

# 2020 Thematic Brief: Trump Investigations



 The National Security Program

## Takeaways

President Trump’s governing style deviates dramatically from the approaches followed by his predecessors. His propensity to ask for foreign interference in American elections, lack of transparency, erratic decision making, political retaliation, and potential self-dealing has led to over 300 House congressional hearings and more than 900 oversight letters into his actions. <sup>1</sup> It has also resulted in federal criminal investigations into Trump associates, and criminal and civil investigations in New York state, where the Trump Organization is headquartered. <sup>2</sup>

These investigations fall into three main categories of President Trump’s behavior: <sup>3</sup>

- **Soliciting foreign interference in the American electoral system** by refusing to acknowledge that Russia interfered in the 2016 election on his behalf, obstructing the Mueller investigation, and withholding military aid from Ukraine, a key ally in the fight against Russia, in exchange for dirt on his biggest political opponent;
- **Stonewalling and retaliation**, including obstructing investigations into his actions, attempting to prevent whistleblower complaints from reaching Congress, abusing the code word clearance systems to hide his actions, firing inspectors general, withholding COVID-19 aid from states with Democratic governors, and more; and
- **Corruption and self-dealing** including forcing the military to refuel near Trump properties, securing patents for his daughter's business, and allowing Cabinet members to abuse their position in office.

While Republicans have focused their complaints on minor procedural flaws within the investigations, they have been unable to disprove the main allegations against the president: that he has sought and accepted assistance from foreign governments for his personal and political benefit, obstructed investigations into those allegations, and been personally self-enriched at the taxpayers' expense. Congress and others should continue to get to the bottom of President Trump's actions. The American people deserve the truth.

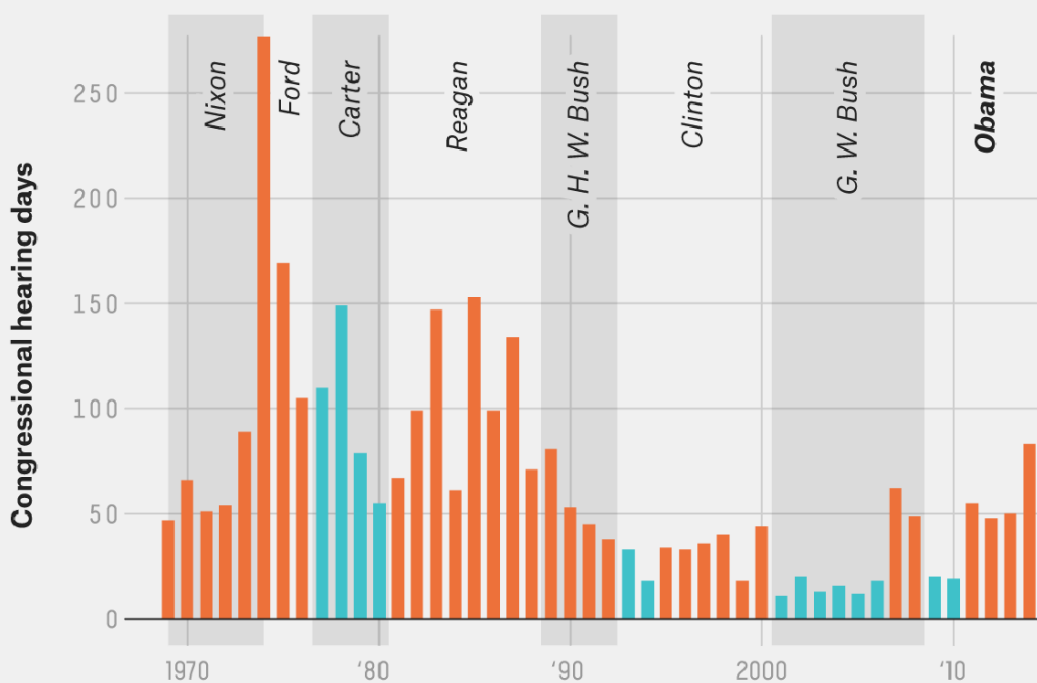
## **President Trump's Administration has necessitated hundreds of congressional and watchdog investigations in less than four years.**

President Trump's tenure has been marked by numerous investigations into his solicitation of foreign interference in American elections, self-dealing, obstruction, and political retaliation. While administrations of all stripes have faced congressional and other forms of investigations, President Trump has faced a significant number of investigations in less than four years, particularly for actions that are clearly taken for his own self-interest.

