

Congress of the United States
Washington, DC 20515

January 12, 2017

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

President-Elect Donald Trump made a startling announcement yesterday that he will defy warnings from Republican and Democratic ethics experts by refusing to do what every previous president has done for decades—to divest himself of his corporate ownership interests, liquidate his business assets, and place them in a truly blind trust operated by an independent entity.

As a result, it is now up to Congress to exercise our Constitutional duty to act as an independent check on the Executive Branch by demanding all documents necessary to evaluate all of President-Elect Trump's global financial entanglements for conflicts of interest and constitutional violations—including in particular those involving Russian investors, business interests, and development partners.

We do not understand why President-Elect Trump has so vigorously defended Russian President Vladimir Putin and alleged sex offender Julian Assange while at the same time disparaging U.S. intelligence officials who warn that Russia attacked our democracy prior to the 2016 presidential election—and is likely to do so again in the future.

We also do not understand why President-Elect Trump has been so secretive about his business dealings with Russian interests. He continues to refuse to produce his tax returns, which could shed some light on these business interests. Without this information, neither Congress nor the American people can fully understand the magnitude of his ties to Russia.

Although President-Elect Trump has denied having any business projects in Russia, he has not addressed investments and partnerships with Russians in other projects around the world. For example, Donald Trump Jr.—who will run day-to-day business operations for his father's companies—has stated: “Russians make up a pretty disproportionate cross-section of a lot of our assets. We see a lot of money pouring in from Russia.”¹ He has also stated: “Russia is just a different world. It is a question of who knows who, whose brother is paying off who. ... It really is a scary place.”²

¹ *Executive Talk: Donald Trump Jr. Bullish on Russia and Few Emerging Markets*, eTurboNews (Sept. 15, 2008) (online at www.eturbonews.com/5008/executive-talk-donald-trump-jr-bullish-russia-and-few-emerging-ma).

² *Trump's Financial Ties to Russia and His Unusual Flattery of Vladimir Putin*, Washington Post (June 17, 2016) (online at www.washingtonpost.com/politics/inside-trumps-

The Emoluments Clause of the U.S. Constitution prohibits the President from obtaining any benefit of any kind from foreign governments or other entities “without the consent of the Congress.”³ The Founders charged Congress with conducting an independent review of the President’s foreign business dealings and prohibiting any financial interests that could provide an “inlet to foreign corruption.”⁴

As Members of the House of Representatives, we have sworn a solemn oath to uphold and defend the Constitution, which means exercising robust oversight of the Executive Branch regardless of the President’s political party. To date, however, the House has done nothing to obtain specific documents about President-Elect Trump’s vast global entanglements.

Reports of President-Elect Trump’s Russian Business Interests and Financing

Most of the information about President-Elect Trump’s Russian business dealings has been pieced together from investigative reporting, court filings, and other sources.

Multiple news outlets have reported that President-Elect Trump “sought and received funding from Russian investors for his business ventures, especially after most American banks stopped lending to him following his multiple bankruptcies.”⁵ President-Elect Trump has boasted repeatedly about meeting with Russian financiers, stating after one trip to Moscow, “I have a great relationship with many Russians, and almost all of the oligarchs were in the room.”⁶

It has been reported that Russian interests helped finance \$50 million in President-Elect Trump’s 46-story luxury condominium project in lower Manhattan known as Trump SoHo, which was reportedly “developed with the undisclosed involvement of convicted felons and financing from questionable sources in Russia and Kazakhstan.”⁷

financial-ties-to-russia-and-his-unusual-flattery-of-vladimir-putin/2016/06/17/dbdcaac8-31a6-11e6-8ff7-7b6c1998b7a0_story.html?utm_term=.2ded7b8ffbac).

³ U.S. Const. art. I, § 9, cl. 8.

⁴ Alexander Hamilton, *Federalist No. 22*, New York Packet (Dec. 14, 1787) (online at www.constitution.org/fed/federa22.htm).

⁵ Max Boot, *Trump’s Opposition Research Firm: Russia’s Intelligence Agencies*, Los Angeles Times (July 25, 2016) (online at www.latimes.com/opinion/op-ed/la-oe-boot-trump-russian-connection-20160725-snap-story.html). See also *Donald Trump Isn’t a Manchurian Candidate*, Slate (July 27, 2016) (online at www.slate.com/articles/news_and_politics/politics/2016/07/donald_trump_isn_t_a_manchurian_candidate_trump_and_putin_are_using_each.html).

