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Congress of the United States

U.S. House of Representatives

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June 18, 2014

The Honorable John Koskinen
Commissioner
Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

Dear Commissioner Koskinen,

As you know, the Committee on Ways and Means (Committee) is conducting an investigation related to the Treasury Inspector General for Tax Administration's May 14, 2013 audit report, "Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review." The Internal Revenue Service (IRS) recently revealed that due to a computer "crash," the IRS cannot recover all emails from Lois Lerner and those of six other personnel involved with the targeting of conservative organizations as requested by the Committee.

In order to better understand what was lost and how, and whether all reasonable steps were taken to recover the lost data, please provide the following information by noon on Tuesday, July 2, 2014:

1. The names, job titles, and Information Technology-related work history, education and credentialing of all individuals involved with the IRS's attempts to retrieve information from Lois Lerner's computer, hard drive, or other storage device; provide the same for the personnel listed in the attached.
2. A chronological account of when these individuals attempted retrieval as to each;
3. All documents and communication regarding attempts to retrieve Lois Lerner's emails from January 1, 2011 to the present; provide the same for the attached;
4. All documents and communication regarding production of Lois Lerner's emails to congressional committees from May 1, 2013 to the present;

5. All written policies regarding the use of email, including retention and archival requirements, in effect from January 1, 2009 to present;
6. What is the IRS's policy regarding archiving emails? Was this policy followed in the case of Lois Lerner's emails?
7. Why did it take so long for the IRS to detect the two-year gap in Lois Lerner's emails?
8. Who knew about Lois Lerner's hard drive failure, and how long did IRS IT professionals work to retrieve the information on it? When did the following former Commissioners and Acting Commissioners become aware of the gap: Doug Shulman, Steve Miller, Daniel Werfel, and yourself?
9. Federal agencies have been told to assume their records, particularly emails, are discoverable in case of future litigation and that they must take whatever measures are necessary to prepare for compliance in such an eventuality. Regardless of your agency's official policy, are there any physical or virtual copies of the "lost" Lois Lerner emails?
10. Where is Lois Lerner's inoperable hard drive? Have you ordered a forensic analysis of it to determine if the emails can be retrieved?

Additionally, please make the individuals described in question 1 available for transcribed interviews with Committee staff, to be scheduled to start no later than Friday, June 27, 2014. Thank you in advance for your assistance in this matter. If you have any questions, or to schedule the interviews, please contact Committee staff at 202-225-5522.

Sincerely,



DAVE CAMP
Chairman



CHARLES BOUSTANY, Jr. MD
Chairman
Subcommittee on Oversight