The Constitution mandates that Congress play a critical oversight role into the executive branch, and historically it has done so.

## Obama was investigated by House Republicans

Number of congressional hearing days\* in the House each year by whether the House was controlled by the **same party** as the president or by the **opposing party**, 1969-2014



\*A congressional hearing day counts each hearing separately. So, two hearings in one day would count as two congressional hearing days

FiveThirtyEight

SOURCE: DOUGLAS KRINER AND ERIC SCHICKLER

**Source:** Thomas-DeVeaux, Amelia. "Trump Is Wrong. When The Opposition Party Runs The House, The President Gets Investigated." FiveThirtyEight, 7 Feb. 2019, [fivethirtyeight.com/features/trump-is-wrong-when-the-opposition-party-runs-the-house-the-president-gets-investigated/](https://fivethirtyeight.com/features/trump-is-wrong-when-the-opposition-party-runs-the-house-the-president-gets-investigated/). Accessed 30 Aug. 2020.

President Trump’s refusal to sell or divest from his properties and business interests—unlike previous presidents—along with his willingness to turn to foreign nations to gain or maintain power, has resulted in a wide range of ethical and legal conflicts.<sup>4</sup> Over his tenure, Congress has conducted over 300 House congressional hearings and sent more than 900 oversight letters on his actions.<sup>5</sup> Despite the volume of oversight, Congress has barely scratched the surface of legal and ethical issues presented during the Trump Administration. Each day brings new revelations of government conflicts of interest, improper politicization, maladministration, or allegations of self-dealing among the president’s aides and associates. While not intended to be exhaustive, this memo provides an overview of the major investigations into the Trump Administration.

# **Investigations into President Trump’s behavior fall into three main categories: 1. soliciting foreign interference in America’s elections; 2. promoting a lack of transparency and political retaliation; and 3. leading a corrupt administration and self-dealing.**

Congressional and other watchdog investigations into President Trump and his Administration have spanned a wide spectrum of issues. There are three main categories of behavior that these investigations have focused on:

## **1. Soliciting or demanding foreign interference in the American electoral process in the 2016 and 2020 elections.**

President Trump has asked, solicited, or demanded foreign interference in the American electoral process from Russia, Ukraine, and China, in violation of federal election laws. The Chairwoman of the Federal Election Commission (FEC), Ellen L. Weintraub, said “the law is pretty clear...It is absolutely illegal for anyone to solicit, accept, or receive anything of value from a foreign national in connection with any election in the United States.”<sup>6</sup>

But the president has broken these laws on many occasions, leading to investigations into his conduct. Special Counsel Robert Mueller investigated Russian meddling in the 2016 election, leading to numerous indictments. President Trump’s demand for political dirt from Ukraine was the subject of congressional investigations and his subsequent impeachment. And his actions in both cases have led to accusations of obstruction. Other allegations of President Trump inviting or soliciting foreign interference in US elections have emerged *after* the president was impeached, including allegations that he was seeking assistance from China.<sup>7</sup> Further, over the summer, House Democrats raised concerns about a potential foreign influence campaign aimed at legislators.<sup>8</sup>

### ***Russia Investigation***

Special Counsel Robert Mueller was appointed by acting Attorney General Rod Rosenstein to investigate the Russian government’s interference in the 2016 presidential election.<sup>9</sup> The investigation led to 37 indictments, seven guilty pleas or convictions, and 14 criminal matters that were referred to other components of the Justice Department. Moreover, the Mueller report noted President Trump obstructed the investigation numerous times.<sup>10</sup>

The unclassified Mueller report, publicly released on April 18, 2019, concluded that Russia engaged in attacks on the US election system and that there were numerous links between the Russian government and the Trump campaign.<sup>11</sup> While the investigation did not find sufficient evidence

that the president's campaign coordinated with Russia to influence the 2016 elections, it stated it could not exonerate him from such charges.<sup>12</sup>

