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Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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June 4, 2025

The Honorable Pete Hegseth
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Hegseth,

According to public reports, last month, the Qatari royal family gifted President Trump a \$400 million ultra luxury jetliner. Although President Trump aggressively solicited this “nice gesture,” announced Qatar’s ensuing offer to the world, and would clearly benefit personally from his use of the opulent aircraft both during and after his tenure in the White House, in the wake of wide public protest he apparently designated *you* as the formal recipient of this \$400 million “gift” when the plane was formally transferred by the Qatari government.¹ In agreeing to serve as the U.S. government official who formally accepted the plane, you have the right and the need to know that you are in violation of both the Constitution and federal law because you have not sought, much less obtained, the requisite congressional consent to accept this “present.” I write now to urge and advise you to promptly mitigate these violations—and your own personal legal exposure—by either returning the plane to the Qatari government or promptly seeking Congress’s consent to accept it.

A few weeks ago, as he embarked on a visit to the Middle East, President Trump announced plans to accept the \$400 million ultra luxury jetliner from the Qatari royal family.² Apparently, President Trump solicited and was finally offered this “gift” after a monthslong persuasion campaign, which he tasked you and Steve Witkoff, his Envoy to the Middle East, with carrying out for him.³ President Trump reportedly planned to use the luxury plane as a replacement Air Force One during his tenure, and then transfer it to his presidential library after he leaves office, presumably for his continued unlimited personal use.⁴ Unsurprisingly, the

¹ Eric Lipton and Eric Schmitt, *U.S. Formally Accepts Luxury Jet From Qatar for Trump*, N.Y. TIMES (May 21, 2025), <https://www.nytimes.com/2025/05/21/us/politics/qatar-plane-trump-air-force-one.html>.

² Jonathan Karl and Katherine Faulders, *Trump Administration Poised to Accept ‘Palace in the Sky’ As 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>.

³ Eric Lipton, et al., *The Inside Story of Trump’s Search for a New Air Force One*, N.Y. TIMES (May 19, 2025), <https://www.nytimes.com/2025/05/19/us/politics/trump-air-force-one-qatar-jet.html>.

⁴ *Id.*

announcement was met with a broad public outcry, because the Constitution’s Foreign Emoluments Clause clearly prohibits any official of the United States—including the President—from accepting any gift or payment from a foreign government or monarch without the consent of the Congress,⁵ a requirement President Trump has studiously and shockingly ignored.

Having done such an outstanding job coercing a foreign government into making an unconstitutional and unlawful gift, you were rewarded by the President for your work when he assigned you to be the official to formally accept the “flying palace” from the Qatari royals.⁶ Your own spokesperson at the Department of Defense (DOD) stated: “*The secretary of defense has accepted a Boeing 747 from Qatar.*”⁷ Alas for you, this means that, as of today, *you* are now the one in violation of the Foreign Emoluments Clause of the Constitution, because it is plainly just as unconstitutional for you—another “person holding [an] Office of Profit or Trust”⁸ of the United States—to accept this luxury plane from the monarchical government of Qatar as it is for President Trump to do so.

You are also in violation of the Foreign Gifts and Decorations Act.⁹ That law provides congressional consent for government officials to accept certain gifts of up to \$480 in value—though not \$400 million jumbo jets—from foreign governments. The Act expressly prohibits an employee of the United States—which includes you—from “request[ing] or otherwise encourag[ing] the tender of a gift”¹⁰ as President Trump had evidently done with your help and that of Ambassador Witkoff.¹¹ Even worse for you, the Act provides that, to address violations, “the Attorney General may bring a civil action . . . against any employee who knowingly solicits or accepts a gift from a foreign government” not in accordance with the Act—which this “gift” is not—and allows a court to assess a penalty “not to exceed the retail value of the gift improperly solicited or received plus \$5,000.”¹² In other words, you may be on the hook for \$400 million (plus \$5,000) even for a jumbo jet that you accepted on behalf of the President but do not get to personally enjoy.

You have no doubt received advice from lawyers at the DOD, Department of Justice, or the White House on this dense web of legal complications. They may even be the same lawyers who somehow concluded that it was “legally permissible” for the President to accept this “gift,” a conclusion that flies in the face of not just the plain language of the Constitution and more than

⁵ Art. I, Sec. 9, cl. 8.

⁶ Eric Lipton and Eric Schmitt, *U.S. Formally Accepts Luxury Jet from Qatar for Trump*, N.Y. TIMES (May 21, 2025), <https://www.nytimes.com/2025/05/21/us/politics/qatar-plane-trump-air-force-one.html>

⁷ *Id.*

⁸ Art. I, Sec. 9, cl. 8.

⁹ 5 U.S.C. § 7342.

¹⁰ 5 U.S.C. § 7342 (b)(1). Likewise, Department of Defense regulations provide that “Department personnel shall not solicit, fundraise for, or otherwise request or encourage the offer of a contribution,” thereby prohibiting you from accepting the plane pursuant to 10 U.S.C. § 2608. U.S. Department of Defense, 7000.14-R, DoD Financial Management Regulation, vol. 12, ch. 3, § 030303.

¹¹ Letter from the Hon. Jamie Raskin, Ranking Member, H. Comm on the Judiciary, to the Hon. Steve Witkoff, U.S. Special Envoy to the Middle East, & the Hon. Pete Hegseth, Sec’y, Dep’t of Def. (May 21, 2025), https://democrats-judiciary.house.gov/sites/evo-subsites/democrats-judiciary.house.gov/files/evo-media-document/2025-05-21_raskin_to_witkoff_dos_hegseth_dod_re_qatar_plane_1.pdf.

