



UNITED STATES SENATE

**A YEAR OF GREED:
HOW TRUMP AND THE RICH TRIED TO RIG
OUR GOVERNMENT – AND HOW SENATE
DEMOCRATS FOUGHT BACK**

By Senators Sheldon Whitehouse (D-RI), Tom Udall (D-NM), Edward J. Markey (D-MA),
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OVERVIEW

The first year of the Trump presidency has been a year of greed. The President and his family profit from his office. The President's wealthy friends secretly work behind the scenes to install their lackeys, extract profitable carve-outs in laws and regulations, and win special deals from the federal government. Big businesses fund legislation and judicial efforts to gut rules that protect Americans' health and safety. So much for "draining the swamp."

The good news is that President Trump and his friends have not been as successful as they hoped. Congressional Democrats, the media, and the public

have mobilized unlike any time in recent history to expose Trump's greed. They've investigated, they've used checks and balances, they've taken to the streets to fight back. These efforts are far from done.

This report highlights some of Trump's and his friends' most brazen efforts to rig the federal government in their favor, and Senate Democrats' efforts to protect the interests of the American people in the face of such greed. It also offers proposals from Senate Democrats to safeguard our government from future corruption and instill greater transparency and accountability in the Executive Branch.

PRESIDENTIAL PROFITEERING AND ABUSE OF TAXPAYER DOLLARS

Since Election Day 2016, Trump and his family have broken longstanding norms and sought to profit from their domestic and international business holdings. While every other modern president divested from his financial entanglements, this one remains determined to augment his personal fortune through the presidency.

The Trump Organization: Giving control of the Trump Organization to his sons convinced no one that the president had really divested himself from his organization's wide-ranging interests. While he may not be running the organization's day-to-day operations, it is obvious to anyone who wants to influence the president that when the Trump Organization profits, he does too. As Obama White House ethics attorney Norm Eisen and George W. Bush White House ethics attorney Richard Painter recently [explained](#), "we said with great regret and sadness that . . . the president insist[ing] on that original sin of coming into office with crippling conflicts . . . was going to creep like a cancer through his presidency. And it's happened."

Trump International Hotel and other properties: Trump's new hotel is the place to see and be seen if you are a corporation or foreign government that wants to influence this administration. According to a [recent report](#) by Public Citizen, at least 64 political candidates or organizations with business before the federal government have had events at Trump properties, including the American Petroleum Institute, the National Mining Association, and the governments of Saudi Arabia, Malaysia, and Kuwait.

Chinese and Russian business dealings: When the President has business interests in a country, every action he takes demands heightened scrutiny. The Trump Organization now has as many [as 125 copyrights in China](#), many of which were approved after Trump became president. Reporting has established longstanding interest by the Trump administration to do business in Russia.

Fighting back on multiple fronts. Senate Democrats are fighting back through litigation and legislation. Senator Richard Blumenthal (D-CT) is the lead plaintiff in [litigation](#) joined by nearly 200 Members of Congress arguing the President is violating the foreign emoluments clause of the Constitution. Senator Elizabeth Warren's (D-MA) [Presidential Conflicts of Interest Act](#) would require presidents to follow the same conflict of interest laws that every other member of their administration must follow, and to disclose their tax returns—actions that until Trump were the norm for presidents and candidates from both parties. Following a Washington Post report that taxpayers were forced to foot the bill for more than \$1,000 in official government travel expenses for a single employee's stay at Trump's Mar-a-Lago property, Senators Gary Peters (D-MI), Warren, and Tom Udall (D-NM) introduced the [Heightened Oversight of Travel, Eating and Lodging \(HOTEL\) Act](#) to prevent the abuse of taxpayer dollars used for executive branch employee travel.

A culture of corruption: A culture of corruption starts at the top. The President and his family act every day as if conflict of interest and ethical rules don't apply to them. It should come as no surprise that those who work in this administration feel free to take advantage of federal taxpayers themselves. Health and Human Services Secretary Tom Price already lost his job for using taxpayer money to book private jets. At least three other cabinet officials, Interior Secretary Ryan Zinke, EPA Administrator Scott Pruitt, and Treasury Secretary Steven Mnuchin, have also been accused of lavish travel and office renovations at public expense.

