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U.S. House of Representatives

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July 30, 2014

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Holder,

As you know, the Committee on Ways and Means is conducting an investigation into the targeting of conservative Americans by the Internal Revenue Service, a breach of not only the Agency's internal rules, but also the constitutional rights of these citizens. In the course of its investigation, the Committee uncovered evidence of possible criminal wrongdoing by the former IRS Exempt Organizations Division Director Lois Lerner, which was transmitted to you on April 9, 2014 (enclosed without exhibits). Today, I write with supplementary evidence in support of the Committee's referral relating to Ms. Lerner's willful targeting of conservatives and mishandling of taxpayer information.

A newly discovered email exchange from Ms. Lerner's official IRS email account, dated November 9, 2012, directly demonstrates Ms. Lerner's deep animus towards conservatives, which she refers to as "---holes." Lerner further illustrates her disgust with conservatives, even suggesting they will ruin the country. In her email, Lerner states: "So we don't need to worry about alien teRrorists. (sic) It's our own crazies that will take us down."¹ This email shows that Ms. Lerner's mistreatment of conservative groups was driven by her personal hostility toward conservatives.

This new evidence clearly demonstrates why Ms. Lerner not only targeted conservatives, but denied such groups their rights to due process and equal protection under the law. This builds on the ample evidence in the Committee's original referral in which the Committee found that Ms. Lerner used her position to improperly influence agency action against only conservative organizations, including Crossroads GPS, among others.

¹IRS0000890492-95, Exhibit 1.

During our investigation, the Committee found Ms. Lerner personally directed the denial of an application for exempt status and subjected Crossroads GPS to an audit.² Additionally, our referral showed her favorable disposition toward left-leaning organizations. As set forth in the April 9, 2014 letter, in response to a news story about the formation of Organizing For Action, a 501(c)(4) created by former advisors to President Obama's reelection campaign, Ms. Lerner remarked to EO Senior Technical Advisor Sharon Light, "Oh—maybe I can get the DC office job!"³ Subsequent emails among Ms. Lerner's senior aides appeared to consider her statement to be a plausible career move.

The Committee also found that Lerner used her personal email for official business, including confidential return information.⁴ The Committee believed that further investigation, using resources available to the Department of Justice, could reveal whether there was unauthorized disclosure of taxpayer information in violation of the law. A newly discovered email from February 22, 2012 shows an exchange between Ms. Lerner and an IRS IT professional regarding a "Virus on Home PC."⁵ In the exchange, Ms. Lerner indicates that she kept work information on her home computer, some of which may have been lost. She further states that her computer may have been "simply hacked because my password was too simple."⁶ This exchange further raises concerns that taxpayer information may have been leaked.

While the Committee has not seen any evidence of a serious investigation by your Department, it is my sincere hope that in light of this new, strong evidence that you immediately begin aggressively investigating this matter or appoint a special counsel. The failure to do so will only further erode public trust in not only the IRS, but the Department as well.

If you have any questions, please contact Committee staff at 202-225-5522.

Sincerely



DAVE CAMP
Chairman

Enclosures

² April 9, 2014. Committee on Ways and Means. Referral of Lois Lerner to the United States Department of Justice (Referral Letter), pp. 2-6.

³ Referral Letter, p. 6.

⁴ Referral Letter, pp. 12-13.

⁵ IRS0000688981-83, Exhibit 2.

⁶ *See id.*