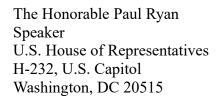




## Coalition of 23 Groups to Congress: Include FATCA Repeal in Tax Reform



March 21, 2017



The Honorable Mitch McConnell Majority Leader U.S. Senate S-230, U.S. Capitol Washington, DC 20510



The Honorable Kevin Brady Chairman, Ways and Means Committee U.S. House of Representatives 1011 Longworth House Office Building Washington, DC 20515 The Honorable Orrin Hatch Chairman, Senate Finance Committee U.S. Senate 104 Hart Office Building Washington, DC 20510



Dear Speaker Ryan, Majority Leader McConnell, Rep. Brady, and Sen. Hatch:



As free-market and taxpayer protection organizations representing millions of Americans, we urge that repeal of the Foreign Account Tax Compliance Act (FATCA)—a plank in the 2016 Republican Party Platform—be included in any tax reform package sent to the White House.



Enacted in 2010 by a Democrat-controlled Congress and signed into law by President Obama, FATCA purports to catch rich tax cheats hiding their wealth overseas but instead has ensnared innocent Americans in an appallingly draconian scheme that true wealthy tax evaders can still easily avoid. It treats any American asset held abroad as tantamount to criminality, demanding reams of private financial data without the need for a warrant or a showing of probable cause.



Since FATCA's introduction, Americans living overseas have lost access to their banking and investment accounts as foreign financial institutions drop clients rightly perceived as toxic. This has not only impacted the welfare of the estimated nine million Americans who live and work abroad but hampers small businesses owned and operated by Americans attempting to compete internationally.

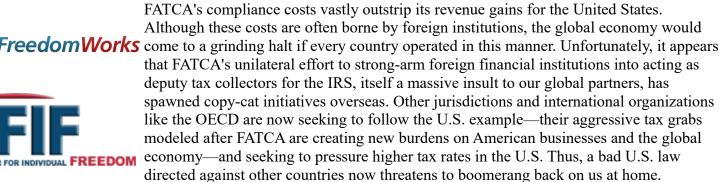


Not only are many Americans injured by FATCA innocent of any wrongdoing, but a large number were not even aware of their status as U.S. persons for tax purposes until informed by their institutions. Likewise, some Americans attempting to comply in good faith with FATCA and other complicated and excessive international financial reporting requirements, but who have understandably committed a minor mistake or oversight somewhere in the process, are facing unfair and vindictive penalties that can exceed even the size of their overseas holdings.











Tax evasion is a serious crime, and we support vigorous means to combat and punish it consistent with constitutional standards. But penalizing the innocent along with the guilty is unacceptable and un-American. FATCA violates our most-cherished principles of due process, presumption of innocence, personal privacy, and national sovereignty. It does not accomplish its stated objectives but does inflict untold collateral harm at great cost.



FATCA repeal bills will soon be introduced in the House and Senate. We urge the leadership and committees of jurisdiction to include this vital correction of misguided enactment of the past administration by including it in any forthcoming tax bill.

Sincerely,



Andrew F. Quinlan President Center for Freedom and Prosperity

**Grover Norquist** President Americans for Tax Reform



Phil Kerpen President American Commitment



Iain Murray Vice President Competitive Enterprise Institute

Andrew Moylan **Executive Director** R Street Institute

Charles Sauer President The Market Institute



Jeffrey Mazzella President Center for Individual Freedom Nigel Green and Jim Jatras Co-Leaders Campaign to Repeal FATCA

Pete Sepp President National Taxpayers Union

**David Williams** President **Taxpayers Protection Alliance** 

George Landrith President and CEO Frontiers of Freedom

Jim Martin Chairman 60 Plus Association

Wayne T. Brough Chief Economist and VP for Research **FreedomWorks** 

**Bob Bauman** Chairman

Sovereign Society Freedom Alliance









Andrew Langer President Institute for Liberty

Lew Uhler President The National Tax Limitation Committee

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