

THE WHITE HOUSE

WASHINGTON

June 23, 2014

The Honorable Darrell Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Issa:

I write in response to your request last Thursday for the testimony of Jennifer O'Connor, a former Internal Revenue Service (IRS) employee who is now a member of my staff, at a hearing of the Committee on Oversight and Government Reform tomorrow, June 24, 2014. Your letter indicates that the purpose of the hearing is to examine the IRS's inability to recover certain emails sent by Lois Lerner after a computer failure.

I understand that your Committee and others in the House of Representatives have recently sought and are already receiving substantial information from the IRS concerning the computer failure. Press reports indicate that information technology staff from the IRS briefed congressional staff last week on the inability to recover certain emails, as well as the agency's success in recovering a substantial number of other emails. Last Friday, the Commissioner of the IRS answered questions over the course of three hours at a hearing before the House Committee on Ways and Means.

At the time of your letter, you did not have the benefit of Commissioner Koskinen's testimony last Friday. As you now know, Commissioner Koskinen explained that the IRS first discovered the possibility that certain emails from Ms. Lerner could be missing in February 2014, which postdates Ms. O'Connor's six-month tenure at the agency from May 30, 2013 to November 30, 2013. Moreover, Commissioner Koskinen is also scheduled to appear before your Committee this evening to again answer questions on this topic. And finally, I understand that you have subpoenaed additional documents and materials from the IRS, and you will no doubt carefully review the materials that you receive in response to the subpoena.

It thus appears that you and others in Congress are now receiving substantial information from those at the IRS most familiar with the discovery of, and investigation into, the computer failure—and from the head of the agency himself. This new information should address the questions that may have prompted your earlier hearing invitation to Ms. O'Connor, and I expect that the IRS will continue to work to comply with your subpoena for documents.

If there are legitimate questions that remain after exhausting your review of information provided by the IRS, I trust that you will articulate the reasons for your continued interest in the matter at the appropriate time.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Neil Eggleston". The signature is fluid and cursive, with a long horizontal stroke at the end.

W. Neil Eggleston
Counsel to the President

cc: Ranking Member Representative Elijah Cummings