



U.S. Congressman
Kevin Kiley
Proudly Serving California's 3rd Congressional District

February 7, 2023

The Honorable Doug O'Donnell
Commissioner, Internal Revenue Service
Internal Revenue Service Building
1111 Constitution Ave., NW
Washington DC

Dear Commissioner:

Last week I wrote to ask the IRS to immediately publish guidance for California taxpayers who may have received a payment under California's Middle Class Tax Refund (MCTR). Today, the WSJ published an article reporting that the IRS is urging taxpayers to delay filing returns until guidance can be issued at some future date. [Hold Off on Filing Your Return, IRS Tells Millions of Taxpayers - WSJ](#)

While I support the decision to issue guidance – taxpayers should not have to guess about their legal liability – I want to reiterate the importance of speed. Many taxpayers plan for, and depend on, their anticipated federal tax refunds to meet basic needs. Delay is something not everyone can afford.

It's bad enough that millions of Californians may get a tax bill they were not expecting and didn't plan for, but as the Sacramento Bee reported last week, some taxpayers received 1099s from the State without having received a payment. While responsibility for that problem lies with Sacramento, the IRS needs to move with greater speed to resolve these questions and remove uncertainty for millions of my state's taxpayers.

Many tax experts have argued that MCTR payments are not taxable and that is certainly my hope, but given the number of affected citizens it would be best if the decision be made as quickly as possible. I urge you to give this matter your personal attention and please keep my office informed of any decisions you make.

Best regards,

A handwritten signature in blue ink that reads "K. Kiley".

Kevin Kiley
Member of Congress