July 26, 2018

The Honorable David J. Kautter, Acting Commissioner
Internal Revenue Service
1111 Constitution Avenue, N.W.
Washington, D.C. 20224

The Honorable Caroline C. Hunter, Chair
Federal Election Commission
1050 First Street, N.E.
Washington, D.C. 20463

The Honorable Ellen L. Weintraub, Vice Chair
Federal Election Commission
1050 First Street, N.E.
Washington, D.C. 20463

Dear Acting Commissioner Kautter, Chair Hunter, and Vice Chair Weintraub,

On June 14th New York State Attorney General Barbara Underwood filed a civil suit against President Donald Trump for persistently misusing funds from the Donald J. Trump Foundation to benefit himself and his businesses and recommended the Internal Revenue Service (IRS) and the Federal Election Commission (FEC) investigate the President and his foundation. As Members of Congress who support transparency and accountability, we also urge you to investigate this matter to determine whether the President broke the law and abused our tax system, and to refer the matter to the Department of Justice for criminal prosecution if the evidence warrants.

Attorney General Underwood’s civil suit alleges that as the head of the Trump Foundation, President Trump engaged in “persistently illegal conduct,” using the tax-exempt foundation to benefit himself, his businesses, and his presidential campaign. The President is also accused of signing four false tax returns claiming the Foundation used none of its funds to benefit himself or his businesses. Because the allegations pertain to tax fraud, federal investigators would have the authority to obtain the President’s tax returns and make them publicly available for the first time.

Tax returns contain vital information such as whether the candidate paid taxes; what they own; how much they’ve borrowed and from whom; whether they’ve made charitable donations; and whether they’ve taken advantage of tax loopholes or offshore tax shelters. They are also highly instructive as to any conflicts of interest. The current President has 564 financial positions in companies located in the U.S. and around the world according to Federal Election Commission forms, making him more susceptible to conflicts of interest than any president in our history.

We have supported congressional efforts to obtain President Trump’s tax returns to examine them for conflicts of interest and tax compliance. Due to inaction from the congressional
majority, his financial interests and tax compliance remain obscured. We implore you to use your authority to examine whether the President is following our laws and tax code.

The IRS and the FEC have an obligation to investigate alleged violations of the tax code and campaign finance law, respectively, and we urge you to promptly begin these investigations.

Thank you in advance for your timely response to our request.

Sincerely,

Anna G. Eshoo  
Member of Congress

Joseph Crowley  
Member of Congress

Bill Pascrell, Jr.  
Member of Congress

Jerrold Nadler  
Member of Congress

Nadyia M. Velazquez  
Member of Congress

Zoe Lofgren  
Member of Congress

Gregory W. Meeks  
Member of Congress

Nita M. Lowey  
Member of Congress

Sean Patrick Maloney  
Member of Congress

Jackie Speier  
Member of Congress

Yvette D. Clarke  
Member of Congress

Grace Meng  
Member of Congress

Hakeem Jeffries  
Member of Congress
Juan Vargas
Member of Congress

James P. McGovern
Member of Congress

Don Beyer
Member of Congress

Raul M. Grijalva
Member of Congress

Dina Titus
Member of Congress

Steve Cohen
Member of Congress

John P. Sarbanes
Member of Congress

Adriano Espaillat
Member of Congress

Doris Matsui
Member of Congress

Mark DeSaulnier
Member of Congress

David Price
Member of Congress

Jared Huffman
Member of Congress

Peter Welch
Member of Congress

Daniel T. Kildee
Member of Congress
Jimmy Panetta
Member of Congress

Lloyd Doggett
Member of Congress

Jan Schakowsky
Member of Congress

Earl Blumenauer
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Adam Smith
Member of Congress

Barbara Lee
Member of Congress

Charlie Crist
Member of Congress

Jerry McNerney
Member of Congress

Bonnie Watson Coleman
Member of Congress

Ted Lieu
Member of Congress

Bennie G. Thompson
Member of Congress

Betty McCollum
Member of Congress

Darren Soto
Member of Congress
Donald Payne Jr.
Member of Congress

Norma Torres
Member of Congress

Peter DeFazio
Member of Congress

Timothy J. Walz
Member of Congress

Jamie Raskin
Member of Congress

Judy Chu
Member of Congress

Jimmy Gomez
Member of Congress

Luis V. Gutierrez
Member of Congress

Afobe Sires
Member of Congress

Marcy Kaptur
Member of Congress

Karen Bass
Member of Congress

Mike Doyle
Member of Congress

Diana DeGette
Member of Congress

Carol Shea-Porter
Member of Congress
John Garamendi  
Member of Congress

Ben Ray Lujan  
Member of Congress

Jamaal Bowman  
Member of Congress

Sander M. Levin  
Member of Congress

Dwight Evans  
Member of Congress

Nanette Barragán  
Member of Congress

Lucille Roybal-Allard  
Member of Congress

Ruben Gallego  
Member of Congress

Ted Deutch  
Member of Congress

Paul D. Tonko  
Member of Congress

John Yarmuth  
Member of Congress
Joe Courtney
Member of Congress

Mark Pocan
Member of Congress

Kathleen M. Rice
Member of Congress

Brendan F. Boyle
Member of Congress

A. Donald McEachin
Member of Congress

Jose E. Serrano
Member of Congress

John B. Larson
Member of Congress

Tulsi Gabbard
Member of Congress

Frank Pallone, Jr.
Member of Congress

cc: The Honorable Barbara D. Underwood, Attorney General of New York State