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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

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April 21, 2020

The Honorable Steven T. Mnuchin
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Dear Secretary Mnuchin:

I am concerned by reports that Economic Impact Payments to Americans will be delayed by the unprecedented decision to print “President Donald J. Trump” on the checks,¹ as well as conflicting reporting on how this decision was made.

You stated during an interview that this decision “was [your] idea.”² This answer is surprising as my staff twice asked Treasury officials questions about signatures on the Economic Impact Payment checks and they did not answer them. If adding the signature was in fact your idea that information could have already been made available to Congress. To set the record straight, I request details about how you made this decision to benefit the president politically, which may delay delivery of critical funds to millions of Americans struggling to pay the rent and put food on the table.

In the midst of the coronavirus pandemic, Congress, with bipartisan support, passed the *Coronavirus Aid, Relief, and Economic Security Act (CARES Act)* to provide emergency financial assistance to Americans. The *CARES Act* provided for direct payments to individuals and families, with American adults earning \$75,000 or less receiving \$1,200 for individuals, \$2,400 for married couples, and \$500 additional per child. The timing provision included for these payments reflects the urgency of the challenges we face: “The Secretary shall, subject to the provisions of this title, refund or credit any overpayment attributable to this section *as rapidly as possible*.”³

¹ Lisa Rein, *In unprecedented move, Treasury orders Trump’s name printed on stimulus checks*, THE WASHINGTON POST, Apr. 14, 2020 [https://www.washingtonpost.com/politics/coming-to-your-1200-relief-check-donald-j-trumps-name/2020/04/14/071016c2-7e82-11ea-8013-1b6da0e4a2b7_story.html]

² April 19, 2020 interview on CNN’s State of the Union (asserting “we did put the President’s name on the check. That was my idea. He is the President and I think it’s a terrific symbol to the American public”).

³ CARES Act, Title II, Subtitle B, (f)(3)(a)-TIMING (emphasis added).

President Trump reportedly sought to personally sign the checks, rather than a non-partisan civil servant.⁴ The authority to sign checks drawn against all accounts of the Secretary of the Treasury is delegated to the Chief Disbursing Officer, Bureau of the Fiscal Service, who “may delegate this authority to Disbursing Officers under that official’s control and supervision.”⁵ Consistent with the text of this directive, no other president has signed an Internal Revenue Service disbursement. Consistent with the spirit of this directive, no other president has had his name printed in the memo line of an Internal Revenue Service disbursement.

I am concerned that the decision to gratuitously affix the president’s name to checks disbursing taxpayer funds may have delayed delivery of money urgently needed by millions of Americans to meet basic needs. Experts on this subject have been quoted in the press, noting “any last-minute request like this will create a downstream snarl that will result in a delay,” and such a delay would come at a time Americans could least afford it.⁶

I write to you to clarify several aspects of this decision not only because you, as Secretary of the Treasury, oversee Internal Revenue Service operations, but also because this decision was—apparently—“[your] idea.”⁷ And, further, as Secretary of the Treasury, you were the official charged by law with making these payments “as rapidly as possible.”⁸

Given the urgent concerns regarding payments, please provide the following as soon as possible.

- 1) Will the President’s name appear on Economic Impact Payment checks sent to Americans? If so, please explain in detail how and where the President’s name will appear on the checks.
- 2) If the President’s name will appear on any Economic Impact Payment checks:
 - a) Did the Treasury Department conclude this decision provides any benefit to Americans struggling to pay rent or buy food?
 - b) What effect will this have on the timing of issuance of those checks and how many individual checks will be affected by the decision to include the President’s name on them?
 - c) Who at Treasury decided that the inclusion of the President’s name on the checks was appropriate or timely?

⁴ Lisa Rein, *In unprecedented move, Treasury orders Trump’s name printed on stimulus checks*, THE WASHINGTON POST, Apr. 14, 2020 [https://www.washingtonpost.com/politics/coming-to-your-1200-relief-check-donald-j-trumps-name/2020/04/14/071016c2-7e82-11ea-8013-1b6da0e4a2b7_story.html]

⁵ TREASURY DIRECTIVE 16-23, Nov. 3, 1992, [<https://www.treasury.gov/about/role-of-treasury/orders-directives/Pages/td16-23.aspx>].

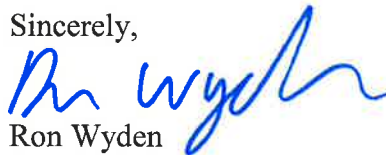
⁶ Lisa Rein, *In unprecedented move, Treasury orders Trump’s name printed on stimulus checks*, THE WASHINGTON POST, Apr. 14, 2020 [https://www.washingtonpost.com/politics/coming-to-your-1200-relief-check-donald-j-trumps-name/2020/04/14/071016c2-7e82-11ea-8013-1b6da0e4a2b7_story.html]

⁷ April 19, 2020 interview on CNN’s State of the Union (asserting “we did put the President’s name on the check. That was my idea. He is the President and I think it’s a terrific symbol to the American public”).

⁸ CARES Act, Title II, Subtitle B, (f)(3)(a)-TIMING.

- d) Who at Treasury authorized the inclusion of the President's name on the checks and why? Who else approved or was otherwise involved in the determination of this decision?
 - e) Who at Treasury directed the Bureau of Fiscal Services to include the President's name on the checks?
 - f) Who at Treasury was responsible for making the physical changes to the checks in order to include the President's name?
 - g) Treasury and IRS officials have indicated to Committee staff that Treasury can physically issue approximately 5 million such checks a week. Please confirm the number of checks Treasury is able to issue per week and the length of time Treasury expects it will take to issue all such checks.
- 3) If the President's name will appear on any Economic Impact Payment checks and the inclusion of the President's name had any effect on the timing of issuance of those checks, how was this action consistent with the CARES Act provision directing that the "Secretary [of the Treasury] shall [. . .] refund or credit any overpayment attributable to this section as rapidly as possible."⁹
- 4) Has the name of any President ever before appeared on a check drawn against an account of the Department of Treasury?
- 5) Does the President have the authority to sign a check drawn against any account of the Department of Treasury? If so, please explain how this authority is consistent with Treasury Directive 16-23.¹⁰

Sincerely,



Ron Wyden
Ranking Member

⁹ CARES Act, Title II, Subtitle B, (f)(3)(a)-TIMING.

¹⁰ TREASURY DIRECTIVE 16-23, Nov. 3, 1992, [<https://www.treasury.gov/about/role-of-treasury/orders-directives/Pages/td16-23.aspx>].