

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the person holding the office of the President of the United States owes sole allegiance to the Constitution of the United States of America; and must be above any suspicion that he is influenced or affected by the interests of any foreign nation or official; and

WHEREAS, on January 20, 2017, Donald J. Trump took the oath of office and became President of the United States; and

WHEREAS, Article I, Section 9, Clause 8 of the United States Constitution, the Foreign Emoluments Clause, provides that "no Person holding any Office of Profit or Trust under [the United States], shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State;" and

WHEREAS, Article II, Section 1 of the United States Constitution, the Domestic Emoluments Clause, provides that, apart from the fixed salary for his four-year term, the President "shall not receive within that Period any other Emolument from the United States, or any of them;" and

WHEREAS, according to scholars, the Foreign Emoluments Clause reflects the Framers' determined effort to ensure that no federal officeholder in the United States ever could be influenced by gifts of any kind from a foreign government; and

WHEREAS, the term "emoluments" includes a broad range of financial benefits, including but not limited to monetary payments, purchase of goods and services even for fair market value, subsidies, tax breaks, extensions of credit, and favorable regulatory treatment; and

WHEREAS, Donald J. Trump, the President of the United States, owns various business interests and receives various streams of income from all over the world; and

WHEREAS, many of these businesses receive, and streams of income include, emoluments from foreign governments, states of the United States, or the United States itself; and

WHEREAS, there have been credible and serious allegations that a foreign government, that of the autocratic ruler of Russia, Vladimir Putin, engaged in a concerted effort to influence the outcome of the November 8, 2016 United States presidential election, and that Donald Trump's presidential campaign and or its representatives or surrogates may have coordinated with Russia in such activities; and

WHEREAS, any violation of the Emoluments Clauses or coordination with a foreign government to influence the outcome of a presidential election undermines the integrity of the Presidency, violates the public trust, and advances the personal wealth of the President and/or his family; and

WHEREAS, our democracy is premised on the bedrock principle that no one is above the law, not even the President of the United States;

NOW, THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the Los Angeles City Council hereby includes in the City of Los Angeles 2017-2018 Federal Legislative Program SUPPORT for any legislative action to investigate whether President Donald J. Trump has violated the Foreign Emoluments Clause of the United States Constitution or committed any other high crime or misdemeanor sufficient to warrant commencement of impeachment proceedings.

Gil Cedillo

PRESENTED BY: *Bob Blumenfeld*
BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY: *Keith Daniel*
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