

JOSEPH KIRCHNER
Pro Se Plaintiff
4440 Parklawn Avenue
Edina, MN 55435
Legal@lawsofexistence.com
Tel: (612) 552-2122

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,
Plaintiff,

Case No. 1:25-cv-02735-ACR

vs.

**MEMORANDUM OF LAW G:
REVENUE ORIGINATION
ANALYSIS**

MIKE JOHNSON, in his individual and
official capacity as Speaker of the
United States House of Representatives;
DONALD J. TRUMP, in his individual
capacity as former and current President
of the United States;
PAM BONDI, in her individual and
official capacity as Attorney General of
the United States;
BRENDAN CARR, in his individual
and official capacity as Chairman of the
Federal Communications Commission;
THE UNITED STATES HOUSE OF
REPRESENTATIVES;
ANTHROPIC PBC;
OPENAI, INC.;
APPLE INC.;
COMCAST CABLE
COMMUNICATIONS, LLC;
METR (MODEL EVALUATION &
THREAT RESEARCH);
and DOES 1-20, unknown co-
conspirators,
Defendants.

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TABLE OF AUTHORITIES

A. Constitutional Provisions

Provision	Description
U.S. Const. art. I, § 1	Vesting of legislative powers in Congress
U.S. Const. art. I, § 7, cl. 1	Origination Clause—revenue bills must originate in House
U.S. Const. art. I, § 8, cl. 8	Progress Clause—Congressional authority over intellectual property
U.S. Const. art. II, § 3	Presidential power to recommend measures and ensure faithful execution

B. Cases

Case	Citation	Proposition
<i>Clinton v. City of New York</i>	524 U.S. 417, 438 (1998)	Article I's procedural requirements are "finely wrought" constraints on executive power
<i>Mahlandt v. Wild Canid Survival & Research Ctr., Inc.</i>	588 F.2d 626, 631 (8th Cir. 1978)	Party admissions binding and cannot be retracted
<i>Marbury v. Madison</i>	5 U.S. 137, 174 (1803)	Constitutional provisions must be interpreted to effectuate their purpose
<i>McCulloch v. Maryland</i>	17 U.S. 316, 431 (1819)	Power to tax constitutes power to destroy
<i>United States v. McKeon</i>	738 F.2d 26, 31 (2d Cir. 1984)	Party admissions are substantive evidence of facts admitted
<i>United States v. Munoz-Flores</i>	495 U.S. 385, 392 (1990)	Origination Clause protects House prerogative over revenue legislation

C. Statutes And Rules

Authority	Citation	Description
Byrd Rule	2 U.S.C. § 644	Restrictions on extraneous matter in reconciliation bills
Federal Rules of Evidence	Fed. R. Evid. 801(d)(2)(A)	Party-opponent statements not hearsay

D. Legislative Materials

Source	Description
Congressional Budget Office Analysis	Fiscal impact assessments underlying Parliamentary rulings
Congressional Research Service Records	Historical reconciliation bill Byrd Rule violations
Senate Budget Committee Records	Chairman James Sasser statements on provision removals

E. Scholarly Authorities

Author	Work	Proposition
Professor Erwin Chemerinsky	Public statements on H.R. 1 provisions	Judicial independence threats and constitutional violations
Professor Elizabeth Garrett	<i>The Congressional Budget Process: Strengthening the Party-in-Government</i> , 100 Colum. L. Rev. 702 (2000)	Byrd Rule as constitutional constraint on reconciliation abuse
Walter Olson	Cato Institute analysis	Constitutional problems with judicial restraint

		provisions
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I. Executive Summary

1
2 **1.** This memorandum establishes that executive authorship of revenue bills violates
3 Article I, Section 7's origination requirement even when House members provide
4 formal introduction. This represents constitutional fraud where procedural compliance
5 masks substantive constitutional violation, undermining both separation of powers and
6 democratic accountability essential to constitutional governance.

7 **2.** President Trump's explicit ownership claims regarding H.R. 1 as "my one big,
8 beautiful bill" constitute judicial confession of executive origination of revenue
9 legislation, directly violating the constitutional requirement that such bills "originate in
10 the House of Representatives." These ownership declarations create binding
11 admissions under Federal Rule of Evidence 801(d)(2)(A) that cannot be retracted
12 through subsequent interpretation or constitutional argument. When a President
13 declares legislation as "his" bill, this admission of authorship proves executive
14 origination prohibited by constitutional text requiring House substantive development
15 of revenue policy.

16 **3.** The Senate Parliamentarian stripped at least fifteen major provisions worth up to
17 \$1.2 trillion from Trump's "One Big Beautiful Bill Act," marking the highest
18 documented removal count in the post-1990 reconciliation era and raising serious
19 questions about the bill's constitutional legitimacy. This extraordinary pattern
20 represents either the second-highest removal count in reconciliation history or
21 potentially the highest for substantive policy provisions, exceeded only by one

1 historical case involving "over 150 items" that included technical corrections rather
2 than substantive policy changes. The removals span healthcare policy, federal
3 workforce restructuring, financial regulatory agency elimination, environmental law
4 modifications, and immigration enforcement - demonstrating systemic drafting failures
5 inconsistent with congressional familiarity with reconciliation constraints but
6 consistent with executive branch authorship focused on policy goals without regard for
7 parliamentary limitations.

8 **4.** Constitutional law experts including Professor Erwin Chemerinsky have identified
9 these removal patterns as indicators of executive overreach and improper use of the
10 budget reconciliation process for policy changes that should undergo regular legislative
11 procedures with full debate and amendment opportunity. The removed provisions
12 fundamentally altered the bill's fiscal impact, transforming a \$3.0 trillion debt increase
13 in the House version to \$4.1 trillion after Senate passage, as savings measures were
14 eliminated for violating reconciliation rules governing what constitutes legitimate
15 budgetary legislation versus impermissible policy changes masquerading as fiscal
16 measures.

17 **5.** This memorandum demonstrates how Trump's presidential confession combined
18 with unprecedented Byrd Rule violations creates compelling evidence that H.R. 1
19 violated Article I, Section 7 through executive origination disguised as legislative
20 process. The constitutional violation requires judicial remedy to restore constitutional
21 supremacy over separation of powers violations, vindicate the Origination Clause's
22 democratic accountability purposes, and prevent future executive circumvention of

1 constitutional requirements through procedural manipulation that maintains appearance
2 of constitutional compliance while violating constitutional substance.

3 6. This constitutional violation does not exist in isolation but forms part of a
4 coordinated pattern of executive usurpation documented in MEMO F. On July 1,
5 2025, the Senate voted 99-1 to remove a proposed 10-year moratorium on state-level
6 AI regulation from H.R. 1, explicitly preserving state regulatory authority. Five
7 months later, President Trump issued the Genesis Mission Executive Order
8 implementing through executive action precisely what Congress rejected through
9 democratic process. Trump's characterization of H.R. 1 as "my one big beautiful bill"
10 creates additional Presentment Clause concerns analyzed in MEMO F—the President
11 cannot constitutionally present legislation to himself for review, cannot genuinely
12 approve his own writing, and cannot return a bill with objections to his own authorship.
13 The pattern of executive origination disguised as legislative process pervades both the
14 revenue legislation and the subsequent executive order.

15 **II. STATEMENT OF FACTS**

16 **A. The Formal Introduction Of H.r. 1**

17 7. According to public records, on May 16, 2025, Representative Jodey Arrington of
18 Texas formally introduced H.R. 1 in the House of Representatives, bearing the official
19 title "One Big Beautiful Bill Act." This formal introduction created procedural
20 compliance with Article I, Section 7's constitutional requirement that revenue bills
21 originate in the House, satisfying the technical constitutional process through a House

1 member's introduction of the legislation on the House floor according to established
2 parliamentary procedure.

3 **8.** The bill addressed comprehensive revenue policy including extensive tax provisions
4 affecting individual and corporate taxation, substantial spending modifications across
5 federal departments and agencies, and fundamental fiscal policy changes affecting
6 hundreds of billions in federal revenue collection and expenditures over the ten-year
7 budget window used for congressional scoring. The scope and complexity of the
8 legislation encompassed provisions spanning multiple congressional committee
9 jurisdictions including Ways and Means, Energy and Commerce, Financial Services,
10 Homeland Security, and Armed Services - requiring coordination across policy
11 domains that typically involve separate legislative vehicles rather than omnibus
12 reconciliation bills.

13 **B. Trump's Ownership Declarations**

14 **9.** Throughout the legislative process, President Trump repeatedly and explicitly
15 declared H.R. 1 to be "my one big, beautiful bill" through public statements at rallies,
16 interviews with media outlets, and official White House communications distributed to
17 press and posted on official channels. These ownership claims were not casual
18 references or colloquial descriptions but sustained assertions of presidential authorship
19 repeated consistently across multiple forums and occasions, establishing a pattern of
20 ownership declaration rather than isolated statements subject to contextual
21 misinterpretation.

1 **10.** The President's ownership claims intensified through official attributions referring
2 to the legislation as "President Donald Trump's One, Big, Beautiful Bill," using formal
3 title case and official attribution that conveyed presidential authorship as the bill's
4 defining characteristic rather than acknowledging the constitutional requirement of
5 House origination. White House press releases, official statements, and presidential
6 remarks uniformly characterized the legislation as Trump's personal legislative
7 achievement, his agenda embodied in statutory form, and his vision for comprehensive
8 fiscal policy reform.

9 **11.** These ownership declarations persisted throughout each stage of the legislative
10 process, from initial introduction through House passage, Senate consideration, and
11 final enactment. At signing ceremonies, Trump characterized the bill as "his agenda"
12 and "his victory," reinforcing executive authorship claims rather than acknowledging
13 House legislative development or crediting congressional authors for policy content,
14 drafting work, or legislative negotiation. The consistency and persistence of ownership
15 claims across months of legislative activity demonstrates sustained assertion of
16 executive authorship incompatible with constitutional requirements that revenue bills
17 originate through independent House legislative development.

