

Breaking: Federal Judge Orders Release of Trump's Tax Returns

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On May 10, House Dem Ways and Means Committee chairman Richard Neal subpoenaed Treasury Secretary Steve Mnuchin and IRS commissioner Charles Rettig to release Trump's personal tax returns for the 2013-18 period, along with other returns for several of his businesses.

The move followed Mnuchin's refusal to voluntarily comply with the House request, claiming it was politically motivated.

According to 1924 US legislation, the House and Senate Joint Committee on Taxation may request for examination anyone's personal tax information.

Federal law also requires candidates for federal office, as well as current office holders and their senior staff — including congressional members, the president and vice president, along with their cabinet members, and senior administration staff — to comply with provisions of the 1978 Ethics in Government Act. It applies to Supreme Court justices as well.

They're required to file annual disclosures of their personal finances, including amounts and sources of earned and unearned income, assets, relevant transactions (like purchases or sales of property or other assets), liabilities, honoraria received for speeches or other activities (only allowed if donated to charity while in office), gifts received, book deals, reimbursed travel expenses, non-government positions held, and whatever relates to the above.

The same obligation holds for spouses and dependent children. In my judgment, the above requirements include full disclosure of federal income tax returns as requested by Congress which Trump refused to comply with.

Before taking office, it's standard practice for incoming US presidents to either divest from financial and related holdings or place them in a blind trust to have no say over how they're managed.

Trump did neither, instead placing his adult children in charge of his financial and business interests, arguably a violation of the Ethics in Government Act by keeping himself informed (and maybe personally involved) in how his monied interests are managed.

On Monday, US District Court for the District of Columbia Judge Amit Mehta ruled against Trump's lawsuit to block a House subpoena, ordering release of his personal and business tax returns as explained above, saying:

“The court is well aware that this case involves records concerning the private and business affairs of the President of the United States,” adding:

“But on the question of whether to grant a stay pending appeal, the President is subject to the same legal standard as any other litigant that does not prevail.”

It’s not for the court to decide if the Dem-controlled House subpoena was “motivated by political considerations.”

“(T)he balance of equities and the public interest weigh heavily in favor of denying relief (to litigant Trump). The risk of irreparable harm does not outweigh these other factors. The court, therefore, will not stay the return date of the subpoena beyond the seven days agreed upon by the parties.”

Trump almost surely will appeal the ruling, aiming to delay resolution of this issue until after the 2020 presidential election so whatever information may be disclosed won’t politically damage him as a lame duck head of state.

If Republicans retake control of the House and maintain Senate control, the lawsuit for his tax returns no doubt will be dropped.

As of now, a lengthy legal fight will continue, likely heading for Supreme Court resolution. If it rules against Trump before November 2020, and his returns contain politically damaging information, it could greatly jeopardize his reelection, making him a one-term president.

Given the potential stakes for this politically charged issue, the High Court could call for both sides to compromise if the case goes this far, perhaps not wanting to come down on one side against the other.

On the other hand, the Court’s right-wing majority could rule for Trump. Throughout High Court history, disturbing rulings were handed down time and again.

International, constitutional, and US statute laws are inviolable, yet High Court justices interpret them as they wish. Numerous disturbing rulings include:

Dred Scott v. Sandford (1857) ruled black slaves and their descendants had no constitutional rights.

Plessy v. Ferguson (1896) affirmed segregation in public places.

Santa Clara County v. Southern Pacific Railroad (1886) granted corporations personhood under the 14th Amendment with all rights and privileges but none of the obligations — in my judgment, the most disturbing ruling in Supreme Court history.

Korematsu v. United States (1944) ordered internment of Japanese Americans during WW II — despite no threat posed by the affected individuals.

Bush v. Gore (2000) overrode the order for a presidential vote recount by Florida’s Supreme Court and annulled the popular vote favoring Gore, installing Bush as president — one of many examples of the farcical money controlled US electoral process.

How the Court rules on Dems v. Trump remains to be seen if things go this far.

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