

March 24, 2015

Hon. Peter Roskam
Chairman
Ways & Means Oversight Subcommittee
U.S. House of Representatives
2246 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Roskam:

I write to express our support of H.R. 1104, the Fair Treatment for All Donations Act.

We applaud your efforts to make sure that the Internal Revenue Service is barred from selectively and erroneously applying the gift tax to contributions made to nonprofit organizations organized under sections 501(c)(4), (c)(5), and (c)(6) of the IRS code. Misuse of the tax code is a serious violation of the public trust, especially as it applies to activities protected under the First Amendment of the United States Constitution.

As an organization dedicated to fostering liberty and opportunity for all, the Hispanic Leadership Fund believes that no president or government official, no matter what their political party or ideology, should be able to utilize the IRS as a political weapon. Furthermore, the IRS itself should not have the discretion of deciding how to apply the gift tax, let alone as it pertains to nonprofit organizations.

As you know, the federal gift tax was temporarily applied to donations for tax-exempt organizations in the 1960's, before several Circuit Courts of Appeal rightly decided that these contributions are "simply not 'gifts' within the meaning of the gift tax law." H.R. 1004 codifies this important principle.

We urge all Members of Congress to support this legislation.

Sincerely,



Mario H. Lopez
President
Hispanic Leadership Fund