UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

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JOSEPH KIRCHNER,

Plaintiff,

v. **Civil Action No. 25-cv-02735-ACR**

DONALD TRUMP, et al.,

Defendants.

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APPENDIX V: Revenue Origination Analysis

Demonstrating Constitutional Violation Through Presidential Confession of Article I, Section 7 Violations

EXECUTIVE SUMMARY

1. Executive authorship of revenue bills violates Article I, Section 7's origination requirement even when House members provide formal introduction, representing constitutional fraud where procedural compliance masks substantive constitutional violation, undermining both separation of powers and democratic accountability.

2. Trump's explicit ownership claims regarding H.R. 1 as "my one big, beautiful bill" constitute confession of executive origination of revenue legislation, directly violating the constitutional requirement that such bills "originate in the House of Representatives."

3. The Senate Parliamentarian stripped at least 15 major provisions worth up to \$1.2 trillion from Trump's "One Big Beautiful Bill Act" (H.R. 1, 119th Congress), marking the highest documented removal count in the post-1990 reconciliation era and raising serious questions about the bill's constitutional legitimacy.

4. This extraordinary pattern of Byrd Rule violations—spanning healthcare, federal workforce, financial regulation, and immigration provisions—represents either the second-highest removal count in reconciliation history or potentially the highest for substantive policy provisions, exceeded only by one historical case involving "over 150 items" that included technical corrections.

5. The removed provisions fundamentally altered the bill's fiscal impact, transforming a \$3.0 trillion debt increase in the House version to \$4.1 trillion after Senate passage, as savings measures were eliminated for violating reconciliation rules.

6. Constitutional law experts including Erwin Chemerinsky have identified these removal patterns as indicators of executive overreach and improper use of the budget

reconciliation process for policy changes that should undergo regular legislative procedures.

I. CONSTITUTIONAL FOUNDATION: THE ORIGINATION CLAUSE

5. Article I, Section 7 of the United States Constitution establishes: "All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills."

6. This constitutional text creates mandatory origination requirements for all revenue legislation, establishing House primacy over fiscal policy and preventing executive control over taxation and spending decisions through constitutional structure designed to ensure democratic accountability.

7. The Origination Clause represents fundamental constitutional principle requiring substantive House control over revenue policy rather than procedural formality that masks executive authorship of legislative content affecting separation of powers and democratic legitimacy.

II. THE CONSTITUTIONAL VIOLATION: EXECUTIVE AUTHORSHIP DISGUISED AS LEGISLATIVE ORIGINATION

A. The "One Big Beautiful Bill" Constitutional Crisis

8. H.R. 1 was formally introduced by Representative Jodey Arrington (R-TX) on May 16, 2025, creating procedural compliance with constitutional origination requirements through technical House introduction satisfying formal constitutional process.

9. Trump explicitly declared H.R. 1 "my one big, beautiful bill" through public statements, interviews, and official White House communications, establishing presidential ownership claims that contradict constitutional requirements for House origination of revenue legislation.

10. Trump repeatedly called the legislation "President Donald Trump's One, Big, Beautiful Bill" through official attributions, creating ownership claims that prove executive authorship rather than legislative origination as required by Article I, Section 7.

11. Trump's ownership claims constitute confession of violating Article I, Section 7 by demonstrating executive origination of revenue legislation that the Constitution requires "originate in the House of Representatives" through independent legislative process rather than executive authorship.

B. The Constitutional Fraud Analysis

12. True constitutional origination requires substantive development within House of Representatives through legislative authorship of revenue policy and provisions, House control over tax and spending priorities, and democratic process through elected representatives exercising independent legislative judgment.

13. Procedural origination fraud involves executive authorship of complete revenue legislation with House formality of introducing pre-written presidential bills, constitutional circumvention through technical compliance, and democratic subversion through executive control disguised as legislative process.

14. When the Executive Branch authors revenue legislation and House members provide only formal introduction, this violates both the letter and spirit of Article I, Section 7 by

circumventing constitutional requirements through procedural manipulation that maintains constitutional appearance while violating constitutional substance.

15. When the President explicitly claims ownership of revenue legislation, this constitutes a constitutional confession of violating the Origination Clause by establishing executive authorship of legislation that must constitutionally originate through independent House development.

III. THE CONSTITUTIONAL CONFESSION: TRUMP'S ADMISSION OF VIOLATION

A. Presidential Declaration of Ownership

16. Trump's explicit claims include "My one big, beautiful bill" representing direct ownership declaration, "President Donald Trump's One, Big, Beautiful Bill" representing official White House attribution, signing as "his agenda" and "his victory" representing personal authorship claims, and repeated ownership assertions throughout legislative process.

