



H.R. 1058—Taxpayer Bill of Rights Act of 2015 (Roskam, R-IL)

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FLOOR SCHEDULE: [H.R. 1058](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would require IRS employees to be familiar with the rights of taxpayers.

CONSERVATIVE CONCERNS: This legislation was included in the [RSC's FY 2016 Budget](#).

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1058 would not have a significant cost over the next five years.

DETAILED SUMMARY AND ANALYSIS: The bill would require the Commissioner of the IRS to ensure that all employees are familiar with and comply with the rights of taxpayers, including: (1) the right to be informed; (2) the right to quality service; (3) the right to pay no more than the correct amount of tax; (4) the right to challenge the position of the Internal Revenue Service and be heard; (5) the right to appeal a decision of the Internal Revenue Service in an independent forum; (6) the right to finality; (7) the right to privacy; (8) the right to confidentiality; (9) the right to retain representation; 4 and (10) the right to a fair and just tax system.

The IRS [has adopted](#) guidelines referred to as the Taxpayer Bill of Rights, which are identical to those included in the bill.

On July 31, 2013, the House passed similar legislation, [H.R. 2768, the Taxpayer Bill of Rights Act of 2013](#), by a [voice vote](#).

COMMITTEE ACTION: The bill was introduced on February 25, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18, which states that "The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

H.R. 1152—IRS Email Transparency Act (Marchant, R-TX)

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FLOOR SCHEDULE: [H.R. 1152](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would prohibit IRS employees from using personal email accounts for official business.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1152 would have no significant impact on the federal budget.

DETAILED SUMMARY AND ANALYSIS: The bill would prohibit IRS employees from using personal email accounts for official business. It would codify existing regulations for this policy. Executive agencies are required to maintain and preserve records, such as official emails.

IRS employees, including Lois Lerner, [have violated these rules](#) by using personal email accounts to transmit sensitive taxpayer information. According to the [House Committee on Oversight and Government Reform](#), use of non-official email accounts to conduct official business “creates difficulties in fulfilling the IRS’s obligations under the Freedom of Information Act and other litigation requests”, and “also frustrates congressional oversight obligations.”

On September 16, 2014, the House passed similar legislation, [H.R. 5418](#), by a [voice vote](#).

COMMITTEE ACTION: The bill was introduced on February 27, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: Clauses 1 and 18 of Section 8 of Article I of the United States Constitution.”

H.R. 1026—Taxpayer Knowledge of IRS Investigations Act (Kelly, R-PA)

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FLOOR SCHEDULE: [H.R. 1026](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would permit the Internal Revenue Service (IRS) to release information about the investigation of leaked taxpayer information to victims of this crime.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1026 would have an insignificant cost.

DETAILED SUMMARY AND ANALYSIS: The bill would permit the Internal Revenue Service (IRS) to release information about the investigation of leaked taxpayer information to victims of this crime.

Under current law, victims who have had their confidential tax information leaked are not permitted to receive information regarding an investigation into their case. It has been [reported](#) that the IRS shared confidential taxpayer information about several conservative groups with liberal groups and the Federal Elections Commission, in violation of federal law.

On September 16, 2014, the House passed similar legislation, [H.R. 5420](#), by a [voice vote](#).

COMMITTEE ACTION: The bill was introduced on February 24, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: Clause 1 of Section 8 of Article I of the United States Constitution.”

H.R. 1314—Ensuring Tax Exempt Organizations the Right to Appeal Act (Meehan, R-PA)

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FLOOR SCHEDULE: [H.R. 1314](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would require the Internal Revenue Service (IRS) to establish procedures for an administrative appeal for organizations applying for tax-exempt status in the event of an adverse qualification determination against the organization.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1314 would have no significant cost over the next five years.

DETAILED SUMMARY AND ANALYSIS: The bill would require the Internal Revenue Service (IRS) to establish procedures for an administrative appeal for organizations applying for tax-exempt status in the event of an adverse qualification determination against the organization.