Despite this report clearly finding that Russia meddled in the 2016 election in favor of his election, President Trump has refused to acknowledge this fact, even as Russian President Vladimir Putin stated his preference for Trump at a joint press conference in Helsinki.<sup>13</sup> The report found that Russia's interference in the election was "sweeping and systematic" and included social media "information warfare" that was biased toward President Trump. The report also attributed to Russia the hacking of Clinton campaign-related databases and the release of stolen materials through WikiLeaks and Russian-created entities.<sup>14</sup> <sup>15</sup> It also found that the Russians targeted election administration databases to collect information on registered voters.<sup>16</sup> Instead of condemning and taking action against Russia for the blatant interference in America's democratic processes and its attempt to sow discord and mistrust, the president has insisted that Russia did not do anything wrong.<sup>17</sup>

Additionally, the Mueller report outlined inappropriate, and in some cases illegal, contacts between the Trump campaign and Russia, including the Trump campaign's interest in WikiLeaks' release of material damaging to his political rival, Hillary Clinton. This includes:

- Michael Cohen, in 2015 and 2016, pursued a hotel deal in Russia on behalf of Donald Trump, while also campaigning for Trump. Then-candidate Trump personally signed a memorandum of intent to build a hotel in Moscow.<sup>18</sup>
- On June 9, 2016, senior members of the Trump campaign, including Paul Manafort, Donald Trump Jr., and Jared Kushner, held a meeting with Russian nationals at Trump Tower in New York to gather dirt on Hillary Clinton. The meeting sprang from a conversation between Donald Trump Jr. and an intermediary informing the campaign that the Russians had damaging information about Clinton.<sup>19</sup>
- In June 2016, a Trump associate, credibly believed to be Roger Stone, notified the Trump campaign ahead of WikiLeaks releases about Clinton. Roger Stone is believed to have had significant contacts with WikiLeaks.<sup>20</sup>
- In July 2016, at a news conference, then-candidate Trump asked Russia to find Hillary Clinton's "30,000 emails."<sup>21</sup> In response, Russian intelligence units made their first attempt to hack Hillary Clinton's email server.

In total, the Mueller investigation led to seven<sup>22</sup> indictments of people in President Trump's inner circle:<sup>23</sup>

# INDICTMENTS



**PAUL MANAFORT**

**Indictment:** Multiple counts of false income tax returns, failure to file reports of foreign bank accounts, and bank fraud.

**Conviction:** 81 months in prison but has since been released.



**MICHAEL COHEN**

**Indictment:** Tax evasion, Making False Statements to a Federally Insured Bank, Causing an Unlawful Corporate Contribution, Lying to Congress and Making an Excessive Campaign Contribution.

**Conviction:** Three years in federal prison and a \$50,000 fine.



**RICK GATES**

**Indictment:** Multiple counts of financial crimes, unregistered lobbying, and lying to federal investigators.

**Conviction:** Three years of probation, 45 days in jail, and 300 hours of community service.



**GEORGE PAPADOPOULOS**

**Charge:** Lying to FBI investigators.

**Conviction:** 14 days incarceration, 200 hours of community service, and a \$9,500 fine.



**KONSTANTIN KILIMNIK**

**Indictment:** One count of conspiracy to obstruct justice and one count of obstruction of justice.

**Conviction:** Kilimnik has not entered a plea and remains out of the United States' reach.



**ALEX VAN DER ZWAAN**

**Indictment:** One count of false statements to the special counsel's office.

**Conviction:** Sentenced to 30 days in federal prison and a \$20,000 fine.



**LT. GENERAL MICHAEL FLYNN**

**Charges:** Making false statements to the FBI.

**Aftermath:** After initially pleading guilty, Flynn backtracked by firing his attorneys, accusing the FBI of bias, and asking to withdraw his guilty plea.



**ROGER STONE**

**Indictment:** Five counts of false statements, one count of witness tampering, and one count of obstruction of an official proceeding.