18 **12.** Trump's repeated use of possessive pronouns and direct ownership attribution -
19 "my bill," "Trump's bill," presidential attribution in official titles - creates pattern
20 evidence of executive origination claims that directly contradict Article I, Section 7's
21 mandate that revenue bills "originate in the House of Representatives." The frequency,
22 formality, and persistence of these claims transform them from rhetorical flourishes
23 into admissions of constitutional violation, as each ownership declaration necessarily

1 implies executive authorship of legislation that constitutionally must originate through
2 House substantive development rather than executive drafting.

3 **C. Senate Parliamentarian's Unprecedented Removals**

4 **13.** Following House passage of H.R. 1, the Senate's "Byrd Bath" review process
5 conducted by Senate Parliamentarian Elizabeth MacDonough resulted in the removal
6 of at least fifteen major provisions from the reconciliation bill during June 2025. This
7 review process, mandated by the Byrd Rule codified at 2 U.S.C. § 644, examines each
8 provision to determine whether it qualifies as legitimate budgetary legislation
9 appropriate for reconciliation's expedited procedures or constitutes extraneous policy
10 matter that must be removed. The Parliamentarian's rulings collectively eliminated
11 provisions worth hundreds of billions in budgetary impact over the ten-year scoring
12 window, fundamentally altering both the bill's policy content and its fiscal trajectory.

13 **14.** The most significant single removal involved Medicaid provider tax restrictions
14 that would have generated savings estimated between \$200 billion and \$300 billion
15 over ten years through limiting states' ability to use provider taxes to finance their
16 Medicaid program shares. The Parliamentarian ruled this provision primarily policy-
17 driven rather than budgetary despite its massive fiscal impact, finding that the policy
18 objective of restructuring federal-state Medicaid financing relationships was not
19 "merely incidental" to budgetary effects under the Byrd Rule's standards at 2 U.S.C. §
20 644(b)(1)(D). This ruling exemplifies how even provisions with enormous budgetary
21 consequences fail parliamentary scrutiny when policy goals predominate over fiscal
22 purposes.

1 **15.** Healthcare provisions bore the brunt of removals across multiple policy
2 dimensions. Medicare eligibility restrictions for non-citizens were struck as
3 immigration policy masquerading as healthcare budgeting. Medicaid immigration
4 verification requirements failed because the verification procedures primarily served
5 immigration enforcement rather than budget management objectives. Gender-
6 affirming care prohibitions in federal healthcare programs were removed as social
7 policy determinations beyond reconciliation's legitimate scope. Affordable Care Act
8 abortion coverage restrictions similarly fell as policy choices about reproductive
9 healthcare rather than budgetary measures, despite each provision's defenders arguing
10 budgetary impact through effects on federal healthcare expenditures. The cumulative
11 effect of these healthcare removals demonstrates that provisions affecting healthcare
12 spending can still fail reconciliation requirements when policy objectives exceed
13 merely incidental relationship to budgetary outcomes.

14 **16.** Federal workforce provisions faced wholesale elimination, revealing executive
15 branch attempts to restructure civil service protections through reconciliation
16 procedures inappropriate for such fundamental administrative reforms. A requirement
17 that new federal employees pay 15.6% of salary into retirement systems or accept at-
18 will employment status was struck despite projections of \$150 billion or more in
19 savings over ten years. The Parliamentarian determined this provision primarily served
20 to weaken civil service protections and federal employee unions rather than genuinely
21 addressing retirement system financing. Union fee structures and Merit Systems
22 Protection Board filing fees similarly failed as policy changes to employment

1 relationships that exceeded budgetary purposes regardless of fiscal effects on federal
2 operations.

3 **17.** Restatement (Second) of Contracts § 205 codifies this principle: "Every contract
4 imposes upon each party a duty of good faith and fair dealing in its performance and its
5 enforcement." Comment (a) explains that good faith "excludes a variety of types of
6 conduct characterized as involving bad faith because they violate community standards
7 of decency, fairness or reasonableness." Comment (d) specifies that exercise of
8 discretion in "fixing terms, interpretation, performance and enforcement" must comply
9 with good faith standards. Corporate retention of unlimited discretion to appropriate,
10 modify, delete, or disclose user-owned materials while nominally assigning ownership
11 violates these community standards by using contractual discretion to deprive users of
12 reasonably expected ownership benefits. The sophisticated legal structure—carefully
13 drafted ownership language followed by systematic exceptions—evidences the
14 intentional bad faith that Restatement § 205 prohibits.

15 **18.** Most dramatically from a separation of powers perspective, provisions granting
16 executive branch unilateral authority to reorganize or eliminate federal agencies
17 without congressional oversight were struck as pure policy changes masquerading as
18 budget measures. These provisions would have fundamentally altered the
19 constitutional balance between branches by enabling presidential restructuring of the
20 administrative state through agency elimination, consolidation, or reorganization
21 without requiring new legislation or congressional approval. The Parliamentarian's
22 removal of these provisions vindicated core separation of powers principles by

1 preventing reconciliation abuse that would have transferred legislative authority over
2 agency existence and structure to executive discretion.

3 **19.** Financial regulatory agencies became prominent casualties of Byrd Rule
4 enforcement, demonstrating limits on using reconciliation to eliminate regulatory
5 infrastructure. The Consumer Financial Protection Bureau faced complete defunding
6 through a provision cutting \$6.4 billion from its budget, but the Parliamentarian ruled
7 this constituted policy-driven agency elimination rather than legitimate budget
8 reduction. The distinction matters constitutionally because defunding serving
9 primarily to eliminate an agency's regulatory functions represents policy choice about
10 financial regulation rather than fiscal choice about budget allocation. Similarly,
11 complete elimination of the Office of Financial Research was struck as policy
12 determination to end systemic risk monitoring rather than budgetary savings measure,
13 despite the office's budget costs that elimination would have saved.

14 **20.** Environmental provisions including EPA vehicle emissions standards repeal and
15 bypass mechanisms for environmental review processes similarly failed parliamentary
16 scrutiny. The emissions standards repeal primarily served deregulatory policy rather
17 than budgetary purposes despite potential fiscal impacts on EPA operations and
18 regulated industries. Environmental review bypasses were policy choices about
19 administrative procedure and environmental protection rather than budget matters, even
20 though expedited project approvals might generate economic activity with budgetary
21 effects. These removals demonstrate that environmental and regulatory policy changes
22 cannot be smuggled through reconciliation based on attenuated budgetary effects when
23 policy objectives clearly predominate.

1 **21.** The breadth of removals across multiple committee jurisdictions - Finance
2 Committee provisions on healthcare and taxation, Homeland Security Committee
3 provisions on immigration, Banking Committee provisions on financial regulation,
4 Environment and Public Works Committee provisions on environmental law, Armed
5 Services Committee provisions on defense policy - suggests systemic drafting failures
6 affecting the entire bill rather than isolated overreach in specific policy areas. When
7 provisions spanning such diverse subject matter all fail reconciliation requirements, the
8 pattern indicates fundamental misunderstanding of what qualifies for reconciliation or
9 deliberate attempts to exceed reconciliation's proper scope through provisions known
10 to violate parliamentary rules but included for political or strategic purposes.

11 **22.** This pattern of wholesale violations across committee jurisdictions is more
12 consistent with executive branch authorship than congressional drafting.
13 Congressional committees developing reconciliation legislation typically demonstrate
14 familiarity with Byrd Rule constraints built through years of experience with budget
15 reconciliation procedures, consultation with parliamentarians during drafting, and
16 institutional knowledge about what provisions survive parliamentary scrutiny.
17 Executive branch agencies drafting policy wish lists lack this institutional experience
18 with reconciliation constraints and focus on policy goals without equivalent concern
19 for parliamentary procedures they don't navigate directly. The systemic nature of H.R.
20 1's violations thus provides circumstantial evidence supporting inference of executive
21 origination.

D. The Fiscal Impact Transformation

23. The removed provisions fundamentally altered the bill's fiscal trajectory in ways that demonstrate how non-budgetary policy changes were disguised as fiscal measures. The House-passed version of H.R. 1 projected a \$3.0 trillion increase in federal debt over ten years according to Congressional Budget Office scoring. After the Senate Parliamentarian's removals eliminated provisions claimed to generate hundreds of billions in savings, the final Senate-passed version showed a \$4.1 trillion debt increase - a deterioration of \$1.1 trillion in fiscal impact resulting directly from stripping provisions that violated reconciliation rules.

24. This transformation reveals the constitutional problem: provisions claimed as budget savings measures were actually policy changes whose budgetary effects were secondary to policy objectives. When these policy provisions were removed, the supposed "savings" disappeared, exposing that the bill's budgetary framework depended on policy changes inappropriate for reconciliation procedures. A properly constructed reconciliation bill achieves fiscal goals through measures primarily budgetary in nature, such that removal of a few policy-focused provisions wouldn't fundamentally alter fiscal outcomes. H.R. 1's massive fiscal deterioration after parliamentary review demonstrates it was constructed as policy legislation dressed in budgetary clothing rather than genuinely budgetary legislation with some policy effects.

25. The magnitude of fiscal impact change - \$1.1 trillion worsening representing over one-third of the original projected deficit - demonstrates how extensively H.R. 1 relied on non-budgetary policy provisions masquerading as fiscal measures. This supports

1 inference that the bill's authors prioritized policy goals and either misunderstood
2 reconciliation constraints or deliberately violated them expecting political pressure or
3 procedural maneuvers to overcome parliamentary objections. Such an approach is
4 characteristic of executive branch policy agenda implementation rather than
5 congressional budget reconciliation familiar with parliamentary requirements and
6 institutional constraints.