17. These declarations constitute admission of executive origination of revenue legislation, directly violating Article I, Section 7 by proving presidential authorship of legislation that must constitutionally originate within House of Representatives through independent legislative development.

18. Trump's ownership claims create irrefutable evidence of constitutional violation through presidential confession that eliminates any defense of constitutional compliance because party admissions are conclusive evidence in legal proceedings and cannot be retracted or explained away.

B. "To Name Something Is To Declare Its Origin"

19. The philosophical and legal principle establishes that naming establishes ownership and authorship claims, origin declaration establishes constitutional responsibility, presidential confession creates irrefutable evidence of violation, and constitutional admission eliminates any defense of constitutional compliance.

20. Legal precedent confirms that party admissions are conclusive evidence in legal proceedings and cannot be retracted or explained away, making Trump's ownership declarations binding evidence of constitutional violation regardless of subsequent explanations or constitutional interpretation attempts.

C. The Constitutional Impossibility

21. Constitutional requirement mandates revenue bills must "originate in the House of Representatives" through substantive legislative development and independent House control over fiscal policy affecting democratic accountability.

22. Presidential claim establishes that the bill is "Trump's" bill, indicating Trump origination through executive authorship of revenue legislation that circumvents constitutional requirements through presidential control disguised as legislative process.

23. Mathematical impossibility demonstrates that the same bill cannot originate in two different places simultaneously, creating constitutional contradiction where either House origination or presidential ownership must be false.

24. Constitutional conclusion establishes that Trump's ownership claims prove constitutional violation by demonstrating executive origination of revenue legislation

prohibited by Article I, Section 7 constitutional requirements for House substantive development.

IV. CONSTITUTIONAL PURPOSE AND VIOLATION

A. The Origination Clause Constitutional Purpose

25. Historical foundation establishes democratic control where House (directly elected every 2 years) controls revenue, separation of powers where executive cannot initiate tax and spending policy, constitutional structure requiring legislative supremacy over fiscal policy, and anti-monarchical principle preventing executive control over taxation.

26. Framers' intent required House primacy where most democratic branch controls revenue, executive limitation where President implements tax policy but doesn't create it, legislative independence where Congress develops fiscal policy independently, and democratic accountability where revenue decisions are made by electorally accountable representatives.

B. The Constitutional Violation

27. Executive overreach pattern involves policy development where executive branch creates comprehensive revenue legislation, legislative subordination where House members introduce executive-authored bills, constitutional circumvention where technical compliance masks substantive violation, and democratic undermining where executive controls revenue policy through procedural manipulation.

28. The constitutional crisis emerges because the Origination Clause becomes meaningless if Presidents can author revenue bills for House members to introduce as formalities, violating constitutional structure through executive control over legislative functions that constitutionally belong exclusively to House representatives.

V. SEPARATION OF POWERS VIOLATIONS

A. Executive Intrusion into Legislative Authority

29. Article I, Section 1 establishes “All legislative Powers herein granted shall be vested in a Congress,” while Article I, Section 7 requires revenue bills “shall originate in the House,” and Article II, Section 3 limits President’s role to recommending measures and faithful execution.

30. Violation analysis demonstrates legislative power usurpation where executive authorship of legislation violates Article I, origination requirement circumvention where executive control defeats House origination purpose, and constitutional role exceeding where President becomes de facto legislator rather than executive.

B. Legislative Branch Abdication

31. Constitutional duty abandonment involves revenue policy development where constitutional duty requires crafting tax and spending legislation, independent judgment requiring exercise of legislative discretion rather than executive direction, democratic representation requiring service to constituents’ interests rather than executive

preferences, and constitutional compliance requiring maintenance of separation of powers rather than facilitating executive overreach.

32. The constitutional problem emerges when House members become conduits for executive legislation rather than independent legislators, causing constitutional structure collapse through abandonment of legislative independence and democratic representation in favor of executive subordination.

VI. DEMOCRATIC LEGITIMACY AND CONSTITUTIONAL FRAUD

A. Democratic Process Corruption

33. Constitutional democracy requirements include transparent authorship where citizens must know who creates the laws that govern them, electoral accountability where representatives must be responsible for their legislative choices, deliberative process requiring legislative debate and modification of proposed policies, and independent representation where legislators serve constituents rather than executive direction.

34. Fraud through procedural manipulation involves false attribution where executive-authored bills are presented as House-originated, accountability confusion where responsibility between President and House becomes unclear, deliberative bypassing where pre-written executive bills bypass legislative deliberation, and representative subordination where House members serve executive agenda rather than constitutional role.

B. Constitutional Deception

35. The deception mechanism operates through executive authorship where President and administration write comprehensive revenue legislation, House introduction where representatives formally introduce executive-authored bills, constitutional compliance claims through technical satisfaction of origination requirement, and public deception where bills are presented as House-originated when actually executive-authored.

