

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

August 25, 2021

The Honorable Charles P. Rettig  
Commissioner  
Internal Revenue Service  
1111 Constitution Avenue NW  
Washington, D.C. 20224

Dear Commissioner Rettig:

Last month, I wrote to you requesting documents and information about audit trails and security at the IRS and *ProPublica*'s sharing of IRS data.<sup>1</sup> While you have ignored that request, *ProPublica* continues to publish confidential IRS information. Just last week, a *ProPublica* story drew on confidential tax records to assert wealthy Americans do not pay enough in taxes and Republicans facilitate that alleged unfairness.<sup>2</sup> The IRS must not become a tool in media-driven inquisitions of this sort.

The IRS's failure to prioritize this lapse in security is unacceptable; your agency must commit to cooperating with Congress in this investigation of its compromised security. *ProPublica* has explained it will continue to illegally publish taxpayer information—likely without consequence.<sup>3</sup> The IRS, therefore, must take every measure to avoid participating in such campaigns and should attempt to put an immediate end to the unlawful leaks and publications.

This letter serves to reiterate the requests for documents and information in my letter from July 29, 2021. Specifically, please produce the following information to the Committee by September 8, 2021:

1. The audit trail for the return information for each individual listed in Appendix A of my July 29 letter, from January 1, 2019 to June 1, 2021;

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<sup>1</sup> Letter from the Hon. James Comer, Ranking Member, Comm. on Oversight and Reform, to the Hon. Charles P. Rettig, Commissioner, Internal Revenue Serv. (July 29, 2021).

<sup>2</sup> Justin Elliott and Robert Faturechi, *Secret IRS Files Reveal How Much the Ultrawealthy Gained by Shaping Trump's "Big Beautiful Tax Cut,"* PROPUBLICA (Aug. 11, 2021), available at <https://www.propublica.org/article/secret-irs-files-reveal-how-much-the-ultrawealthy-gained-by-shaping-trumps-big-beautiful-tax-cut>.

<sup>3</sup> Stephen Engelberg and Richard Tofel, *Why We Are Publishing the Tax Secrets of the .001%,* ProPublica (Jun. 8, 2021), available at <https://www.propublica.org/article/why-we-are-publishing-the-tax-secrets-of-the-001>.

2. For each of the individuals listed in Appendix A of my July 29 letter, please list all IRS applications which contain their tax return information;
3. A list of the 67 applications discussed in the July 31, 2020 TIGTA report, broken down by application(s) that had accurate and complete audit trails in the Security Audit and Analysis System (SAAS), applications that had deficient audit trails, and applications that were not sending any audit trail information to the SAAS;
4. The rationale for the IRS's decision not to identify applications that use Personally Identifiable Information for the purpose of detecting improper activities and to reconstruct events for potential criminal investigations, as was recommended by TIGTA in 2020;
5. A roster of all employees and contractors with access to any application with tax return information for all of the individuals identified in Appendix A of my July 29 letter; and
6. A list of the number, date, and nature of all phone calls you have had with *ProPublica* in an effort to stop them from publishing additional articles containing taxpayer return information, and a list of any other steps you may have taken to prevent the public dissemination of this information.

In addition to the names included in Appendix A of the July 29 letter, please include the following individuals:

1. Brendan Bechtel
2. Darren Bechtel
3. Katherine Bechtel
4. Donald Bren
5. Diane Hendricks
6. Ted Kellner
7. Adam Portnoy
8. Steven Roth
9. Donald Sterling
10. Elizabeth Uihlein
11. Richard Uihlein

The Committee on Oversight and Reform is the principal oversight Committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

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If you have any questions about this request, please contact Committee staff at (202) 225-5074. Thank you for your cooperation with this inquiry.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is fluid and cursive, with the first name "James" and last name "Comer" clearly legible.

James Comer  
Ranking Member  
Committee on Oversight and Reform

cc: The Honorable Carolyn Maloney, Chairwoman  
Committee on Oversight and Reform