

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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October 23, 2024

Mr. Donald J. Trump and The Honorable JD Vance
The Mar-a-Lago Club
1100 South Ocean Boulevard
Palm Beach, FL 33480

Dear Mr. Trump and Senator Vance:

In 2010, with overwhelming bipartisan support, Congress passed the Pre-Election Presidential Act to provide major party presidential candidates with funding and resources for robust transitional planning to help ensure a smooth and effective transition between presidential administrations.¹

Breaking the precedent set by every other presidential candidate since 2010, you have rejected these resources and refused to commit to a smooth transition. It appears your decision may be at least partially driven by your intent to circumvent fundraising rules that put limits on private contributions on the transition effort and require public reporting. You may also be acting out of a more general aversion to ethics rules designed to prevent conflicts of interest in the incoming administration. With fewer than three weeks left until an election in which the American people will select a new President of the United States, I urge you to put the public's interest in maintaining a properly functioning government above any personal financial or political interests you may perceive in boycotting the official transition law and process. I ask that you ensure your campaign has the necessary resources for proper transition planning by immediately signing a Memorandum of Understanding (MOU) with the General Services Administration (GSA), immediately signing an MOU with the outgoing President, and immediately submitting an official ethics plan for your transition.

Alas, your recent public statements and your conduct four years ago provide cold comfort to the American people, who have sought to create continuity and legitimacy in the transition between administrations. Just last week, at an interview with the Economic Club of Chicago, when asked whether you would commit to “respecting and encouraging a peaceful transfer of power” you refused to do so.² Instead, you egregiously and erroneously asserted that there was a peaceful transition of power following the 2020 election, even though you plotted a political coup to overthrow the election and incited an insurrection which culminated on January 6, 2021,

¹ Pub. L. No. 111-283 (2010).

² CSPAN, *Former President Trump Interview with the Economic Club of Chicago* (Oct. 15, 2024) (online at www.c-span.org/video/?539131-1/president-trump-interview-economic-club-chicago).

when a violent mob led by extremist groups invaded the U.S. Capitol looking to “stop the steal,” “hang Mike Pence,” and block Congress’ certification of the lawful 2020 election result, leaving five people dead and more than 140 police officers wounded and injured.³ The presidential transition following the 2020 election was neither peaceful and nor effective. As John Micklethwait, Bloomberg Editor-in-Chief and moderator of the discussion you participated in at the Economic Club of Chicago noted, the transfer of power would only be considered peaceful “compared to Venezuela”—which is effectively an authoritarian government.⁴

After an election, a successful presidential candidate has roughly 75 days to transition a new team to lead a federal government with more than 430 departments, agencies, and sub-agencies and a dedicated workforce of roughly 2.3 million people.⁵ A secure and effective presidential transition is “one of the greatest sources of Americans’ pride in our country” and there are significant potential vulnerabilities with that transfer of power. Specifically, “if the new President and the new Administration are not ready to govern on their first day in office, our nation’s adversaries may well see and take advantage of the situation.”⁶

Eligible presidential candidates have access to funding, resources, information, and people they need through the PTA, which Congress has amended multiple times to ensure candidates have more time to ensure a successful transition.⁷ For example, the Pre-election Presidential Transition Act of 2010 provides eligible presidential transition teams access to multiple pre-election “services and facilities” from the federal government—including access to office space and equipment, information technology, and staff assistance.⁸

However, eligible candidates who accept these “services and facilities” can only receive outside private donations, which are by law reported publicly, if they are in amounts of less than \$5,000 per donor.

³ *Id.* *These Are the 5 People Who Died in the Capitol Riot*, New York Times (Jan. 11, 2021) (online at www.nytimes.com/2021/01/11/us/who-died-in-capitol-building-attack.html); Department of Justice, *24 Months Since the January 6 Attack on the Capitol* (online at www.justice.gov/usao-dc/24-months-january-6-attack-capitol) (accessed Oct. 15, 2024); ‘*Trump Said to Do So*’: *Accounts of Rioters Who Say the President Spurred Them to Rush the Capitol Could be Pivotal Testimony*, Washington Post (Jan. 16, 2021) (online at www.washingtonpost.com/politics/trump-rioters-testimony/2021/01/16/01b3d5c6-575b-11eb-a931-5b162d0d033d_story.html).

⁴ CSPAN, *Former President Trump Interview with the Economic Club of Chicago* (Oct. 15, 2024) (online at www.c-span.org/video/?539131-1/president-trump-interview-economic-club-chicago).