7 **III. LEGAL STANDARD: ARTICLE I, SECTION 7 ORIGINATION CLAUSE**

8 **A. Constitutional Text And Mandatory Requirements**

9 **26.** Article I, Section 7 of the United States Constitution establishes with mandatory
10 language: "All Bills for raising Revenue shall originate in the House of
11 Representatives; but the Senate may propose or concur with Amendments as on other
12 Bills." This constitutional text creates absolute origination requirements for all revenue
13 legislation through the word "shall," which courts consistently interpret as mandatory
14 rather than discretionary. The Framers' choice of comprehensive language - "All Bills"
15 rather than "some bills" or "major bills" - extends the requirement to every revenue
16 measure without exception, ensuring House primacy over fiscal policy cannot be
17 circumvented through artful characterization of revenue legislation as something else.

18 **27.** The constitutional requirement establishes House primacy over fiscal policy as
19 fundamental structural principle preventing executive control over taxation and
20 spending decisions through carefully designed constitutional architecture intended to
21 ensure democratic accountability in revenue matters. The Supreme Court has

1 recognized in *United States v. Munoz-Flores*, 495 U.S. 385, 392 (1990), that the
2 Origination Clause serves to protect the House's prerogative over revenue legislation as
3 institutional right belonging to that chamber rather than as individual right belonging to
4 particular representatives or citizens. This structural understanding means violations
5 affect constitutional balance between branches rather than merely creating procedural
6 irregularities subject to waiver or harmless error analysis.

7 **28.** The Origination Clause represents fundamental constitutional principle requiring
8 substantive House control over revenue policy rather than procedural formality that can
9 be satisfied through technical compliance masking executive authorship of legislative
10 content. The Supreme Court emphasized in *Marbury v. Madison*, 5 U.S. 137, 174
11 (1803), that constitutional provisions must be interpreted to effectuate their purpose
12 rather than reduced to meaningless formalities through narrow literalism. Applied to
13 the Origination Clause, this principle of purposive interpretation means constitutional
14 origination requires genuine House development of revenue policy through legislative
15 deliberation, drafting, and control - not merely formal introduction of pre-written
16 executive bills that technically originate in House but substantively originate with
17 President.

18 **29.** The constitutional text's reference to origination - "shall originate in the House" -
19 contemplates substantive genesis rather than procedural technicality. Revenue bills
20 must not only be introduced formally in House but must actually originate there
21 through legislative development of policy content, fiscal provisions, and statutory
22 language constituting the bill's substance. When executive branch authors revenue
23 legislation and House members provide only formal introduction, this violates the

1 origination requirement's substance while maintaining appearance of compliance,
2 creating constitutional fraud through procedural manipulation that defeats
3 constitutional purposes while claiming constitutional adherence.

4 **B. Substantive Vs. Procedural Origination**

5 **30.** True constitutional origination satisfying Article I, Section 7's substantive
6 requirements involves multiple elements beyond formal introduction. First, substantive
7 development within the House of Representatives through legislative authorship of
8 revenue policy and provisions means House members and committees draft statutory
9 language, develop policy approaches, and create fiscal mechanisms rather than
10 receiving pre-written legislation from executive sources. Second, House control over
11 tax and spending priorities through independent legislative judgment means
12 representatives exercise discretion about which revenue sources to tap, which
13 expenditures to authorize, and how to balance competing fiscal goals according to their
14 assessment of constituents' interests and national needs. Third, democratic process
15 through elected representatives exercising legislative discretion rather than
16 implementing executive direction means deliberation about alternative approaches,
17 debate over fiscal priorities, and voting based on legislative judgment rather than
18 executive instructions.

19 **31.** Procedural origination fraud, in contrast, involves technical satisfaction of
20 constitutional requirements while violating their substance through several
21 mechanisms. Executive authorship of complete revenue legislation occurs when
22 President and administration officials draft comprehensive bills including specific

1 statutory language, policy provisions, and fiscal mechanisms, leaving House members
2 with pre-written legislation to introduce formally. House formality of introducing pre-
3 written presidential bills creates appearance of constitutional compliance through
4 House member's name appearing as sponsor and bill number suggesting House origin,
5 while actual authorship remains with executive branch. Constitutional circumvention
6 through technical compliance maintains constitutional appearance by satisfying literal
7 requirement that bill be introduced in House while violating substantive requirement
8 that bill actually originate there through legislative development. Democratic
9 subversion through executive control disguised as legislative process enables President
10 to control revenue policy that constitutionally belongs to House, undermining
11 democratic accountability and separation of powers while claiming constitutional
12 adherence.

13 **32.** The distinction between substantive and procedural origination matters
14 constitutionally because Article I, Section 7 serves multiple purposes that merely
15 formal origination cannot satisfy. The Origination Clause ensures democratic
16 accountability by placing revenue authority with the chamber directly elected every
17 two years, making representatives most responsive to popular sentiment control
18 taxation affecting citizens' economic lives. Procedural origination without substantive
19 House control defeats this accountability purpose because citizens cannot hold
20 responsible the House members who merely introduce executive-authored bills rather
21 than representatives who actually develop revenue policy. The Clause maintains
22 separation of powers by preventing executive control over legislative functions, but

1 procedural origination permits precisely such control while maintaining appearance of
2 separation through formal House introduction.

3 **33.** When the Executive Branch authors revenue legislation and House members
4 provide only formal introduction, this violates both the letter and spirit of Article I,
5 Section 7 by circumventing constitutional requirements through procedural
6 manipulation that maintains constitutional appearance while violating constitutional
7 substance. The letter is violated because "originate" means to begin or come into being
8 from a source, and legislation beginning with executive authorship originates with
9 executive regardless of House introduction. The spirit is violated because the Framers
10 designed the Origination Clause to prevent executive control over revenue policy that
11 procedural origination fraud enables, defeating constitutional purposes of democratic
12 accountability and separation of powers through technical compliance masking
13 substantive violation.

14 **C. Historical Purpose And Framers' Intent**

15 **34.** The Constitutional Convention evidence establishes that the Framers designed the
16 Origination Clause with multiple purposes reflecting their political theory and
17 historical experience with executive control over taxation. House primacy ensures
18 revenue bills originate in the chamber directly elected every two years, making
19 representatives most accountable to popular sovereignty control the taxation affecting
20 citizens' economic liberty. The Framers understood that power to tax constitutes power
21 to destroy, as Chief Justice Marshall later articulated in *McCulloch v. Maryland*, 17
22 U.S. 316, 431 (1819), and therefore required that this dangerous power reside with

1 representatives facing frequent electoral accountability rather than with executive or
2 senators originally appointed by state legislatures.

3 **35.** Executive limitation operates as corollary to House primacy—the Framers
4 deliberately excluded the President from revenue origination to prevent monarchical
5 control over taxation that British experience demonstrated as primary threat to liberty.
6 The colonial grievances against King George III enumerated in the Declaration of
7 Independence included taxation without representation and executive interference with
8 colonial assemblies' control over fiscal policy. The Origination Clause responded to
9 this history by ensuring the executive branch cannot initiate tax and spending policy
10 but must wait for Congress to develop revenue legislation subject to presidential
11 approval or veto according to Article I, Section 7's bicameralism and presentment
12 requirements.

13 **36.** Anti-monarchical structure appears throughout constitutional design, but the
14 Origination Clause provides specific protection against king-like control over taxation
15 that British subjects had struggled centuries to limit through parliamentary supremacy
16 over revenue bills. The English Bill of Rights (1689) and earlier conflicts between
17 Crown and Parliament established legislative control over taxation as fundamental
18 constitutional principle that American Framers incorporated into the federal
19 Constitution. When Presidents author revenue legislation, they effectively exercise the
20 royal prerogative over taxation that the Origination Clause specifically prohibits.

21 **37.** Historical application demonstrates the Framers' understanding through early
22 practice under the Constitution. The Washington Administration respected legislative
23 primacy in revenue policy by submitting recommendations to Congress rather than

1 drafting specific legislation for introduction. Treasury Secretary Alexander Hamilton's
2 famous reports on public credit, manufacturing, and the national bank proposed
3 detailed policy frameworks and specific recommendations, but the reports themselves
4 did not constitute draft legislation for congressional introduction. Instead, Hamilton's
5 reports provided policy analysis that Congress used as basis for developing actual
6 statutory language through legislative drafting process controlled by House and Senate
7 members. This practice recognized the constitutional distinction between
8 recommendation authority granted to the President under Article II, Section 3 and
9 legislative drafting authority that Article I vests exclusively in Congress.

10 **38.** Thomas Jefferson's administration continued this respect for legislative primacy
11 through annual messages proposing broad policy goals without specific legislative
12 drafting. Jefferson's messages identified problems requiring legislative attention and
13 suggested general approaches, but left to Congress the actual work of drafting bills
14 implementing or rejecting presidential suggestions. This division of labor respected
15 constitutional structure by preserving legislative authorship while accommodating
16 executive input through Article II, Section 3's recommendation process. The tradition
17 persisted through most of American history where Presidents propose while Congress
18 disposes through legislative process that maintains House origination of revenue bills.

19 **39.** The modern violation involves Presidents authoring detailed legislation including
20 specific provisions, technical language, and complex statutory schemes that go far
21 beyond general recommendations or broad policy frameworks. Contemporary practice
22 involves executive branch agencies drafting comprehensive bills running hundreds of
23 pages with detailed amendments to existing statutes, intricate regulatory schemes, and

1 specific fiscal provisions that constitute legislative drafting rather than executive
2 recommendation. These pre-written bills are then transmitted to Congress with
3 expectation that allied members will introduce them formally, creating appearance of
4 legislative origination while actual authorship resides entirely with executive branch
5 officials. H.R. 1 exemplifies this modern violation through combination of Trump's
6 ownership claims proving executive authorship and legislative complexity suggesting
7 executive agency drafting rather than congressional committee work.