Inspectors General step up. Senate Democrats have demanded reviews by agency watchdogs, and Inspectors General at the Department of Interior, Department of the Treasury, and the Environmental Protection Agency (EPA) have ongoing investigations to see whether laws and regulations have been broken. The Treasury Inspector General (IG) had to open a [second investigation](#) after learning Mnuchin's office hadn't provided it with complete information. The Interior IG had to [issue a rare "alert"](#) during its ongoing investigation when it learned that Interior officials had failed to keep proper records of Zinke's travels. The EPA IG had to [expand its initial review](#) of Pruitt's travel as more evidence about his non-commercial flights was made public. A list of selected IG investigations prompted by Senate Democrats follows at the end of this report. At the same time, Senator Peters, Ranking Member of the Subcommittee on Federal Spending Oversight, led 15 of his Senate Democratic colleagues in a letter to the Office of Management and Budget (OMB) about the extent of the government's oversight of this taxpayer-funded travel. After the Senators sent this letter, OMB issued guidance requiring the White House Chief of Staff to approve military aircraft use.

CORPORATE RAIDERS

President Trump's friends, business associates, and political donors have made daring attempts to win special treatment from the administration to advance their own interests. And they've gone to great lengths to hide their efforts.

- **Carl Icahn:** Icahn, a close personal ally of Trump, was named during the transition a “special advisor to the president on issues relating to regulatory reform.” Icahn then began an effort to change a renewable fuel standard at the EPA that would increase the value of his \$200 million-plus stake in CVR Energy, a petroleum refining company that is heavily involved in the renewable fuel credits market.

But he failed. Senate Democrats [led multiple letters](#) to the White House, EPA, and [other federal agencies](#) calling attention to Icahn's conflicts of interest in his undefined role as “special advisor.” Icahn stepped down from the position in August and, to date, the policy changes he advocated for at EPA have not happened.

- **Bob Murray:** Murray, Chairman of Murray Energy and a major Republican campaign donor, has given the Trump administration a to-do list of policies and actions to benefit select coal interests. Murray has boasted that the administration has already obediently executed a full page-worth of the nearly four-page “action plan.”

But he's been exposed. Senate Democrats, led by Senator Sheldon Whitehouse (D-RI) have sent [multiple letters](#) and [questioned](#) the nominee for EPA deputy administrator on the extent of Bob Murray's involvement in the administration's environmental policy. Murray's action plan was recently obtained by Senate Democrats, who [exposed](#) Murray's hold on the administration.

- **Visitor Logs:** President Obama published White House visitor logs, setting a new standard for what the public knew about who was influencing the president and his staff. President Trump not only stopped that practice, but extended the veil of secrecy to the wealthy donors who mingle with him at his Mar-a-Lago and Bedminster resorts. On at least one occasion, he discussed national security matters and reviewed potentially sensitive national security material in the Mar-A-Lago dining room, in full view of the club's members, and in apparent violation of security protocols.

Congress has to act. If the president won't guarantee transparency, Congress needs to step up and demand it. Senator Udall's [MAR-A-LAGO Act](#) requires the White House to publish visitor logs for the White House and private properties Trump uses for official business to ensure that the American people have information about who has access to the Trump administration. Congressional Democrats have also joined outside groups in calling for the release of the logs, which have recently [come to light](#) through litigation.

- **Secret Ethics Waivers:** Lobbyists and industry insiders have swarmed into government, making a mockery out of Trump’s ballyhooed “ethics pledge.” But by some accounts, [more than 100 former lobbyists](#) now work in the federal government, many in positions regulating industries for which they used to work. Although Trump claimed he was going to prohibit lobbyists in government, he is happy to waive or ignore his own rules when they get in the way of his agenda.

No more secrets. Thanks to strong pressure from Senators [Peters](#) and [Whitehouse](#), the Trump Administration relented and released ethics waivers granted in the first six months of the presidency. Congress must keep up the pressure to ensure any waivers made going forward are made public contemporaneously so that the public can closely monitor whether the President’s appointees really have the taxpayer’s best interest at heart.

- **Michael Dourson:** In 2016, Congress passed the Frank R. Lautenberg Chemical Safety for the 21st Century Act, overhauling the nation’s chemical safety laws for the first time in 40 years. Industry and environmental groups rallied to support this landmark bipartisan achievement. Trump nominated Dourson—who built a career manipulating scientific research on chemicals in second-hand smoke and the carcinogen PFOA to benefit his chemical industry clients and undermine public safety—to enforce the new law as head of the EPA Office of Chemical Safety and Pollution Prevention.