⁵ Partnership for Public Service, *The Basics: Frequently Asked Questions about Presidential Transitions* (online at <https://presidentialtransition.org/about-the-center/faqs-about-presidential-transitions/>) (accessed Oct. 9, 2024); Office of Personnel Management, *FedScope* (online at www.fedscope.opm.gov/employment.aspx) (accessed Oct. 1, 2024) (accessed Oct. 9, 2024).

⁶ Senate Committee on Homeland Security and Governmental Affairs, *Pre-Election Presidential Transition Act of 2010*, 111th Cong. (2010) (S. Rept. 111-239).

⁷ 3 U.S.C. §102 note; Pub. L. No. 111-283 (2010).

⁸ Pub. L. No. 111-283 (2010).

Up until this presidential election, every major party candidate eligible to receive these pre-election “services and facilities” has signed the MOUs required to access these resources. On August 27, 2024, the Administrator of the GSA notified you, as the official candidate of the Republican party, that you can “accept” these “services and facilities” by entering into an MOU with GSA.⁹ However, you have failed to sign the MOU with GSA, apparently rejecting pre-election services and potentially setting our government up for potential failure during the transition and beyond. The MOU entered into between GSA and the Democratic Party’s presidential and vice-presidential candidates—Kamala Harris and Tim Walz—was executed on September 19, 2024, and is now publicly available on GSA’s website.¹⁰

The MOU with GSA is not the only MOU you have failed to sign. The PTA also directs the incumbent President—President Biden in this case—to negotiate an MOU with you—and separately with Vice President Kamala Harris—to address basic planning issues such as how your presidential transition staff will access federal agencies’ employees, facilities, and documents.¹¹ This second MOU requires that you implement and enforce an ethics plan to guide the conduct of your transition not later than October 1—a date that has since passed.¹² Signing this MOU would also grant you and your transition team direct access to the people, resources and information—including national security information—needed to keep our country safe and ensure our government continues to serve the American people effectively.¹³ The Harris-Walz transition team finalized its MOU with the President and its ethics plan is now publicly available on GSA’s website.¹⁴

Your actions depart from well-established norms of the federal government and demonstrate a spectacular disregard for the successful continuation of the essential institutions of American democratic government. Without these MOUs in place, federal agencies are unlikely to be able to securely and effectively communicate with your staff, which will endanger “the orderly transfer of the executive power” and threaten our national security.¹⁵ I strongly urge you to expeditiously sign both MOUs and submit your ethics plan.

⁹ General Services Administration, *Our Role in Presidential Transitions* (online at www.gsa.gov/about-us/mission-and-background/our-role-in-presidential-transitions) (accessed Oct. 9, 2024).

¹⁰ General Services Administration, *Memorandum of Understanding Between the General Services Administration and Kamala Harris and Tim Walz* (Sept. 19, 2024) (online at www.gsa.gov/system/files/2024_MOU_between_GSA_and_Eligible_Candidate_Harris.pdf).

¹¹ 3 U.S.C. §102 note.

¹² *Id.*

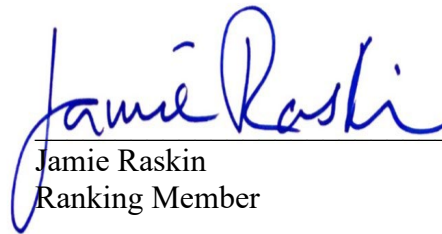
¹³ Senate Committee on Homeland Security and Governmental Affairs, *Pre-Election Presidential Transition Act of 2010*, 111th Cong. (2010) (S. Rept. 111-239).

¹⁴ General Services Administration, *Harris-Walz Transition Team Ethics Plan* (online at www.gsa.gov/system/files/2024%20Ethics%20Pledge%20Harris.pdf) (accessed Oct. 7, 2024).

¹⁵ Senate Committee on Homeland Security and Governmental Affairs, *Pre-Election Presidential Transition Act of 2010*, 111th Cong. (2010) (S. Rept. 111-239).

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Very truly yours,



Jamie Raskin
Ranking Member

cc: The Honorable James Comer, Chairman
Committee on Oversight and Accountability

Mr. Chris LaCivita and Ms. Susie Wiles
Co-Campaign Managers, Trump-Vance Presidential Campaign

The Honorable Linda McMahon and Mr. Howard Lutnick
Co-Chairs of the Trump Transition Team