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16TH DISTRICT, TEXAS

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NEW DEMOCRAT COALITION

November 2, 2022

The Honorable Charles P. Rettig
Commissioner
Internal Revenue Service
1111 Constitution Ave., NW
Washington, DC 20224-0001

Dear Commissioner Rettig:

I write to refer for investigation potential violations of the Internal Revenue Code (IRC) by America First Legal.

During the week of October 22, 2022, residents of El Paso, TX, the community I represent, reached out to my congressional District Office to report receiving unsettling Spanish-language political mailers. Upon reviewing these mailers, my staff learned that they had been paid for by America First Legal, a national 501(c)(3) tax-exempt nonprofit organization. I have enclosed an image of both the front and back of this mailer for your review.

The mailer features an array of right-wing lies and political talking points, including fearmongering rhetoric about transgender women using public restrooms and the partisan lie that Critical Race Theory (CRT) and "gender ideology" are taught in elementary schools. The mailer explicitly accuses President Biden and his "progressive allies" of championing these policies.

This effort by America First Legal appears to be in direct violation the [IRC](#), which governs the operations of 501(c)(3) tax-exempt organizations. While the IRC allows for "certain [political] activities or expenditures" as long as they are conducted in a non-partisan manner, these mailers appear to be in violation of that requirement.

I urge the Internal Revenue Service (IRS) to investigate America First Legal for potential violations of the IRC. And if the IRS discovers violations of the law, that they impose commensurate disciplinary action or refer their case to the appropriate disciplinary body.

Thank you and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Veronica Escobar". The signature is written in a cursive, flowing style.

Veronica Escobar
Member of Congress