187c-11e7-9887-1a5314b56a08\\_story.html](http://www.washingtonpost.com/politics/trump-can-quietly-draw-money-from-trust-when-ever-he-wants-new-documents-show/2017/04/03/7f4c0002-187c-11e7-9887-1a5314b56a08_story.html)).

<sup>10</sup> Eric Trump, @EricTrump, X (Jan. 4, 2024) (online at <https://twitter.com/EricTrump/status/1742967062610301161>).

<sup>11</sup> U.S. Constitution, Article I, § 9, cl. 8.

<sup>12</sup> Letter from Ranking Member Elijah E. Cummings, Committee on Oversight and Government Reform, to George A. Sorial, Executive Vice President and Chief Compliance Officer, The Trump Organization (May 24, 2017) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-05-24.EEC%20to%20Trump%20Organization.pdf>); The Trump Organization, *Donation of Profits from Foreign Government Patronage* (online at

admission that The Trump Organization intended to accept payments from foreign governments and their agents without Congress's approval, in clear violation of the Constitution.

Your acceptance of foreign emoluments while in office was a stunning violation of the U.S. Constitution—and a profound betrayal of the interests of the United States and the trust of the American people. You must immediately pay to the American people the \$7,886,072 we now know you accepted in payments from foreign governments in violation of the Constitution. Further, you must provide Congress with a full accounting of all payments, benefits, or other emoluments you received from foreign governments or their agents, including through the more than 500 entities you own, during your term as president—and you must pay to the American people the total amount in foreign emoluments you accepted as President. I look forward to your prompt response and send you greetings for a happy and law-abiding New Year.

Sincerely,

  
\_\_\_\_\_  
Jamie Raskin  
Ranking Member

Enclosures

cc: The Honorable James Comer, Chairman

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