36. Constitutional harm results from this deception undermining both constitutional structure and democratic accountability by preventing citizens from knowing who actually controls revenue policy and enabling executive circumvention of constitutional requirements through procedural manipulation.

VII. CONSTITUTIONAL QUESTIONS THAT DEMAND ANSWERS

A. Questions No Branch Can Answer

37. How can it be "Trump's bill" if the Constitution requires revenue bills to "originate in the House of Representatives," creating mathematical impossibility where the same legislation cannot simultaneously originate in two different constitutional locations?

38. What constitutional authority permits the President to claim ownership of revenue legislation that must constitutionally originate elsewhere, when no Article II provision grants executive authorship authority over legislative revenue bills?

39. How does Trump's explicit ownership declaration comply with the Origination Clause requirement that revenue bills originate in House through independent legislative development rather than executive authorship?

40. Why should presidential confession of executive origination not constitute evidence of constitutional violation when party admissions are conclusive evidence in legal proceedings and cannot be retracted through constitutional interpretation?

41. What distinguishes Trump's ownership claims from the executive origination prohibited by Article I, Section 7, when both involve executive control over revenue legislation that constitutionally belongs to House representatives?

42. How can the same bill simultaneously originate in the House (constitutional requirement) and be "Trump's bill" (presidential claim), when constitutional logic prohibits dual origination from different branches serving different constitutional functions?

43. What constitutional principle permits presidential ownership of legislation that must originate in Congress through independent legislative process established by separation of powers requirements?

44. How does this constitutional confession differ from any other admission of constitutional violation requiring constitutional remedy through judicial enforcement or constitutional amendment?

B. The Constitutional Logic Trap

45. Trump's confession creates inescapable constitutional contradictions where defending Trump's ownership admits revenue bills can originate with President (violates

Constitution), claiming House origination admits Trump's ownership claims are false (impeachable deception), asserting procedural compliance admits substantive constitutional violation (constitutional fraud), and invoking executive privilege fails because no privilege exists to violate Constitution or claim ownership of others' work.

46. The constitutional impossibility demonstrates that the same bill cannot simultaneously originate in the House (constitutional requirement) and be "Trump's bill" (presidential confession), meaning one statement must be false, and if it's the constitutional requirement, the Constitution has been violated.

VIII. HISTORICAL CONSTITUTIONAL PRECEDENT

A. Framers' Intent and Anti-Executive Revenue Control

47. Constitutional Convention evidence establishes House primacy where revenue bills must originate in most democratic branch, executive limitation where President is excluded from revenue origination, anti-monarchical structure preventing king-like control over taxation, and democratic control where elected representatives control fiscal policy.

48. Historical application demonstrates Washington Administration respected legislative primacy in revenue policy, Jefferson's approach recommended measures without authoring specific legislation, and traditional practice where Presidents propose broad policies while Congress writes specific bills.

B. Modern Constitutional Violations

49. Pattern of executive overreach includes presidential bill-writing where executives author detailed legislation, legislative subordination where Congress introduces executive-authored bills, constitutional circumvention where technical compliance masks substantive violations, and democratic undermining where executive control operates over supposedly legislative processes.

50. Constitutional crisis precedent demonstrates this represents constitutional violation requiring constitutional remedy through restoration of constitutional supremacy over governmental procedural manipulation.

IX. CATALOGING THE CASUALTIES: 15+ MAJOR PROVISIONS ELIMINATED

51. Senate Parliamentarian Elizabeth MacDonough ruled against provisions worth hundreds of billions in budgetary impact during the June 2025 "Byrd Bath" review process.

52. The most significant removal involved **Medicaid provider tax restrictions** that would have saved \$200-300 billion over ten years, deemed primarily policy-driven rather than budgetary despite its massive fiscal impact.

53. Healthcare provisions bore the brunt of removals, with Medicare eligibility restrictions for non-citizens, Medicaid immigration verification requirements, gender-affirming care prohibitions, and ACA abortion coverage restrictions all failing the "merely incidental" test.

54. Federal workforce provisions faced elimination, including a requirement for new employees to pay 15.6% of salary to retirement or become at-will employees (worth \$150+ billion), union fee structures, and Merit Systems Protection Board filing fees.

55. Most dramatically, provisions granting executive branch authority to reorganize or eliminate federal agencies without congressional oversight were struck as pure policy changes masquerading as budget measures.

56. Financial regulatory agencies became casualties of the Byrd Rule enforcement, with the **Consumer Financial Protection Bureau** facing complete defunding (\$6.4 billion cut) and the Office of Financial Research elimination both ruled as policy-driven agency eliminations rather than legitimate budget reductions.

57. Environmental provisions including EPA vehicle emissions standards repeal and bypass mechanisms for environmental reviews similarly failed parliamentary scrutiny.