He’s out. Senate Democrats [exposed](#) Dourson’s long-standing ties to industry. They pointed out that Dourson had been paid to defend the safety of some of the chemicals the EPA was planning to ban under the Lautenberg Act. And Democrats made clear that a toxicologist-for-hire has no place overseeing the EPA’s chemical safety office.. As Senator Tammy Duckworth (D-IL) placed a hold on his nomination, Republicans support for him eroded and he withdrew his nomination and left the agency.

- **Kathleen Hartnett White:** White, a prolific climate change denier from the fossil fuel-industry funded Texas Public Policy Foundation, was nominated by Trump to chair the White House Council on Environmental Quality. She has written that carbon pollution in the atmosphere is “unquestionably a huge social benefit.” She has also compared climate science to a “cult.” Asked about the warming of the oceans at her confirmation hearing, she admitted, “I do not have any kind of expertise or even such layman’s study of the ocean dynamics and the climate change issues.”

She’s going nowhere. Questioning at White’s hearing went viral and exposed her ignorance of basic environmental research and scientific laws. She was also [asked to submit](#) new and original responses to questions for the record after Senator Tom Carper (D-DE) discovered that portions of at least 18 of her responses were

plagiarized from responses previously submitted by other nominees to the Senate Environment and Public Works Committee.

- **Michael Flynn:** Flynn, Trump's former National Security Advisor, peddled a plan to build nuclear reactors throughout the Middle East in part to influence the balance of power in the region. His actions have raised serious concerns over whether Trump foreign policy is being conducted for profit.

The administration was called to account. Senator Ed Markey (D-MA) [called](#) on Secretary of State Rex Tillerson and Secretary of Energy Rick Perry to provide a briefing on the status of all current and ongoing discussions between the United States and other countries on concluding peaceful nuclear cooperation agreements, also known as "123 agreements."

DARK MONEY ILLUMINATED

In the first Republican administration after the Supreme Court's disastrous Citizens United decision, dark money controls our government like never before.

- **Scott Pruitt and Betsy DeVos:** EPA Administrator Scott Pruitt and Education Secretary of Education Betsy DeVos are a new breed of cabinet secretary: ones that have burnished their standing with industry insiders by raising and spending anonymous political money. Pruitt raised millions of dollars from industries he now regulates to further his own career and the careers of like-minded Republicans across the country. DeVos established secretive 501(c)(4) organizations to hide how she spent her personal fortune to influence candidates and advance her radical education agenda. Her political action committee also [failed to pay](#) over \$5 million in fines for violating election laws. Neither answered congressional inquiries about their dark-money political activities and relationships.

Loopholes exposed. Our ethics laws are stuck in a pre-Citizens United world. Nominees aren't required to disclose their fundraising for candidates or other political causes. Senator Whitehouse's [Conflicts from Political Fundraising Act](#) would require presidentially appointed executive branch officials to disclose whether they have solicited donations for or contributed funds to political action committees, political non-profits, and industry trade associations. This would prevent potentially serious conflicts of interest for cabinet secretaries and other top executive branch officials who may be charged with regulating the very donors who propelled their political careers.

- **Neil Gorsuch:** Gorsuch's Supreme Court nomination was supported by a dark money group called the Judicial Crisis Network. This was the same group that invested millions of dollars of dark money to keep President Obama's choice, Judge Merrick Garland, from even getting a Senate hearing. Fueled by a single \$17.9 million [contribution](#) from an unnamed donor, the group spent a nearly identical

amount to ensure a Republican president's choice filled the most recent vacancy on the high court.

But the money was exposed. Senate Democrats used Gorsuch's hearings to [expose](#) the dark money spending behind his nomination and hold Gorsuch to account.

- **Todd Ricketts:** Ricketts had no real qualification to be Deputy Commerce Secretary, but he did have money—lots of anonymous political money. Ricketts' 501(c)(4), 45 Committee, is reported to have [spent over \\$20 million](#) in the 2016 election, and then [as much as \\$4 million](#) to support Trump's cabinet picks.

Not enough. As Ricketts' ties to dark money political spending before and after the election were exposed by the media and Senate investigators, his path to the Commerce Department became harder and harder. After months of stonewalling, and [pressure](#) by Senate Democrats, Ricketts withdrew his nomination.

