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Congress of the United States
House of Representatives

COMMITTEE ON WAYS AND MEANS

WASHINGTON, DC 20515

SUBCOMMITTEE ON OVERSIGHT

September 10, 2014

The Honorable John Koskinen
Commissioner
Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

Dear Commissioner Koskinen,

I have ongoing concerns with the amount of time and money the IRS spends annually on National Treasury Employees Union (NTEU) activity. The IRS has estimated that in Fiscal Year 2013, the agency spent over \$20 million and over 500,000 work hours on union activity.¹ At a February 5, 2014 Oversight Subcommittee hearing, you said, “there is a significant amount of union activity that is important and is legitimate and deserves to be supported.”² This, at a time when the IRS claims it is unable to perform required duties as a result of it being understaffed and underfunded.

The Committee recently uncovered a 2011 email that illustrates the extent to which the union inhibits progress and efficiency within the IRS. In the email, Lois Lerner wrote to colleagues that she “learned that [an] employee who is assigned to a special project has spent most of the last year doing nothing and reporting to her manager and on timesheets that she has been working on the project full time.”³ At the time, this employee was based in Washington, DC and as a GS-14, received a salary from \$106,263 to \$138,136.⁴

No small business in America could keep its doors open if it paid employees for doing nothing. An employee that sought payment for work claimed, but never performed would be subject to severe disciplinary action, if not immediate termination. At the IRS,

¹ May 5, 2014 email from IRS staff to Committee staff.

² House Committee On Ways and Means, Subcommittee on Oversight. “Hearing with IRS Commissioner Koskinen.” February 5, 2014.

³ IRS0000757430

⁴ IRS0000757446

however, the NTEU protects underperforming employees. Lerner lamented that “we can’t do anything” about the employee, and although some argued for termination, Lerner settled for lowering the employee’s performance rating to avoid confrontation with the union.⁵ It is alarming that government employees can do no work for an entire year and not be fired, simply because of their union protection.

To help the Committee ensure that the IRS is appropriately handling personnel issues, and that taxpayers’ dollars are not being wasted, please provide the following information by September 23, 2014:

1. For the period between 2009 and the present:
 - a. In how many instances have employees been cited, admonished or disciplined in any manner for falsely claiming to have performed work paid for by taxpayers?
 - b. Provide the facts of each instance, including the employee’s job title, whether and to what extent the employee was disciplined, whether the employee was an NTEU member, and any relevant NTEU input in the matter.
2. What is the IRS’ policy regarding employees that falsely claim to have performed work?

Thank you in advance for your assistance in this matter. If you have questions, please contact Committee staff at 202-225-5522.

Sincerely,



CHARLES BOUSTANY Jr., MD
Chairman

⁵ IRS0000757430