



AMERICANS for TAX REFORM

September 12, 2014

The Honorable John A. Koskinen
Commissioner, Internal Revenue Service
1111 Constitution Avenue NW
Washington, DC 20224

Dear Commissioner Koskinen:

It has come to my attention this week that the Internal Revenue Service is subjecting Breitbart News Network, LLC to a tax audit. This is deeply disturbing to me for several reasons.

First, I served as a member of the National Commission on Restructuring the Internal Revenue Service. We saw at the time an agency that was out of control. Our report helped lead to the first "Taxpayer Bill of Rights" in the late 1990s. Unfortunately, history has shown that the problems we saw then have only gotten worse over time. This political targeting of Breitbart is further evidence of this.

Second, the IRS continues to be enmeshed in the conservative non-profit group harassment scandal personified by your former employee, Lois Lerner. With every Friday news dump, more evidence comes to light that the IRS has not only acted in a highly political manner, but has sought to cover up its behavior. An agency which has been so badly damaged by self-inflicted political wounds is now auditing a news organization dedicated to covering that same political scandal. One might be led to believe this audit is not justified except for political ends, and that can only cause the public to lose trust and esteem for the service.

Third, I would echo the questions raised to you by Senator Ted Cruz (R-Texas) earlier this week. For your benefit, I repeat those questions below:

- 1) How many other news organizations have been audited since President Obama has been in office?
- 2) How many of them could be identified as conservative- or liberal-leaning?
- 3) Have any other news organizations been subjected to this sort of far-reaching and oppressive inquiry, including requesting the personal tax records of editors and reporters?
- 4) At what point does the IRS decide to take action to audit a news outlet?
- 5) Does the IRS worry that its extremely burdensome auditing process could effectively silence the press?
- 6) Previously, Senator Dick Durbin (D-Ill.) wrote the IRS asking that it examine the tax-exempt status of Crossroads GPS, a Republican organization that spends money electing Republicans. Did the IRS ever receive any communications from any elected official asking it to examine Breitbart News Network, LLC?
- 7) Who, precisely, is responsible for making the decision to audit Breitbart News Network, LLC?

To these I would merely add that an audit here looks awfully convenient given the facts and circumstances. According to your own IRS records, less than 1 percent of all tax returns (including business returns) faced examination last year. Even here, two-thirds of these audits were of the relatively benign correspondence variety, unlike the field audit which Breitbart is subjected to.

It defies reason to think that an agency as politicized as the IRS began this inquiry with anything other than the worst of intentions. I urge you to stop the political harassment of President Obama's enemies using the IRS as soon as possible.

Sincerely,

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