X. HISTORICAL PRECEDENT REVEALS EXTRAORDINARY REMOVAL PATTERN

58. Research into reconciliation history since 1980 reveals that typical bills experience 0-5 provision removals, with most achieving passage with minimal Byrd Rule violations.

59. The 2025 bill's 15+ major provision removals represents a clear statistical outlier, exceeded only by one historical case where "over 150 items were removed from the reconciliation instrument," according to Congressional Research Service records and former Senate Budget Committee Chairman James Sasser.

60. Previous high-profile reconciliation bills pale in comparison: the Tax Cuts and Jobs Act (2017) had only three provisions removed, while the American Rescue Plan Act (2021) lost just the \$15 minimum wage increase despite its \$64 billion budgetary impact.

61. The Inflation Reduction Act (2022) experienced minimal removals, indicating careful drafting within Byrd Rule constraints.

62. Even complex healthcare legislation like the Affordable Care Act reconciliation bills (2009-2010) avoided the wholesale provision elimination seen in 2025.

63. The breadth of removals across multiple committee jurisdictions—Finance, Homeland Security, Banking, Environment and Public Works, Armed Services—suggests systemic drafting failures rather than isolated overreach.

64. When bills drafted by congressional committees undergo reconciliation, they typically reflect understanding of parliamentary constraints; the 2025 pattern indicates potential executive branch authorship unfamiliar with reconciliation limitations.

XI. BYRD BATH PROCESS REVEALS EXCESSIVE RULE VIOLATIONS

65. The Senate's "Byrd Bath" review process, conducted before floor consideration, involves the Parliamentarian examining each provision against six specific criteria for "extraneous" matter.

66. Provisions fail if they produce no budgetary effect, fall outside committee jurisdiction, create effects "merely incidental" to policy goals, increase deficits beyond

the budget window, affect Social Security, or represent committee non-compliance with reconciliation instructions.

67. MacDonough's rulings on H.R. 1 consistently found provisions violated the "merely incidental" standard—where policy objectives clearly exceeded budgetary purposes regardless of fiscal impact size.

68. Her enforcement patterns show remarkable consistency across administrations, having blocked both the Democrats' \$15 minimum wage (despite \$64 billion in budget effects) and Republicans' sweeping regulatory changes in 2025.

69. The Parliamentarian's role has evolved from technical advisor to crucial institutional safeguard, with only two parliamentarians fired in Senate history and Vice President overruling last occurring in 1975.

70. Congressional Budget Office analysis provides the fiscal foundation for rulings, but the Parliamentarian determines whether provisions serve legitimate budgetary versus policy purposes.

71. Normal removal rates of 5-15% for tax bills and 20-30% for healthcare bills make the 2025 pattern of wholesale elimination across categories historically exceptional.

XII. CONSTITUTIONAL SCHOLARS IDENTIFY SEPARATION OF POWERS VIOLATIONS

72. Constitutional law experts have analyzed high provision removal rates as potential indicators of executive overreach and separation of powers violations.

73. Erwin Chemerinsky specifically criticized provisions restricting judicial contempt powers as attempts to "keep the Trump administration from being restrained when it violates the Constitution," noting that such provisions represent fundamental threats to judicial independence.

74. Academic analysis reveals that bills drafted primarily by executive agencies often include administrative priorities that fail reconciliation's budgetary requirements.

75. The pattern of removals—spanning regulatory changes, administrative restructuring, and enforcement mechanisms—aligns with historical examples where executive drafting led to Byrd Rule violations.

76. Walter Olson of the Cato Institute noted certain removed provisions "really do tie the judge's hands" in constitutionally problematic ways.

77. While statistical evidence alone cannot establish constitutional violations in court, legal scholars recognize that removal patterns combined with other factors—executive versus legislative authorship, types of provisions removed, patterns across policy areas—create compelling circumstantial evidence of procedural breakdown.

78. The Byrd Rule serves as a constitutional constraint ensuring reconciliation remains a budgetary rather than policy vehicle, and exceptional violation rates suggest broader separation of powers concerns.

XIII. CONCLUSION

79. Executive authorship of revenue bills violates Article I, Section 7's origination requirement even when House members provide formal introduction, representing

constitutional fraud where procedural compliance masks substantive constitutional violation, undermining both separation of powers and democratic accountability.

80. The removal of 15+ major provisions from Trump's "One Big Beautiful Bill Act" represents either the highest documented count of substantive policy removals in modern reconciliation history or second only to a historical case that likely included technical corrections.

81. Combined with expert analysis linking removal patterns to executive overreach and separation of powers violations, these unprecedented Byrd Rule failures offer compelling evidence for legal proceedings examining whether the reconciliation process was improperly hijacked for policy goals that should have faced regular legislative scrutiny.