



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

March 19, 2015

Via Electronic Delivery

Ramona Raula Cotca, Esq.
Kate Bailey
Judicial Watch
425 Third Street, SW, Suite 800
Washington, DC 20024
rcotca@judicialwatch.org

Re: CRM-300444674
KWC:PR3

Dear Ms. Cotca:

This letter serves as the third installment of the Criminal Division's rolling production in Judicial Watch, Inc. v. U.S. Department of Justice, 14-cv-1239, (D.D.C.), pursuant to the Meet and Confer Report filed September 23, 2014. Your request seeks records concerning meetings and/or communications between the Department of Justice Criminal Division Public Integrity Section and the Internal Revenue Service Tax Exempt and Government Entities Division, the White House, Members of Congress and/or congressional staff, and any non-government entity, regarding 501(c)(4) or other tax-exempt organizations.

After carefully reviewing 775 pages of records, this Office has determined that seventy one pages are appropriate for release with excisions and 704 pages are being withheld in full pursuant to:

5 U.S.C. § 552(b)(3), which concerns matters specifically exempted from release by statute (in this instance, 26 U.S.C. § 6103, which pertains to tax return information);

5 U.S.C. § 552(b)(5), which concerns certain inter- and intra-agency communications protected by the deliberative process privilege, and the attorney work-product privilege;

5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties; and

5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all requesters and should not be taken as an indication that excluded records do, or do not, exist.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to an administrative appeal of this determination. Your appeal must be in writing and addressed to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001. Your appeal must be received within sixty days from the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Kenneth Courter
Chief
FOIA/PA Unit

Enclosures

cc: Bradley Cohen, Esq.
U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
bradley.cohen@usdoj.gov

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]>
(b)(6), (7)(C) To: [REDACTED]
[REDACTED]
Cc: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cr [REDACTED]>
Bcc:
Subject: Re: Interviews
Date: Tue Jul 16 2013 17:22:45 EDT
Attachments:

(b)(6), (7)(C) [REDACTED] -

One last issue. If any of your clients have documents they are providing to Congress that you can (or would like to) provide to us before their testimony, we would be pleased to receive them. We are 6103 authorized and I can connect you with TIGTA to confirm; we would like the unredacted documents. If you have none, that is ok. I just know that some employees have assembled their own set, in which instance it is helpful to obtain them.

Thanks,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
(b)(6), (7)(C) Sent: Monday, July 15, 2013 08:51 PM Eastern Standard Time
To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Interviews

(b)(6), (7)(C) [REDACTED] -

Per our conversation today, I understand that the clients of yours listed below are testifying before Congress on the date listed. We are available to slate interviews for each of these individuals on whatever day works for you – the day before, day of, or day after they testify. Please just let us know where and what time you would like to meet. If you decide it is easier for you to come to us, we can provide space at offices near Judiciary Square or the White House. (As I told you over the phone, I am unavailable the week of 7/22, but [REDACTED], who is cc'd on this email, will be there for the (b)(6), (7)(C) [REDACTED] interview.)

Congressional Schedule:

(b)(6), (7)(C) [REDACTED]
[REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C)

We would like to interview [REDACTED] as soon as possible as well. If [REDACTED] is available to come to D.C. during the week of 7/29, that would be great. If not, we could interview [REDACTED] in Cincinnati the week of 8/5.

(b)(6), (7)(C)

Finally, I feel less pressed to schedule an interview with [REDACTED]. I would certainly like to interview [REDACTED] but I think we could hold off on [REDACTED] until later in August, unless you (or [REDACTED]) have a pressing need to accomplish an interview.

With respect to Garrity waivers, it would be helpful for your clients to execute them if they have given prior statements or testimony. If they did not speak to the TIGTA auditors, they could just cross that off; if they have not given a prior statement to anyone in Congress, they can cross that off; if they have given no previous statement, they do not need to execute one. Let me know if you have any questions about that.

Thanks,

(b)(6), (7)(C)

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C)

Ofc: [REDACTED]

Cell: [REDACTED]

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn/[REDACTED]>

(b)(6), (7)(C)

To: [REDACTED]
[REDACTED]

Cc:

Bcc:

Subject: Re: Interviews

Date: Wed Jul 17 2013 17:44:56 EDT

Attachments:

(b)(6), (7)(C) Thank you [REDACTED] - appreciate it. I just spoke with our agent -- we unfortunately cannot be available Friday. Sorry this won't work.