8 **IV. LEGAL ANALYSIS**

9 **A. Presidential Confession Constitutes Binding Admission**

10 **40.** Under Federal Rule of Evidence 801(d)(2)(A), statements by a party opponent
11 constitute admissions that are not hearsay and bind the declarant in legal proceedings.
12 Trump's ownership declarations regarding H.R. 1 fall squarely within this evidentiary
13 rule because they were made by a party to this litigation, concern matters within that
14 party's knowledge regarding authorship of legislation, and operate as judicial
15 confessions when offered against the declarant to prove constitutional violation. The
16 admissions are not casual statements subject to contextual interpretation but repeated,
17 formal, and sustained declarations of ownership made through official channels and
18 public statements establishing consistent pattern of authorship claims.

19 **41.** The specific ownership claims include multiple categories of statements
20 demonstrating authorship. "My one big, beautiful bill" constitutes direct ownership
21 declaration using possessive pronoun and descriptive language indicating personal

1 investment in and control over the legislation's content. "President Donald Trump's
2 One, Big, Beautiful Bill" represents official White House attribution using formal title
3 case and presidential attribution that conveys authorship as defining characteristic
4 rather than colloquial reference. Signing ceremony characterizations of bill as "his
5 agenda" and "his victory" represent personal authorship claims indicating executive
6 control over policy content and legislative success. Repeated ownership assertions
7 throughout legislative process demonstrate sustained claim pattern rather than isolated
8 statements potentially subject to alternative interpretation.

9 **42.** These declarations constitute admission of executive origination of revenue
10 legislation in legal sense that party admissions provide conclusive evidence binding the
11 declarant. Under Federal Rule of Evidence 801(d)(2)(A), such admissions cannot be
12 impeached as hearsay or challenged through parol evidence suggesting alternative
13 meaning, because the rule treats party admissions as substantive evidence of facts
14 admitted. As the Second Circuit explained in *United States v. McKeon*, 738 F.2d 26,
15 31 (2d Cir. 1984), "admissions by a party are substantive evidence of the facts
16 admitted" and bind the declarant without requiring corroborating evidence or external
17 verification. Trump's ownership declarations therefore constitute binding evidence of
18 executive authorship sufficient to establish constitutional violation without requiring
19 additional proof of drafting process or executive involvement.

20 **43.** The evidentiary significance of these admissions cannot be overstated because they
21 prove executive origination through Trump's own words rather than requiring
22 circumstantial evidence or inference from other facts. While Byrd Rule violations and
23 expert analysis provide corroborating evidence of executive authorship, Trump's

1 ownership declarations alone suffice to establish constitutional violation through direct
2 admission that legislation he claims as "his bill" necessarily originated with him rather
3 than House of Representatives. This creates unusually strong proof of constitutional
4 violation through defendant's confession rather than plaintiff's burden of proving facts
5 defendant disputes.

6 **44.** Legal precedent establishes that party admissions cannot be retracted or explained
7 away through subsequent interpretation attempts or contextual arguments. The Eighth
8 Circuit in *Mahlandt v. Wild Canid Survival & Research Ctr., Inc.*, 588 F.2d 626, 631
9 (8th Cir. 1978), held that party admissions bind the declarant even when the admission
10 conflicts with the party's litigation position, because admissions made outside litigation
11 context are particularly reliable evidence of truth. Trump's ownership declarations
12 were made throughout the legislative process in multiple public forums before this
13 litigation commenced, establishing their reliability as admissions against interest
14 reflecting actual authorship rather than strategic litigation positioning.

15 **45.** Trump cannot now claim these ownership declarations were merely rhetorical
16 flourishes or casual references without specific authorship meaning, because the
17 pattern, persistence, and formality of declarations belie such interpretation. When a
18 President repeatedly and formally attributes legislation to himself using possessive
19 language and official attributions through months of legislative activity, these
20 declarations constitute admissions of authorship that bind him legally regardless of
21 current litigation strategy suggesting alternative interpretations. The rule against
22 retracting admissions prevents parties from making statements establishing facts

1 harmful to their interests, then explaining away those statements when litigation
2 requires denying those facts.

3 **B. The Constitutional Impossibility: Dual Origination Cannot Exist**

4 **46.** The philosophical and legal principle that "to name something is to declare its
5 origin" establishes fundamental connection between identification and causation with
6 deep roots in legal reasoning and linguistic philosophy. When someone names or
7 claims ownership of a creation, this naming act necessarily declares that person as the
8 source or origin of what they name as theirs. The principle operates in property law
9 where claiming ownership establishes rights deriving from original acquisition or
10 creation. It functions in copyright law where authorship attribution establishes creative
11 origin and legal rights flowing from that origination. And it applies to constitutional
12 law where claiming legislative ownership necessarily implies authorship originating
13 with the claimant rather than alternative constitutional source.

14 **47.** Applied to H.R. 1, Trump's naming of legislation as "Trump's bill" and "my bill"
15 necessarily declares Trump as origin of legislation through authorship creating the
16 content, provisions, and policies constituting the bill's substance. The naming cannot
17 be separated from origin declaration because possessive language claims relationship
18 of creation and control rather than mere association or approval. When Trump says
19 "my bill," he claims not merely that he supports a bill others created, but that the bill
20 belongs to him through relationship of authorship making it "his" in sense of
21 origination rather than subsequent adoption.

1 **48.** This origin declaration established through naming creates constitutional
2 responsibility for legislative content that Article I, Section 7 assigns exclusively to
3 House of Representatives through origination requirement. The Constitution does not
4 permit shared origination or dual authorship where both executive and House claim to
5 originate revenue legislation, because the text requires such bills "originate in the
6 House" without exception or qualification permitting executive participation in
7 origination process. "Originate" means to begin or come into being from a source -
8 legislation cannot simultaneously begin in two different places through two different
9 processes any more than a river can originate from two different springs
10 simultaneously.

11 **49.** The presidential confession therefore creates irrefutable evidence of constitutional
12 violation through admission that cannot be reconciled with constitutional text. Either
13 Trump's ownership claims are true and he originated the legislation, violating Article I,
14 Section 7, or Trump's ownership claims are false and he made materially false
15 statements about legislative authorship for political benefit. Both alternatives create
16 serious legal problems - the first constitutes constitutional violation requiring remedy,
17 the second constitutes presidential deception about legislation's origins undermining
18 democratic accountability and potentially constituting fraud on Congress and public.

19 **50.** Constitutional logic demonstrates the mathematical impossibility of dual
20 origination through formal proof. Premise One: The Constitution requires revenue
21 bills must "originate in the House of Representatives" through Article I, Section 7's
22 mandatory language. Premise Two: Trump claims the bill is "Trump's bill" indicating
23 executive origination through presidential authorship and ownership. Conclusion: The

1 same bill cannot originate in two different constitutional locations simultaneously
2 because origination refers to single source or beginning point, not multiple sources.
3 Result: Either House origination is false, violating the Constitution, or Trump's
4 ownership claims are false, constituting presidential deception about legislative origins.

5 **51.** This logical proof creates inescapable dilemma where every possible resolution
6 involves either constitutional violation or presidential wrongdoing. If we accept
7 Trump's ownership claims as accurate, then House origination is false and Article I,
8 Section 7 has been violated through executive origination prohibited by constitutional
9 text. If we accept House origination as constitutionally required, then Trump's
10 ownership claims are false and President made deliberately misleading statements
11 about legislation's authorship. If we attempt to split the difference through shared
12 origination, we violate constitutional text requiring exclusive House origination while
13 accepting presidential deception about legislation's true origins.

14 **52.** The impossibility of reconciling Trump's ownership claims with constitutional
15 origination requirements proves constitutional violation occurred regardless of which
16 statement we accept as true. This distinguishes the situation from ordinary evidentiary
17 conflicts where opposing parties make contradictory claims and court must determine
18 which to credit. Here, both possible resolutions - accepting Trump's claims or
19 accepting constitutional requirement - prove wrongdoing, making the contradiction
20 itself probative of constitutional violation rather than creating fact question requiring
21 resolution through conflicting evidence assessment.

C. H.r. 1's Deviation From Constitutional Norms

53. H.R. 1 departs fundamentally from the constitutional norm of presidential recommendation followed by congressional drafting. Where Hamilton submitted policy reports that Congress transformed into statutory language, and where Jefferson proposed goals that Congress implemented through legislative process, Trump declared completed legislation as "my bill" and "Trump's bill"—language of authorship rather than recommendation. The possessive pronouns and ownership attributions prove not merely that Trump supports legislation others created, but that he claims the bill as his own creation through relationship of authorship making it "his" in sense of origination.

54. The bill's characteristics reinforce inference of executive rather than congressional authorship. Its breadth across multiple policy domains—healthcare, immigration, financial regulation, environmental law, federal workforce restructuring, agency reorganization—indicates executive branch coordination compiling agency priorities rather than congressional committee development within jurisdictional expertise. The detailed amendments to existing statutes, intricate regulatory schemes, and comprehensive restructuring of federal programs bear hallmarks of executive agency drafting focused on policy implementation rather than congressional budgeting familiar with reconciliation constraints.

55. Trump's explicit ownership declarations confirm what the bill's characteristics suggest: executive branch authored the legislation while House members provided only formal introduction creating appearance of constitutional compliance. This constitutes precisely the procedural fraud that defeats Article I, Section 7's purposes—technical

1 satisfaction of origination requirement through House introduction while substantive
2 origination occurs through executive authorship prohibited by constitutional text.

3 **D. The Byrd Rule Violations As Evidence Of Executive Authorship**

4 **56.** Research into reconciliation history since 1980 reveals that properly drafted
5 congressional reconciliation bills experience zero to five provision removals on
6 average, with most bills achieving passage with minimal Byrd Rule violations
7 indicating careful drafting within parliamentary constraints. This pattern reflects
8 congressional committees' institutional knowledge about what qualifies for
9 reconciliation and what constitutes extraneous matter under 2 U.S.C. § 644's six-part
10 test. When experienced committee staff draft reconciliation legislation in consultation
11 with Senate Parliamentarian's office, they generally understand the boundaries between
12 legitimate budgetary provisions and policy changes that will not survive parliamentary
13 review.

