

118TH CONGRESS
1ST SESSION

H. R. 908

To amend the Internal Revenue Code of 1986 to require the disclosure of tax returns of Presidents and Vice Presidents and certain candidates for President and Vice President, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Ms. ESHOO (for herself, Mr. PASCRELL, Ms. BONAMICI, Mr. GARAMENDI, Mr. PANETTA, Mr. QUIGLEY, Mrs. WATSON COLEMAN, Mr. BLUMENAUER, Mr. SCHIFF, Ms. NORTON, Mr. KEATING, Ms. TITUS, Ms. WILLIAMS of Georgia, Mr. DAVIS of Illinois, Mr. SWALWELL, Mr. BEYER, Mr. COHEN, Mr. PAYNE, Ms. CLARKE of New York, Mr. GRIJALVA, Ms. BROWNLEY, Mr. CARSON, Ms. MOORE of Wisconsin, Mr. MCGOVERN, Mr. POCAN, Mr. FOSTER, Mr. JOHNSON of Georgia, Mr. KILDEE, Ms. MATSUI, Ms. PORTER, Mr. SOTO, Mr. COURTNEY, and Ms. DELBENE) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Internal Revenue Code of 1986 to require the disclosure of tax returns of Presidents and Vice Presidents and certain candidates for President and Vice President, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Presidential Tax
3 Transparency Act”.

4 **SEC. 2. PRESIDENTIAL AND VICE PRESIDENTIAL TAX**
5 **TRANSPARENCY.**

6 (a) DEFINITIONS.—In this section—

7 (1) The term “covered candidate” means a can-
8 didate of a major party in a general election for the
9 office of President or Vice President.

10 (2) The term “major party” has the meaning
11 given the term in section 9002 of the Internal Rev-
12 enue Code of 1986.

13 (3) The term “income tax return” means, with
14 respect to an individual, any return (as such term is
15 defined in section 6103(b)(1) of the Internal Rev-
16 enue Code of 1986, except that such term shall not
17 include declarations of estimated tax) of—

18 (A) such individual, other than information
19 returns issued to persons other than such indi-
20 vidual; or

21 (B) of any corporation, partnership, or
22 trust in which such individual holds, directly or
23 indirectly, a significant interest as the sole or
24 principal owner or the sole or principal bene-
25 ficial owner (as such terms are defined in regu-

1 lations prescribed by the Secretary of the
2 Treasury or his delegate).

3 (4) The term “Secretary” means the Secretary
4 of the Treasury or the delegate of the Secretary.

5 (b) DISCLOSURE.—

6 (1) IN GENERAL.—

7 (A) CANDIDATES FOR PRESIDENT AND
8 VICE PRESIDENT.—Not later than the date that
9 is 15 days after the date on which an individual
10 becomes a covered candidate, the individual
11 shall submit to the Federal Election Commis-
12 sion a copy of the individual’s income tax re-
13 turns for the 10 most recent taxable years for
14 which a return has been filed with the Internal
15 Revenue Service.

16 (B) PRESIDENT AND VICE PRESIDENT.—
17 With respect to an individual who is the Presi-
18 dent or Vice President, not later than the due
19 date for the return of tax for each taxable year,
20 such individual shall submit to the Federal
21 Election Commission a copy of the individual’s
22 income tax returns for the taxable year and for
23 the 9 preceding taxable years.

24 (C) TRANSITION RULE FOR SITTING PRESI-
25 DENTS AND VICE PRESIDENTS.—Not later than

1 the date that is 30 days after the date of enact-
2 ment of this section, an individual who is the
3 President or Vice President on such date of en-
4 actment shall submit to the Federal Election
5 Commission a copy of the income tax returns
6 for the 10 most recent taxable years for which
7 a return has been filed with the Internal Rev-
8 enue Service.

9 (2) **FAILURE TO DISCLOSE.**—If any require-
10 ment under paragraph (1) to submit an income tax
11 return is not met, the chairman of the Federal Elec-
12 tion Commission shall submit to the Secretary a
13 written request that the Secretary provide the Fed-
14 eral Election Commission with the income tax re-
15 turn.

16 (3) **PUBLICLY AVAILABLE.**—The chairman of
17 the Federal Election Commission shall make publicly
18 available each income tax return submitted under
19 paragraph (1) in the same manner as a return pro-
20 vided under section 6103(l)(23) of the Internal Rev-
21 enue Code of 1986 (as added by this section).

22 (4) **TREATMENT AS A REPORT UNDER THE**
23 **FEDERAL ELECTION CAMPAIGN ACT OF 1971.**—For
24 purposes of the Federal Election Campaign Act of
25 1971, any income tax return submitted under para-

1 graph (1) or provided under section 6103(l)(23) of
2 the Internal Revenue Code of 1986 (as added by
3 this section) shall, after redaction under paragraph
4 (3) or subparagraph (B)(ii) of such section, be treat-
5 ed as a report filed under the Federal Election Cam-
6 paign Act of 1971.

7 (c) DISCLOSURE OF RETURNS OF PRESIDENTS AND
8 VICE PRESIDENTS AND CERTAIN CANDIDATES FOR
9 PRESIDENT AND VICE PRESIDENT.—

10 (1) IN GENERAL.—Section 6103(l) of the Inter-
11 nal Revenue Code of 1986 is amended by adding at
12 the end the following new paragraph:

13 “(23) DISCLOSURE OF RETURN INFORMATION
14 OF PRESIDENTS AND VICE PRESIDENTS AND CER-
15 TAIN CANDIDATES FOR PRESIDENT AND VICE PRESI-
16 DENT.—

17 “(A) IN GENERAL.—Upon written request
18 by the chairman of the Federal Election Com-
19 mission under section 2(b)(2) of the Presi-
20 dential Tax Transparency Act, not later than
21 the date that is 15 days after the date of such
22 request, the Secretary shall provide copies of
23 any return which is so requested to officers and
24 employees of the Federal Election Commission

1 whose official duties include disclosure or redac-
2 tion of such return under this paragraph.

3 “(B) DISCLOSURE TO THE PUBLIC.—

4 “(i) IN GENERAL.—The chairman of
5 the Federal Election Commission shall
6 make publicly available any return which is
7 provided under subparagraph (A).

8 “(ii) REDACTION OF CERTAIN INFOR-
9 MATION.—Before making publicly available
10 under clause (i) any return, the chairman
11 of the Federal Election Commission shall
12 redact such information as the Federal
13 Election Commission and the Secretary
14 jointly determine is necessary for pro-
15 tecting against identity theft, such as so-
16 cial security numbers.”.

17 (2) CONFORMING AMENDMENTS.—Section
18 6103(p)(4) of such Code is amended—

19 (A) in the matter preceding subparagraph
20 (A) by striking “or (22)” and inserting “(22),
21 or (23)”; and

22 (B) in subparagraph (F)(ii) by striking “or
23 (22),” and inserting “(22), or (23)”.

1 (3) EFFECTIVE DATE.—The amendments made
2 by this subsection shall apply to disclosures made on
3 or after the date of enactment of this Act.

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