

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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September 24, 2019

The Honorable J. Russell George
Inspector General for Tax Administration
U.S. Department of the Treasury
City Center Building
1401 H Street NW, Suite 469
Washington, DC 20005

Dear Inspector General George:

We are in receipt of a letter addressed to you from Government Operations Subcommittee Chairman Gerald Connolly and Rep. Matt Cartwright, dated September 10, 2019, about the Treasury Inspector General for Tax Administration's (TIGTA) report that the Obama Administration's Internal Revenue Service (IRS) targeted conservative nonprofit groups for their political beliefs.¹ Chairman Connolly and Rep. Cartwright did not consult with Republicans prior to sending this letter. We do not condone Chairman Connolly's and Rep. Cartwright's continued political attacks on TIGTA's independence and we write to supplement their letter.

In 2013, TIGTA issued a report finding that the IRS targeted conservative nonprofit groups for additional scrutiny and delay based on their political beliefs.² Almost immediately following this report, Democrats sought to downplay the wrongdoing. Then-Ranking Member Cummings said the "case is closed" just weeks after the targeting became public and President Obama called it the result of "bone-headed" decisions without "even a smidgeon of corruption."³

Continuing five years of partisan assaults, Chairman Connolly and Rep. Cartwright asserted in their recent letter that the TIGTA report was "partisan" and "fundamentally flawed," and accused TIGTA of providing "incomplete, inaccurate, and misleading responses" to Congress.⁴ The Committee's independent investigation found no support for Chairman Connolly

¹ Letter from Gerald E. Connolly, Chairman, Subcomm. on Government Operations of the H. Comm. on Oversight and Reform, and Rep. Matt Cartwright, to J. Russell George, Inspector General for Tax Administration, U.S. Department of the Treasury (Sept. 10, 2019) (on file with the Committee).

² See TREASURY INSPECTOR GEN. FOR TAX ADMIN., 2013-10-053, INAPPROPRIATE CRITERIA WERE USED TO IDENTIFY TAX-EXEMPT APPLICATIONS FOR REVIEW (2013), <https://www.treasury.gov/tigta/auditreports/2013reports/201310053fr.pdf>.

³ *State of the Union with Candy Crowley* (CNN television broadcast June 9, 2013) (interview with Rep. Elijah E. Cummings); "Not even a smidgeon of corruption": Obama downplays IRS, other scandals, Fox News, Feb. 3, 2014.

⁴ Letter from Gerald E. Connolly, Chairman, Subcomm. on Government Operations of the H. Comm. on Oversight and Reform, and Rep. Matt Cartwright, to J. Russell George, Inspector General for Tax Administration, U.S. Department of the Treasury (Sept. 10, 2019) (on file with the Committee).

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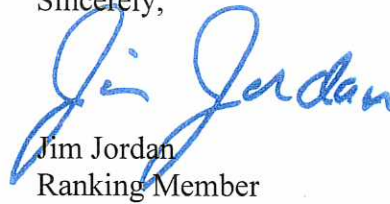
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and Rep. Cartwright's allegations.⁵ The Committee's investigation found that "[a]lthough a small number of progressive and liberal groups were caught up in the application backlog, . . . the backlog was 83 percent conservative and only 10 percent were liberal-oriented. Moreover, the IRS approved 70 percent of the liberal-leaning groups and only 45 percent of the conservative groups. The IRS approved every group with the word 'progressive' in its name."⁶

The Committee's investigation also showed that the IRS's targeting of conservative nonprofit groups was the "result of political pressure on the agency to 'fix the problem' of nonprofit political speech."⁷ The Committee found that following the Supreme Court's decision in *Citizens United*, which affirmed the rights of Americans to engage in political speech, prominent Democrats orchestrated a rhetorical assault on so-called "shadowy" conservative nonprofit groups.⁸ Congressional Democrats even urged the IRS to investigate conservative groups. In response, the IRS began a "c4" project—invoking the section of the tax code for social-welfare nonprofit groups—and a senior IRS official discussed publicly the pressure on the agency to "fix the problem" caused by *Citizens United*.⁹

As Congress considers new legislative proposals to silence conservative political speech,¹⁰ Chairman Connolly and Rep. Cartwright have renewed their attacks on TIGTA's independence. We are uncertain why Chairman Connolly and Rep. Cartwright omitted these facts in their letter, but we hope that you will not be intimidated by their actions. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member

cc: The Honorable Elijah E. Cummings, Chairman

The Honorable Gerald E. Connolly, Chairman, Subcommittee on Government Operations

The Honorable Matt Cartwright, Member of Congress

⁵ See MAJ. STAFF OF H. COMM. ON OVERSIGHT AND GOVERNMENT REFORM, 113TH CONG., DEBUNKING THE MYTH THAT THE IRS TARGETED PROGRESSIVES: HOW THE IRS AND CONGRESSIONAL DEMOCRATS MISLED AMERICAN ABOUT DISPARATE TREATMENT (Apr. 7, 2014).

⁶ *Id.*

⁷ MAJ. STAFF OF H. COMM. ON OVERSIGHT AND GOVERNMENT REFORM, 113TH CONG., HOW POLITICS LED THE IRS TO TARGET CONSERVATIVE TAX-EXEMPT APPLICANTS FOR THEIR POLITICAL BELIEFS ii (JUNE 16, 2014).

⁸ *Id.* at ii-iii.

⁹ *Id.*

¹⁰ See, e.g., H.R. 1, 116th Cong. (2019).