On September 16, 2014, the House passed similar legislation, [H.R. 5419](#), by a [voice vote](#).

COMMITTEE ACTION: The bill was introduced on March 4, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: Clauses 1 and 18 of Section 8 of Article I of the United States Constitution.”

H.R. 1295—IRS Bureaucracy Reduction and Judicial Review Act (Holding, R-NC)

CONTACT: MATT DICKERSON, MATTHEW.DICKERSON@MAIL.HOUSE.GOV, 6-9718

FLOOR SCHEDULE: [H.R. 1295](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would allow groups to declare their tax exempt status rather than wait for an IRS determination.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

DETAILED SUMMARY AND ANALYSIS: The bill would allow 501(c)(4) organizations to declare their tax-exempt status, notify the Treasury of their formation and pay a registration fee. The Treasury would be required to acknowledge receipt of notifications within 60 days.

If an organization fails to provide notice to the treasury within 60 days of its formation, it would be subject to a fine. None of the fees collected pursuant to the bill could be spent unless provided by an appropriations law. If an organization wants to, it may file a request for a determination of a tax-exempt status, similar to under current law. Under current law, organizations seeking a tax-exempt status must apply to the IRS which issues a determination recognizing the group as a tax-exempt or denies the status.

COMMITTEE ACTION: The bill was introduced on March 4, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18, which states ``The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.'"

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1295 would increase revenues by \$16 million over the 2016 to 2025 period due to fees collected and penalties for violations.

Additionally, the bill would increase outlays by \$15 million over the 2016 to 2025 period, assuming appropriation of the necessary amounts.

H.R. 709—Prevent Targeting at the IRS Act (Renacci, R-OH)

CONTACT: MATT DICKERSON, MATTHEW.DICKERSON@MAIL.HOUSE.GOV, 6-9718

FLOOR SCHEDULE: [H.R. 709](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would require IRS employees to be terminated if they target taxpayers for political purposes.

CONSERVATIVE CONCERNS: This legislation was included in the [RSC's FY 2016 Budget](#).

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 709 would have no significant impact on the federal budget.

DETAILED SUMMARY AND ANALYSIS: The bill would require the IRS to terminate any employee that takes official action (or threatens to do so) against a taxpayer for political purposes or personal gain. The bill would also require the termination of an employee that fails to perform an official action for political purpose or personal gain.

According to [JCT](#), there are currently ten violations that can cause then termination of an IRS employee.

On July 31, 2013, the House passed similar legislation, [H.R. 2565, the STOP IRS Act](#), by a [voice vote](#).

OUTSIDE GROUPS: Americans for Prosperity [supports](#) H.R. 709.

COMMITTEE ACTION: The bill was introduced on February 4, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.”

H.R. 1104—Fair Treatment for All Gifts Act (Roskam, R-IL)

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FLOOR SCHEDULE: [H.R. 1104](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would ensure that donations to tax-exempt organizations are not subject to the gift tax.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: no
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1104 would have no budgetary effect.

DETAILED SUMMARY AND ANALYSIS: The bill would explicitly provide that donations to 501(c)(4), 501(c)(5), and 501(c)(6) tax-exempt organizations are not subject to the federal gift tax. Under current law, federal gift taxes generally apply to donations above \$14,000, but donations to tax-exempt organizations have been considered tax-free. It has been [reported](#) that the IRS has considered imposing gift taxes to donations to conservative organizations.

OUTSIDE GROUPS: The following groups have [indicated support](#) for H.R. 1104:

- Americans for Prosperity
- Americans for Tax Reform
- FreedomWorks
- Hispanic Leadership Fund
- Council for Citizens Against Government Waste
- 60 Plus Association
- National Taxpayers Union
- Citizens United
- Taxpayers Protection Alliance
- Tea Party Nation
- Institute for Liberty
- American Commitment

COMMITTEE ACTION: The bill was introduced on February 26, 2015 and referred to the House Ways and Means Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18, which states that ``The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.'"