⁶ *Hotel Trio Aims to Bring Manhattan to Moscow*, Real Estate Weekly (Nov. 12, 2013) (online at <http://rew-online.com/2013/11/12/hotel-trio-aims-to-bring-manhattan-to-moscow>); *Donald Trump’s Many, Many, Many Ties to Russia*, Time (Aug. 2, 2016) (online at <http://time.com/4433880/donald-trump-ties-to-russia/>).

⁷ *Donald Trump Settled a Real Estate Lawsuit, and a Criminal Case Was Closed*, New York Times (Apr. 5, 2016) (online at www.nytimes.com/2016/04/06/us/politics/donald-trump-soho-settlement.html?_r=0).

During a deposition related to this project, President-Elect Trump stated that he was first approached by a Russian immigrant named Felix Sater who joined a development company called Bayrock Group with offices in Trump Tower. According to the *New York Times*:

Mr. Sater was convicted and sent to prison in 1993 after a New York bar fight in which he stabbed a man in the face with a broken margarita glass. That was a matter of public record. However, what few people beyond insiders at Bayrock knew was that five years later, Mr. Sater was implicated in a huge stock manipulation scheme involving Mafia figures and Russian criminals—and that he became a confidential F.B.I. informant.⁸

Mr. Sater personally joined President-Elect Trump for the official unveiling of Trump SoHo along with Tefvik Arif, a former Soviet-era official from Kazakhstan who founded Bayrock. Another development partner reportedly was Tamir Sapir from the former Soviet republic of Georgia.⁹

Bayrock's former finance director alleged that they "occasionally received unexplained infusions of cash from accounts in Kazakhstan and Russia." In addition, Alexander Mashkevich—who was identified as a "strategic partner" in a Bayrock investor presentation—was reportedly charged with corruption in a case involving fees paid by a Belgian company seeking business in Kazakhstan.¹⁰

Trump SoHo was not the only Trump development for which Bayrock reportedly helped secure Russian funding. President-Elect Trump stated in his deposition that he discussed with Mr. Arif "numerous deals all over the world." He said Mr. Arif brought Russian investors to meet with him and that "Bayrock knew the people, knew the investors, and in some cases I believe they were friends of Mr. Arif." He added that "this was going to be Trump International Hotel and Tower Moscow, Kiev, Istanbul, etc., Poland, Warsaw." Court records show that another Bayrock official, Salvatore Lauria—who wore a court-ordered ankle monitor—"brokered a \$50 million investment in Trump SoHo and three other Bayrock projects by an Icelandic firm preferred by wealthy Russians 'in favor with' President Vladimir V. Putin."¹¹

Trump SoHo is one of many examples about which there is a serious lack of information about President-Elect Trump's business dealings with Russian interests.¹² Congress also has

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² See, e.g., *Inside Trump's Financial Ties to Russia and His Unusual Flattery of Vladimir Putin*, Washington Post (June 17, 2016) (online at www.washingtonpost.com/politics/inside-trumps-financial-ties-to-russia-and-his-unusual-flattery-of-vladimir-putin/2016/06/17/dbdcaac8-31a6-11e6-8ff7-7b6c1998b7a0_story.html?utm_term=.2ded7b8ffbac) (referencing Miss Universe Pageant in Moscow, Russian clients for Trump Panama development, efforts to build Trump Tower Moscow, among others).

inadequate information about President-Elect Trump's top advisers and their unprecedented ties to Russian interests, including Paul Manafort,¹³ Carter Page,¹⁴ Michael Flynn,¹⁵ Rex Tillerson,¹⁶ Rick Gates,¹⁷ Richard Burt,¹⁸ Michael Caputo,¹⁹ and Wilbur Ross.²⁰

Need for Congress to Obtain Information on President-Elect's Foreign Business Dealings

On December 14, 2016, top ethics experts from both sides of the political spectrum appeared at a congressional forum to discuss President-Elect Donald Trump's unprecedented conflicts of interest and his global business entanglements. They strongly recommended that President-Elect Trump do what every previous president has done for decades—divest himself of all ownership interests, liquidate his business assets, and place them in a truly blind trust operated by an independent party.²¹

¹³ *FBI Making Inquiry Into Ex-Trump Campaign Manager's Foreign Ties*, NBC News (Nov. 1, 2016) (online at www.nbcnews.com/news/us-news/fbi-making-inquiry-ex-trump-campaign-manager-s-foreign-ties-n675881).