**Conviction:** He faced up to 50 years in prison but was sentenced to only 3 years before Trump commuted his sentence.



Paul Manafort: President Trump's former campaign chairman was charged in two separate federal courts for financial crimes related to his lobbying efforts in Ukraine. A jury for the Eastern District of Virginia found him guilty on 18 charges, including multiple counts of false income tax returns, failure to file reports of foreign bank accounts, and bank fraud. Manafort also plead guilty to conspiracy against the United States and to witness tampering in the District of Columbia. He was sentenced to 81 months in prison but has since been released.<sup>24</sup>

Rick Gates: A former Trump campaign official and longtime business associate of Manafort, Gates was charged in the Eastern District of Virginia and the District of Columbia for financial crimes, unregistered lobbying, and lying to federal investigators. He plead guilty and testified against

Manafort. He was sentenced to three years of probation, 45 days in jail, and 300 hours of community service.

Konstantin Kilimnik: A business associate of Manafort's with ties to Russian intelligence, Kilimnik was charged with conspiracy to obstruct justice and obstruction of justice for communications between him and Manafort about messages they exchanged with two potential witnesses in the case against them. He has not entered a plea and remains out of the United States' reach.

Lt. General Michael Flynn: Trump's first national security advisor pleaded guilty to making false statements to the FBI regarding his communications with former Russian ambassador Sergey Kislyak during the 2016 presidential transition period. His conversations with Kislyak undercut then-President Obama's sanctions against Russia for meddling in the 2016 election. After pleading guilty to the charge of lying to the FBI, in December 2017, Flynn agreed to help the Mueller probe and provided evidence against Trump. In 2019, Flynn fired his attorneys, accused the FBI of bias, and asked to withdraw his guilty plea. The Justice Department has moved to drop the charges against Flynn at Attorney General William Barr's request, and the case is ongoing. Despite these charges, the president has said he would welcome Flynn back into his Administration.<sup>25</sup>

Roger Stone: Stone, a friend of President Trump, was charged with five counts of false statements, one count of witness tampering, and one count of obstruction of an official proceeding. These charges largely stem from false statements he made to the House Permanent Select Committee on Intelligence in an attempt to obstruct the congressional investigation into Russia's 2016 election interference. He was sentenced to three years in prison, but President Trump commuted his sentence—once again protecting his political allies instead of respecting the rule of law.<sup>26</sup>

Michael Cohen: President Trump's former personal lawyer was sentenced to three years in prison on charges of financial crimes, campaign violations, and lying to Congress. After the outbreak of the coronavirus, Cohen was furloughed from prison; within a few weeks, he was sent back for refusing to sign a document that would have barred him from publishing a book. A few weeks later, a judge ordered Cohen to be released citing retaliation by the government for the book.<sup>27</sup> Cohen was originally convicted because court filings alleged he "acted in coordination with and at the direction of Individual-1", a reference to President Trump, that would implicate the president in campaign violation charges for payments to two women that claimed to have affairs with Trump.

George Papadopoulos: Papadopoulos, an unpaid foreign policy advisor to the Trump campaign, pleaded guilty to lying to FBI investigators about communications with foreign nationals with ties to the Russian government. He was sentenced to 14 days incarceration, 200 hours of community service, and a \$9,500 fine.

Alex van der Zwann: Dutch national Alex van der Zwann was sentenced to 30 days in prison after pleading guilty to a felony false-statement charge. He admitted to lying to the FBI and Mueller probe lawyers about his contacts with former Trump campaign official Rick Gates.

In addition, several other individuals were indicted as a result of the Mueller investigation, including several Russian individuals, companies, and intelligence agents for hacking into the Democratic National Committee and the Hillary Clinton campaign and then leaking the contents to WikiLeaks. The conclusions of the Mueller report were later bolstered by the bipartisan conclusions of the Senate Select Committee on Intelligence's review, including in its counterintelligence assessment, which found:

- The Trump campaign sought advance information of WikiLeaks' release of John Podesta's emails through Roger Stone, who communicated with Trump directly. The campaign also developed an advance communication strategy around the release of those emails, which were released the same day as the Access Hollywood tape first surfaced.
- Konstantin Kilimnick, the business partner of Trump Campaign Manager Paul Manafort, was a Russian intelligence agent who was in daily clandestine contact with Manafort while he was on the campaign.

### *Ukraine Investigation*

President Trump also faced congressional investigations for blocking critical military aid to Ukraine unless the country helped to manufacture a public dirt-digging investigation to harm Joe Biden. This led to his impeachment by the House of Representatives.

