

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

May 15, 2025

The Honorable Pam Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Mr. David Warrington
Counsel to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Attorney General Bondi and Mr. Warrington:

President Trump is reportedly relying on memos that you authored, at his request, to accept a \$400 million airplane from the State of Qatar—described in media reports as a “flying palace” and “the most luxurious private jet in the world”—without obtaining, or even seeking, Congress’s consent.¹ Any legal memo purporting to make such a claim would obviously fly in the face of the text of the Constitution’s Foreign Emoluments Clause, which explicitly prohibits the President from accepting any “present [or] Emolument ... of any kind whatever, from any King, Prince, or foreign State” unless he has “the Consent of Congress.” Accordingly, we are writing to request that you provide the Committee on the Judiciary with these memos immediately as their analysis and conclusions are apparently the basis for the President’s decision to disregard the plain text of the Constitution.

The Constitution tasks Congress with the enforcement of the Foreign Emoluments Clause, and it is necessary to the execution of our Article I duties to examine the purported legal justification for what appears to be a blatant violation of the Foreign Emoluments Clause.² The Administration must provide additional information regarding the nature of this “gift” to aid Congress in carrying out its constitutional obligations.

President Trump’s statements expressing displeasure with delays in the delivery of his new Boeing aircraft to serve as Air Force One and the timing of this “gift” suggest that President Trump or a member of his Administration may have improperly solicited this “nice gesture” from the Qatari government.³ The fact that, according to President Trump, the plane would not

¹ Ryan King and David Propper, *Trump set to receive \$400 million ‘flying palace’ from Qatar to use as Air Force One: report*, N.Y. POST (May 11, 2025), <https://nypost.com/2025/05/11/us-news/trump-set-to-get-flying-palace-from-qatar-for-air-force-one-report/>.

² Art. I, s. 9, cl. 8, U.S. Const.

³ Jenni Reid, *Trump hails Qatar’s ‘nice gesture’ of Air Force One replacement, blaming Boeing delays*, FORBES (May 12, 2025), <https://www.cnbc.com/2025/05/12/trump-hails-qatars-nice-gesture-of-747-jet-blaming-boeing-delays.html>.

remain in service to the United States but would rather be donated to his presidential library after his term concludes further raises the possibility that this “nice gesture” is intended as a bribe to Donald Trump.⁴

Members of Congress in both parties have expressed concern about the legal permissibility of such a gift, as well as a myriad of practical concerns that further warrant Congress’s consideration before it decides whether to consent to the President’s acceptance of this “palace in the sky.” This supposedly “free plane” may cost U.S. taxpayers billions of dollars to overhaul to meet what Rep. Joe Courtney (D-Conn.) described as “all the survivability, security and communications requirements of Air Force One.”⁵ As Senator Ted Cruz (R-Texas) noted, “the plane poses significant espionage and surveillance problems,” as well as other significant national security concerns.⁶

Despite these rising bipartisan concerns, the Constitution’s crystal-clear command, and ample opportunity to obtain approval from the GOP-controlled Congress (as the media reports that President Trump toured this “flying palace” in West Palm Beach, Florida, three months ago) this Administration has made no formal effort to present this “gift” to Congress for its consideration *before* he accepts it.⁷ In fact, President Trump has made it clear that, regardless of the circumstances of how this purported “gift” came about, he intends to accept it *without* seeking Congress’s consent. At a May 12, 2025, press conference, President Trump said that “I would never be one to turn down that kind of an offer ... I could be a stupid person and say, ‘no, we don’t want a free, very expensive airplane.’”⁸ President Trump obviously intends to ignore the Constitution’s plain requirement that he must obtain Congress’s approval if he would like to accept this emolument.

It appears that both of your offices are aiding President Trump’s determination to paper over this blatant violation of the Constitution by burying his corrupt acceptance of this unprecedented “gift” in a fog of verbiage. According to one media report, the White House Counsel’s Office and the Department of Justice (DOJ) “drafted an analysis for Defense Secretary Pete Hegseth concluding that [it] is legal for the Department of Defense to accept the aircraft as a gift and later turn it over to the Trump library, and that it does not violate laws against bribery or

⁴ Molly Bohannon and Siladitya Ray, *Trump Says He Won’t Use Luxury Plane From Qatar After Leaving Office—Here’s What We Know*, FORBES (May 12, 2025), <https://www.forbes.com/sites/mollybohannon/2025/05/12/trump-defends-plan-to-accept-luxury-plane-gift-from-qatar-heres-what-we-know/>.

⁵ Joe Gould and Connor O’Brien, *Trump’s free plane is not so free*, POLITICO (May 12, 2025), <https://www.politico.com/news/2025/05/12/trump-qatar-air-force-one-taxpayer-costs-00342299>; Dan De Luce, Tom Winter, Laura Strickler, Courtney Kube and Gordon Lubold, *Turning Qatari 747 into Air Force One Could Cost \$1 billion and take years, Experts Say*, NBC NEWS (May 13, 2025), <https://www.nbcnews.com/politics/national-security/turning-qatari-747-air-force-one-cost-1-billion-take-years-experts-say-rcna206582>.

