

SENATE RESOLUTION No. 130

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 19, 2025

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Condemns federal government's actions in undermining privacy of taxpayer information; demands immediate reversal of federal policy whereby IRS shares private taxpayer information with United States Immigration and Customs Enforcement for immigration enforcement purposes.

CURRENT VERSION OF TEXT

As introduced.



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- 1 **A SENATE RESOLUTION** condemning the federal government’s
2 actions in sharing private taxpayer information with the United
3 States Immigration and Customs Enforcement (ICE) for
4 immigration enforcement purposes.
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- 6 **WHEREAS**, Since 1863, the federal Internal Revenue Service (IRS) has
7 administered the collection of federal taxes, and in 2023, taxpayers
8 filed 163.1 million tax returns; and
- 9 **WHEREAS**, The tax system depends on citizens being candid about
10 personal and financially sensitive information, and in return the
11 government has an obligation to respect and protect the personal
12 and private nature of that information; and
- 13 **WHEREAS**, If taxpayers are given reason to doubt that the government
14 will respect their privacy, the integrity and the efficacy of the
15 voluntary tax system will erode over time; and
- 16 **WHEREAS**, Federal law, specifically section 6103 of the federal
17 Internal Revenue Code of 1986, 26 U.S.C. s.6103, sets forth the
18 general rule that tax returns and tax return information is
19 confidential, and generally restricts the IRS from disclosing any tax
20 return information, and
- 21 **WHEREAS**, Limited exceptions to section 6103 require the IRS to
22 disclose certain information to criminal investigators when it
23 receives a proper request; and
- 24 **WHEREAS**, On April 7, 2025, the federal Department of the Treasury
25 and the federal Department of Homeland Security executed a
26 Memorandum of Understanding (MOU) to create a framework for
27 information sharing between the IRS and the United States
28 Immigration and Customs Enforcement (ICE) for immigration
29 enforcement purposes; and
- 30 **WHEREAS**, According to court filings seeking a preliminary injunction
31 to stop the implementation of the MOU, the IRS agrees to provide
32 ICE with taxpayer information about undocumented immigrants
33 who are facing deportation orders and under federal investigation;
34 and
- 35 **WHEREAS**, Under the agreement, the IRS will verify the names and
36 addresses of immigrants provided on tax records to ICE, and
37 although it is unclear what other information could be provided by
38 the IRS, preliminary sources suggest that this information could
39 include the names of dependents; and
- 40 **WHEREAS**, According to news reports, attorneys for the IRS have
41 advised the federal Department of the Treasury and the federal
42 Department of Homeland Security that the data-sharing agreement
43 likely violates federal privacy laws, and the acting Commissioner of
44 the IRS was reportedly largely bypassed in the discussions leading
45 to the execution of the agreement; and
- 46 **WHEREAS**, Shortly after the MOU was executed, the federal Treasury
47 Department announced that the acting Commissioner of the IRS

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1 plans to resign, becoming the third head of the agency to leave
2 since January 2025; and

3 **WHEREAS**, The previous acting Commissioner of the IRS also
4 resigned in February 2025, shortly after refusing to sign a similar
5 data-sharing agreement with the Department of Homeland Security;
6 and

7 **WHEREAS**, The immigrant community in New Jersey contributed \$1.3
8 billion in State and local taxes in 2022, according to a report by the
9 Institute on Taxation and Economic Policy; and

10 **WHEREAS**, Not only will the sharing of private taxpayer data for
11 immigration enforcement purposes deter immigrants from
12 voluntarily paying federal taxes, but it could also result in broad
13 targeting of certain groups of taxpayers, leading to the possibility of
14 administrative errors that can result in disastrous consequences,
15 such as mistaken deportations; now, therefore,

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17 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

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19 1. This House condemns the federal government's actions in
20 sharing taxpayer information with the United States Immigration
21 and Customs Enforcement (ICE) in the Department of Homeland
22 Security for immigration enforcement purposes.

23

24 2. This House demands that the federal government
25 immediately reverse its current policy whereby the IRS shares
26 private taxpayer information with ICE, and calls on the federal
27 government to express its commitment to respect the privacy of
28 taxpayer information, uphold the integrity of the voluntary tax
29 system, and keep the IRS out of immigration enforcement.

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31 3. Copies of this resolution, as filed with the Secretary of State,
32 shall be transmitted by the Secretary of the Senate to the President
33 and Vice President of the United States, the Secretary of the United
34 States Department of the Treasury, the Secretary of the United
35 States Department of Homeland Security, the Majority and Minority
36 Leaders of the United States Senate, the Majority and Minority
37 Leaders of the United States House of Representatives, and each
38 member of the United States Congress elected from this State.

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STATEMENT

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43 This Senate resolution condemns the federal government's
44 actions in undermining the privacy of taxpayer information, and
45 demands an immediate reversal of the federal policy whereby the
46 federal Internal Revenue Service (IRS) shares private taxpayer
47 information with the United States Immigration and Customs

1 Enforcement (ICE) in the federal Department of Homeland Security
2 for immigration enforcement purposes.

3 On April 7, 2025, the federal Department of the Treasury and the
4 federal Department of Homeland Security executed a Memorandum
5 of Understanding (MOU) to create a framework for information
6 sharing between the IRS and ICE for immigration enforcement
7 purposes. According to news reports, attorneys for the IRS advised
8 the federal Department of the Treasury and the federal Department
9 of Homeland Security that the data-sharing likely violates federal
10 privacy laws, and the acting Commissioner of the IRS was
11 reportedly largely bypassed in the discussions leading to the
12 execution of the agreement. Shortly after the MOU was executed,
13 the federal Treasury Department announced that the acting
14 Commissioner of the IRS plans to resign, becoming the third head
15 of the agency to leave since January 2025. The previous acting
16 Commissioner of the IRS also resigned in February 2025, shortly
17 after refusing to sign a similar data-sharing agreement with the
18 Department of Homeland Security.

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20 Revenue Code of 1986, 26 U.S.C. s.6103, sets forth the general rule
21 that tax returns and tax return information is confidential, and
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23 information. Limited exceptions to section 6103 require the IRS to
24 disclose certain information to criminal investigators when it
25 receives a proper request.

26 According to court filings seeking a preliminary injunction to
27 stop the implementation of the MOU, the IRS agrees to provide ICE
28 with taxpayer information about undocumented immigrants who are
29 facing deportation orders and under federal investigation. Under
30 the agreement, the IRS will verify the names and addresses of
31 immigrants provided on tax records to ICE, and although it is
32 unclear what other information could be provided by the IRS,
33 preliminary sources suggest that this information could include the
34 names of dependents.

35 The immigrant community in New Jersey contributed \$1.3
36 billion in State and local taxes in 2022, according to a study
37 prepared by the Institute on Taxation and Economic Policy. Not
38 only will the sharing of private taxpayer data for immigration
39 enforcement purposes deter immigrants from voluntarily paying
40 federal taxes, but it could also result in the broad targeting of
41 certain groups of taxpayers, leading to the possibility of
42 administrative errors that can result in disastrous consequences,
43 such as mistaken deportations.

44 The resolution condemning the federal government's actions and
45 demanding a reversal in federal policy also calls on the federal
46 government to express its commitment to respect the privacy of
47 taxpayer information, uphold the integrity of the voluntary tax
48 system, and keep the IRS out of immigration enforcement.