In June 2019, President Trump blocked two packages of aid from reaching Ukraine: \$250 million from the Pentagon in security cooperation funds and \$141 million from the State Department.<sup>28</sup> This aid is vital to the Ukrainians' efforts to resist Russian occupation and advance a democratic and free society.<sup>29</sup> Russia often uses Ukraine as a testing ground for its anti-democratic efforts in the United States, including election interference and cyberwarfare.<sup>30</sup> Additionally, there is currently a hot war between Ukraine and Russia in eastern Ukraine, as tensions between the two countries dramatically escalated following Russia's illegal annexation of Crimea in 2014.<sup>31</sup>

On July 25<sup>th</sup>, President Trump and the new president of Ukraine, Volodymyr Zelensky, spoke over the phone.<sup>32</sup> President Zelensky raised the issue of military aid, which Ukraine had not received, but was anticipating. In response, President Trump reminded Zelensky that "the United States has been very, very good to Ukraine" and then asked for a "favor." Trump wanted Ukraine to announce investigations into Hunter Biden for his position on the board of Burisma, a Ukrainian natural gas company, intending to portray the Biden's as corrupt and cast doubt on Russian tampering in the 2016 US election.

A month after Trump asked for an investigation into Hunter Biden and his position on the board of Burisma, a whistleblower complaint was sent to the Director of National Intelligence raising concerns about the Administration's dealings with Ukraine and the withholding of the aid.<sup>33</sup> Shortly after the report, the House Select Committee on Intelligence, along with two other House committees, launch an investigation into the president's actions with Ukraine.<sup>34</sup> Testimony



from Trump Administration officials gave the US House of Representatives enough information to begin impeachment proceedings against the president, eventually voting to impeach Trump for abuse of power and obstruction of justice.<sup>35</sup>

Although the Senate ultimately failed to convict the president, the evidence is crystal clear that President Trump used his power to force a foreign government to launch an investigation against one of his domestic political rivals in an effort to secure re-election. The difference between the Trump Administration and previous administrations is overt obstruction of investigations into the president's conduct.

## **2. Promoting a lack of transparency in his administration and the prevalence of political retaliation.**

President Trump has, on a number of occasions, sparked investigations into his conduct to squash transparency, particularly by obstructing investigations into his and his Administration's actions and pursuing political retaliation against individuals who are pursuing such investigations or are not deemed loyal to him.

President Trump has been accused of obstruction in both the Mueller investigation<sup>36</sup> and the impeachment investigation stemming from his decision to withhold aid from Ukraine in exchange for political dirt on the Biden's. The Mueller report outlines numerous instances of President Trump and his Administration attempting to obstruct the investigation stemming from Russian interference in the 2016 election. These actions include:

- Asking then-FBI Director Jim Comey for loyalty and to "let this go" regarding the investigation into Michael Flynn's communications with the Russians.<sup>37</sup> In addition, he asked Deputy National Security Adviser K.T. McFarland to "draft an internal email" stating he did not ask Michael Flynn to talk to Ambassador Kislyak about Russian sanctions.<sup>38</sup>
- Firing Jim Comey following his testimony before the Senate Judiciary Committee, at which Director Comey refused to comment if President Trump was under investigation related to Russian interference in the 2016 elections.<sup>39</sup>
- Attempting to fire Special Counsel Robert Mueller during his investigation. He directed then-White House General Counsel Don McGahn to have Mueller removed from his position following news reports that Mueller was investigating the president for obstructing justice.<sup>40</sup>
- Directing former Trump campaign official Corey Lewandowski to ask then-Attorney General Jeff Sessions to publicly limit the scope of the Mueller investigation to only future election inference.<sup>41</sup>

