

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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March 27, 2023

The Honorable Janet Yellen
Secretary
United States Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

The Honorable Daniel Werfel
Commissioner
Internal Revenue Service
1111 Constitution Avenue NW
Washington, DC 20224

Dear Secretary Yellen and Commissioner Werfel:

The Select Subcommittee on the Weaponization of the Federal Government of the Committee on the Judiciary held a hearing on March 9, 2023, to examine the mounting evidence that the federal government pressured, coerced, and even directed technology companies to take certain actions related to digital content.¹ The Committee recently learned that during this hearing, an Internal Revenue Service (IRS) agent visited, unannounced and unprompted, the home of one of the hearing witnesses, Matthew Taibbi, an independent journalist who has reported extensively on government abuse. In light of the hostile reaction to Mr. Taibbi's reporting among left-wing activists, and the IRS's history as a tool of government abuse,² the IRS's action could be interpreted as an attempt to intimidate a witness before Congress. We expect your full cooperation with our inquiry.

Mr. Taibbi joined fellow journalist Michael Shellenberger in testifying before the Select Subcommittee during its March 9 hearing.³ During the hearing, Mr. Taibbi described the serious government abuse on which he had been reporting and on which he testified to the Select Subcommittee. As he explained:

¹ HEARING ON THE WEAPONIZATION OF THE FEDERAL GOVERNMENT, SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV'T OF THE H. COMM. ON THE JUDICIARY, (March 9, 2023) [hereinafter "WEAPONIZATION HEARING"] (testimony of Matt Taibbi); *see id.* (testimony of Michael Shellenberger).

² *See, e.g.*, H. COMM. ON OVERSIGHT & GOV'T REFORM, THE INTERNAL REVENUE SERVICE'S TARGETING OF CONSERVATIVE TAX-EXEMPT APPLICANTS: REPORT OF FINDINGS FOR THE 113TH CONGRESS (Dec. 23, 2014).

³ WEAPONIZATION HEARING, *supra* note 1.

The original promise of the internet was that it might democratize the exchange of information globally. . . . What we found is in the [Twitter] files was a sweeping effort to reverse that promise and use machine learning and other tools to turn the internet into an instrument of censorship and social control. Unfortunately, our own government appears to be playing a lead role.⁴

Mr. Taibbi later elaborated in an exchange with Representative Johnson about the magnitude of the scandal. He said:

[T]his Twitter Files story and what we're looking at now and what we're investigating now . . . is by far the most serious thing that I've ever looked at, and it's certainly the most grave story that I've ever worked on, personally.⁵

The Committee has learned that while Mr. Taibbi was describing his findings of government abuse and civil liberties violations, an IRS revenue officer appeared at Mr. Taibbi's personal residence in New Jersey—leaving a note for Mr. Taibbi to call the IRS four days later.⁶ When Mr. Taibbi called the IRS, the IRS informed him that the reason for the visit was because his electronic 2018 and 2021 tax return filings had been rejected due to concerns of identity theft.⁷ According to Mr. Taibbi, the IRS notified his accountant that the IRS had accepted his 2018 filing, and in the four-and-a-half years since then, the IRS has never notified Mr. Taibbi or his accountant of any issue with this return—until the day he was testifying before Congress.⁸ With respect to his 2021 return, the IRS rejected Mr. Taibbi's electronic filing twice, even after his accountant filed with an IRS-provided pin number.⁹ In both cases, the IRS informed Mr. Taibbi after the agency visited his home that the problems were not “monetary”; in fact, the IRS apparently owed Mr. Taibbi a “considerable” tax return.¹⁰

The circumstances surrounding the IRS's unannounced and unprompted visit to Mr. Taibbi's home, at the exact time that he was testifying to Congress about “the most serious” government abuse he has witnessed in his career as a journalist, are incredible. The IRS's visit is all the more concerning in light of Mr. Taibbi's assertions that the IRS informed him the problems were not “monetary” and he had never received any prior indication of any issues with his 2018 return. These facts demand a careful examination by the Committee to determine

⁴ *Id.* (testimony of Matt Taibbi).

⁵ Rep. Mike Johnson (@RepMikeJohnson), TWITTER (Mar. 9, 2023, 11:11 AM), <https://twitter.com/RepMikeJohnson/status/1633862981401321473>.

⁶ Letter from Matt Taibbi to Committee (March 21, 2023) (on file with Committee).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *See id.* (“[T]he IRS according to its own records owes me a considerable return [for 2018]...again, I had already paid what was owed and more by estimated tax [for 2021].”).

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whether the visit was a thinly-veiled attempt to influence or intimidate a witness before Congress.

As the Committee continues to examine how to best protect Americans' fundamental freedoms and to assist the Committee in its oversight, we ask that you please provide the following documents and information:

1. All documents and communications referring or relating to the IRS's field visit to the residence of Matthew Taibbi on March 9, 2023;
2. All documents and communications between or among the IRS, Treasury Department, and any other Executive Branch entity referring or relating to Matthew Taibbi; and
3. All documents and communications sent or received by Revenue Officer [James Nelson] referring or relating to Matthew Taibbi.

Please produce all documents and information as soon as possible but no later than 5:00 p.m. on April 10, 2023. In addition, please treat these discovery obligations as ongoing and applicable to any information generated after receipt of this letter.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning "civil liberties" to inform potential legislative reforms.¹¹ In addition, H. Res. 12 authorized the Committee's Select Subcommittee on the Weaponization of the Federal Government to investigate "issues related to the violation of the civil liberties of citizens of the United States."¹²

If you have any questions about this matter, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

¹¹ Rules of the House of Representatives R. X (2023).

¹² H. Res. 12 § 1(b)(1).