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119<sup>th</sup> Congress

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April 8, 2025

The Honorable Scott Bessent  
Secretary of the Treasury  
U.S. Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

The Honorable Melanie Krause  
Acting Commissioner of Internal Revenue  
Internal Revenue Service  
1111 Constitution Avenue, NW  
Washington, D.C. 20224

Dear Secretary Bessent and Acting Commissioner Krause:

We write to express deep concern regarding recent reports that the Internal Revenue Service (IRS) is negotiating an agreement to share taxpayer information with the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) for immigration enforcement purposes.<sup>1</sup> Such an agreement would not only violate long-standing federal privacy protections but also undermine the integrity of our tax system, endanger vulnerable communities, and harm the broader U.S. economy. We urge you to uphold the clear legal mandate that taxpayer information remains protected and reject the illegal use of Individual Taxpayer Identification Number (ITIN) information for immigration enforcement.

The Internal Revenue Code (IRC) explicitly safeguards taxpayer privacy, regardless of immigration status. Under 26 U.S.C. § 6103, tax returns and taxpayer information are strictly confidential and can only be disclosed under narrow exceptions that do not include immigration enforcement. The statute makes unauthorized disclosure a federal felony punishable by up to five years in prison and a fine of up to \$5,000 (26 U.S.C. § 7213). Furthermore, any official who solicits or uses such protected information also faces criminal liability. The IRS has no legal authority to repurpose its data for immigration enforcement, and any effort to do so would constitute a gross overreach of the agency’s mission and a clear violation of federal law.

As you know, the IRS relies on voluntary compliance to collect tax revenue that sustains public programs and services. Undocumented immigrants contribute billions in taxes annually, with ITIN holders paying an estimated \$8,889 per person, per year in federal, state, and local taxes.<sup>2</sup> These contributions fund essential services such as education, infrastructure, and national defense. If taxpayers fear that filing a return could lead to immigration enforcement, they may be discouraged from complying, reducing overall tax revenue and harming tax administration for all Americans.

Immigrants play an indispensable role in the U.S. economy. In 2022, immigrants contributed approximately \$97 billion in taxes, with ITIN holders paying into Social Security, Medicare, and unemployment insurance programs despite being ineligible to access these benefits. Immigrant labor supports key industries, from agriculture to healthcare, and immigrant businesses create jobs and economic growth. Weaponizing tax

<sup>1</sup> Lee, M. (2025, March 24). *Ice nearing historic deal with IRS to aid in deportations: Report*. Fox News: Immigration. <https://www.foxnews.com/politics/ice-nearing-historic-deal-irs-aid-deportations-report>

<sup>2</sup> UnidosUS Blog. (2025, March 24). *When DHS requests Itin Tax Data: Why every American should be concerned*. UnidosUS: Policy.

records for immigration enforcement would erode trust in the system, discourage compliance, and ultimately weaken the American economy and all our communities.

Notably, many ITIN holders are parents of U.S. citizen children, and their tax contributions directly support vulnerable American families. Using tax data to facilitate deportations would not only be a legal violation but a humanitarian failure. It would tear families apart, destabilize communities, and exacerbate poverty among American children who rely on their parents' financial support.

In closing, we urge the IRS to uphold its commitment to taxpayer privacy, as reinforced by legal precedent, including *Church of Scientology of Cal. v. IRS* (1987),<sup>3</sup> which affirms the strict limits of Section 6103 on tax return disclosures—a principle underscored by a recent complaint filed in the U.S. District Court for the District of Columbia.<sup>4</sup> We call on you to reaffirm and honor the IRS's statutory duty to protect taxpayer confidentiality and reject any attempts to use tax information for immigration enforcement. The integrity of our tax system, economic stability, and fundamental civil rights depend on it.

Sincerely,



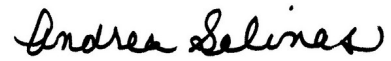
Adriano Espaillat  
Chair  
Congressional Hispanic Caucus



Joaquin Castro  
Member of Congress



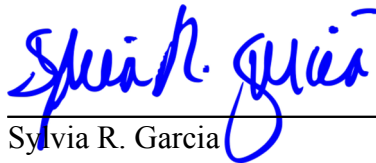
Darren Soto  
Member of Congress



Andrea Salinas  
Member of Congress



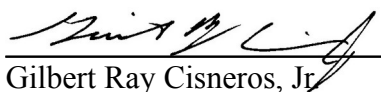
Norma J. Torres  
Member of Congress



Sylvia R. Garcia  
Member of Congress



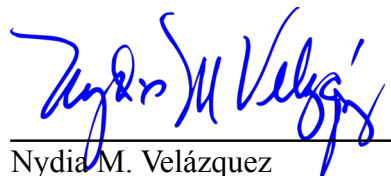
Robert J. Menendez  
Member of Congress



Gilbert Ray Cisneros, Jr.  
Member of Congress



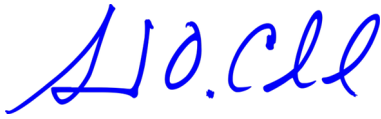
Delia C. Ramirez  
Member of Congress



Nydia M. Velázquez  
Member of Congress

<sup>3</sup> *Church of Scientology of Cal. v. IRS*, 484 U.S. 9 (1987).

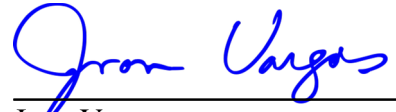
<sup>4</sup> *Centro de Trabajadores Unidos v. Bessent*, Civil Action No. 25-677 (D.D.C. 2025)



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Member of Congress



Jim Costa  
Member of Congress



Juan Vargas  
Member of Congress



Raul Ruiz, M.D.  
Member of Congress



Jesús G. "Chuy" García  
Member of Congress



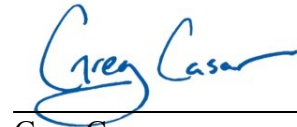
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Member of Congress



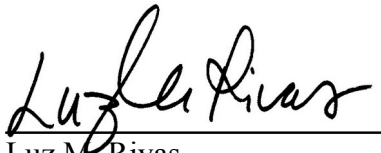
Veronica Escobar  
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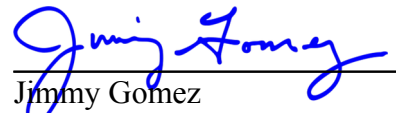
Greg Casar  
Member of Congress



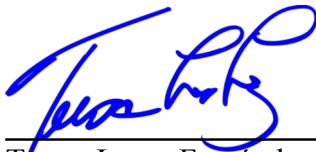
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Jimmy Gomez  
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