

Ethics Group to Sue President Trump Over Foreign Government Payments

By [Zero Hedge](#)

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Trump is barely two days in office, and already a lawsuit is set to be filed against the newly inaugurated president. According to [press reports](#), a group of lawyers, including former White House ethics attorneys will file a lawsuit on Monday accusing the President of allowing his businesses to accept payments from foreign governments in violation of the U.S. Constitution.

Citizens for Responsibility and Ethics in Washington (CREW) announced Sunday night it is bringing a suit “to stop President Trump from violating the Constitution by illegally receiving payments from foreign governments.” The group said the suit will be filed in the Southern District of New York at 9 a.m. on Monday.

Piggybacking on popular displeasure with the Clinton Foundation likewise accepting hundreds of millions in foreign payments, Deepak Gupta, a Supreme Court litigator working on the case, said the lawsuit will allege that the Constitution’s emoluments clause forbids payments to Trump’s businesses and will seek a court order forbidding Trump from accepting such payments. The case is part of a wave of litigation expected to be filed against Trump by liberal advocacy groups. It will be filed in a Manhattan federal court, Gupta said, and plaintiffs will include Richard Painter, a former ethics lawyer in Republican President George W. Bush’s White House.

“We did not want to get to this point. It was our hope that President Trump would take the necessary steps to avoid violating the Constitution before he took office,” CREW Executive Director Noah Bookbinder said. “He did not. His constitutional violations are immediate and serious, so we were forced to take legal action.”

“President Trump has made his slogan ‘America First,’” Bookbinder added. “So you would think he would want to strictly follow the Constitution’s foreign emoluments clause, since it was written to ensure our government officials are thinking of Americans first, and not foreign governments.”

The litigation will focus on Trump’s refusal to divest from his business or place his assets into a blind trust, which would separate him entirely from his business empire. He has said his adult sons will run his business while he is in office, that they will not conduct any foreign deals and will subject any domestic deals to an ethics review.

The group says that because Trump has not divested from his businesses, he is “now getting cash and favors from foreign governments, through guests and events at his hotels,

leases in his buildings, and valuable real estate deals abroad.”

Meanwhile, Trump lawyer Sheri Dillon recently said that under the business plan, Trump will not be in violation of the Constitution’s “Emoluments Clause.” “Paying for a hotel room is not a gift or a present, and has nothing to do with an office,” she said. “It is not an emolument. The Constitution does not require President-elect Trump to do anything here.”

But, as [The Hill notes](#), CREW charges that because Trump does business with such countries as China, India, Indonesia, and the Philippines, “now that he is President, his company’s acceptance of any benefits from the governments of those countries violates the Constitution.” It also warns that, “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.”

The lawyers behind action include constitutional law professors Laurence Tribe and Erwin Chemerinsky, as well as former White House ethics lawyers and CREW board members Norm Eisen and Richard Painter, as well as Bookbinder, Zephyr Teachout and Deepak Gupta.

Trump’s son Eric responded, telling the Times on Sunday that the company had taken more steps than required by law to avoid any possible legal exposure, such as agreeing to donate any profits collected at Trump-owned hotels that come from foreign government guests to the U.S. Treasury. “This is purely harassment for political gain,” Trump told the newspaper.

It may be, but it will also be yet another major distraction for Trump as he prepares to unveil his various stimulus packages. Furthermore, should a adversarial judge be appointed on the case, it is possible that the case will drag out extensively, leading to even more damage for the administration, and even more confusion and chaos for markets, which may be why

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