⁶ Eric Bazail-Eimil and Robbie Gramer, *GOP heavyweights join bipartisan bashing of Trump Qatar jet deal*, POLITICO (May 13, 2025), <https://www.politico.com/news/2025/05/13/senate-republicans-qatar-trump-jet-00345435>.

⁷ Andrew Tangel, Josh Dawsey and Sharon Terlep, *Trump Wants a New Air Force One So Badly He’s Refurbishing a Qatari Plane*, WALL ST. JOURNAL (May 1, 2025), <https://www.wsj.com/business/airlines/air-force-one-trump-qatari-jet-l3harris-fc903838>.

⁸ Alex Gangitano, *Trump: I’d be a ‘stupid person’ saying no to Qatari plane*, THE HILL (May 12, 2025), <https://thehill.com/homenews/administration/5295507-trump-qatar-air-force-one/>.

the Constitution's prohibition (the emoluments clause) of any U.S. government official accepting gifts from any 'King, Prince or foreign State.'"⁹ That same report further stated "that Attorney General Pam Bondi and Trump's top White House lawyer David Warrington concluded it would be 'legally permissible' for the donation of the aircraft to be conditioned on transferring its ownership to Trump's presidential library before the end of his term, according to sources familiar with their determination."¹⁰

The Constitution is clear: Congress—not the Attorney General or the White House Counsel—has the exclusive authority to approve or reject a gift "of any kind whatever" given to the President by a foreign government.¹¹ We would also note that, even if the Attorney General had a constitutional role to play here, Attorney General Bondi has a significant and obvious conflict of interest given her prior registration as an official agent of the Qatari government and earned no less than \$115,000 per month lobbying on its behalf.¹²

The Foreign Emoluments Clause ensures that when the President and other government officials take action, it is because they believe it is in the best interests of the United States and not that of a foreign government. President George Washington eloquently articulated this concern in his 1796 farewell address, writing that "[a]gainst the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government."¹³

Even the appearance that the President may be beholden to a foreign government is corrosive to the American people's confidence in their elected leaders and the integrity of our democracy. As the editorial board of *The New York Post* bluntly put it in a recently published opinion, "Sorry, this 'gift' is far from free; Qatar will surely expect *something* in return. And the

⁹ Jonathan Karl and Katherine Faulders, *Trump administration poised to accept 'palace in the sky' as a gift for Trump from Qatar: Sources*, ABC NEWS (May 11, 2025), <https://abcnews.go.com/Politics/trump-administration-poised-accept-palace-sky-gift-trump/story?id=121680511>.

¹⁰ *Id.*

¹¹ Congress did pass the Foreign Gifts and Decorations Act (5 U.S.C. § 7342) to provide categorical consent to government officials, including the President and Vice President, and servicemembers to accept certain ceremonial gifts or decorations from foreign governments but a purportedly \$400 million dollar aircraft does not appear to be contemplated by the statute. As Richard Painter, a former chief ethics counsel for President George W. Bush recently wrote: "Under U.S. constitutional law, an 18th-century, diamond-encrusted snuff box gifted by France to Benjamin Franklin is no different from a \$400 million airplane gifted by Qatar to the U.S. government to be used by the president. A person holding a position of trust with the U.S. government cannot accept either one – or, for that matter, any gift – from a foreign power without the consent of Congress. In the Foreign Gifts and Decorations Act, Congress consented to some gifts, including gifts valued up to \$480, and certain ceremonial gifts, but that certainly does not include a 747 airplane. Congress would have to pass a bill to authorize anything above those limits." Richard Painter, *Trump Taking a Gift Plane from Qatar Is an Ethics Nightmare*, U.S. NEWS & WORLD REPORTS Op-Ed (May 12, 2025), <https://www.usnews.com/opinion/articles/2025-05-12/trump-gift-plane-qatar-ethics>.

¹² Press Release, *Pam Bondi's Extensive Lobbying For Wealthy Special Interests And Foreign Government Poses Serious Conflict Of Interest*, S. COMM. ON THE JUDICIARY, MINORITY (Jan. 15, 2025), <https://www.judiciary.senate.gov/press/dem/releases/pam-bondis-extensive-lobbying-for-wealthy-special-interests-and-foreign-government-poses-serious-conflict-of-interest>.

