



Written by [Bob Adelman](#) on April 15, 2019

Will Trump's "Tax Returns" Issue Turn Out To Be Mueller 2.0?

Frustrated that the Mueller report didn't find anything of substance to hang around the president's neck, House Democrats are now going after the president's tax returns. When all is said and done, that request may turn out to be just another witch hunt in which nothing is found to damage the president.



Following the president's refusal to meet the demand from House Ways and Means Committee Chairman Richard Neal (D-Mass.) last week, [he made another demand](#): Have the requested documents for the past six years including returns, appendices attached thereto, and all relevant and related documents in his office no later than 5 p.m., Tuesday, April 23rd.

Or else.

Speculation abounds as to what Neal might do if and when the president fails to meet Neal's second demand. There could be a subpoena issued to obtain the documents, or there could be a court challenge. The trouble is that the law that Neal is using was drafted in 1924 and has no penalty for noncompliance.

In the meantime the issue makes for entertaining reading. Chairman Neal contends that the 1924 law gives his committee the power to demand Trump's tax returns, including the four years prior to his becoming president. In his demand letter, Neal said nothing about political retribution but instead couched his language as "consistent with its authority.... The Committee is ... conducting oversight related to our federal tax laws [and] the extent to which the IRS audits and enforces the Federal tax laws against a President."

Treasury Secretary Steven Mnuchin sees this is a blatant prevarication: "The implications of [Neal's demands are] way beyond ... a congressional oversight issue.... The issue is that ... the IRS does not become weaponized like it was under the Nixon administration."

Trump lawyer William Consovoy saw through Neal's smokescreen as well. In writing to the General Counsel at the Treasury Department, Consovoy said:

I write to explain why Chairman Neal cannot legally request - and the IRS cannot legally divulge - this information....

Chairman Neal's request flouts ... fundamental constitutional constraints. [The] Ways and Means [Committee] has no legitimate committee purpose for requesting the President's tax returns or return information. While the committee has jurisdiction over taxes, it has no power to conduct its own examination of individual taxpayers' [returns]....

Even if Ways and Means had a legitimate committee purpose for requesting the President's tax returns and return information, that purpose is not driving Chairman Neal's request. His request is a transparent effort by one political party to harass an official from the other party because they



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dislike his politics and speech.

Chairman Neal wants the President's tax returns and return information because his party recently gained control of the House, the President is their political opponent, and they want to use the information to damage him politically.

It is no secret that a vocal wing of the Chairman's party has been clamoring for the President's tax returns since before the 2016 election. And it is no coincidence that Chairman Neal made his request just days after prominent Democratic constituencies began publicly criticizing the House for its failure to go after the President....

If Chairman Neal genuinely wants to review how the IRS audits Presidents, why is he seeking tax returns and return information covering the four years before President Trump took office? Why is he not requesting information about the audits of previous Presidents?

And if he's so upset about the president claiming, "I would love to give them but I'm not going to do it while I'm under audit," why doesn't Neal himself reveal his own tax returns? Wrote Consovoy: "After all, nearly 90% of [House Democrats requesting Trump's personal and business tax returns] have insisted on keeping their [own] tax returns private, including Speaker Pelosi, Senator Schumer, Representative Nadler, Representative Schiff, and Representative Neal himself."

White House Press Secretary Sarah Huckabee Sanders weighed in on the issue as well: "Frankly, I don't think Congress - particularly not this group of congressmen and women - are smart enough to look through the thousands of pages that I would assume that President Trump's taxes will be. My guess is that most of them don't do their own taxes and I certainly don't trust them to look through the decades of success that the president has had and determine anything [negative]."

She added that if Neal has his way, every other American taxpayer with a differing political position or opinion might also be at risk: "It's a disgusting overreach that they are making when they're not doing this based on policy.... It puts every American who has filled out tax returns in the past at jeopardy."

What if Neal wins and Trump loses? What if those thousands of pages of returns and ancillary and supporting documents are released to the tender mercies of Neal's committee? What might they find?

They'll be looking for something — anything — they can hang around the president's neck. This could include Trump's use of "loopholes," taxes owed but not paid on time, or him taking "unfair" advantage of the tax code's provisions not available or useful for the ordinary taxpayer. All this will be leveled as proof that capitalism is unfair for allowing someone as despicable as Trump to become unimaginably wealthy, and that Trump is just one of many super-wealthy who is guilty of exploiting the system — all building the case for taxing the rich even more based on "proof" that Trump isn't paying "his fair share."

But what if their analysis comes up with nothing, just like the Mueller report? What if it turns out that Trump paid his millions of dollars in taxes on time, taking advantage of the same deductions and exemptions as the average taxpayer?

The killer for the Democrats is that, following two years of being subjected daily to the expectations that Mueller might finally have something on the president, the average taxpayer just plain doesn't care about Trump's tax returns. According to Rasmussen, "there's much less interest in those records than there was in 2016, and most voters say their vote next year doesn't turn on whether Trump's tax returns are released [or not]."



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What if, after obtaining Trump's tax returns and the effort "comes a cropper" — a failure to indict — just like the Mueller report, what are the Democrats left with? A campaign of hate and opposition to the sitting president, without a positive agenda, just isn't going to sell to the average American voter. Translation: Whomever Trump faces in his reelection bid in 2020 is likely to be obliterated.

Remember what happened in the 1972 reelection campaign of then-President Richard Nixon? He ran against liberal George McGovern of South Dakota, whose vice-presidential pick was Sargent Shriver. The McGovern/Shriver ticket suffered a 60.7 percent to 37.5 percent drubbing in the popular vote, the second largest landslide in American history. The Electoral College votes were even more devastating: McGovern lost 520 to 17. McGovern couldn't even win his own state of South Dakota, taking only Massachusetts and the District of Columbia in the bloodbath.

Unless the Democrats refrain from their incessant attacks on Trump, they are likely to be handing a similar disaster to whoever faces Trump in 2020.

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