14 **57.** The 2025 bill's removal of fifteen or more major provisions represents clear
15 statistical outlier that demands explanation beyond random variation or drafting
16 complexity. The only comparable case in modern reconciliation history involved
17 removal of "over 150 items" from a single reconciliation bill according to
18 Congressional Research Service records and statements by former Senate Budget
19 Committee Chairman James Sasser. However, that historical case likely included
20 numerous technical corrections, minor provisions, and definitional clarifications rather
21 than major policy provisions with substantial fiscal impact. When examining
22 substantive policy provisions rather than technical items, H.R. 1's fifteen major

1 removals may represent the highest documented count in reconciliation history, making
2 it unprecedented rather than merely unusual.

3 **58.** Comparative analysis with previous high-profile reconciliation bills demonstrates
4 how exceptional H.R. 1's violation pattern actually is when measured against
5 legislation of similar scope and importance. The Tax Cuts and Jobs Act of 2017,
6 perhaps the most significant tax legislation in decades affecting trillions in federal
7 revenue, experienced removal of only three provisions despite its complexity and
8 ambitious restructuring of tax code. The American Rescue Plan Act of 2021,
9 responding to COVID-19 pandemic with \$1.9 trillion in spending, lost just the fifteen
10 dollar minimum wage increase despite its sixty-four billion dollar budgetary impact -
11 demonstrating that even provisions with massive fiscal effects can be struck when
12 policy predominates over budgetary purposes. The Inflation Reduction Act of 2022,
13 involving complex healthcare, energy, and tax provisions, experienced minimal
14 removals indicating careful drafting within Byrd Rule constraints.

15 **59.** Even the Affordable Care Act reconciliation fixes in 2009-2010, involving
16 contentious healthcare policy during polarized political environment, avoided the
17 wholesale provision elimination seen in H.R. 1 despite healthcare legislation's
18 notorious difficulty navigating reconciliation constraints. Healthcare provisions
19 particularly challenge reconciliation because they often blend policy choices about
20 access and coverage with budgetary effects on federal spending, yet the ACA
21 reconciliation bills managed to structure provisions surviving parliamentary review
22 with far fewer major removals than H.R. 1 experienced. This suggests H.R. 1's drafters
23 either misunderstood reconciliation constraints to degree unprecedented among

1 congressional committees or deliberately included provisions known to violate rules
2 for political or strategic purposes.

3 **60.** The breadth of H.R. 1's removals across multiple committee jurisdictions provides
4 particularly compelling evidence of systemic drafting failure inconsistent with
5 congressional committee expertise. Violations spanned Finance Committee provisions
6 on healthcare and taxation, Homeland Security Committee provisions on immigration,
7 Banking Committee provisions on financial regulation, Environment and Public Works
8 Committee provisions on environmental law, and Armed Services Committee
9 provisions on defense policy. When provisions across such diverse subject matters all
10 fail reconciliation requirements, the pattern indicates fundamental misunderstanding of
11 what qualifies for reconciliation rather than isolated errors in particular policy areas.

12 **61.** This cross-committee violation pattern is more consistent with executive branch
13 authorship than congressional drafting because executive agencies focus on policy
14 goals without equivalent concern for parliamentary procedures they don't navigate
15 directly. Congressional committees develop reconciliation legislation with awareness
16 that provisions must survive Byrd Bath review, creating incentive for careful drafting
17 within known constraints and consultation with Parliamentarian's office during
18 development. Executive branch agencies drafting policy wish lists lack this
19 institutional incentive and experience with reconciliation constraints, instead focusing
20 on comprehensive policy agendas without filtering for parliamentary viability. The
21 result is legislation like H.R. 1 that reads like agency policy priorities compiled into
22 single omnibus bill without sufficient attention to reconciliation requirements.

1 **62.** The specific provisions removed from H.R. 1 further support inference of executive
2 rather than congressional authorship through their character as executive branch
3 priorities. Administrative reorganization authority enabling President to restructure or
4 eliminate agencies without congressional approval directly serves executive interests in
5 consolidating power and reducing regulatory constraints, but such provisions are
6 obviously policy changes rather than budgetary measures. Financial regulatory agency
7 eliminations like CFPB defunding and Office of Financial Research termination
8 advance executive branch deregulatory agenda but fail as budget measures when
9 agency elimination primarily serves policy rather than fiscal purposes. Environmental
10 review bypasses and emissions standards repeals similarly reflect executive priorities
11 for expedited development and reduced regulatory burden rather than budgetary needs.

12 **63.** Congressional committees developing reconciliation legislation generally avoid
13 including provisions so clearly vulnerable to Byrd Rule challenges unless external
14 pressure forces their inclusion despite committee staff advice. The most plausible
15 source of such pressure is executive branch demanding that congressional allies include
16 administration priorities regardless of parliamentary viability, treating reconciliation as
17 vehicle for comprehensive policy agenda rather than legitimate budgetary legislation.
18 Trump's ownership declarations confirm this interpretation by establishing that the bill
19 represents presidential policy agenda rather than congressional budget priorities,
20 explaining why provisions survived House passage despite obvious Byrd Rule
21 vulnerabilities.

E. The Byrd Bath Process And Parliamentary Enforcement

64. The Senate's "Byrd Bath" review process, named after the late Senator Robert Byrd who authored the original rule to prevent reconciliation abuse, involves the Parliamentarian examining each provision of reconciliation legislation against six specific criteria defining "extraneous" matter that must be removed under 2 U.S.C. § 644. This review occurs before floor consideration to enable removal of problematic provisions without requiring separate points of order during floor debate, streamlining the process while ensuring compliance with reconciliation constraints. The Parliamentarian's role evolved from technical advisor on parliamentary questions to crucial institutional safeguard preventing reconciliation's expedited procedures from being exploited for policy changes that should undergo regular legislative process with full debate and amendment opportunity.

65. Provisions fail Byrd Rule review if they violate any of six criteria established in 2 U.S.C. § 644(b)(1):

- **(1) No budgetary effect:** Provisions producing no fiscal impact are obviously extraneous regardless of policy merits, because reconciliation exists solely for budget legislation.
- **(2) Outside committee jurisdiction:** Provisions falling outside the jurisdiction of the committee reporting them cannot use reconciliation to circumvent ordinary jurisdiction rules.
- **(3) Merely incidental budgetary effects:** Provisions whose budgetary effects are "merely incidental" to policy objectives fail under the most frequently invoked criterion, requiring that budgetary purposes predominate over policy goals.
- **(4) Deficit increases beyond budget window:** Provisions increasing deficits beyond the budget resolution's time period cannot create long-term fiscal problems while claiming short-term budget compliance.
- **(5) Social Security impact:** Provisions affecting Social Security receive special protection for the retirement program's fiscal structure.
- **(6) Reconciliation instruction violations:** Provisions violating reconciliation instructions from the budget resolution constitute committee non-compliance with congressional directions.

1 **66.** MacDonough's rulings on H.R. 1 consistently found provisions violated the third
2 criterion - the "merely incidental" standard requiring budgetary effects predominate
3 over policy objectives. The Medicaid provider tax restrictions, despite generating
4 \$200-300 billion in savings, failed because restructuring federal-state Medicaid
5 financing relationships served primarily policy goal of constraining state flexibility
6 rather than budgetary purpose of deficit reduction. Healthcare immigration provisions
7 failed because immigration enforcement predominated over healthcare budgeting
8 despite provisions' healthcare context. Federal workforce reforms failed because
9 weakening civil service protections served primarily policy goal of reducing employee
10 rights rather than budgetary goal of managing retirement costs.

11 **67.** The Parliamentarian's consistent enforcement of "merely incidental" standard
12 across administrations demonstrates institutional role as neutral referee preventing
13 reconciliation abuse regardless of which party controls Senate or White House.
14 MacDonough blocked Democrats' fifteen dollar minimum wage increase in 2021
15 despite its sixty-four billion dollar budgetary impact, finding that labor market policy
16 predominated over budgetary effects. She blocked Republicans' sweeping regulatory
17 changes in 2025 across multiple policy areas using identical analysis that policy
18 objectives exceeded merely incidental relationship to budgetary purposes. This even-
19 handed enforcement proves the Byrd Rule functions as genuine constraint on
20 reconciliation abuse rather than partisan tool manipulated to favor or disfavor particular
21 administrations.

22 **68.** The Parliamentarian's institutional independence derives from professional
23 position's structure and Senate traditions protecting the office from political pressure.

1 Only two parliamentarians have been fired in Senate history, and the current practice
2 treats removal as nuclear option threatening institutional integrity rather than routine
3 personnel decision. Vice President's authority to overrule Parliamentary rulings
4 exists theoretically but hasn't been exercised since 1975, establishing strong norm
5 against political interference with parliamentary determinations. This independence
6 enables Parliamentarian to enforce reconciliation rules without fear that unpopular
7 rulings will result in termination or that pressure from leadership will compromise
8 professional judgment.

9 **69.** Congressional Budget Office analysis provides fiscal foundation for
10 Parliamentarian rulings by scoring budgetary effects of provisions under review, but
11 the Parliamentarian independently determines whether provisions serve legitimate
12 budgetary purposes versus predominantly policy objectives. CBO's role is technical -
13 calculating fiscal impacts under specified assumptions about implementation and
14 behavioral responses. The Parliamentarian's role is judgmental - assessing whether
15 fiscal impacts constitute primary purpose or merely incidental effects of policy
16 changes. This division of labor enables rigorous fiscal analysis through CBO expertise
17 while preserving Parliamentarian's independent judgment about provisions' character as
18 budgetary versus policy measures.

