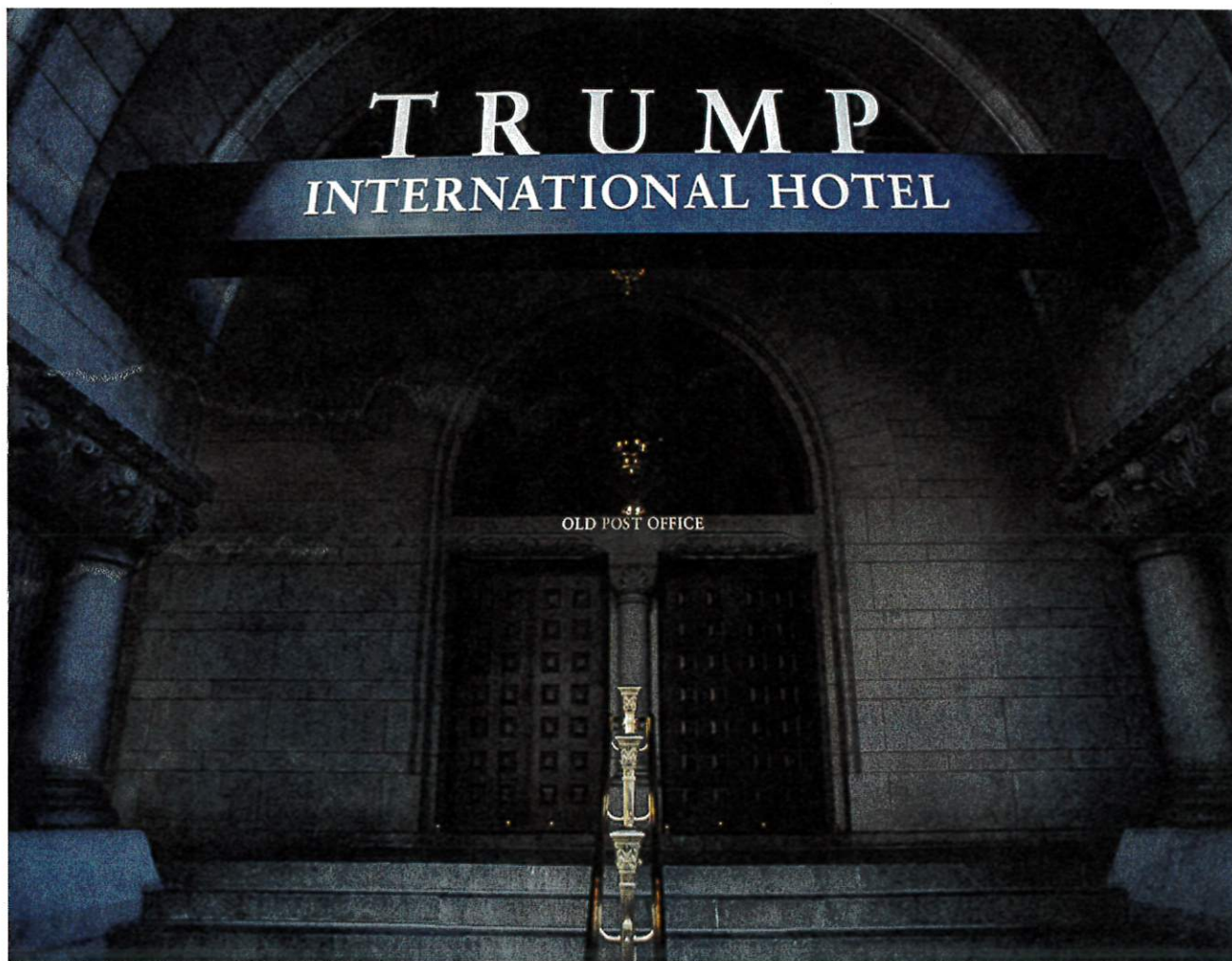


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The General Services Administration leased the historical landmark to Trump in 2013, two years before he kicked off his presidential campaign. | Gabriella Demczuk/Getty Images

LEGAL

Watchdog: GSA ignored Constitution on Trump D.C. hotel lease

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ANDREW DESIDERIO | 01/16/2018 05:15 PM EST | Updated 01/16/2018 05:56 PM EST

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Lawyers for the General Services Administration chose to “ignore” the U.S. Constitution and other legal precedents when they allowed the Trump International Hotel to maintain its lease on the Old Post Office building even after Donald Trump became president, the GSA’s internal watchdog said on Wednesday.

In a 47-page report, the GSA’s inspector general said government lawyers were aware of constitutional restrictions under the emoluments clause, but decided to “exclude” those potential issues from its consideration of whether to maintain the lease after Trump was sworn in.

The IG report said “all” of the lawyers “agreed early on that there was a possible violation of the Constitution’s Emoluments Clauses,” which prevent presidents from accepting money from foreign governments. The internal watchdog recommended that the agency review the arrangement again.

“[Lawyers] decided to ignore the constitutional issues without preparing a formal decision memorandum to document the rationale for the position they were taking,” the report states.

In response to the IG report, GSA General Counsel Jack St. John said the inquiry “found no undue influence, pressure, or unwarranted involvement of any kind by anyone, including the Executive Office of the President and the Office of Management and Budget.” St. John also noted that the report “does not find that any constitutional violation occurred.”

Playbook PM

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The GSA leased the historical landmark to Trump in 2013, two years before he kicked off his presidential campaign. But after Trump became president, the IG said, GSA lawyers should have determined whether the arrangement was a violation of the emoluments clauses.

The attorneys general of Maryland and Washington, D.C., filed a lawsuit in federal court in 2017 alleging that the lease amounts to a constitutional violation, and Democratic lawmakers have backed the effort amid concerns that foreign diplomats and other officials were using the hotel to curry favor with the Trump administration.

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House Oversight Committee Chairman Elijah Cummings (D-Md.) said Wednesday that the “devastating” report shows why the president should have divested his business interests.

“President Trump should not have any contacts with the federal government,” he said in a statement. “It is an obvious conflict of interest, and it is why the lease for the Trump hotel in Washington, D.C. explicitly prohibits any federal government official from being a part.”

Rep. Gerry Connolly (D-Va.) agreed with Cummings and questioned whether Trump is “faithfully executing the duties of his office and abiding by the laws of this country or is he just looking for ways to profit off of the Presidency? The corruption in this Administration is pervasive.”

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