

United States Senate

WASHINGTON, DC 20510

May 21, 2026

The Honorable Scott Bessent
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Frank Bisignano
Chief Executive Officer
Internal Revenue Service
1111 Constitution Avenue NW
Washington, DC 20224

Dear Secretary Bessent and IRS CEO Bisignano:

We write to seek information on the outrageously corrupt settlement agreement that the Department of the Treasury (Treasury) and Internal Revenue Service (IRS) have entered into with President Trump. Through this settlement, you and the President have created a nearly \$1.8 billion taxpayer-funded slush fund for the President’s political allies, including potentially the January 6th insurrectionists, and purported to “forever bar[] and preclude[]” the IRS from pursuing pending IRS audits or tax prosecutions against the President, his family, and an undefined group of “related or affiliated individuals”¹—essentially making it official United States government policy that President Trump, his family, and many other allies are above the law.

In January 2026, President Trump sued Treasury and the IRS for \$10 billion over leaks of his tax information by a government contractor that occurred during his first term, setting the stage for an unprecedentedly collusive lawsuit in which the President acted as the plaintiff while wielding authority over the defendants.² On May 18, 2026, in exchange for President Trump dropping the lawsuit, the Department of Justice (DOJ) reached an agreement with Treasury and the IRS establishing a nearly \$1.8 billion “Anti-Weaponization Fund” to be distributed to individuals who the Trump administration deems victims of the “weaponization” of the federal government.³ This agreement appears to be a brazen scheme to corruptly dole out taxpayer money to President Trump’s allies and violent insurrectionists. The provisions of this agreement also provide for no disclosure of recipients,⁴ meaning that the President and his allies can hand out these rewards in secret and for whatever reason they deem fit. Indeed, there appears to be no binding limitation

¹ New York Times, “Read the Key Provision Involving Audits of Trump’s Returns,” May 19, 2026, <https://www.nytimes.com/interactive/2026/05/19/us/politics/trump-irs-doj-lawsuit-audit-addendum.html>; New York Times, “Justice Dept. Sets Up \$1.8 Billion Fund That Could Funnel Money to Trump Allies,” Glenn Thrush, Andrew Duehren, and Alan Feuer, May 18, 2026, <https://www.nytimes.com/2026/05/18/us/politics/trump-irs-lawsuit.html>.

² CNN, “What to know about Trump’s \$1.8 billion taxpayer-fueled fund for his allies and IRS audit agreement,” Tierney Sneed and Devan Cole, May 20, 2026, <https://www.cnn.com/2026/05/18/politics/what-to-know-trump-weaponization-fund-for-allies>.

³ *Id.*

⁴ Office of the Attorney General, memorandum, May 18, 2026, <https://www.justice.gov/opa/media/1441086/dl>.

that would prevent the President and his family from dipping into the settlement fund for as much money as they want.⁵

To make matters worse, the day after the settlement agreement was first announced, DOJ issued an addendum that “releases, waives, acquits, and forever discharges” President Trump, his family, his businesses, and “related or affiliated individuals” from “any and all claims, counterclaims, causes of action, appeals, or requests for any relief, including...examinations or similar related reviews...whether presently known or unknown” from the IRS, and for good measure, “forever bar[s] and precludes[s]” the agency from pursuing any such pending cases.⁶ This is an astonishing abuse of presidential power and a corrupt giveaway of an unknown amount of taxpayer funds to the President.⁷ There is no conceivable rationale for this immunity agreement other than to personally enrich the President and his family by allowing them to get away with underpaying their taxes or violating tax law. This agreement also appears to be illegal on its face, as DOJ lacks the legal authority to terminate audits unrelated to a case referred to DOJ and federal law bars the President and Treasury Secretary from “directly or indirectly” requesting the IRS to terminate any ongoing audits.⁸

The brazen corruption displayed by the President, Treasury, and the IRS in entering this settlement agreement demands an investigation, and we therefore request that you answer the following questions by May 28, 2026:

- 1) After the lawsuit was filed, IRS lawyers reportedly assembled a 25-page memo outlining defenses against President Trump’s lawsuit and arguing that DOJ should move to have it dismissed.⁹ The IRS reportedly sent this memo to Treasury in April 2026, yet the federal government did not move to dismiss the President’s lawsuit.¹⁰

⁵ New York Times, “Justice Dept. Sets Up \$1.8 Billion Fund That Could Funnel Money to Trump Allies,” Glenn Thrush, Andrew Duehren, and Alan Feuer, May 18, 2026, <https://www.nytimes.com/2026/05/18/us/politics/trump-irs-lawsuit.html>; Bloomberg Law, “DOJ Anti-Weaponization Fund Lacks Safeguards From Past Programs,” Ben Penn, May 19, 2026, <https://news.bloomberglaw.com/us-law-week/doj-anti-weaponization-fund-lacks-safeguards-from-past-programs>.

⁶ New York Times, “I.R.S. to Drop Audits of Trump and Family,” Alan Feuer, Andrew Duehren, and Glenn Thrush, May 19, 2026, <https://www.nytimes.com/2026/05/19/us/politics/trump-irs-doj-lawsuit-audit.html>; New York Times, “Read the Key Provision Involving Audits of Trump’s Returns,” May 19, 2026, <https://www.nytimes.com/interactive/2026/05/19/us/politics/trump-irs-doj-lawsuit-audit-addendum.html>.

⁷ For example, the IRS was in position, based on previous rulings, to potentially collect more than \$100 million from the President, and based on this agreement, is now unable to do so. See, New York Times, “With Trump’s Deal, a Possible \$100 Million I.R.S. Penalty Melts Away,” Russ Buettner, May 19, 2026, <https://www.nytimes.com/2026/05/19/us/politics/trump-settlement-irs.html>.

⁸ 26 U.S.C. 7217; The Tax Law Center, “Statement on Trump lawsuit and potential settlement,” Brandon DeBot and Dave Hubbert, May 13, 2026, <https://taxlawcenter.org/blog/statement-on-trump-lawsuit-and-potential-settlement>; New York Times, “With Trump’s Deal, a Possible \$100 Million I.R.S. Penalty Melts Away,” Russ Buettner, May 19, 2026, <https://www.nytimes.com/2026/05/19/us/politics/trump-settlement-irs.html>. This settlement also could conflict with the IRS’s longstanding policy to examine the President’s returns every year. See, Internal Revenue Service, “Internal Revenue Manuals,” 3.28.3 Individual Tax Returns, April 30, 2026, https://www.irs.gov/irm/part3/irm_03-028-003.

⁹ New York Times, “The I.R.S. Thought It Could Fight Trump’s Lawsuit, but It Struck a Deal Anyway,” Andrew Duehren, May 19, 2026, <https://www.nytimes.com/2026/05/19/admin/irs-trump-lawsuit-deal.html>.

¹⁰ *Id.*

- a. Was such a memo prepared? If so, please provide this memo.
 - b. Which Treasury and IRS officials reviewed this memo, and what were their recommendations based on its findings?
 - c. Was this memo ever sent to DOJ?
 - i. If not, why did Treasury choose not to share the memo with DOJ?
 - ii. If yes, to whom was it sent, and what communications did they engage in with Treasury and the IRS about its findings?
- 2) Federal law bars the President, White House officials, and the Treasury Secretary from “directly or indirectly” requesting that the IRS “terminate an audit or other investigation of any particular taxpayer.”¹¹
- a. Was the President involved—directly or indirectly—in the discussions regarding the settlement agreement?
 - b. Were any individuals employed by the Executive Office of the President involved—directly or indirectly—in the discussions regarding the settlement agreement?
 - c. Was Secretary Bessent involved—directly or indirectly—in the discussions regarding the settlement agreement?
 - d. Was Frank Bisignano involved—directly or indirectly—in the discussions regarding the settlement agreement?
 - e. Did any career employees at the IRS or Treasury conduct an analysis of the legality of the settlement agreement? If so, what were the findings of all such analyses?
- 3) Please list all individuals and organizations who are covered by the settlement agreement’s provisions delivering immunity for matters pending before the federal government.
- a. Specifically, which individuals are included in, and what is the definition of, “related or affiliated individuals”?¹²
 - b. Specifically, which entities are included in “parties including trusts, parent, sister, or related companies, affiliates, and subsidiaries” as described in the agreement?¹³
- 4) Please list all audits or other enforcement actions that were dropped due to this agreement.
- 5) IRS employees are legally required to notify the Treasury Inspector General for Tax Administration (TIGTA) if a covered official under 26 U.S.C. § 7217 illegally asks them to terminate an audit.¹⁴

