

## United States Senate

September 21, 2006

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

We respectfully request that you reconsider your current nomination for the employee representative on the IRS Oversight Board and appoint someone that is consistent with the statute, reflecting both the intent and spirit of the law. When the Board was created as part of "The Internal Revenue Service Restructuring and Reform Act of 1998," Congress carefully weighed its composition and affirmatively decided that one member should represent the views of the workers at IRS since the views of management would be provided by the Commissioner of the IRS and the Secretary of the Treasury. The nomination of a Deputy Secretary at the Treasury Department deviates from this negotiated balance and therefore is unacceptable.

While the enabling statute gives authority to nominate someone who is a full-time Federal employee, the legislative history clearly shows the intent was for this person to be a representative of the workers and not management. Both the House- and the Senate-passed IRS Restructuring bills contained language reserving a seat for an "employee representative." During conference, this language was modified to also allow the President flexibility to nominate "a full-time Federal employee or a representative of employees." This distinction was made to clarify that the representative of the IRS employees could in fact be a federal employee and not just someone hired to represent the IRS workers by the workers themselves. It was never intended that this would reflect a change in the overwhelming view of Congress that the workers at IRS should have someone representing them on the Board.

We therefore respectfully request that you nominate someone for this position that follows the words and intent of Congress.

Sincerely,



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Jay Ruppel

Kent

Jim Joffe

Tom F. Kelly

Ron Wyden

Blanche R. Lincoln

Chuck Schumer

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