- Attempting to block the Special Counsel’s office from disclosing emails regarding the June 9, 2016 meeting between Russians and senior Trump campaign officials at Trump Tower. Additionally, he directed Donald Trump Jr. to release a statement saying the meeting was about adoption. <sup>42</sup>
- Attempting to have then-Attorney General Jeff Sessions un-recuse himself from the matter, take over the investigation, and open an investigation into Hillary Clinton. <sup>43</sup>
- Ordering Don McGahn to deny his attempt to fire Special Counsel Mueller from his position, although McGahn refused to do so on numerous instances. <sup>44</sup>
- Stating publicly or through his lawyers that Flynn’s cooperation with the Special Counsel’s office could be considered “hostile” to the president and that Manafort was being treated unfairly and could receive a presidential pardon. <sup>45</sup>
- Through his private counsel, telling Michael Cohen that his congressional testimony should not contradict the president and stating if Cohen did not “flip,” he could also receive a presidential pardon. <sup>46</sup>

President Trump and his Administration also obstructed the investigation into his decision to withhold military aid from Ukraine in two keys ways: 1) attempting to prevent a whistleblower complaint about the matter from reaching Congress and 2) obstructing the impeachment investigation into his actions by forbidding members of the executive branch from testifying or producing evidence for the House investigation.

The Trump Administration actively worked to prevent a whistleblower complaint into the president’s conduct on Ukraine from becoming public. On September 13, 2019, House Permanent Select Committee on Intelligence Chairman Adam Schiff announced that he had issued a subpoena to then-Acting Director of National Intelligence (DNI), Joseph Maguire, because he refused to release a whistleblower complaint filed under the “Intelligence Community Whistleblower Protection Act” (P.L. 105-272 §§701-702, ICWPA) to congressional intelligence committees, as required by the law. <sup>47</sup> Maguire was obligated to transmit the whistleblower complaint to the relevant committees if the Intelligence Community Inspector General (ICIG) found the allegations to be credible and urgent, which he did. <sup>48</sup> However, Maguire did not do so because he determined the whistleblower complaint should not be transmitted to Congress until after he spoke to the White House Counsel’s office and the Department of Justice to see if the contents of the complaint fell under executive privilege and to determine if the complaint was “urgent” enough. <sup>49</sup> He refused to answer questions about whether he had spoken to President Trump about the matter. <sup>50</sup>

A redacted version of the whistleblower’s complaint was only released after calls from members of Congress and Maguire’s testimony. Among the allegations in the whistleblower complaint was an assertion that the transcript from the July 25, 2019 call that President Trump had with Volodymyr

Zelensky was moved from the National Security Council (NSC) computer system—where transcripts are “typically stored for coordination, finalization, and distribution to cabinet-level officials”—to a codeword system that few NSC staff can access.<sup>51</sup> The complaint also states that Trump White House officials said this was “not the first time” the Administration placed a presidential transcript in the codeword level system for the purpose of protecting politically sensitive information rather than national security sensitive information.<sup>52</sup> This is an abuse of the codeword system and a violation of an Executive Order that prohibits the classification of information to protect from embarrassing or politically sensitive issues that could harm US citizens, democratic institutions, homeland security, and interactions with foreign nations.<sup>53</sup>

Additionally, President Trump was impeached for “Obstruction of Congress” because he “directed Executive Branch agencies, offices, and officials to not comply with [House impeachment investigation] subpoenas.”<sup>54</sup> Specifically, the House impeachment report states that President Trump obstructed by: 1) directing the White House to defy a lawful subpoena by withholding the production of documents requested by the investigating committees; 2) directing other executive branch agencies to defy subpoenas for documents and records; and 3) directing current and former executive branch officials not to testify, leading to many Administration officials refusing to answer questions from the investigating committees.<sup>55</sup>

In a court case over the subpoena of former White House Counsel Don McGahn, the judge asked: “Has there ever been an instance of such broad-scale defiance of congressional requests for information in the history of the Republic? Has there ever been anything like it?” The lawyer representing the Department of Justice eventually responded: “Not to my knowledge.”<sup>56</sup>

Along with obstruction of the Mueller and Ukraine investigations, President Trump has engaged in other obstructive behavior within the executive branch. Further, President Trump has fired numerous inspectors general (IGs), who are watchdogs meant to prevent inefficiencies and unlawfulness within their respective agencies. While he retains the authority to fire IGs, President Trump, by law, is required to inform Congress 30 days before dismissing an IG and provide a rationale for doing so.<sup>57</sup> A bipartisan letter sent to the Trump Administration in early April 2020 suggests Trump did not comply with these requirements.<sup>58</sup>