¹¹ 26 U.S.C. 7217.

¹² New York Times, “Read the Key Provision Involving Audits of Trump’s Returns,” May 19, 2026, <https://www.nytimes.com/interactive/2026/05/19/us/politics/trump-irs-doj-lawsuit-audit-addendum.html>.

¹³ *Id.*

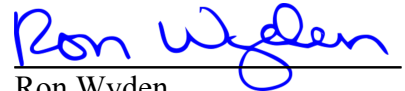
¹⁴ The Tax Law Center, “IRS Staff Must Reject and Report Attempts at Political Interference in Tax Investigations,” Brandon DeBot and Michael Kaercher, April 17, 2025, <https://taxlawcenter.org/blog/irs-staff-must-reject-and-report-attempts-at-political-interference-in-tax-investigations>.

- a. Have Secretary Bessent or Frank Bisignano reported any illegal audit termination requests related to this settlement to TIGTA?
 - b. Have any Treasury employees reported any illegal audit termination requests related to this settlement to TIGTA?
- 6) On April 15, 2026, Frank Bisignano testified at a hearing of the Senate Finance Committee in his capacity as Chief Executive Officer of the IRS. During the hearing, Ranking Member Wyden asked Bisignano about potential recommendations the IRS would make in response to the President’s lawsuit. In response, Bisignano stated “I’m not involved in the matter” and that the lawsuit was being managed by DOJ, not the IRS.¹⁵ However, reports indicate that lawyers at the IRS provided Treasury officials with a 25-page memo recommending DOJ move to dismiss President Trump’s lawsuit.¹⁶ Furthermore, Bisignano, in his capacity as Chief Executive Officer of the IRS, signed the settlement agreement between the government and the President.
- a. Was Frank Bisignano aware of the 25-page memo prepared by IRS lawyers? If so, on what date did he become aware of the memo?
 - b. Was Frank Bisignano’s statement that “I’m not involved in the matter” truthful? If so, why did he sign the settlement agreement on behalf of the IRS?
- 7) Was the May 18, 2026 resignation¹⁷ of Treasury’s General Counsel Brian Morrissey related to the settlement agreement in any way? If so, how?

Sincerely,



Elizabeth Warren
United States Senator



Ron Wyden
United States Senator
Ranking Member, Committee
on Finance

¹⁵ U.S. Senate Committee on Finance, “IRS 2026 Filing Season and IRS Operations,” 40:30, April 15, 2026, <https://www.youtube.com/watch?v=NtDljM9yUHI>.

¹⁶ New York Times, “The I.R.S. Thought It Could Fight Trump’s Lawsuit, but It Struck a Deal Anyway,” Andrew Duhren, May 19, 2026, <https://www.nytimes.com/2026/05/19/admin/irs-trump-lawsuit-deal.html>.

¹⁷ The Hill, “Top Treasury lawyer resigns as Trump, IRS settlement announced,” Sarah Davis, May 19, 2026, <https://thehill.com/homenews/administration/5884833-morrissey-departure-treasury-doj/>.