

April 9, 2026

Dear Member of Congress:

Presidents should not be able to profit from filing claims against the government while in office. The need for systemic reform to disallow such profit-seeking is exemplified by the January 2026 lawsuit that President Donald Trump filed against the IRS seeking at least \$10 billion in damages in response to a contractor leaking his tax information.¹ The lawsuit presents an inherent conflict of interest, as both sides of the litigation are effectively controlled by the same person. It is unrealistic to expect that any of the president's hand-picked appointees or their subordinates will be able to exercise sufficient independence from the president to defend the financial interests of the government. As such, presidential claims against the government represent a grave threat to the integrity of the judicial process, a major new avenue for self-dealing, and an unprecedented step toward bending the government to the president's will. Congress has the power and responsibility to intervene.

The undersigned organizations write to urge you to pass legislation barring any president and vice president from filing claims against the government while in office. Congress should also consider limiting the Department of Justice (DOJ)'s ability to pay out damages to a sitting president or vice president and create a mechanism to claw back funds that have been paid out.² We also urge Congress to conduct rigorous oversight into this matter, including hearings to assess whether the DOJ is currently in settlement negotiations with the President.³

It is both illegal and unfortunate when there is a leak of sensitive information about any taxpayer, including President Trump. Americans deserve to know that data the government collects and keeps about them is secure. That's why the contractor who leaked this information is currently serving five years in prison.⁴ But that does not excuse the President's decision to seek compensation from his own government – which raises both legal and ethical concerns.

Trump's lawsuit against the IRS is profoundly flawed.⁵ As several of our organizations pointed out in amici curiae briefs, the suit was brought years after the two-year limitation for filing such

¹ Trump v. Internal Revenue Service, 1:26-cv-20609, (S.D. Florida, January 29, 2025), <https://www.courtlistener.com/docket/72207870/trump-v-internal-revenue-service/>.

² For example: Corruption Clawback Act, S. 4094, 119th Cong., (2026), <https://www.congress.gov/bill/119th-congress/senate-bill/4094/text?s=2&r=1>.

³ For example: Letter from Ron Wyden, ranking member of Senate Committee on Finance, and Elizabeth Warren, senator, to Scott Bessent, treasury secretary, and Pam Bondi, attorney general, about the Trump v. IRS lawsuit, February 3, 2026, https://www.finance.senate.gov/imo/media/doc/020426_wyden_warren_letter_to_treasury_doj_on_trump_irs_lawsuit.pdf.

⁴ United States v. Littlejohn, 1:23-cr-00343, (D.D.C. Jan 31, 2024), <https://www.courtlistener.com/docket/67842521/35/united-states-v-littlejohn/>.

⁵ Brief of former government employees and public interest organizations as Amicus Curiae: Supporting taxpayers, Trump et al v. Internal Revenue Service et al, S.D. Fla. (2026), (1) https://www.bloomberglaw.com/public/desktop/document/TrumpetalvInternalRevenueServiceetalDocketNo126cv20609SDFlaJan292?doc_id=X3S8OB645JL999A6BD895I41HSF. (2) https://www.citizensforethics.org/wp-content/uploads/2026/02/Trump-v-IRS-Motion-for-Leave-to-File-Amicus-Brief-as-filed_Redacted.pdf

claims.⁶ Further, the suit is improperly filed against the government when in fact a contractor, not a federal employee, leaked the information.⁷ And while the IRS allows taxpayers to seek redress when unauthorized disclosures cause proven harm, the \$10 billion price tag is orders of magnitude beyond the guidelines for such cases.⁸

In any other circumstances, this baseless suit would be readily challenged by DOJ attorneys. But these are not normal circumstances – which cuts to the heart of the ethical and constitutional concerns here. The President has sued a government that he controls. President Trump has personally intervened in ongoing DOJ investigations over the past year, raising profound concerns about the agency’s ability to independently represent the public interest in this matter. Additionally, the Constitution “bars the President from receiving any other Emolument [beyond a fixed salary] from the United States.”⁹ Paying out the president on a baseless legal claim would be seen by most Americans as an emolument. And would they be wrong? As the President himself said after the suit was filed, “I’m supposed to work out a settlement with myself.”¹⁰

That sentiment is concerning and raises worrisome questions regarding corruption and our system of checks and balances. Congress must stop this and any other presidential payout from going forward – and prevent future presidents from enriching themselves with taxpayer dollars. Doing so would help preserve the independence of the DOJ and the courts, prevent an abuse of presidential power, and strengthen commitment to the rule of law.

Sincerely,

Project On Government Oversight
Common Cause
American Family Voices
Citizens for Responsibility and Ethics in Washington
Greenpeace USA
Justice Connection
Lawyers Defending American Democracy
People For the American Way
Public Citizen
Secure Elections Network
The Workers Circle

⁶ Russ Buettner, Susanne Craig and Mike McIntire, “Long-Concealed Records Show Trump’s Chronic Losses and Years of Tax Avoidance,” *New York Times*, September 27, 2020, <https://www.nytimes.com/interactive/2020/09/27/us/donald-trump-taxes.html>.

⁷ United States v. Littlejohn, United States v. LITTLEJOHN, 1:23-cr-00343, (D.D.C. Jan 31, 2024), <https://www.courtlistener.com/docket/67842521/35/united-states-v-littlejohn/>.

⁸ 26 U.S. Code § 7431 (2026), <https://www.law.cornell.edu/uscode/text/26/7431>.

⁹ U.S. Constitution art. II, § 1, cl. 7.

¹⁰ Forbes Breaking News, *'I'm Supposed To Work Out A Settlement With Myself': Trump Addresses Lawsuit Against IRS*, video, February 1, 2026, <https://www.youtube.com/watch?v=wxyTtLB1USY>.