

Minuteman Indivisible

TALKING POINTS

Emoluments

- **Facts (real ones, not fake)**
 - The Merriam Webster Dictionary defines emoluments as: "the returns arising from office or employment usually in the form of compensation or perquisites"
 - The U.S. Constitution prohibits emoluments to the president and other elected officials.
- **Is there any historical background to something like this?**
 - Two emoluments clauses were added to the Constitution. These clauses were added because of concerns that representatives of the government might be corrupted by gifts from wealthy European governments and concerns that the President might be corrupted by gifts from representatives of the federal or state governments.
 - The Foreign Emoluments Clause appears in Article I of the Constitution. It reads: "No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.". So essentially, no person in the federal government should accept gifts or money from any foreign state or person.
 - The Domestic Emoluments Clause appears in Article II and reads: "The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them." So essentially the President is paid a salary and he should not receive any money from other sources.
- **Why does this matter:**
 - We want the president making the best decisions for us versus a foreign state or person that is giving him money or gifts. A good analogy would be if you had cancer and you went to a doctor. You would want the best treatment for you and your cancer. You would not want the doctor administering a treatment that a drug company paid the doctor to utilize, possibly not even the best treatment for you.
 - In January, Donald Trump said that the Trump Organization would donate any profits earned at Trump hotels from a foreign government to the US Treasury. Documents released by the congressional Democrats show that Trump is not doing this - the claim is that it is too difficult to collect this information. In fact, the pamphlet given to Trump employees tells them to not to try too hard, for that would annoy customers.
 - Many foreign dignitaries and even US meetings are held at Trump properties, thus generating profit in violation of the emoluments

- clause. A portion of those profits are ours - the taxpayers!
- When Trump the president sits down to negotiate trade deals with these countries, the American people will have no way of knowing whether he will also be thinking about the profits of Trump the businessman."
 - **Links to articles / information**
 - <https://www.nytimes.com/2017/04/18/opinion/mr-trump-plays-by-his-own-rules-or-no-rules.html?action=click&pgtype=Homepage&clickSource=story-heading&module=opinion-c-col-left-region®ion=opinion-c-col-left-region&WT.nav=opinion-c-col-left-region>
 - <https://www.nytimes.com/2017/05/29/opinion/trump-hotel-emoluments-clause.html? r=0>
 - http://www.slate.com/articles/news_and_politics/jurisprudence/2017/06/trump_is_facing_three_emoluments_lawsuits_will_any_of_them_succeed.html
 - <http://www.motherjones.com/politics/2017/05/trump-plan-avoid-emoluments-hotel>
 - **Related Legislation or lawsuits:**
 - The emoluments clauses have never been tested in court. This is primarily because previous Presidents tried to avoid the appearance of conflicts of interest.
 - CREW brought a lawsuit to federal court in January 2017, asking the court to rule that Trump's business dealings violate the Foreign Emoluments Clause. In March CREW brought a restaurant association and a luxury hotel booker into the suit; both claim Trump's emoluments violations are causing them to lose business.
 - The attorneys general of Washington D.C. and Maryland filed a suit alleging that the president's receipt of foreign gifts and payments violated the Constitution; they argue that Trump's D.C. hotel is drawing foreign business from the state of Maryland and from the D.C. convention center, which is taxpayer owned.
 - Nearly 200 members of Congress have sued President Trump for violating the emoluments clause. They claim that Trump is injuring members of Congress by depriving them of the opportunity to vote on his emoluments. The Constitution allows the president to receive emoluments with "the consent of the Congress" and they are arguing that they must be able to allow or prohibit Trump's acceptance of foreign payments.
 - **Key "allies" for the issue:**
 - MA MoCs
 - The Citizens for Responsibility and Ethics (CREW) in Washington, a government watchdog group.
 - ACLU
 - Robert Reich
 - **Our response / actions:**
 - Keep raising awareness via phone calls, rallies, postcards, etc