

December 9, 2016

President-elect Donald J. Trump
Trump Tower
725 5th Avenue
New York, NY 10022

Dear President-elect Trump,

We write to you as a bipartisan group of organizations and individuals, many of whom specialize in ethical and conflicts of interest issues, including how they relate to constitutional principles.

At the outset, we note that ethics and conflict of interest rules and norms are not partisan or ideological issues. It has long been understood that these are safeguards to protect the integrity and credibility of government decisions and actions, and the interests of the American people.

On November 17, 2016, many of us wrote to you to express our concerns about the conflict of interest issues you would face as president as a result of your current business enterprises and investment holdings. We urged you to place all of your business assets and investments into a genuine blind trust or the equivalent.

We are pleased that in your tweet of November 30 you have said you will address conflict of interest issues. We recognize that you have set December 15 to announce the details of your plan. In your tweet, you stated that you would remove yourself from all your “business operations.” You and spokesperson Kellyanne Conway also have suggested that you plan to move the management of your business enterprises to your children.

If taken, this approach will still leave you and your immediate family as the financial beneficiaries of the businesses, with your family managing them and the business enterprises entangled with your presidency. This will not solve the real or apparent conflict of interest problems you face as president.

Instead, we urge you to divest your business enterprises into a true blind trust managed by an independent trustee having no family relationship with you, or the equivalent, in accordance with the guidelines of the Ethics in Government Act. The trustee would then dispose of any business enterprises divested to the trust behind the blind trust wall and would invest the new assets without any information going to you as to the new holdings. We also urge you to divest any other investments you may hold into the blind trust or the equivalent.

This is the kind of approach that has been taken by your predecessors for four decades to protect the integrity of the presidency and the interests of the American people.

By combining your presidency with your family business enterprises, you will create ongoing conflict of interest and credibility problems for your presidency. Questions will regularly arise as to whether your domestic and foreign policy positions are being taken on

behalf of the interests of the American people or the financial interests of the Trump family, which will necessarily diverge on numerous occasions from those of the nation as a whole.

Since your business is a private one and not a public company, furthermore, the American people will have no way of knowing all of the financial benefits that may come to your business enterprises from domestic and foreign interests who benefit from your decisions.

Turning your businesses over to your children will not prevent the credibility problems that will arise when your policy positions appear to have been made to benefit domestic and foreign interests that have provided financial benefits to the Trump family.

In taking foreign policy positions, furthermore, foreign countries will not be able to tell if your positions are being taken on behalf of the United States or your business interests. This will seriously affect the ways in which other countries view the United States and our foreign policies. It will create the widespread appearance and belief that the way for countries to curry favor and gain advantageous treatment from the United States is to do business with your children and the Trump businesses.

Your continued ownership of The Trump Organization also would cause you legal problems from the day you become president based on the anti-corruption Emoluments Clause of the Constitution which prevents you from accepting any presents or other financial benefits from foreign governments and their agents.

The framers included this provision in the Constitution to help ensure that the president does not have divided loyalties between the interests of the United States and the interests of a foreign country in carrying out his responsibilities.

Given the world-wide dealings of your businesses, the Emoluments Clause would come into play in numerous ways.

- [A Washington Post analysis](#) (November 20, 2016) found that at least 111 Trump companies have done business in 18 countries and territories throughout the world;
- [A Washington Post article](#) (November 25, 2016) detailed how your presidency and your foreign business deals and relationships with foreign governments could become intertwined;
- [A New York Times analysis](#) (November 26, 2016) showed that many of your foreign development ventures involve business partners with close ties to foreign governments; and
- [A New York Times article](#) (December 4, 2016) spelled out the entanglements that exist between the Trump family, your business empire and those who have interacted with your family at home and abroad.

We believe you need to act now to ensure that as president you will not have conflicts of interests or the appearance of such conflicts. It must be clear to all that any domestic and foreign policy decisions you make are not being influenced by your business arrangements and family relationships or by your investment holdings, and that the policy decisions of foreign governments with respect to the United States are not unduly influenced by a desire to curry favor with you and your family in your business enterprises.

We also believe that you need to take the steps necessary to ensure that your appointments to the cabinet and the other senior executive branch officials eliminate any conflicts of interest they may have regarding their financial and business interests, and investment holdings.

Republicans and Democrats called for similar strong measures regarding the Clinton Foundation if Hillary Clinton were elected president. It is no less important for you to take the steps set forth in this letter with The Trump Organization now that you will be entering the Oval Office.

We urge you to protect the integrity and credibility of the presidency by divesting your business interests and investment holdings into a true blind trust with an independent trustee.

Signers of the letter include:

Ambassador (ret.) Norm Eisen, chief White House ethics lawyer, 2009-2011
 Richard Painter, chief White House ethics lawyer, 2005-2007
 Campaign for Accountability
 Arne H. Carlson, Former Governor of Minnesota (R)
 Kathleen Clark, Professor of Law, Washington University, Affiliation noted for identification purposes only
 Center for American Progress
 Center for Media and Democracy
 Common Cause
 CREW
 Democracy 21
 Former Rep. Mickey Edwards (R-OK), Former Chairman, House Republican Policy Committee
 Every Voice
 Issue One
 Thomas Mann
 OpenTheGovernment.org
 Norm Ornstein
 People For the American Way
 Trevor Potter, President, Campaign Legal Center
 Project On Government Oversight (POGO)
 Public Citizen
 John Pudner, Executive Director, Take Back Our Republic
 The Rootstrickers Project at Demand Progress
 Former Rep. Claudine Schneider (R-RI)

Former Rep. John J.H. Schwarz, M.D. (R-MI)

Peter Schweizer, President, Government Accountability Institute

Former Rep. Peter Smith (R-VT)

Sunlight Foundation

Laurence H. Tribe, Carl M. Loeb University Professor and Professor of Constitutional Law,
Harvard Law School, Affiliation noted for identification purposes only

Christie Whitman, Former Governor of New Jersey (R)