19 **70.** Normal reconciliation bill removal rates demonstrate that H.R. 1's fifteen major
20 provision removals represent extraordinary deviation from typical patterns. Tax bills
21 generally experience 5-15% removal rates when provisions are measured by number
22 rather than fiscal impact, reflecting difficulty of ensuring every tax provision satisfies
23 reconciliation constraints. Healthcare bills face higher removal rates of 20-30%

1 because healthcare policy inherently blends coverage and access policy with fiscal
2 effects on federal expenditures, making "merely incidental" analysis particularly
3 challenging. Even applying these higher typical rates to H.R. 1's provisions, the actual
4 removal pattern far exceeds what would be expected for carefully drafted congressional
5 legislation, supporting inference of executive authorship lacking familiarity with
6 reconciliation constraints.

7 **71.** The fiscal impact of removed provisions - up to \$1.2 trillion over ten years -
8 transforms H.R. 1's budgetary trajectory from \$3.0 trillion House-passed deficit to \$4.1
9 trillion Senate-passed deficit. This \$1.1 trillion deterioration demonstrates how
10 extensively the bill relied on provisions that failed reconciliation requirements,
11 indicating that budgetary framework depended on policy changes inappropriate for
12 reconciliation rather than genuine budgetary measures appropriate for expedited
13 procedures. A properly constructed reconciliation bill achieves fiscal goals primarily
14 through legitimate budgetary provisions, such that removal of a few policy-focused
15 provisions wouldn't fundamentally alter fiscal outcomes. H.R. 1's massive fiscal
16 deterioration proves it was constructed as policy legislation clothed in budgetary
17 language rather than genuinely budgetary legislation with some policy effects.

18 **F. Expert Analysis Supporting Constitutional Violation**

19 **72.** Constitutional law experts have analyzed high provision removal rates as potential
20 indicators of executive overreach and separation of powers violations based on pattern
21 evidence linking drafting origins to parliamentary compliance. Professor Erwin
22 Chemerinsky, one of America's most respected constitutional scholars, specifically

1 criticized provisions in H.R. 1 that restricted judicial contempt powers, identifying
2 these as attempts to "keep the Trump administration from being restrained when it
3 violates the Constitution." This analysis identifies not merely policy disagreement with
4 particular provisions but recognition that provisions embedded in H.R. 1 sought to
5 insulate executive action from judicial review, violating separation of powers
6 principles requiring judicial independence to check executive branch constitutional
7 violations.

8 **73.** Chemerinsky's criticism extends beyond individual provisions to pattern concern
9 that bill as a whole reflected executive branch effort to restructure constitutional
10 relationships between branches in ways favoring presidential power over congressional
11 and judicial constraints. Provisions restricting judicial contempt powers combined
12 with agency reorganization authority and regulatory elimination measures collectively
13 demonstrate executive agenda to consolidate power and reduce external checks rather
14 than congressional budget priorities. Such provisions' inclusion in reconciliation
15 legislation suggests executive authorship treating reconciliation as vehicle for
16 comprehensive executive empowerment rather than congressional treatment of
17 reconciliation as budget process constrained by parliamentary rules.

18 **74.** Academic analysis of reconciliation bill drafting patterns reveals that bills drafted
19 primarily by executive agencies often include administrative priorities that fail
20 reconciliation's budgetary requirements because executive focus on policy
21 implementation conflicts with parliamentary constraints on reconciliation scope. This
22 institutional analysis helps explain why H.R. 1 experienced unprecedented removal
23 rates - executive agencies compiled policy wish lists across multiple domains without

1 sufficient filtering for parliamentary viability, producing omnibus bill that read as
2 executive agenda rather than congressional budget legislation. Congressional
3 committees drafting reconciliation bills apply institutional knowledge about Byrd Rule
4 constraints during development, while executive agencies lack equivalent institutional
5 experience with parliamentary procedures.

6 **75.** The pattern of H.R. 1's removals - spanning regulatory changes, administrative
7 restructuring, and enforcement mechanisms - aligns with historical examples where
8 executive drafting led to Byrd Rule violations through inclusion of provisions serving
9 executive interests rather than congressional budget priorities. Administrative
10 reorganization authority serves executive interest in consolidating agencies and
11 eliminating unwanted regulatory infrastructure. Financial regulatory agency
12 eliminations serve executive deregulatory agenda. Environmental review bypasses
13 serve executive interest in expediting development projects. These executive-serving
14 provisions contrast with typical congressional reconciliation priorities focused on tax
15 rates, spending levels, and program eligibility - core budgetary matters rather than
16 executive power consolidation.

17 **76.** Walter Olson of the Cato Institute analyzed judicial restraint provisions removed
18 from H.R. 1, noting they "really do tie the judge's hands" in constitutionally
19 problematic ways. This analysis corroborates Chemerinsky's concern that provisions
20 sought to restrict judicial power to check executive branch, violating separation of
21 powers principles requiring independent judiciary capable of reviewing executive
22 actions for constitutional compliance. That such provisions appeared in reconciliation
23 legislation suggests executive authorship seeking to exploit reconciliation's expedited

1 procedures for enacting constitutional changes that couldn't survive regular legislative
2 process subject to full debate and amendment.

3 **77.** While statistical evidence of provision removals alone cannot establish
4 constitutional violations sufficient for judicial remedy, legal scholars recognize that
5 removal patterns combined with other factors create compelling circumstantial
6 evidence of procedural breakdown and constitutional violation. The relevant factors
7 include executive versus legislative authorship established through ownership
8 declarations and drafting patterns, types of provisions removed reflecting executive
9 versus congressional priorities, patterns across policy areas indicating systematic
10 drafting failures rather than isolated errors, and fiscal impact of removals transforming
11 budgetary trajectory through loss of provisions claimed as savings measures. H.R. 1
12 exhibits all these factors supporting inference of constitutional violation through
13 executive origination prohibited by Article I, Section 7.

14 **78.** The Byrd Rule serves as constitutional constraint ensuring reconciliation remains
15 budgetary vehicle rather than expedited procedure for policy changes that should
16 undergo regular legislative process. When reconciliation bills experience exceptional
17 Byrd Rule violation rates like H.R. 1's fifteen major provision removals, this suggests
18 broader separation of powers concerns where one branch attempts to circumvent
19 constitutional requirements through procedural manipulation. As Professor Elizabeth
20 Garrett explained in *The Congressional Budget Process: Strengthening the Party-in-*
21 *Government*, 100 Colum. L. Rev. 702 (2000), reconciliation exists for legitimate
22 budgetary purposes subject to constraints preventing abuse, and exceptional violations

1 of those constraints indicate systemic problems with how legislation was developed
2 and whose interests it primarily serves.

3 **V. Constitutional Implications**

4 **A. Separation Of Powers Violations**

5 **79.** Article I, Section 1 of the Constitution establishes the foundational principle of
6 legislative power allocation: "All legislative Powers herein granted shall be vested in a
7 Congress of the United States." This vesting clause creates exclusive grant of
8 legislative authority to Congress, meaning no other branch possesses inherent
9 legislative power regardless of policy expertise, political popularity, or claimed
10 efficiency. When Presidents author legislation rather than merely recommending
11 measures for congressional consideration, they usurp legislative powers Article I vests
12 exclusively in Congress, violating the Constitution's fundamental structure separating
13 legislative, executive, and judicial functions to prevent concentration of power that
14 Framers understood as tyranny's essential characteristic.

15 **80.** Article I, Section 7's requirement that revenue bills "originate in the House of
16 Representatives" provides specific protection for House primacy over fiscal policy that
17 general Article I, Section 1 vesting clause might not alone ensure. The Framers
18 understood that legislative power included not just enacting laws but initiating them,
19 particularly regarding revenue legislation affecting all citizens' economic liberty. By
20 requiring revenue bills specifically originate in House, Article I, Section 7 prevents
21 Senate from initiating taxation and spending legislation despite Senate's equal

1 legislative authority under bicameralism, demonstrating that origination itself
2 constitutes power requiring constitutional allocation rather than procedural detail
3 subject to chamber discretion.

4 **81.** If Presidents can author revenue bills while maintaining constitutional appearance
5 through formal House introduction, Article I, Section 7's origination requirement
6 becomes meaningless formality rather than substantive constraint on executive power.
7 Constitutional provisions must be interpreted to have meaning and effect rather than
8 reduced to empty formalities through narrow literalism, as the Supreme Court held in
9 *Marbury v. Madison*. The Court reaffirmed this principle in *Clinton v. City of New*
10 *York*, 524 U.S. 417, 438 (1998), striking down the Line Item Veto Act because it
11 permitted the President to unilaterally amend legislation in violation of Article I's
12 "finely wrought" procedural requirements—the same structural protections the
13 Origination Clause embodies. Applied to origination requirement, this means
14 "originate in the House" must require substantive House development of revenue
15 policy rather than procedural introduction of executive-authored bills, or the
16 constitutional text becomes nullity permitting precisely what it prohibits through artful
17 manipulation.

18 **82.** Article II, Section 3 limits presidential legislative authority to recommending
19 measures and ensuring faithful execution: the President "shall from time to time
20 recommend to their Consideration such Measures as he shall judge necessary and
21 expedient" and "take Care that the Laws be faithfully executed." These provisions
22 authorize presidential input on legislation through recommendations and presidential
23 implementation through faithful execution, but neither power extends to authoring

1 specific legislation for congressional introduction. Recommending measures means
2 suggesting policy approaches and priorities, not drafting comprehensive bills with
3 detailed provisions. Faithful execution means implementing enacted laws, not creating
4 new laws through executive drafting.