¹³ President George Washington's Farewell Address (Sept. 17, 1796), <https://www.presidency.ucsb.edu/documents/farewell-address>.

optics are beyond awful, especially as Congress mulls hundreds of billions in Medicaid cuts.”¹⁴ Senator Rand Paul (R-Kentucky) said in a recent interview: “I do think the jet probably sends the wrong signal to people, and I don’t like the look or the appearance [of it], so I would hope he rejects it.”¹⁵ Even Senate Majority Leader John Thune (R-South Dakota) admitted there are “lots of issues associated with that offer which I think need to be further talked about.”¹⁶

In their wisdom, the Framers sought to ban any foreign government emoluments unless Congress carefully deliberated the matter and decided it was acceptable. For this reason and the concerns previously stated in this letter, we ask that you provide the following documents as soon as practicable and before President Trump accepts the plane from the Qatari government:

1. Any legal memorandum, DOJ Office of Legal Counsel opinion, or other document related to or purporting to justify or provide legal analysis regarding the constitutionality of the President’s acceptance of any emolument from the State of Qatar, including the Boeing 747 aircraft, under the Foreign Emoluments Clause or any other law or statute of the United States.
2. Any written agreement or other document related to an agreement or containing terms between the United States or any agency or department thereof and the State of Qatar or agencies thereof regarding the transfer of the Boeing 747 aircraft from the State of Qatar.
3. Any communications between any employee at the DOJ or the White House Counsel’s Office with another agency or department of the United States, including the Department of Defense (DOD), related to any legal memorandum, DOJ Office of Legal Counsel opinion or other document related to or purporting to justify or provide legal analysis regarding the constitutionality of the President’s acceptance of any emolument from the State of Qatar, including the Boeing 747 aircraft, under the Foreign Emoluments Clause or any other law or statute of the United States.
4. Any communications between any employee at the DOJ or White House Counsel’s Office with another agency or department of the United States, including the DOD, related to the written agreement or other document related to an agreement or containing terms between the United States or any agency or department thereof and the State of Qatar or its government components regarding the transfer of the Boeing 747 aircraft from the State of Qatar.

¹⁴ Editorial Board, *Qatar’s ‘Palace in the Sky’ jet is NOT a ‘free gift’ — and Trump shouldn’t accept it as one*, N.Y. POST Op-Ed (May 12, 2025) (emphasis in the original), <https://nypost.com/2025/05/12/opinion/no-pres-trump-qatars-palace-in-the-sky-jet-isnt-a-free-gift-and-you-shouldnt-accept-it-as-one/>.

¹⁵ Eric Bazail-Eimil and Robbie Gramer, *GOP heavyweights join bipartisan bashing of Trump Qatar jet deal*, POLITICO (May 13, 2025), <https://www.politico.com/news/2025/05/13/senate-republicans-qatar-trump-jet-00345435>.


¹⁶ *Id.*


5. Any legal memorandum, opinion, or other document related to or providing legal analysis used to determine whether Attorney General Pam Bondi should recuse from any involvement in matters related to the President's acceptance of any emolument from the State of Qatar, including the transfer of the Boeing 747 aircraft from the State of Qatar.

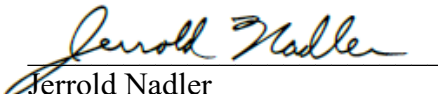
If you have any questions, please contact Democratic Committee staff at 202-225-3951.

Sincerely,



Jamie Raskin
Ranking Member



Pramila Jayapal
Member of Congress

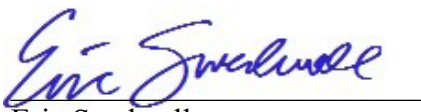

Mary Gay Scanlon
Member of Congress

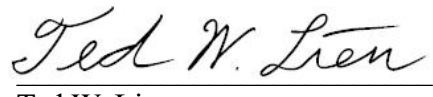

Jerrold Nadler
Member of Congress



Zoe Lofgren
Member of Congress



Steve Cohen
Member of Congress


Henry C. "Hank" Johnson, Jr.
Member of Congress


Eric Swalwell
Member of Congress


Ted W. Lieu
Member of Congress



J. Luis Correa
Member of Congress


Joseph Neguse
Member of Congress


Lucy McBath
Member of Congress


Deborah Ross
Member of Congress

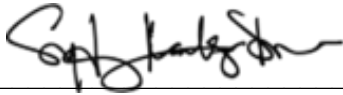
The Honorable Pam Bondi
Mr. David Warrington
Page 6



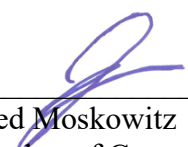
Becca Balint
Member of Congress




Jesus G. "Chuy" Garcia
Member of Congress



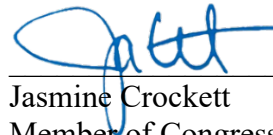
Sydney Kamlager-Dove
Member of Congress



Jared Moskowitz
Member of Congress



Dan Goldman
Member of Congress



Jasmine Crockett
Member of Congress

cc: The Honorable Jim Jordan, Chairman