¹⁴ *Carter Page, Ex-Trump Adviser With Russian Ties, Visits Moscow*, New York Times (Dec. 8, 2016) (online at www.nytimes.com/2016/12/08/world/europe/carter-page-donald-trump-moscow-russia.html?_r=0).

¹⁵ *Trump Adviser Michael T. Flynn on His Dinner With Putin and Why Russia Today is Just Like CNN*, Washington Post (Aug. 15, 2016) (online at www.washingtonpost.com/news/checkpoint/wp/2016/08/15/trump-adviser-michael-t-flynn-on-his-dinner-with-putin-and-why-russia-today-is-just-like-cnn/?utm_term=.bc7c585ad1eb).

¹⁶ *Behind the Deep Ties Between Exxon's Rex Tillerson and Russia*, CNN Money (Dec. 11, 2016) (online at <http://money.cnn.com/2016/12/11/investing/rex-tillerson-exxon-russia-putin/>).

¹⁷ *Trump and Russia: All the Mogul's Men; Why Do So Many of Trump's Campaign Staffers Have Dodgy Ties to Russian Energy Companies or Russia State Clients?*, Daily Beast (Nov. 7, 2016) (online at www.thedailybeast.com/articles/2016/11/07/trump-and-russia-all-the-mogul-s-men.html).

¹⁸ *Lobbyist Advised Trump Campaign While Promoting Russian Pipeline*, Politico (Oct. 7, 2016) (online at www.politico.com/story/2016/10/donald-trump-campaign-lobbyist-russian-pipeline-229264).

¹⁹ *How Vladimir Putin is Using Donald Trump to Advance Russia's Goals*, Newsweek (Aug. 29, 2016) (online at www.newsweek.com/2016/09/09/vladimir-putin-donald-trump-493946.html).

²⁰ *Here's Another Trump Cabinet Pick With Close Financial Ties to Russians; Wilbur Ross Joined With a Russian Oligarch and a Former KGB Official to Run a Troubled Bank in Cyprus*, Mother Jones (Dec. 19, 2016) (online at www.motherjones.com/politics/2016/12/trump-commerce-pick-wilbur-ross-financial-ties-russians).

²¹ House Committee on Oversight and Government Reform, *Minority Forum on Bipartisan Ethics Experts on Trump's Conflicts of Interest* (Dec. 14, 2016).

These experts also made clear that if President-Elect Trump chose not to follow this path, the responsibility would rest on Congress to obtain documents about President-Elect Trump's financial deals in order to prevent unconstitutional emoluments:

- New York University Ethics Professor Stephen Gillers, when asked whether Congress should obtain documents about President-Elect Trump's global business dealings, responded: "Absolutely." He added: "I think it is your duty. What you do with the information, you may disagree with each other, but getting the information I think is critical."
- Ambassador Norm Eisen, who previously served as counsel to President Obama, warned that Congress cannot fulfill its constitutional obligation without "the plethora of forms that indicate foreign entanglements." He added: "This body ... needs to exercise its oversight authority. I hope that will be in a bipartisan way."
- Richard Painter, President George W. Bush's chief ethics counsel, wholeheartedly agreed and pressed Congress "to make it clear to the President that this body expects him to comply with the Constitution." He urged Congress to require President-Elect Trump to explain, "this is what I'm getting in terms of income, this is what I owe to people in Russia—directly or indirectly," regardless of whether these dealings are "at the corporate level or at the personal level." He stated that Congress "should see his tax returns just like every other President."