(b)(6), (7)(C) Perhaps we can try to do [REDACTED] and [REDACTED] on a single day the week of 8/5 (or one in the afternoon, the other following AM) so you could maximize a trip out to Cincy.

From: [REDACTED] [mailto:[REDACTED]]

(b)(6), (7)(C) Sent: Wednesday, July 17, 2013 05:41 PM Eastern Standard Time

To: [REDACTED]

Subject: RE: Interviews

(b)(6), (7)(C) Hi [REDACTED]

(b)(6), (7)(C) Attached please find the executed Garrity waivers for [REDACTED]. These are the ones that I have so far.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]]

(b)(6), (7)(C) Sent: Wednesday, July 17, 2013 4:52 PM

To: [REDACTED]

Subject: Re: Interviews

(b)(6), (7)(C) Just tried you. Pls call my cell at [REDACTED] so we can sort this out. Thanks.

From: [REDACTED] [mailto:[REDACTED]]

(b)(6), (7)(C) Sent: Wednesday, July 17, 2013 04:28 PM Eastern Standard Time

To: [REDACTED]

Subject: RE: Interviews

(b)(6), (7)(C) Hi [REDACTED]

(b)(6), (7)(C) I just learned that the Senate is not planning on interviewing [REDACTED] on Tuesday, 7/23, which means that [REDACTED] likely will not return to DC that week. I am not sure yet if this would work, but would you or someone be available to meet with [REDACTED] this Friday afternoon? It may be possible for [REDACTED] to stay in DC after the hearing tomorrow, but I'm not sure if that is the case.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, July 16, 2013 5:23 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Re: Interviews

(b)(6), (7)(C) [REDACTED]

One last issue. If any of your clients have documents they are providing to Congress that you can (or would like to) provide to us before their testimony, we would be pleased to receive them. We are 6103 authorized and I can connect you with TIGTA to confirm; we would like the unredacted documents. If you have none, that is ok. I just know that some employees have assembled their own set, in which instance it is helpful to obtain them.

Thanks,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Monday, July 15, 2013 08:51 PM Eastern Standard Time
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Interviews

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) Per our conversation today, I understand that the clients of yours listed below are testifying before Congress on the date listed. We are available to slate interviews for each of these individuals on whatever day works for you – the day before, day of, or day after they testify. Please just let us know where and what time you would like to meet. If you decide it is easier for you to come to us, we can provide space at offices near Judiciary Square or the White House. (As I told you over the phone, I am unavailable the week of 7/22, but [REDACTED], who is cc'd on this email, will be there for the [REDACTED] interview.)

Congressional Schedule:

[REDACTED]

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

[REDACTED]

(b)(6), (7)(C) We would like to interview [REDACTED] as soon as possible as well. If [REDACTED] is available to come to D.C. during the week of 7/29, that would be great. If not, we could interview [REDACTED] in Cincinnati the week of 8/5.

(b)(6), (7)(C) Finally, I feel less pressed to schedule an interview with [REDACTED]. I would certainly like to interview [REDACTED] but I think we could hold off on [REDACTED] until later in August, unless you (or [REDACTED]) have a pressing need to accomplish an interview.

With respect to Garrity waivers, it would be helpful for your clients to execute them if they have given prior statements or testimony. If they did not speak to the TIGTA auditors, they could just cross that off; if they have not given a prior statement to anyone in Congress, they can cross that off; if they have given no previous statement, they do not need to execute one. Let me know if you have any questions about that.

Thanks,

(b)(6), (7)(C)

[REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C)

Ofc: [REDACTED]

Cell: [REDACTED]

(b)(6), (7)(C) CONSENT AND WAIVER FORM

I, [REDACTED], an employee of the IRS, understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to IRS personnel, TIGTA auditors, and Congress, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Notwithstanding, I waive my claims I may otherwise have under *Garrity* regarding my prior statements, including an argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my past statements being furnished to special agents of the FBI and TIGTA, as well as answers from the Department of Justice to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

(b)(6), (7)(C)

[REDACTED]

Printed Name

[REDACTED]

Signature

[REDACTED]

Attorney Name

[REDACTED]

Attorney Signature

7-6-2013
Date

7/12/13
Date

CONSENT AND WAIVER FORM

(b)(6), (7)(C)

I, [REDACTED], am an employee of the IRS. I understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax-exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to IRS personnel, TIGTA auditors, and Congress, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Moreover, I waive any claims I may otherwise have under *Garrity* regarding my prior statements, including any argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my prior statements being furnished to special agents of the FBI and TIGTA, as well as attorneys from the Department of Justice, to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