H.R. 1563—Federal Employee Tax Accountability Act of 2015 (Chaffetz, R-UT)

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FLOOR SCHEDULE: [H.R. 1563](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would make federal employees with seriously delinquent tax debt ineligible for continued employment.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

DETAILED SUMMARY AND ANALYSIS: The bill would make persons having seriously delinquent tax debts would be ineligible to be appointed or continue serving as an employee at an Executive agency, the United States Postal Service, the Postal Regulatory Commission, and an employing authority in the legislative branch. The legislation would define seriously delinquent tax debt as outstanding tax debt for which a notice of lien has been filed to the federal government. However, this would not apply to tax debt that is being paid in a timely manner or as part of a collection process.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1563 would cost \$1 million over the 2016 – 2020 period, assuming availability of appropriated funds.

The bill would direct agency heads to take appropriate measures to ensure that each person applying with the agency certify that they have no seriously delinquent tax debt. The bill would take effect nine months after the date of enactment. A [recent report](#) showed that 113,805 federal employees collectively owe \$1.141 billion in back taxes. Another [report](#) showed that the IRS has given more than \$1 million in bonuses to 1,100 employees that owe taxes.

On April 15, 2013, the House considered, but failed to pass on suspension, similar legislation, [H.R. 249, the Federal Employee tax Accountability Act](#), by a [250 – 159](#) vote.

COMMITTEE ACTION: The bill was introduced on March 24, 2015 and referred to the House Oversight and Government Reform Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the United States Constitution.”

H.R. 1562—Contracting and Tax Accountability Act of 2015 (Chaffetz, R-UT)

CONTACT: MATT DICKERSON, MATTHEW.DICKERSON@MAIL.HOUSE.GOV, 6-9718

FLOOR SCHEDULE: [H.R. 1562](#) IS SCHEDULED FOR CONSIDERATION ON APRIL 15, 2015, UNDER A SUSPENSION OF THE RULES, WHICH REQUIRES A TWO-THIRDS MAJORITY VOTE FOR PASSAGE.

TOPLINE SUMMARY: This bill would prohibit federal contracts from going to companies or individuals that have seriously delinquent tax debt.

CONSERVATIVE CONCERNS:

- **Expand** the Size and Scope of the Federal Government?: No
- **Encroach** into State or Local Authority?: No
- **Delegate** Any Legislative Authority to the Executive Branch?: No
- **Contain** Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

DETAILED SUMMARY AND ANALYSIS: The bill would state it is the policy of the United States that no government contracts or grants should be awarded to individuals or companies with seriously delinquent federal tax debts.

COST: The Congressional Budget Office (CBO) [estimates](#) that H.R. 1562 would increase federal administrative costs by less than \$500,000 annually, assuming availability of appropriated funds.

The legislation would define seriously delinquent tax debt as outstanding tax debt for which a notice of lien has been filed. However, this would not apply to tax debt that is being paid in a timely manner or as part of a collection process.

The legislation would direct the heads of executive agencies that issue contracts, or grants, to require each person/partnership/corporation submitting a bid to also certify that they do not have a serious delinquent tax debt. Each contract applicant would also authorize the Secretary of the Treasury to disclose to the agency information as to whether the person has a seriously delinquent tax debt.

In cases when the contact applicant is found to have seriously delinquent federal tax debts, that applicant would not be considered a responsible source, and would be disqualified from receiving a contract. If agency head waives this requirement, they would be required to submit a report to Congress within 30 of the waiver.

The legislation would apply to contracts and grants that are awarded on or after 270 days after enactment.

On April 15, 2013, the House passed similar legislation, [H.R. 882, the Contracting and Tax Accountability Act](#), by a [407 – 0](#) vote.

COMMITTEE ACTION: The bill was introduced on March 24, 2015 and referred to the House Oversight and Government Reform Committee. The bill was marked up by the Committee on [March 25, 2015](#), by a voice vote.

CONSTITUTIONAL AUTHORITY: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the United States Constitution.”

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*