

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

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June 21, 2024

Ms. Heather M. Hill
Acting Inspector General
Treasury Inspector General for Tax Administration
901 D Street, SW
Suite 600
Washington, DC 20024

Dear Acting Inspector General Hill:

The Committee is continuing its investigation into the plea deal offered by the Justice Department to Charles Littlejohn that allowed him to plead guilty to only one count of unauthorized disclosure of tax information after he admitted to leaking “thousands of individuals’ and entities’ tax returns” to *ProPublica* and the *New York Times*.¹ Recent developments, however, indicate that the ramifications of Mr. Littlejohn’s unprecedented leak of protected taxpayer information is much broader than the Justice Department or the Treasury Inspector General for Tax Administration (TIGTA) have disclosed.² Accordingly, we request that you produce relevant documents about your investigation into Mr. Littlejohn.

TIGTA’s investigation revealed that in 2017, Mr. Littlejohn applied to work as a consultant to the IRS with the express intention of accessing and disclosing then-President Donald Trump’s tax returns.³ Not only did Mr. Littlejohn succeed in doing so, but he also accessed and leaked protected taxpayer information belonging to thousands of other individuals and entities.⁴ Mr. Littlejohn then disclosed taxpayer information to the *New York Times* and *ProPublica*, which together have since published more than 50 articles relying on the stolen information that Mr. Littlejohn provided.⁵

¹ Press Release, Former IRS Contractor Sentenced for Disclosing Tax Return Information to News Organizations, Office of Public Affairs, Dep’t of Justice (Jan. 29, 2024); *U.S. v. Charles Edward Littlejohn*, No. 1:23-cr-00343, Government’s Sent’g Mem. at 7 (D.D.C.; Jan. 16, 2024).

² See Press Release, IRS communication on data disclosure, Internal Revenue Serv. (May 10, 2024).

³ *U.S. v. Charles Edward Littlejohn*, No. 1:23-cr-00343, Government’s Sentencing Memorandum at 1-2 (D.D.C.; Jan. 16, 2024); see also C. Ryan Barber and Aruna Viswanatha, *Man Who Leaked Trump’s and Bezos’ Tax Returns Sentenced to Five Years in Prison*, WALL ST. J. (Jan. 29, 2024).

⁴ The Editorial Board, *Going Easy on a Tax-Return Heist*, WALL ST. J. (Oct. 17, 2023).

⁵ *Id.*

Recently, an Internal Revenue Service (IRS) spokesman clarified that “[m]ore than 70,000 *people* received the initial notice that their information was involved in the breach.”⁶ It is not clear whether this number also includes the number of affected entities. The Committee has learned from whistleblowers that entities affected by the leak include not just Fortune 500 companies but also partnerships, employer retirement and pension plans, mutual funds, investment firms, and hedge funds. Indeed, Mr. Littlejohn’s criminal conduct was so widespread that the IRS has stated it “do[es] not know—at least not at this point—the full scope of the specific information that Mr. Littlejohn unlawfully disclosed.”⁷ Despite this fact, the Justice Department proceeded to charge Mr. Littlejohn with only a single count of unauthorized disclosure of tax information, resulting in a 5-year prison sentence.⁸

TIGTA conducted the criminal investigation into Mr. Littlejohn’s leak of protected taxpayer information prior to the Justice Department’s prosecution and has in its possession the information that Mr. Littlejohn leaked.⁹ Therefore, TIGTA has information vital to the Committee’s oversight. As such, to assist the Committee’s oversight, we ask that you produce all relevant documents and information, including:

1. All documents and communications between or among TIGTA and the Justice Department concerning Charles Littlejohn, including but not limited to TIGTA’s findings and recommendations to the Department concerning Mr. Littlejohn’s unprecedented leak of protected taxpayer information;
2. All documents and communications between or among TIGTA and the Internal Revenue Service concerning Charles Littlejohn, including but not limited to TIGTA’s decision to not provide the IRS with the protected taxpayer data that Mr. Littlejohn leaked prior to Mr. Littlejohn’s sentencing;
3. TIGTA’s findings and recommendations to the IRS concerning its investigation into Mr. Littlejohn’s unprecedented leak of protected taxpayer information and what actions, if any, the IRS should take in response, including but not limited to:
 - a. How the IRS should notify victims that their protected taxpayer information was leaked;
 - b. How the IRS should inform victims of what specific personal information was leaked and for what tax years;

⁶ Erin Schilling, *Rich Taxpayers in Dark About What IRS Data Was Illegally Leaked*, BLOOMBERG LAW (May 10, 2024) (emphasis added).

⁷ *Id.*

⁸ Robert Legare, *Ex-IRS contractor Charles Littlejohn, who admitted leaking Trump’s tax records, sentenced to 5 years in prison*, CBS NEWS (Jan. 29, 2024).

⁹ Press Release, IRS communication on data disclosure, Internal Revenue Serv. (May 10, 2024); *see also* Erin Schilling, *Rich Taxpayers in Dark About What IRS Data Was Illegally Leaked*, Bloomberg Law (May 10, 2024); Press Release, Former IRS Contractor Sentenced for Disclosing Tax Return Information to News Organizations, Office of Public Affairs, U.S. Dep’t of Justice (Jan. 29, 2024)

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- c. How the IRS should notify victims of whether their protected taxpayer information was provided to a third party, including but not limited to the *New York Times* and *ProPublica*;
4. The number of unique Taxpayer Identification Numbers (TIN) and Employer Identification Numbers (EIN) whose protected taxpayer information was leaked by Mr. Littlejohn; and
5. The number of unique TINs and EINs whose protected taxpayer information was further disclosed by Mr. Littlejohn to a third party, including but not limited to, *New York Times* or *ProPublica*.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction over criminal justice matters in the United States, as well as matters concerning “civil liberties” to inform potential legislative reforms.¹⁰ Please produce this material as soon as possible but no later than 5:00 p.m. on July 5, 2024. The Committee believes that the information requested does not require TIGTA to disclose taxpayer information protected from disclosure under 26 U.S.C. § 6103. To the extent that the requested materials require the production of such material, however, the Committee requests that it be redacted to protect confidential taxpayer information.

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

¹⁰ Rules of the House of Representatives, R. X, 118th Cong. (2023).