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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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January 8, 2014

The Honorable Eric H. Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Mr. Attorney General:

The Committee on Oversight and Government Reform is continuing to investigate the IRS's inappropriate treatment of certain groups applying for tax-exempt status. When the IRS's misconduct became public in May 2013 you called it "outrageous and unacceptable" and ordered a Department of Justice investigation in coordination with the Federal Bureau of Investigation.¹ In light of indications that the Bureau was not taking the investigation seriously, we have written to FBI Director James Comey on September 6, 2013, and again on December 2, 2013, seeking information about the status of this matter.² The FBI has failed to provide the requested information, and after Department officials apparently interfered, the Bureau rescinded an offer to meet with Mr. Jordan to discuss the investigation.³ As we pointed out in our most recent letter to Director Comey on December 2, 2013, the FBI's blatant lack of cooperation with the Committee may rise to the level of criminal obstruction of a congressional investigation.

The Committee has obtained new information that raises additional questions about the integrity of the DOJ/FBI investigation. Since the FBI has refused to cooperate with the Committee's oversight, the Committee requested information about the DOJ/FBI investigation from current and former IRS officials whom the Committee has interviewed about their respective roles in the targeting of conservative groups. According to several current and former IRS officials whom both the Committee and the Department have interviewed, Barbara Bosserman, a trial attorney in the Department's Civil Rights Division, is leading the DOJ/FBI investigation.⁴

¹ Rachael Weiner, *Holder has ordered IRS investigation*, WASH. POST, May 14, 2013, available at <http://www.washingtonpost.com/blogs/post-politics/wp/2013/05/14/holder-has-ordered-irs-investigation/>.

² Letters from Hon. Darrell E. Issa, Chairman, H. Comm. on Oversight & Gov't Reform, & Hon. Jim Jordan, Chairman, Subcomm. on Econ. Growth, Job Creation & Reg. Affairs, to Hon. James B. Comey, Director, FBI (Sept. 6, 2013 & Dec. 2, 2013).

³ *Id.*

⁴ For example, according to Carter Hull, former Tax Law Specialist at IRS headquarters in Washington, D.C., his interview with DOJ/FBI "was led by Barbara Bosserman, who is an attorney in the Civil Rights Division of the

The Federal Election Commission's online records show that Ms. Bosserman has contributed a significant amount of money to President Obama's political campaigns. Ms. Bosserman is also a long-time financial backer of the Democratic National Committee. At a minimum, Ms. Bosserman has donated nearly \$7,000 to President Obama's political campaigns and the Democratic National Committee in the past several years:⁵

Democratic National Committee

October 29, 2004	\$400.00
November 10, 2008	\$250.00

Obama for America

January 30, 2008	\$500.00
February 15, 2008	\$500.00
February 26, 2008	\$300.00
March 15, 2008	\$500.00
March 30, 2008	\$300.00
September 28, 2008	\$250.00
September 29, 2008	\$750.00
October 13, 2008	\$250.00
October 29, 2008	\$250.00
May 24, 2012	\$1,000.00
September 9, 2012	\$500.00
November 1, 2012	\$500.00

Obama Victory Fund 2012

November 1, 2012	\$500.00
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Total	<u><u>\$6,750.00</u></u>
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By selecting a significant donor to President Obama to lead an investigation into inappropriate targeting of conservative groups, the Department has created a startling conflict of interest. It is unbelievable that the Department would choose such an individual to examine the federal government's systematic targeting and harassment of organizations opposed to the President's policies. At the very least, Ms. Bosserman's involvement is highly inappropriate and has compromised the Administration's investigation of the IRS. We request that you immediately remove Ms. Bosserman from the ongoing investigation. In addition, since the

Department of Justice." See e-mail from Counsel to Carter Hull to Committee Staff (Dec. 24, 2013). In addition, according to Steve Grodnitzky, former acting manager of the Exempt Organizations Technical Unit in Washington, D.C., his "interview was conducted by DOJ attorney Barbara Bosserman." See e-mail from Counsel to Steve Grodnitzky to Committee Staff (Dec. 27, 2013).

⁵ See Federal Election Commission, Transaction Query By Individual Contributor, <http://www.fec.gov/finance/disclosure/norindsea.shtml> (last accessed Jan. 7, 2014).

The Honorable Eric H. Holder, Jr.
January 8, 2014
Page 3

aforementioned conflict of interest has tainted any information Ms. Bosserman has gathered thus far, we request that you take all necessary steps to ensure that the DOJ/FBI criminal investigation is thorough and unbiased, including steps to remedy the damage created by Ms. Bosserman's leadership of and participation in the investigation.

Please provide a comprehensive explanation of the decision to assign Ms. Bosserman to the DOJ/FBI investigation of the IRS's targeting of conservative groups. In addition, please inform the Committee as to the steps the Department intends to take to remedy the damage created by Ms. Bosserman's leadership of and participation in the investigation. Please provide this information as soon as possible, but by no later than Wednesday, January 22, 2014.

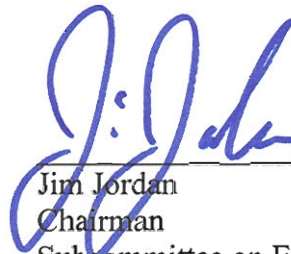
The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

Please contact Tyler Grimm or Christopher Hixon with the Committee staff at (202) 225-5074 with any questions about this request. Thank you for your prompt attention to this matter.

Sincerely,



Darrell Issa
Chairman



Jim Jordan
Chairman
Subcommittee on Economic Growth,
Job Creation and Regulatory Affairs

cc: The Honorable Elijah E. Cummings, Ranking Minority Member

The Honorable Matthew A. Cartwright, Ranking Minority Member
Subcommittee on Economic Growth, Job Creation and Regulatory Affairs

The Honorable Michael E. Horowitz, Inspector General
Office of the Inspector General, U.S. Department of Justice