On November 14, 2016, Rep. Elijah E. Cummings, the Ranking Member of the Committee on Oversight and Government Reform, sent a letter to Chairman Jason Chaffetz requesting this type of review, but never received a response.²² On November 28, 2016, all Oversight Committee Democrats joined together in sending a follow-up letter to Chairman Chaffetz requesting this review, but they also never received a response.²³ Instead, Chairman Chaffetz has stated publicly that he plans to spend the next two years of the 115th Congress continuing his investigation of former Secretary of State Hillary Clinton's emails "full throttle."²⁴

²² Letter from Ranking Member Elijah E. Cummings to Chairman Jason Chaffetz, House Committee on Oversight and Government Reform (Nov. 14, 2016) (online at [https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2016-11-14.EEC%20to%20JC%20\(003\).pdf](https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2016-11-14.EEC%20to%20JC%20(003).pdf)).

²³ Letter from Ranking Member Elijah E. Cummings et al. to Chairman Jason Chaffetz, House Committee on Oversight and Government Reform (Nov. 28, 2016) (online at https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2016-11-28.EEC%20et%20al%20to%20Chaffetz%20re%20Trump%20Conflict%20of%20Interests_1.pdf).

²⁴ *House Republicans Are Already Preparing for 'Years' of Investigations of Clinton*, Washington Post (Oct. 26, 2016) (online at www.washingtonpost.com/politics/house-republicans-are-already-preparing-for-years-of-investigations-of-clinton/2016/10/26/e153a714-9ac3-11e6-9980-50913d68eacb_story.html?utm_term=.9477640b3f2c). *Chaffetz: Clinton*

Conclusion

For the reasons above, we ask you to demonstrate leadership on this issue where there has been little to date. We request that you join us in fulfilling our sworn constitutional duty by seeking and obtaining copies of the following documents:

- (1) President-Elect Trump's personal and corporate tax returns, domestic and foreign, for the past five years, regardless of whether they are still under audit;
- (2) all documents referenced by President-Elect Trump and his attorneys at yesterday's press conference, including those physically present at the press conference and those not present at the press conference;
- (3) all current corporate charters, balance sheets, and income statements for the past five years identifying sources of investments and income for companies owned in whole or in part by President-Elect Trump, including those transferred to the trust described at yesterday's press conference; and
- (4) all other documents necessary to help protect against violations of the Emoluments Clause of the Constitution and conflicts of interest, including with foreign adversaries such as Russia.

Thank you for your consideration of this request.

Sincerely,

Eligh E. Cummings Bonni Ghomp

Eddie Bernice Johnson

Alan B. Schiff

Maxine Waters

Adam Smith

Laurie M. Shaughton

Nydia M. Velazquez

Nita M. Lowery

Bobby

Richard Stuhl

Rail M. Lijden

Pat A. Brady

Candice B. Maloney

John Longenecker Jr.

Frank Pallone Jr.

John J. A.

Peter DeFazio

Elise L. Enyed

Tom J. Murtha

Lu Hsin

cc: The Honorable Rodney Frelinghuysen
Chairman, Committee on Appropriations

The Honorable Mac Thornberry
Chairman, Committee on Armed Services

The Honorable Diane Black
Chairman, Committee on Budget

The Honorable Virginia Foxx
Chairman, Committee on Education and Workforce

The Honorable Greg Walden
Chairman, Committee on Energy and Commerce

The Honorable Susan Brooks
Chairman, Committee on Ethics

The Honorable Jeb Hensarling
Chairman, Committee on Financial Services

The Honorable Edward Royce
Chairman, Committee on Foreign Affairs

The Honorable Michael McCaul
Chairman, Committee on Homeland Security

The Honorable Gregg Harper
Chairman, Committee on House Administration

The Honorable Bob Goodlatte
Chairman, Committee on the Judiciary

The Honorable Rob Bishop
Chairman, Committee on Natural Resources

The Honorable Jason Chaffetz
Chairman, Committee on Oversight and Government Reform

The Honorable Pete Sessions
Chairman, Committee on Rules

The Honorable Lamar Smith
Chairman, Committee on Science, Space, and Technology

The Honorable Paul Ryan

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The Honorable Steve Chabot
Chairman, Committee on Small Business

The Honorable Bill Shuster
Chairman, Committee on Transportation and Infrastructure

The Honorable David Roe
Chairman, Committee on Veterans' Affairs

The Honorable Kevin Brady
Chairman, Committee on Ways and Means

The Honorable Devin Nunes
Chairman, Permanent Select Committee on Intelligence

The Honorable Pat Tiberi
Chairman, Joint Economic Committee