

## COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

February 7, 2019

The Honorable Richard Neal, Chairman  
Committee on Ways and Means  
1102 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Neal,

Some of the proposals our Committee is considering this week leave us deeply concerned. We believe all Americans have a fundamental right to the privacy of the personal information found in their tax returns. This isn't about the tax returns of presidents and vice-presidents but about making sure Congress does not abuse its authority. This is about protecting the private tax returns of every American.

Although some Members of Congress appear willing to sacrifice this critical privacy protection for political gain, any restriction or elimination of privacy protections afforded to Americans' tax information sets a dangerous precedent. When we start making exceptions for one taxpayer, it begins the process of eroding and threatening the privacy rights of *all* taxpayers. This is a risk that we cannot and should not take.

According to the Majority Leader, “[t]he American public has the right to know whether or not a president is serving his interests or the public’s interests.”<sup>1</sup> Recognizing this, Congress put in place comprehensive ethics reviews in the late 1970s to ensure that presidents and vice presidents are held accountable to taxpayers. Presidents and vice presidents are required to file detailed financial disclosures and are subject to a background check by the Federal Bureau of Investigations. They also undergo annual audits by the best auditors in the business – the IRS. While some Members of Congress would like additional financial information made public without taxpayer consent, such a reckless violation of privacy would be unprecedented and thankfully, is not required.

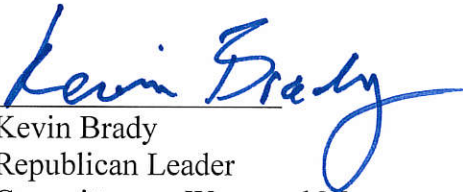
Transparency in our government is enormously important, but must be undertaken with appropriate care. Weaponizing our nation’s tax code by targeting political foes only serves to weaken our system of government, not strengthen it. If there are valid concerns with financial disclosures, then let’s come together to legislate a thoughtful solution to require additional disclosures. Mandating the release of tax returns without consent is lazy legislating. Such a half-hearted attempt masks the real reason for this hearing – playing partisan “gotcha” politics.


---

<sup>1</sup> Mike Lillis, *Dems vow to grab Trump tax returns upon taking majority*, The Hill, Sept. 9, 2018, available at <https://thehill.com/policy/finance/405463-dems-vow-to-grab-trump-tax-returns-upon-taking-majority>

Privacy and civil liberties are founding principles of our nation – ones that are not to be taken lightly. The Committee should not attempt to weaken these principles through partisan warfare and the abuse of authority. Instead, we should veer away from this dangerous path and work together to develop common sense improvements to our ethics laws. Otherwise, it cannot be emphasized enough that when we violate one taxpayer's right to privacy, we jeopardize all Americans' right to privacy.

Sincerely,

  
Kevin Brady  
Republican Leader  
Committee on Ways and Means

  
Mike Kelly  
Republican Leader  
Committee on Ways and Means  
Subcommittee on Oversight