(b)(6), (7)(C)

[REDACTED]
Printed Name
[REDACTED]
Attorney Name

[REDACTED]
Signature
[REDACTED]
Attorney Signature

07-17-2013
Date
7-17-13
Date

JUL-11-2013 06:18

IRS

513 263 5200 P.02

CONSENT AND WAIVER FORM

(b)(6), (7)(C)

I, [REDACTED] am an employee of the IRS. I understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax-exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to IRS personnel, TIGTA auditors, and Congress, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Moreover, I waive any claims I may otherwise have under *Garrity* regarding my prior statements, including any argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my prior statements being furnished to special agents of the FBI and TIGTA, as well as attorneys from the Department of Justice, to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

(b)(6), (7)(C)

[REDACTED]	[REDACTED]
Printed Name	Signature
[REDACTED]	[REDACTED]
Attorney Name	Attorney Signature

July 8, 2013
 Date
 7/8/13
 Date

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
Cc:
Bcc:
(b)(6), (7)(C) Subject: Re: [REDACTED] Documents [IWOV-DMS.FID372443]
Date: Fri Jul 19 2013 15:04:01 EDT
Attachments:

Of course. Thank you!

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]]
Sent: Friday, July 19, 2013 03:03 PM Eastern Standard Time
To: [REDACTED]
Subject: RE: [REDACTED] Documents [IWOV-DMS.FID372443]

My assistant is out sick today. So it will have to be early next week for the additional documents. I hope that is ok. Thanks.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Thursday, July 18, 2013 2:14 PM
To: [REDACTED]
Cc: [REDACTED]@crt.usdoj.gov'; [REDACTED]@tigta.treas.gov'; [REDACTED]
Subject: Re: [REDACTED] Documents [IWOV-DMS.FID372443]

Would that be too much of an imposition? Would be a huge help.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]]
Sent: Thursday, July 18, 2013 10:28 AM Eastern Standard Time
To: [REDACTED]
Cc: [REDACTED]@crt.usdoj.gov' [REDACTED]@crt.usdoj.gov>; [REDACTED]@tigta.
treas.gov' <[REDACTED]@tigta.treas.gov>; [REDACTED]
Subject: RE: [REDACTED] Documents [IWOV-DMS.FID372443]

Yes, the contents of the smaller binder are included on the disk. If you want those documents separated out – as we have them – we can provide that.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Wednesday, July 17, 2013 6:21 PM
To: [REDACTED]

(b)(6), (7)(C) Cc: [REDACTED]@crt.usdoj.gov; [REDACTED]@tigta.treas.gov; [REDACTED]
Subject: Re: [REDACTED] Documents [IWOV-DMS.FID372443]

This makes perfect sense; thank you. Are you in position to share the contents of the smaller binder? We are interested in seeing documents and communications that post-date the documents provided to the auditors. Also, are the contents of the smaller binder included in the disc provided to IRS (which, incidentally, we have now received)?

From: [REDACTED] [mailto:[REDACTED]]
Sent: Wednesday, July 17, 2013 04:12 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]@crt.usdoj.gov' <[REDACTED]@crt.usdoj.gov>; [REDACTED]@tigta.treas.gov' <[REDACTED]@tigta.treas.gov>; [REDACTED]
Subject: RE: [REDACTED] Documents [IWOV-DMS.FID372443]

(b)(6), (7)(C) [REDACTED]

The BOLO Timeline is attached. Regarding any additional documents, to clarify, what we provided to you is what [REDACTED] provided to Holly Paz in response to the TIGTA document requests. Those were the emails in the large binder that we had at the proffer. There is a second, smaller binder, that contains documents [REDACTED] gave to us, but were not responsive to TIGTA's request. That includes the Lois Lerner email and emails regarding the left-leaning organizations. Also, the disk that we sent to the IRS for eventual production to Congress and to you contains [REDACTED] entire "Advocacy Organizations" folder from [REDACTED] email account, some of which is duplicative of the documents produced to TIGTA (that you now have). The volume of data on the disk is quite large.

If I have not managed to make sense, I am available to talk as well so that you can have a complete understanding of what we have. Thanks.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, July 16, 2013 7:22 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]@crt.usdoj.gov; [REDACTED]@tigta.treas.gov; [REDACTED]
Subject: RE: [REDACTED] Documents [IWOV-DMS.FID372443]

(b)(6), (7)(C) One last issue on the documents. We noticed that the last documents are dated about July 2012. For example, the email that [REDACTED] sent to Lerner after the May 10, 2013, announcement was not included. Are there some emails not included in this batch and, if so, are you in a position to provide them?