- **Foreign influence:** National security leaders, election law experts, and international leaders agree: Russia and other foreign actors have exploited our opaque campaign finance and incorporation laws to influence our elections and undermine our democracy. They did it in 2016 and they will try again in 2018 and 2020.

DISCLOSE, now more than ever. If Congress doesn't act, America remains exposed to foreign meddling. Senator Whitehouse has [unveiled](#) a new version of the DISCLOSE Act, his legislation to require organizations spending money in elections to disclose their donors. The new bill would also crack down on shell companies by requiring companies spending money in elections to disclose their true owners, so election officials and the public know who is behind the spending.

INSPECTOR GENERAL INVESTIGATIONS

Most federal agencies have an independent IG that investigates allegations of waste, fraud, and abuse, and violations of law and internal procedures by agency personnel. Inspectors General may initiate investigations at the request of members of Congress. The following list includes selected IG investigations initiated by requests from Senate Democrats.

- A January 29, 2017 [letter](#) from Senators Duckworth and Richard Durbin (D-IL) to Department of Homeland Security IG John Roth calling for an independent investigation into the agency's potentially illegal implementation of President Trump's rushed and poorly drafted executive order limiting travel from certain Muslim-majority countries. In November, the IG [informed](#) the Senators that U.S. Customs and Border Protection had violated at least two separate federal court orders and likely deprived travelers of their constitutional rights. The Department of Homeland Security [refused to release](#) the IG's 87- page report.
- A January 31, 2017 [letter](#) from Senators Warren and Patty Murray (D-WA) to the Department of Health and Human Services IG Daniel Levinson requesting and

investigation into the decision to halt advertisements promoting Affordable Care Act enrollment.

- A May 19, 2017 [letter](#) from six Democratic Senators to Department of Labor IG Scott Dahl raising a number of concerns with recent decisions by the Department of Labor to delay the implementation of two safety regulations to protect workers from lethal and carcinogenic substances, and an apparent reversal in OSHA policy of announcing major workplace safety violations.
- A July 24, 2017 [letter](#) from eight Democratic members of the Senate Committee on Energy and Natural Resources to Deputy IG of the Department of the Interior Mary Kendall requesting that she look into reports of the arbitrary reassignment of as many as 50 Senior Executive Service employees at the Department. This led to an [investigation that resulted](#) in the Department putting staff reorganization on hold pending the outcome.
- A September 20, 2017 [letter](#) from Senators Ron Wyden (D-OR), Murray and Peters Department of Health and Human Services IG Daniel Levinson requesting an investigation into reports that Secretary Tom Price had been using taxpayer funds to book private jets to accommodate his travel. The IG publicly [confirmed](#) that it would investigate, and within a week Secretary Price had resigned.
- A November 1, 2017 [letter](#) from Senator Warren to Department of Health and Human Services IG Daniel Levinson, Department of Labor IG Scott Dahl and Department of the Treasury IG Eric Thorson calling on them to thoroughly review the implementation and impact of Trump's October 12, 2017 executive order on the Affordable Care Act.
- A November 30, 2017 [letter](#) from Senator Warren to Department of the Treasury IG Eric Thorson calling for an investigation into the Department of the Treasury's use of taxpayer dollars to conduct economic analyses of the Republican tax plan, including whether there was any political interference in the Department's analyses, and why they were not publicly released.
- A December 5, 2017 [letter](#) from seven Democratic Senators to Acting Department of Homeland Security IG John Kelly calling for an investigation of the Federal Emergency Management Agency's decision, following the devastation caused by Hurricane Maria, to award over \$30 million in contracts to Bronze Star LLC for temporary roofing materials in Puerto Rico that were never delivered.
- A December 18, 2017 [letter](#) from Senator Carper to EPA IG Arthur Elkins requesting he expand his current audit of EPA Administrator Scott Pruitt's travel to include Administrator Pruitt's recently reported four-day trip to Morocco to promote U.S. liquefied natural gas exports – an issue that does not fall within the jurisdiction of the EPA.

A YEAR OF GREED:

How Trump and the rich tried to rig our government – and how Senate Democrats fought back

CONCLUSION

The first year of Donald Trump's presidency has been marred by special interest self-dealing and serial breaches of ethics. However, while the efforts to corrupt the federal government have been brazen, such efforts have largely been exposed or failed outright. Senate Democrats remain determined to shore up the systems of transparency and accountability in our government and to hold the Trump administration to the highest ethical standards.