¹² 5 U.S.C. § 7342 (h).

200 years of practice by past presidents and their subordinates, but also common sense. For even the President's political allies can see that this "gift" is obviously corrupt. MAGA activist Laura Loomer said that she would "take a bullet" for President Trump, "[b]ut I have to call a spade a spade. We cannot accept a \$400m 'gift' from jihadists in suits."¹³ The *New York Post* published an editorial titled "Qatar's 'Palace in the Sky' jet is NOT a 'free gift'—and Trump shouldn't accept it as one."¹⁴ The *Wall Street Journal* editorial board warned that "[i]t demeans the Presidency to have a foreign government handing out such a valuable gift to America's elected leader."¹⁵ As Senator Rand Paul explained on FOX News, "the constitution in article two talks about the president cannot take gifts from foreign leaders. There is a provision in the constitution that says you cannot do this."¹⁶ Senators Rick Scott, Ted Cruz, Shelley Moore Capito, Susan Collins, John Kennedy, and Josh Hawley have all publicly aired concerns about this obviously improper and illegal deal.¹⁷ And rightwing podcaster Ben Shapiro argued that "President Trump promised to drain the swamp. This is not, in fact, draining the swamp."¹⁸

Even the Qataris, evidently feeling discomfort from the "deal," are reportedly trying to set the record straight and disavow responsibility. Perhaps realizing that there are serious constitutional and legal issues with the transfer, Qatar is reportedly holding up finalizing the deal and insisting that a memorandum of understanding between the United States and Qatar "specify that the aircraft's transfer was initiated by the Trump administration and that Qatar is not responsible for any future transfers of the plane's ownership."¹⁹

Remember—the President's legal advisors who shield you for now may not be in their positions before the statute of limitations runs out for you, or before another Attorney General with more respect for the Constitution and the rule of law takes office. Even within the current Administration, there's a limit to how much blatant corruption and self-dealing the American people can witness without demanding that someone face the consequences.

¹³ Laura Loomer (@LauraLoomer), X (May 12, 2025, 3:00 p.m.), <https://x.com/LauraLoomer/status/1922003845862899971>.

¹⁴ Post 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 (May 12, 2025), <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 The Editorial Board, *Beware Qataris Bearing a 747 Gift*, WALL ST. JOURNAL (May 12, 2025), <https://www.wsj.com/opinion/air-force-one-qatar-gift-donald-trump-boeing-747-c80b7e01>.

¹⁶ Jesse Watters Primetime, *Raising taxes or tariffs is not my cup of tea, explains Sen. Rand Paul*, FOX NEWS (May 12, 2025), <https://www.foxnews.com/video/6372723653112>.

¹⁷ See Al Weaver, *Senate GOP weighs safety, legal concerns over Trump Qatar jet gift*, THE HILL (May 13, 2025), <https://thehill.com/homenews/senate/5296559-trump-qatar-jet-senate-gop/>; Morgan Rimmer, et al., *Some GOP senators express misgivings over Trump plan to accept Qatari jet*, CNN (May 13, 2025), <https://www.cnn.com/2025/05/12/politics/gop-senators-trump-plane-qatar/>; Ryan Bort, *Even MAGA Republicans Are Torching Trump for Accepting Jet From Qatar*, ROLLING STONE (May 13, 2025), <https://www.rollingstone.com/politics/politics-news/maga-republicans-criticize-trump-accepting-jet-qatar-1235337884/>.

¹⁸ The Ben Shapiro Show, *Ep. 2197—A China DEAL ... PLUS A \$400 Million Jet From Qatar?!*, DAILY WIRE (May 12, 2025), <https://www.dailywire.com/episode/bss-ep-2197>.

¹⁹ John Hudson, Natalie Allison, Dan Lamothe and Ellen Nakashima, *Trump's Air Force One Deal with Qatar Not Final, Despite U.S. Claims*, WASH. POST (May 28, 2025), <https://www.washingtonpost.com/national-security/2025/05/28/trump-qatar-air-force-one/>.

Here's my advice to you—Promptly mitigate this violation by immediately seeking Congress's consent to accept and retain this extravagant foreign gift.²⁰ If you truly believe that there is nothing untoward about the President asking for and receiving a \$400 million “flying palace” from a foreign power, then you should let Congress and the President's Republican colleagues vote to approve the transaction. If you're unwilling to do that, you must return the plane to Qatar.

But doing nothing is not an option. The Constitution flatly prohibits any administration officials from accepting “any present, Emolument, Office or Title, *of any kind whatever*, from any King, Prince, or foreign State” without the consent of the Congress.²¹ Without our explicit approval, your acceptance of this “gift” from the Qatari government is blatantly unconstitutional.

Very truly yours,


Jamie Raskin
Ranking Member

cc: The Honorable Jim Jordan, Chairman

²⁰ Kat Lonsdorf, *Trump administration officially accepts jet from Qatar for use as Air Force One*, NPR (May 21, 2025), <https://www.npr.org/2025/05/21/nx-s1-5406420/trump-accepts-qatar-plane-air-force-one>.

²¹ Art. I, Sec. 9, cl. 8 (emphasis added).