From: [REDACTED]
Sent: Tuesday, July 16, 2013 5:25 PM

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]@crt.usdoj.gov'; [REDACTED]@tigta.treas.gov'; [REDACTED]
Subject: Re: [REDACTED] Documents [IWOV-DMS.FID372443]

(b)(6), (7)(C) [REDACTED]

Are you still intending to send the timeline, which per my email of last week will be subject to the proffer agreement?

From: [REDACTED]
Sent: Monday, July 15, 2013 03:31 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT) <[REDACTED]@crt.usdoj.gov>; [REDACTED]@tigta.treas.gov
<[REDACTED]@tigta.treas.gov>; [REDACTED]
Subject: RE: [REDACTED] Documents [IWOV-DMS.FID372443]

(b)(6), (7)(C) [REDACTED]

Thank you so much. Really appreciate it.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]]
Sent: Monday, July 15, 2013 3:15 PM

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT); [REDACTED]@tigta.treas.gov; [REDACTED]
Subject: RE: [REDACTED] Documents [IWOV-DMS.FID372443]

(b)(6), (7)(C) [REDACTED]

As we discussed, I am sending you two attachments. One is the emails from before 3/1/12 and one is after. Please be aware though that in organizing by date we went with the most recent date on the email chain, so something that was forwarded or replied to after 3/1/12 may still have emails further back in the chain that pre-date 3/1/12. Let me know if you have any questions or have any trouble with the attachments.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]]
Sent: Friday, July 12, 2013 6:05 AM

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT); [REDACTED]@tigta.treas.gov
Subject: [REDACTED] Documents

(b)(6), (7)(C) [REDACTED]

Thank you again for meeting with us yesterday. I write to follow up on the two document related issues we discussed.

(b)(6), (7)(C) First, we would appreciate receiving the time line related to the "TAG spreadsheet" and "BOLO" that [REDACTED] prepared. As we stated, that timeline will be covered by the proffer agreement [REDACTED] executed yesterday. (I will scan and email you a copy of the proffer agreement when I return to Washington.)

(b)(6), (7)(C) Second, we would also appreciate obtaining the email communications that you obtained from [REDACTED] pertaining to the 501(c)-application issues we discussed yesterday, i.e., the public allegations that the IRS "targeted" certain groups based on their political viewpoints, in particular groups associated with the "Tea Party." As I explained yesterday, due to the filter procedures we have in place, could you please divide the communications into two groups, those dated before and those dated on or after March 1, 2012? To the extent practical, the emails dated on or after March 1, 2012, should be placed in a sealed envelope or otherwise clearly separated from the first batch (i.e., if they are scanned and emailed, please do so in separate files). To the extent any of these applications contain taxpayer information, return information, and/or taxpayer return information, the Department of Justice and the FBI have referral authority under 18 U.S.C. 6103(h) to view this information by virtue of our participation in a joint investigation with TIGTA. I have cc'd TIGTA SA [REDACTED], who was present at the meeting yesterday and confirmed this orally, to further confirm it by way of this writing. Please let us know if you have any questions concerning that.

We are happy to receive the documents via email or hard copy – whatever is easiest for you. If you prefer to send the documents by email, please encrypt them to the extent they contain information covered by 6103 (this function is available on PDF); if you prefer to provide them by hard copy, please let me us know that and we can make arrangements to pick them up.

Thank you again for your cooperation in this matter – we appreciate it.

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice
1400 New York Ave, NW, 12th Floor
Washington, D.C. 20005

(b)(6), (7)(C)

Ofc: [REDACTED]

Cell: [REDACTED]

CONFIDENTIAL WARNING

This email message, together with any attachments, is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and as such is privileged and confidential.

If you are not the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this message in error, please notify us immediately by telephone (b)(6), (7)(C) [REDACTED] or by return email and delete this message, along with any attachments, from your computer.

Thank You

CONFIDENTIAL WARNING

This email message, together with any attachments, is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and as such is privileged and

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlf)/cn=recipients/cn=[REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: Re: [REDACTED]
Date: Tue Jul 23 2013 08:02:40 EDT
Attachments: image001.jpg

No objection at all - happy to go to you.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, July 23, 2013 07:56 AM Eastern Standard Time
To: [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED]; If you have no objection, I would prefer to meet here. [REDACTED]
[REDACTED] We are meeting with [REDACTED] late this afternoon and will follow up afterwards.

