

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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March 12, 2018

George A. Sorial
Executive Vice President and
Chief Compliance Counsel
The Trump Organization
725 Fifth Avenue
New York, NY 10022

Dear Mr. Sorial:

I am writing to request information about a payment recently made by the Trump Organization to the Department of the Treasury that you described as “profits from foreign government patronage at our hotels and similar business during President Trump’s term in office.”¹ When you announced this payment, you refused to disclose the amount, how it was calculated, or the specific foreign sources of these funds.² Last Friday, Trump Organization Vice President Eric Trump stated that the amount was \$151,470, but he disclosed no further details.³

To date, you have refused to comply with a bipartisan request sent on April 21, 2017, from the Oversight Committee to the Trump Organization requesting documents relating to President Trump’s plan to donate foreign profits to the Treasury.⁴ On May 11, 2017, you sent a woefully incomplete response with only a single document—a glossy, eight-page pamphlet—and an email forwarding this pamphlet to various Trump Organization entities.⁵ The pamphlet

¹ *Trump Organization Says it Donated Profits from Foreign Governments*, Politico (Feb. 26, 2018) (online at www.politico.com/story/2018/02/26/trump-organization-foreign-government-profits-treasury-425354).

² *Trump Org. Donates Foreign Profits But Won’t Say How Much*, Associated Press (Feb. 26, 2018) (online at <http://abcnews.go.com/Politics/wireStory/trump-org-donated-foreign-profits-treasury-53367141>).

³ *Trump’s Hotel Group Wrote \$151,470 Check to the U.S. Treasury as it Handed Over All 2017 Profits From Business With Foreign Governments*, DailyMail.Com (Mar. 9, 2018) (online at www.dailymail.co.uk/news/article-5482941/Trumps-hotel-company-writes-151-470-check-Treasury.html).

⁴ Letter from Chairman Jason Chaffetz and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Sheri A. Dillon, Partner, Morgan Lewis (Apr. 21, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-04-21%20JEC%20EEC%20to%20Dillon%20-%20Trump%20Emoluments%20Plan.pdf>).

⁵ Letter from George A. Sorial, Executive Vice President and Chief Compliance Counsel, Trump Organization, to Chairman Jason Chaffetz and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (May 11, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Trump%20Org%20to%20Oversight%20C>

indicated that the Trump Organization did not plan to identify all foreign emoluments prohibited by the Constitution. It stated:

To fully and completely identify all patronage to our Properties by customer type is impractical in the service industry and putting forth a policy that requires all guests to identify themselves would impede upon personal privacy and diminish the guest experience of our brand.⁶

In your response, you asserted that the Trump Organization would not comply with the Committee's request for information and documents until 2018. You wrote:

[W]e believe it is premature to respond at this time insofar as final determinations regarding these matters are dependent on many factors that will not be known to TTO until after the close of this year.⁷

Republicans on our Committee took no steps to obtain any further information for the remainder of 2017.

On January 11, 2018, all of the Democratic Members of the Oversight Committee sent a letter requesting that Chairman Trey Gowdy issue a subpoena to the Trump Organization for the documents requested last April. If he refused, we asked him to allow all Committee Members to vote on a motion for this subpoena at the Committee's next regularly scheduled business meeting.⁸ He never responded.

On February 2, 2018, I sent a letter with Vice Ranking Member Gerald E. Connolly to Chairman Gowdy requesting that he place a motion for this subpoena onto the agenda for the Committee's business meeting on February 6, 2018.⁹ He never responded.

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⁶ The Trump Organization, *Donations of Profits from Foreign Government Patronage* (undated) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Trump%20Org%20Pamphlet%20on%20Foreign%20Profits.pdf>).

⁷ Letter from George A. Sorial, Executive Vice President and Chief Compliance Counsel, Trump Organization, to Chairman Jason Chaffetz and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (May 11, 2017) (online at https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Trump%20Org%20to%20Oversight%20Committee%205-11-17_Redacted.pdf).

⁸ Letter from Ranking Member Elijah E. Cummings et al. to Chairman Trey Gowdy, House Committee on Oversight and Government Reform (Jan. 11, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2018-01-11.Dem%20Members%20to%20Gowdy%20re.%20Subpoena%20Trump%20Org..pdf>).