5 **83.** When Presidents author revenue legislation rather than merely recommending
6 measures, they exceed Article II, Section 3's authorization and invade Article I powers
7 constitutionally vested in Congress. The distinction between recommendation and
8 authorship matters constitutionally because recommendation respects separation of
9 powers by preserving legislative branch's exclusive authority to draft bills while
10 accommodating executive input, whereas authorship violates separation of powers by
11 executive performing legislative function that Article I assigns to Congress. Trump's
12 ownership claims prove not merely recommendation but authorship, establishing
13 constitutional violation through presidential admission that executive branch originated
14 legislation constitutionally required to originate in House.

15 **84.** The separation of powers violation manifests through multiple constitutional
16 injuries. Legislative power usurpation occurs when executive authorship of legislation
17 violates Article I, Section 1's vesting of legislative powers exclusively in Congress,
18 even when Congress formally introduces executive-authored bills. Origination
19 requirement circumvention occurs when executive control over revenue legislation
20 defeats Article I, Section 7's purpose of House primacy over fiscal policy through
21 genuine legislative development rather than formal introduction. Constitutional role
22 exceeding occurs when President becomes de facto legislator authoring comprehensive

1 bills rather than remaining executive who recommends measures and faithfully
2 executes laws Congress enacts.

3 **85.** The Article I, Section 1 and Section 7 violations documented here—executive
4 authorship of revenue legislation usurping powers vested exclusively in Congress—
5 parallel the Article I, Section 8 violations documented in MEMO F. The Genesis
6 Mission Executive Order directs the Secretary of Energy to "establish clear policies for
7 ownership, licensing, trade-secret protections, and commercialization of intellectual
8 property" without Congressional authorization, usurping the Progress Clause authority
9 the Constitution vests exclusively in Congress "to promote the Progress of Science and
10 useful Arts." Both the revenue legislation and the executive order represent executive
11 usurpation of enumerated Congressional powers, demonstrating systematic pattern
12 rather than isolated violation. When executive branch authors revenue bills that must
13 originate in House, then issues executive orders implementing what Congress rejected
14 99-1, the pattern proves coordinated assault on Article I rather than independent
15 constitutional breaches.

16 **B. Legislative Branch Abdication Of Constitutional Duty**

17 **86.** Constitutional duty abandonment by House members who introduce executive-
18 authored legislation rather than developing revenue policy through independent
19 legislative judgment violates Article I's assignment of legislative responsibilities to
20 Congress as institutional obligation rather than discretionary power. When
21 representatives introduce pre-written executive bills as formalities rather than
22 exercising legislative authorship, they abandon the constitutional duty to legislate that

1 election to House imposes. This abdication harms not just separation of powers
2 between branches but democratic representation within legislative branch by
3 converting representatives from independent legislators serving constituents into
4 executive subordinates implementing presidential agenda.

5 **87.** Revenue policy development constitutes core legislative function that constitutional
6 structure assigns specifically to House through Article I, Section 7's origination
7 requirement. This assignment creates institutional duty requiring House
8 representatives to exercise independent judgment about tax rates, spending priorities,
9 and fiscal policy rather than deferring to executive preferences. When House members
10 introduce executive-authored revenue bills, they violate this duty by surrendering
11 control over fiscal policy that Constitution assigns to them as representatives most
12 accountable to people through biennial elections.

13 **88.** Independent judgment constitutes essential element of legislative duty because
14 representatives must exercise discretion about how to address constituents' interests
15 and national needs rather than implementing directives from other branches. This
16 independence distinguishes legislators from executive subordinates - representatives
17 serve constituents through electoral accountability rather than serving President
18 through administrative hierarchy. When House members introduce executive-authored
19 bills without genuine legislative deliberation and modification, they function as
20 executive subordinates rather than independent legislators, violating constitutional
21 structure requiring legislative independence from executive control.

22 **89.** Democratic representation requires that legislators serve constituents' interests
23 through legislative choices rather than executing executive preferences disguised as

1 legislative process. Citizens elect representatives to exercise legislative judgment on
2 their behalf, not to serve as conduits for presidential bills that representatives played no
3 substantive role in developing. When House members introduce executive-authored
4 revenue legislation, they deceive constituents about who actually controls fiscal policy
5 affecting their economic lives, undermining democratic accountability that Article I,
6 Section 7's origination requirement specifically protects.

7 **90.** Constitutional compliance requires House members to maintain separation of
8 powers rather than facilitating executive overreach through procedural cooperation that
9 enables constitutional circumvention. When representatives introduce executive-
10 authored bills creating appearance of House origination while actual authorship resides
11 with President, they become complicit in constitutional violation rather than serving as
12 check on executive power that separation of powers requires. This complicity
13 transforms House from independent branch checking executive power into executive
14 subsidiary enabling presidential control over legislation through procedural
15 manipulation.

16 **91.** The constitutional problem emerges when House members become conduits for
17 executive legislation rather than independent legislators exercising constitutional duties
18 through genuine legislative development. Article I, Section 7 assigns revenue
19 origination to House not as empty formality but as substantive responsibility requiring
20 legislative work, deliberation, and judgment. When this responsibility devolves to
21 procedural introduction of executive-authored bills, constitutional structure collapses
22 through legislative branch abandonment of constitutional duties enabling executive
23 usurpation of legislative powers.

C. Democratic Legitimacy And Constitutional Fraud

92. Constitutional democracy requirements include multiple elements essential to legitimate self-government under law rather than arbitrary rule subject to executive whim. Transparent authorship ensures citizens must know who creates laws governing them so electoral accountability can function through voters rewarding or punishing legislators for their policy choices. Electoral accountability requires representatives must be responsible for legislative choices they make so citizens can evaluate performance and make informed voting decisions based on legislators' records. Deliberative process requires legislative debate and modification of proposed policies through representatives' collective judgment rather than executive direction. Independent representation requires legislators serve constituents rather than executing presidential directives through formal legislative acts.

93. Executive authorship disguised as House origination violates all these democratic requirements through fraud mechanism that deceives citizens about who actually controls revenue policy. When Presidents author bills that House members formally introduce, this creates false appearance that representatives developed the legislation through legislative process subject to democratic accountability. Citizens believing House originated the revenue legislation cannot hold proper parties accountable because actual authors in executive branch escape electoral consequences while House members who merely introduced pre-written bills take credit or blame for policies they didn't create.

1 **94.** Fraud through procedural manipulation operates by maintaining appearance of
2 constitutional compliance while violating constitutional substance through executive
3 control disguised as legislative process. False attribution occurs when executive-
4 authored bills are presented publicly as House-originated legislation through formal
5 introduction process. Accountability confusion results when responsibility for revenue
6 policy becomes unclear - did House or President develop the fiscal provisions, tax
7 rates, and spending priorities? Deliberative bypassing occurs when pre-written
8 executive bills bypass legislative deliberation that should modify proposals through
9 representatives' collective judgment. Representative subordination results when House
10 members serve executive agenda rather than constituents' interests through
11 constitutional role as independent legislators.

12 **95.** The deception mechanism creates constitutional fraud through systematic process
13 where executive branch writes comprehensive revenue legislation including specific
14 provisions and detailed statutory language, House representatives formally introduce
15 executive-authored bills creating appearance of House origination satisfying Article I,
16 Section 7 literally but not substantively, parties claim constitutional compliance based
17 on technical satisfaction of origination requirement despite executive authorship, and
18 public receives bills presented as House-originated when actually executive-authored.
19 This deceptive process transforms constitutional requirement into empty formality
20 through procedural manipulation that maintains appearance while violating substance.

21 **96.** Constitutional harm results from this deception undermining both constitutional
22 structure and democratic accountability simultaneously. Structural harm occurs
23 because separation of powers designed to prevent tyranny through divided authority

1 fails when executive controls legislative functions through authorship disguised as
2 recommendation. Democratic harm occurs because citizens cannot exercise informed
3 electoral accountability when authorship attribution is systematically false through
4 executive bills presented as legislative products. Institutional harm occurs because
5 constitutional requirements become nullities through procedural manipulation, teaching
6 that constitutional text can be evaded through technical compliance masking
7 substantive violation.

8 **97.** The harm is not hypothetical or speculative but actual and ongoing because H.R. 1's
9 enactment with executive authorship disguised as House origination creates precedent
10 encouraging future presidents to author revenue legislation for formal House
11 introduction. Each successful evasion of Article I, Section 7's origination requirement
12 through procedural manipulation makes future evasions more likely and harder to
13 challenge, creating pattern of constitutional violation normalized through repetition.
14 This precedential harm requires judicial remedy not just to address H.R. 1's specific
15 violation but to prevent normalization of executive revenue authorship that would
16 permanently undermine constitutional structure.

17 **VI. QUESTIONS DEMANDING JUDICIAL RESOLUTION**

18 **98.** The constitutional violation proven through Trump's ownership declarations and
19 Byrd Rule evidence presents questions requiring judicial determination because
20 political branches have demonstrated inability or unwillingness to enforce
21 constitutional requirements against themselves. These questions cannot be resolved
22 through political process because parties benefiting from violations have no incentive

1 to constrain their own power, leaving the judiciary as sole institution capable of
2 vindicating constitutional structure.

3 **99. Question One:** How can H.R. 1 be "Trump's bill" as Trump repeatedly declared if
4 the Constitution requires revenue bills "originate in the House of Representatives"?

5 **100. Question Two:** What constitutional authority permits the President to claim
6 ownership of revenue legislation that must constitutionally originate elsewhere, when
7 Article II grants no authorship authority over legislative revenue bills?

8 **101. Question Three:** How does Trump's explicit ownership declaration comply with
9 the Origination Clause requirement that revenue bills originate in House through
10 independent legislative development rather than executive authorship?

11 **102. Question Four:** Why should presidential confession of executive origination not
12 constitute conclusive evidence of constitutional violation when Federal Rule of
13 Evidence 801(d)(2)(A) treats party admissions as binding evidence?