Additionally, there are suspicions that these IG firings are obstructive or retaliatory in nature:

- Democrats allege that the State Department IG, Steve Linick, was fired at the request of Secretary of State Mike Pompeo on May 15, 2020 because Linick had opened at least two investigations into Secretary Pompeo’s conduct at the State Department.<sup>59</sup> These investigations potentially include the secretary asking a State Department appointee to run personal errands for him, as well as questions as to whether he skirted congressional authority by unilaterally approving arms sales to Saudi Arabia.<sup>60</sup>

- Michael Atkinson, the Intelligence Community’s IG, deemed the Ukraine whistleblower complaint urgent and credible and was fired on April 3, 2020. At a press conference, President Trump said: “He did a terrible job, absolutely terrible...He took a fake report and he brought it to Congress with an emergency, OK? Not a big Trump fan, that I can tell you.”<sup>61</sup>
- The principal Department of Defense IG, Glenn Fine, was removed from his position on April 7, 2020 and replaced with Jason Abend, whose experience managing and conducting oversight over an agency as large as the Department of Defense has been questioned by good government groups. Fine was also tapped by Congress to oversee distribution of coronavirus stimulus funds in an effort to avoid waste and fraud, but his removal precluded him from leading that effort.<sup>62</sup>
- Christi Grimm, the Department of Health and Human Services principal IG, was removed from her position on May 1, 2020 after she released a survey on US hospitals’ preparedness for the COVID-19 pandemic, which found that some facilities would struggle because of lack of protective equipment and testing capacity.<sup>63</sup> When asked about the report in a news conference, President Trump flatly stated: “It’s wrong.” He followed up by saying “so, give me the name of the inspector general? Could politics be entered into that? When was she appointed?”<sup>64</sup>
- Mitchell Behm, the acting IG for the Department of Transportation, was abruptly removed from his position on May 15, 2020. Congressional Democrats have questioned if he was removed because he was looking into whether Secretary of Transportation Elaine Chao had given preferential treatment to the state of Kentucky, the home state of her husband, Senate Majority Leader Mitch McConnell.<sup>65</sup>

Additionally, there have been numerous instances of Trump retaliating politically against those that disagree with him publicly.

President Trump has retaliated against those he believes opposed him during the Impeachment investigation, including removing the former Ambassador to Ukraine, Marie Yovanovitch;<sup>66</sup> the Acting Director of National Intelligence, Joseph Maguire;<sup>67</sup> Acting Pentagon Comptroller, Elaine McCusker;<sup>68</sup> the DNI Inspector General; Ambassador to the European Union, Gordon Sondland;<sup>69</sup> and NSC Staffer, Lt. Col. Alexander Vindman—as well as, inexplicably, his twin brother, a White House Counsel.<sup>70</sup>

Relatedly, it has been reported that President Trump has empowered the head of the Presidential Personnel Office (PPO), Johnny McEntee, to purge the administration of “bad people” and the “Deep State.” McEntee told PPO staff that individuals identified as anti-Trump will no longer receive promotions.<sup>71</sup>

And his retaliatory behavior extends beyond the executive branch. In the middle of the COVID-19 pandemic, President Trump has openly retaliated or called for retaliation against Democrats or

other opponents. At a news conference, President Trump stated he told Vice President Mike Pence about federal support to state governors during this crisis: “Don’t call the governor of Washington. You’re wasting your time with him. Don’t call the woman in Michigan. It doesn’t make any difference what happens,” because they were not being “appreciative” and were “complaining” about the federal government’s response. <sup>72</sup>

### **3. Leading a corrupt administration and self-dealing.**

According to the Sunlight Foundation, President Trump, his family, and their businesses have 770 potential conflicts of interest from their business and personal interests. <sup>73</sup> In November 2019, Public Citizen released an analysis showing 192 political campaigns or groups; 51 US businesses or groups; 41 conservative advocacy organizations; 28 foreign governments, officials, or political groups; and more have been patrons of Trump properties since President Trump was elected. <sup>74</sup> Because President Trump refused to sell or divest from his properties when elected, this presents ethical challenges that he has not acted to mitigate.