⁹ Letter from Ranking Member Elijah E. Cummings and Vice Ranking Member Gerald E. Connolly to Chairman Trey Gowdy, House Committee on Oversight and Government Reform (Feb. 2, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/2018-02-02.EEC%20%26%20Connolly%20to%20Gowdy%20re.13%20motions%20for%20Subpoenas.pdf>).

On February 6, 2018, the Committee held a business meeting during which Vice Ranking Member Connolly attempted to offer a motion for this subpoena, but Committee Republicans blocked his effort to allow Committee Members to debate and vote on the motion.¹⁰

When you issued your public statement on February 26, 2018, announcing that the Trump Organization had made a payment to the Treasury on February 22, 2018, you stated:

Although not a legal requirement, this voluntary donation fulfills our pledge to donate profits from foreign government patronage at our hotels and similar business during President Trump's term in office.¹¹

The Trump Organization refused to answer any questions about which properties were included in the accounting or which foreign entities paid money to the President's businesses. Instead, Trump Organization spokesperson Amanda Miller stated, "We have nothing further to share at this time."¹² According to press reports, you reportedly stated only that the payment was "calculated using 'our policy and the Uniform System of Accounts for the Lodging Industry'."¹³

There is no legitimate reason for the Trump Organization to withhold information about these payments from Congress. We have an obligation to determine whether foreign governments are spending money at President Trump's businesses, how much they are spending, and whether these payments violate the Emoluments Clause.

As I said in my letter last May, complying with the United States Constitution is not an optional exercise, but a requirement for serving as our nation's President. It remains a requirement even if Republicans in Congress have no interest in enforcing it.

For all of these reasons, I request that you provide the following information and documents by March 26, 2018:

- (1) copies of all documents provided by the Trump Organization to the United States Treasury, including a copy of the check or money transfer and all accompanying documents;

¹⁰ House Committee on Oversight and Government Reform, Democratic Press Office, *GOP Blocks 13 More Subpoena Motions for a Total of 19 Subpoenas Rejected by Oversight Committee* (Feb. 6, 2018) (online at <https://democrats-oversight.house.gov/news/press-releases/gop-blocks-13-more-subpoena-motions-for-a-total-of-19-subpoenas-rejected-by>).

¹¹ *Trump Organization Says it Has Donated Foreign Profits to U.S. Treasury, But Declines to Share Details*, Washington Post (Feb. 26, 2018) (online at www.washingtonpost.com/politics/trump-organization-says-it-has-donated-foreign-profits-to-us-treasury-but-declines-to-share-details/2018/02/26/747522e0-1b22-11e8-ae5a-16e60e4605f3_story.html?utm_term=.f6ea9648e81a).

¹² *Id.*

¹³ *Trump Org. Donates Foreign Profits But Won't Say How Much*, Associated Press (Feb. 26, 2018) (online at <http://abcnews.go.com/Politics/wireStory/trump-org-donated-foreign-profits-treasury-53367141>).

- (2) documents sufficient to show the calculation for the payment to Treasury, including the foreign government entities that made payments, the amounts of the payments, the dates of the payments, which Trump Organization entities received the payments, the goods or services received for the payments, and any calculation of profits;
- (3) documents sufficient to show whether any foreign government entities made any payments to the Trump Organization that were not included in the Trump Organization's payment to the Treasury and the rationale for excluding such amounts;
- (4) all documents referring or relating to:
 - (a) the process by which payments from foreign governments or foreign government-owned entities were identified;
 - (b) the process or formula by which the profits from such payments were calculated;
 - (c) whether the Trump Organization, President Trump, or his trust plans to claim donations to the U.S. Treasury as a gift for tax deduction purposes; and
- (5) documents showing which specific entities within the Trump Organization have donated or will be donating profits derived from foreign government sources.

Thank you for your prompt attention to this request.

Sincerely,



Elijah E. Cummings
Ranking Member

cc. The Honorable Trey Gowdy, Chairman
House Committee on Oversight and Government Reform