

UNITED STATES OFFICE OF  
GOVERNMENT ETHICS



June 5, 2017

The Honorable Patty Murray  
Ranking Member  
Committee on Health, Education,  
Labor and Pensions  
United States Senate  
428 Dirksen Senate Office Building  
Washington, DC 20510-6300

Dear Ranking Member Murray:

This responds to your letter dated May 22, 2017, requesting that the U.S. Office of Government Ethics (OGE) assess issues related to Article II, Section 1, Clause 7 of the United States Constitution (*i.e.*, the domestic emoluments clause) and certain business arrangements of President Trump. As OGE has previously noted in correspondence with various members of Congress,<sup>1</sup> the emoluments issues are presently under judicial review,<sup>2</sup> and, within the executive branch, are under the sole purview of the Department of Justice.<sup>3</sup> OGE has no authority to investigate or order corrective action on the part of the President. Ultimately, under the Constitution, the authority to oversee the Presidency rests with Congress.

OGE has recently given briefings on the authority of OGE as it relates to the President. If such a briefing would be of interest to members of your staff, please have them contact Shelley K. Finlayson, Chief of Staff and Program Counsel, at (202) 483-9314.

Sincerely,

Walter M. Shaub, Jr.  
Director

cc: The Honorable Lamar Alexander  
Chairman  
Committee on Health, Education,  
Labor and Pensions  
United States Senate

<sup>1</sup> See *e.g.*, Letter from Walter M. Shaub, Jr. to The Honorable Robert P. Casey, Jr. (Mar. 16, 2017), available at <http://bit.ly/2qgqMtT>.

<sup>2</sup> See *e.g.*, Jeremy Venook, *Donald Trump's Conflicts of Interest: a Crib Sheet*, The Atlantic (May 22, 2017), available at <http://theatltn.tc/2qefrZQ>.

<sup>3</sup> For reference, the Department of Justice's Office of Legal Counsel maintains a repository of its opinions addressing the emoluments clause online at <http://bit.ly/2qk5TKk>.

