

119TH CONGRESS
2D SESSION

H. RES. 1185

Expressing the sense of the House of Representatives that the Department of Justice must comply with the Domestic Emoluments Clause of the Constitution by refusing to administratively settle the billions of dollars in legal claims filed against the United States by President Donald Trump.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2026

Mr. RASKIN (for himself, Ms. BALINT, Mr. BOYLE of Pennsylvania, Mr. CASTRO of Texas, Mr. COHEN, Mr. CORREA, Ms. CROCKETT, Ms. DEAN of Pennsylvania, Ms. DEXTER, Mr. GARAMENDI, Mr. GOLDMAN of New York, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. KAMLAGER-DOVE, Mr. KRISHNAMOORTHY, Mr. LIEU, Ms. LOFGREN, Mrs. MCBATH, Ms. MCCOLLUM, Mr. MFUME, Mr. MIN, Mr. NADLER, Mr. NEGUSE, Ms. NORTON, Ms. PINGREE, Ms. ROSS, Ms. SCANLON, Ms. TLAIB, and Mrs. WATSON COLEMAN) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives that the Department of Justice must comply with the Domestic Emoluments Clause of the Constitution by refusing to administratively settle the billions of dollars in legal claims filed against the United States by President Donald Trump.

Whereas article II, section 1, clause 7 of the Constitution states that, “The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be

[increased] nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them”;

Whereas section 102 of title 3, United States Code, states that, “The President shall receive in full for his services during the term for which he shall have been elected compensation in the aggregate amount of \$400,000 a year, to be paid monthly, and in addition an expense allowance of \$50,000 to assist in defraying expenses relating to or resulting from the discharge of his official duties”;

Whereas, on January 29, 2026, President Donald Trump filed a lawsuit in the United States District Court for the Southern District of Florida against the Internal Revenue Service demanding at least \$10,000,000,000 in taxpayer money, more than 90 percent of the Internal Revenue Service’s annual budget, for alleged injuries resulting from the disclosure of his income tax returns by an Internal Revenue Service contractor, who pled guilty to violating Federal law and was sentenced in 2024 to 5 years in prison;

Whereas the leaked tax information appears to have been used in a 2020 New York Times report that found that President Trump had only paid \$750 in income taxes in 2017 and in a 2021 ProPublica report that found that other billionaires, like Jeff Bezos, Elon Musk, and Warren Buffett, also pay little to no income taxes despite their vast wealth;

Whereas Donald Trump remains the only major candidate for President since Jimmy Carter to have refused to voluntarily disclose his tax returns and repeatedly promised on the campaign trail to release his taxes yet still feels ag-

grieved over a private contractor's breach of his tax information;

Whereas President Donald Trump, like any other private individual, has a legal right to pursue disputes in State court or Federal court, subject to Rule 11 of the Federal Rules of Civil Procedure, which prohibits the filing of frivolous claims;

Whereas President Donald Trump appears to be the first President in the history of the United States to bring a lawsuit for money damages against the Government and the American taxpayers while in office;

Whereas cabinet officials, including the Attorney General, report directly to the President and serve at his pleasure;

Whereas President Donald Trump and his administration have long advanced a "unitary executive" theory of the United States Government, asserting that all officials and employees in the executive branch report completely and directly to the President in a vertical hierarchy of decisionmaking;

Whereas President Donald Trump, when asked by a reporter about the conflict of interest that his Internal Revenue Service lawsuit might present if and when his own subordinates at Internal Revenue Service settle his personal multi-billion dollar lawsuit against the Government, acknowledged the anomalous character of the situation in which he must "work out a settlement with myself";

Whereas James Madison articulated in Federalist No. 10 the cardinal principle of American constitutional and legal jurisprudence that "No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity";

Whereas President Donald Trump will be acting as “a judge in his own cause” if and when he directs or “allows” his Attorney General and other cabinet officials to settle his multi-billion dollar Internal Revenue Service lawsuit for money damages;

Whereas, in 2023 and 2024, President Donald Trump also filed 2 administrative claims under the Federal Torts Claims Act with the Department of Justice, demanding the Department of Justice pay him \$230,000,000 for executing a lawful search warrant at his Mar-a-Lago clubhouse where he stashed highly classified records in ballrooms and bathrooms and for investigating Russia’s established “sweeping and systemic” efforts to interfere in the 2016 Presidential election;

Whereas even President Donald Trump has acknowledged the plain impropriety of the President filing claims against the Department of Justice when his own subordinate political appointees in the executive branch will be responsible for approving those claims, stating to reporters that the Government owes him “a lot of money” for his alleged injuries and that “it’s interesting, ‘cause I’m the one that makes the decision, right?”;

Whereas the potential administrative settlement by Federal agencies or departments of Trump’s various pending legal and monetary claims against the United States would, by definition, present a startling and unprecedented threat of the kind of corrupt self-dealing the Framers wanted to prevent and would effect an unconstitutional and unconscionable plunder of the taxpayers under the Domestic Emoluments Clause; and

Whereas, as a matter of constitutional law under the Domestic Emoluments Clause, common sense, and professional

ethics, Department of Justice officials must reject any invitation, opportunity or order by President Donald Trump to settle his extravagant personal claims and must refuse any public or private administrative order or demand for payment of \$10,000,000,000 or any other amount by the President for the settlement of alleged legal or administrative damages: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
 2 resentatives that, while Donald Trump may be able to in-
 3 dividually sue for damages in an independent article III
 4 court like any other citizen, because of the Domestic
 5 Emoluments Clause contained in article II, section 1,
 6 clause 7 of the Constitution, the Department of Justice
 7 and every other Federal department or agency is categori-
 8 cally forbidden to administratively “settle” such a lawsuit
 9 brought by the President and to directly confer a mone-
 10 tary payment on him of any kind outside of his official
 11 salary.

○