Congress has attempted to investigate some of these instances, including:

- Post-election military refueling stops in Preswick, Scotland, near Trump’s Turnberry resort. <sup>75</sup> Emails released by the Scottish government show that Preswick Airport negotiated rooms directly with Trump Turnberry, despite there being two dozen hotels in the vicinity of the airport. <sup>76</sup> Document show the Pentagon spent at least \$184,000 in taxpayer funds at the Trump resort. <sup>77</sup> President Trump also tweeted in promotion of the hotel while president, which a former head of government ethics stated is “shameless, corrupt, and repugnant.” <sup>78</sup>
- The decision to abandon a plan to move the FBI headquarters from Pennsylvania Avenue to a suburban location. <sup>79</sup> Documents obtained by Congress show that President Trump directed that the FBI headquarters not move, and instead be demolished and rebuilt to prevent commercial developers from competing with the Trump Hotel across the street. <sup>80</sup>

Aside from investigations into President Trump, his family, and his business dealings, Congress and IGs have also investigated the corrupt actions of members of the Trump Administration. These officials include:

- Ryan Zinke, former Secretary of the Interior. Secretary Zinke was under 18 investigations by the Department of Interior’s Inspector General <sup>81</sup> for blocking tribal casino projects after meeting with MGM lobbyists, censoring a climate change report, retaliating against a whistleblower who spoke out about the effects of climate change, spending \$139,000 in taxpayer funds on office doors, and more. <sup>82</sup>

- Scott Pruitt, former Environmental Protection Agency (EPA) Administrator. Administrator Pruitt was under 15 federal investigations for spending \$200,000 on travel within his first year in office; having 24/7 security, including EPA security on personal travel; constructing a “secure, soundproof communications booth,” though two other secure spaces existed at EPA offices; and leasing a DC condominium for \$50 a night from the head of a lobbying firm, among others.<sup>83</sup>
- Tom Price, former Secretary of Health and Human Services. Secretary Price was under investigation for using private charter and military jets to travel at the taxpayer’s expense. The travel included about \$400,000 for private charters and \$500,000 in military airplane costs. Most of the trips were between cities where inexpensive commercial flights were available.<sup>84</sup>

In response to the corrupt actions taken by members of President Trump’s cabinet, Congress has exhibited a keen willingness to fulfill their constitutional duties to protect the rule of law. The Trump Administration’s corruption has spurred Democratic Members of Congress to introduce legislation aimed at ensuring no president is ever able to flout the law like Trump has done. Specifically, House Democrats have introduced a concurrent resolution calling on President Trump to comply with the Emoluments Clause in the US Constitution<sup>85</sup> and used their first bill in the majority to introduce legislation that would impose stricter ethics rules on federal officials, among other things.<sup>86</sup>

## Conclusion

President Trump has engaged in behavior that has necessitated investigation in three distinct, but related categories. These are soliciting foreign interference in American elections to gain or maintain power; obstruction and political retaliation; and leading a corrupt, self-dealing administration. It is Congress’ duty to continue to investigate and expose the numerous ways the Trump Administration has eschewed the Constitution and the American people in favor of himself, his family, his businesses, and the cronies around him.

### TOPICS

**NATIONAL SECURITY & POLITICS 99**

## ENDNOTES

1. Reynolds, Molly E. and Jackson Gode. "Tracking House oversight in the Trump era." The Brookings Institution, Aug. 2020, [www.brookings.edu/interactives/tracking-house-oversight-in-the-trump-era/](http://www.brookings.edu/interactives/tracking-house-oversight-in-the-trump-era/). Accessed 30 Aug. 2020.
2. In 2019, a New York judge ordered the Trump Foundation to pay \$2 million in damages and dissolve after the Foundation was accused of misusing funds. After raising money intended for distribution to multiple charities, the foundation instead used the money for Trump's political campaign. See Kennedy, Merrit. "Judge Says Trump Must Pay \$2 Million Over Misuse Of Foundation Funds." *NPR*, 7 Nov. 2019, [www.npr.org/2019/11/07/777287610/judge-says-trump-must-pay-2-million-over-misuse-of-foundation-funds](http://www.npr.org/2019/11/07/777287610/judge-says-trump-must-pay-2-million-over-misuse-of-foundation-funds). Accessed 30 Aug. 2020.
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