14 **103. Question Five:** What distinguishes Trump's ownership claims from executive
15 origination prohibited by Article I, Section 7, when both involve executive control over
16 revenue legislation that constitutionally belongs to House representatives?

17 **104. Question Six:** How can the same bill simultaneously originate in the House as
18 Constitution requires and be "Trump's bill" as Trump claims, when constitutional logic
19 prohibits dual origination?

20 **105. Question Seven:** What constitutional principle permits presidential ownership of
21 legislation that must originate in Congress through independent legislative process?

22 **106. Question Eight:** How does this constitutional confession differ from any other
23 admission of constitutional violation requiring judicial remedy?

1 **107.** These questions cannot be answered without admitting constitutional violation
2 through the logical trap created by Trump's ownership declarations combined with
3 Article I, Section 7's origination requirement. Defending Trump's ownership admits
4 revenue bills can originate with President, directly violating constitutional text.
5 Claiming House origination despite Trump's declarations admits Trump made false
6 statements about legislative authorship, raising questions of presidential deception.
7 Asserting procedural compliance despite executive authorship admits substantive
8 constitutional violation through technical compliance masking forbidden executive
9 control. Invoking executive privilege fails because no privilege exists to violate
10 Constitution or claim ownership of legislation that must originate elsewhere.

11 **108.** The inescapable nature of these questions demonstrates why judicial resolution is
12 necessary rather than optional. Political branches cannot resolve logical contradictions
13 and constitutional violations their own actions created. Courts must intervene to
14 restore constitutional compliance and establish precedents preventing future violations,
15 because political actors benefiting from constitutional circumvention will not constrain
16 themselves voluntarily.

17 **VII. REQUIRED JUDICIAL REMEDY**

18 **109.** Constitutional violations of the magnitude proven through Trump's ownership
19 confessions and unprecedented Byrd Rule violations require comprehensive judicial
20 remedy addressing both immediate harm from H.R. 1's unconstitutional enactment and
21 systemic problem of executive authorship normalized through repeated practice.
22 Declaratory relief must establish precedent that executive authorship violates Article I,

1 Section 7 regardless of formal House introduction, defining constitutional origination
2 to require substantive legislative development rather than procedural introduction of
3 pre-written executive bills.

4 **110.** Declaratory judgment should establish that H.R. 1 violated Article I, Section 7
5 through executive origination disguised as House introduction, based on Trump's
6 binding ownership admissions proving presidential authorship and Byrd Rule
7 violations indicating executive agency drafting rather than congressional committee
8 development. This declaration serves multiple purposes: vindicating constitutional
9 text's origination requirement, establishing precedent preventing future executive
10 authorship of revenue bills, clarifying distinction between permissible presidential
11 recommendation and impermissible executive drafting, and providing foundation for
12 additional relief addressing H.R. 1's continued enforcement.

13 **111.** Injunctive relief must prevent continued enforcement of legislation proven to
14 violate constitutional origination requirements, restoring constitutional supremacy over
15 governmental procedural manipulation that enabled H.R. 1's enactment despite
16 violating Article I, Section 7. Permanent injunction against enforcing revenue
17 provisions executive-authored rather than House-originated serves essential function of
18 ensuring constitutional violations do not continue producing legal effects after judicial
19 determination of unconstitutionality. The injunction recognizes that unconstitutional
20 legislation is void ab initio rather than merely voidable, requiring prospective cessation
21 of enforcement rather than permitting continued effect pending congressional
22 reenactment through constitutional process.

1 **112.** Structural relief must address systemic problem of executive branch authoring
2 legislation for formal congressional introduction by establishing clear standards
3 distinguishing permissible presidential activities from prohibited executive authorship.
4 Court should order executive branch to cease authoring revenue legislation for formal
5 House introduction, limiting executive role to recommendations and policy proposals
6 that Congress transforms into statutory language through genuine legislative drafting.
7 This structural relief restores separation of powers by preventing executive usurpation
8 of legislative functions through authorship, returning constitutional practice to
9 historical norm where Presidents propose while Congress disposes through legislative
10 process maintaining House origination of revenue bills.

11 **113.** Prospective guidance should establish judicial standards for future cases
12 distinguishing legitimate presidential recommendations from unconstitutional
13 executive authorship of revenue bills. These standards should consider multiple factors
14 including: whether White House or agencies drafted specific statutory language versus
15 broad policy frameworks; whether presidential claims of ownership or authorship exist
16 through public statements or official attributions; whether legislation exhibits
17 characteristics of executive agency priorities versus congressional committee
18 development; whether bills experience exceptional Byrd Rule violations suggesting
19 unfamiliarity with reconciliation constraints; and whether provisions primarily serve
20 executive interests like administrative reorganization authority versus congressional
21 budget priorities.

22 **114.** The remedy must address immediate harm through H.R. 1's unconstitutional
23 enactment affecting millions of citizens through tax provisions, spending changes, and

1 policy implementations proven to violate constitutional origination requirements.

2 Citizens subjected to taxation and spending decisions made through unconstitutional
3 process have standing to challenge those decisions, and judicial remedy must provide
4 relief from continued enforcement of unconstitutional revenue provisions. This
5 immediate relief serves rule of law by ensuring constitutional violations do not
6 continue producing legal effects indefinitely simply because judicial review occurs
7 after enactment rather than preventing enactment prospectively.

8 **115.** The remedy must also address systemic problem of executive authorship
9 normalized through repeated practice and political branches' unwillingness to enforce
10 constitutional constraints against themselves. Without judicial intervention
11 establishing that executive authorship violates Article I, Section 7, the practice will
12 continue and intensify as presidents discover they can control revenue legislation
13 through authorship while maintaining appearance of constitutional compliance through
14 formal House introduction. This precedential harm requires judicial remedy not merely
15 addressing H.R. 1 but establishing principles preventing future violations.

16 **116.** Remedial authority derives from courts' duty to say what the law is under
17 *Marbury v. Madison* and to provide effective remedies for constitutional violations
18 under established equitable principles. When political branches violate constitutional
19 requirements through procedural manipulation, courts must intervene to restore
20 constitutional compliance regardless of political convenience or policy preferences.

21 The separation of powers depends on each branch respecting constitutional limits, and
22 judicial enforcement provides essential check when political branches demonstrate

1 inability or unwillingness to constrain their own power within constitutional
2 boundaries.

3 **VIII. CONCLUSION**

4 **117.** President Trump's repeated ownership declarations—"my one big, beautiful bill"
5 and "President Donald Trump's One, Big, Beautiful Bill"—constitute binding judicial
6 admissions under Federal Rule of Evidence 801(d)(2)(A) proving executive origination
7 of revenue legislation. These admissions cannot be retracted through subsequent
8 interpretation or contextual argument. When a President repeatedly and formally
9 declares legislation as his personal bill using possessive language and official
10 attribution, these declarations bind him legally as admissions of authorship proving the
11 constitutional violation Article I, Section 7 prohibits.

12 **118.** The constitutional impossibility of dual origination creates inescapable legal
13 conclusion. The same legislation cannot simultaneously originate in the House as
14 Constitution requires and with the President as Trump claims—bills cannot begin in
15 two different places through two different processes any more than a river can originate
16 from two different springs. Either the constitutional requirement was violated through
17 executive origination, or Trump's ownership declarations were false and the President
18 made materially misleading statements about legislative authorship. Both alternatives
19 require judicial remedy.

20 **119.** The Senate Parliamentarian's removal of fifteen major provisions worth up to \$1.2
21 trillion represents unprecedented Byrd Rule violations corroborating executive
22 authorship unfamiliar with reconciliation constraints. When compared to typical bills

1 experiencing zero to five removals—and even complex legislation like the Tax Cuts
2 and Jobs Act experiencing only three removals—H.R. 1's pattern of wholesale
3 elimination across multiple committee jurisdictions indicates executive agency drafting
4 rather than congressional committee development. The \$1.1 trillion fiscal deterioration
5 from House-passed to Senate-passed versions proves the bill was constructed as policy
6 legislation clothed in budgetary language rather than genuine reconciliation legislation.

7 **120.** This constitutional fraud—procedural compliance masking substantive
8 violation—connects to broader patterns of executive usurpation documented in MEMO
9 F. The Genesis Mission Executive Order implements through executive action what
10 Congress rejected 99-1, usurping Article I, Section 8 intellectual property authority just
11 as H.R. 1 usurps Article I, Section 7 origination authority. The coordinated pattern
12 demonstrates systematic assault on Congressional powers rather than isolated
13 constitutional breach, requiring comprehensive judicial remedy addressing both
14 immediate harm and systemic violation.

15 **121.** Judicial remedy is required to restore constitutional supremacy over governmental
16 procedural manipulation, establish precedent preventing future executive authorship of
17 revenue bills, and ensure Article I, Section 7's origination requirement remains
18 substantive constraint rather than empty formality subject to evasion through technical
19 compliance. Courts' duty under *Marbury v. Madison*, 5 U.S. 137 (1803), requires
20 intervention when political branches systematically violate constitutional requirements
21 through procedural manipulation they will not remedy absent judicial mandate.

22 **122. Therefore,** this Court should declare that H.R. 1 violated Article I, Section 7
23 through executive origination proven by Trump's ownership confessions and

1 corroborated by unprecedented Byrd Rule violations; enjoin enforcement of revenue
2 provisions proven to be executive-authored rather than House-originated; order
3 executive branch to cease authoring revenue legislation for formal House introduction;
4 establish standards preventing future executive circumvention of origination
5 requirements through procedural manipulation; and award appropriate relief
6 vindicating constitutional structure, separation of powers, and democratic
7 accountability essential to constitutional government under law.

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9
10 **Respectfully submitted,**

11
12 **JOSEPH KIRCHNER**

13 *Pro Se Plaintiff*

14 4440 Parklawn Avenue #203

15 Edina, MN 55435

16 Tel: (612) 552-2122

17 Email: legal@lawsofexistence.com

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