



Republican National Committee

Reince Priebus
Chairman

November 3, 2015

John Koskinen
Commissioner, Internal Revenue Service
1111 Constitution Ave NW #5480
Washington, DC 20224

Mr. Commissioner:

I am writing to inform you that the Republican National Committee ("RNC") has filed a Form 13909 Tax-Exempt Organization Complaint (copy attached) to bring to your attention misreporting in at least two of the annual filings of the Clinton Health Access Initiative ("CHAI"), EIN#: 27-1414646. CHAI, a non-profit which was spun off of the Bill, Hillary and Chelsea Clinton Foundation, formerly the William J. Clinton Presidential Foundation ("Clinton Foundation"), was formed in 2010. I request that the Internal Revenue Service ("IRS") engage in a comprehensive audit of CHAI's financial records to investigate the accuracy of its IRS Form 990 filings, particularly in the area of government grants.

According to published reports, CHAI has acknowledged errors in the reporting of government grants in its IRS Form 990 filings for 2012 and 2013. However, yesterday, in a report in *Politico*, CHAI confirmed that despite publicly admitting these errors earlier this year, it had no plans to amend its filings.¹ As you are fully aware, IRS Form 990 is certified under penalty of perjury, and in both years, foundation Chief Financial Officer Julie Feder certified the filings.

In the *Politico* report, CHAI also falsely claimed that it had not previously planned to amend its 2012 and 2013 filings. But in an email from March of this year, a foundation spokeswoman told a reporter for *Reuters* that an "error [was] made when completing the revenue breakout section of the Form 990" and that the foundation was "working diligently to make the necessary amendments to the returns."

CHAI's failure to accurately report foreign government grants is not unique to its interactions with the IRS. As an organization run by former President Clinton, and on whose board former Secretary of State Hillary Clinton once sat, the Clinton Foundation was subject to an ethics arrangement while Mrs. Clinton served as Secretary of State to guard

¹ Josh Gerstein, "Clinton Foundation Spin-Off Won't Refile Tax Returns," *Politico*, 11/2/15



against conflicts of interest, particularly from foreign government sources. Under the arrangement, CHAI was required to submit all new or increased foreign government contributions to the Department of State for independent vetting for conflicts of interest. Yet from 2009 to 2013, CHAI never submitted a single foreign government donation to the Department of State for vetting.²

Given CHAI's history of repeatedly failing to accurately report the amount of money it received from foreign governments and its refusal to amend its Form 990 filings, there is no way to tell whether there exists other undisclosed foreign government grants without the IRS conducting a full audit of CHAI's financial records. I therefore urge you to conduct such an audit and compel CHAI to make the necessary amendments to its Form 990s from 2010 to 2013. The American people deserve to know whether the largest philanthropic arm of the Clinton Foundation continues to misreport the funds it receives from foreign governments, and whether this might lead to the potential for further conflicts of interest.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Reince Priebus', with a stylized flourish at the end.

Reince Priebus
Chairman, Republican National Committee

² Annie Linskey, "Clinton Charity Never Provided Foreign Donor Data," [The Boston Globe](#) 4/30/15

Tax-Exempt Organization Complaint (Referral) Form

1. NAME OF REFERRED ORGANIZATION: Clinton Health Access Initiative, Inc. (CHAI)

Street Address: 383 DORCHESTER AVENUE 400

City/State/Zip Code: BOSTON MA 02127

Date of Referral: 11/3/15

2. ORGANIZATION'S EMPLOYER IDENTIFICATION NUMBER (EIN): 27-1414646

3. NATURE OF VIOLATION:

- ☐ Directors/officers/persons are using income/assets for personal gain
- ☐ Organization is engaged in commercial, for-profit business activities
- ☐ Income/assets are being used to support illegal or terrorist activities
- ☐ Organization is involved in a political campaign
- ☐ Organization is engaged in excessive lobbying activities
- ☐ Organization refused to disclose or provide a copy of Form 990
- ☐ Organization failed to report employment, income, or excise tax liability properly
- ☐ Organization failed to file required federal tax returns and forms
- ☐ Organization engaged in deceptive or improper fundraising practices
- ☒ Other (describe): CHAI has provided the IRS with information it has publicly acknowledged to be inaccurate and has now refused to provide the IRS with accurate information.

4. DETAILS OF VIOLATION:

Name(s) of Person(s) Involved: Julie Feder, Chief Financial Officer; William J. Clinton, Founder, 2012 & 2013 Chair of the Board

Organizational Title(s): See above.

Date(s): 2012 - 2013.

Dollar Amount(s) (if known): _____

Description of activities: CHAI has admitted its 2012 & 2013 990s, signed under penalty of perjury, contain factually inaccurate information. Further, despite CHAI now knowing it provided the US government with false information, CHAI has stated it will not take any steps to provide the IRS with the true accounting information.

5. SUBMITTER INFORMATION:

Name: Raj Shah, Research Director & Deputy Communications Director

Occupation or Business: Republican National Committee

Street Address: 310 First St., SE

City/State/Zip Code: Washington DC, 20003

Telephone: 202-863-5356

☐ I am concerned that I might face retaliation or retribution if my identity is disclosed.

6. SUBMISSION AND DOCUMENTATION: The completed form, along with any supporting documentation, may be mailed to IRS EO Classification, Mail Code 4910DAL, 1100 Commerce Street Dallas, TX 75242-1198, faxed to 214-413-5415 or emailed to eoclass@irs.gov.