(b)(6), (7)(C) Thanks, [REDACTED]
[REDACTED]

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Sunday, July 21, 2013 2:13 PM
To: [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) [REDACTED]

Your email accurately summarizes our conversation. As you are aware though, your client's and the investigation's status is based on information available now. If your client's status changes anytime before the interview, I will certainly let you know.

You are correct that we have 6103 authorization by virtue of TIGTA's referral of this matter to DOJ and FBI for a joint criminal investigation. We will ask a TIGTA agent to be present for the interview for that purpose.

Attached is the proffer agreement we discussed.

(b)(6), (7)(C) Once you have had an opportunity to speak with your client, please feel free to give me a call if you have any additional questions or concerns. The best way to reach me this week is via cell phone (listed below). I have [REDACTED] penciled in for Wednesday, 8/7 – please let me know if that still works and, if so, what time. (We would prefer to do a time in the morning or after lunch, but ultimately can be flexible.) We are happy to host a meeting at the FBI in Covington or Cincinnati, or to come to your offices – whatever is most convenient for you.

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]

Cell: [REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, July 19, 2013 2:34 PM
To: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED]; This will follow up with our discussion today regarding our client [REDACTED]. You advised that you were an attorney with the Department of Justice Public Integrity/Civil Rights division and that you, another lawyer and an FBI agent wanted to interview our client in Cincinnati during the week of August 5. I advised that our client is out of town until Monday but I will follow-up with [REDACTED] on his return.

(b)(6), (7)(C) You also indicated that [REDACTED] was not a target of any criminal investigation and that at this point in time no conclusion/determination had been made that any crime had been committed or that anyone was a target. I would appreciate your confirming that so that I can allay our clients concerns. You also indicated you would send a proffer agreement for my review. I would suspect that the proffer agreement that you use is similar to those that I see from the local U.S. attorney's office but I would like to review the same and go over it with our client. Lastly, you advised that your office is 6103 authorized based upon a request from TIGTA to assist in the investigation.

All of my contact information is in the signature block below. Have a good weekend and,

Thanks, [REDACTED]
[REDACTED]

(b)(6), (7)(C)

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PROFFER AGREEMENT

The United States of America, represented by its undersigned attorney, and [REDACTED] enter into this proffer agreement with respect to a proffer to be made by [REDACTED] to agents and attorneys of the United States concerning [REDACTED] knowledge about matters that are the subject of the instant criminal investigation.

1. [REDACTED] will answer honestly, truthfully and completely all questions posed to [REDACTED] by agents and attorneys of the United States.

2. By discussing these matters and by accepting [REDACTED] proffer, the United States does not intend in any way to agree to, or represent that it will, confer immunity upon [REDACTED] for any possible federal criminal acts committed by [REDACTED] nor has the United States made any representation or agreement about the disposition of any federal criminal charges which might be filed against [REDACTED]

3. Should any prosecution be brought against [REDACTED] by the United States, the United States will not offer in evidence in its case-in-chief against [REDACTED], or at sentencing of [REDACTED], any statements made by [REDACTED] pursuant to this proffer agreement, except in a prosecution for false statements, obstruction of justice in the current investigation, or perjury, or as noted in paragraph 5.

4. The United States can use information derived from statements by [REDACTED] under the proffer agreement directly or indirectly for the purpose of obtaining leads to other evidence, which evidence may be used by the United States against [REDACTED] in any prosecution of [REDACTED]

5. Should any prosecution of [REDACTED] be undertaken, the United States may use [REDACTED] statements as substantive evidence for the purpose of cross-examination of [REDACTED] should [REDACTED] testify at any phase of the case, including motions, trial, or sentencing. The United States may also use [REDACTED] statements as substantive evidence to oppose any motions or to rebut any

(b)(6), (7)(C) evidence, factual assertions or arguments offered by or on behalf of [REDACTED] at any pretrial, trial or sentencing phase.

6. The provisions of Rule 410 of the Federal Rules of Evidence and Rule 11(f) of the Federal Rules of Criminal Procedure do not apply to any statements made by [REDACTED] or any evidence derived from those statements, and [REDACTED] waives any right to challenge the admissibility of such evidence under either of these rules.

Dated: _____

FOR THE UNITED STATES

(b)(6), (7)(C) _____
Trial Attorney
U.S. Department of Justice

FOR THE WITNESS:

(b)(6), (7)(C) _____
Witness

(b)(6), (7)(C) _____
Attorney

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
Cc: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
Bcc: [REDACTED]
Subject: Re: [REDACTED]
Date: Wed Jul 24 2013 13:02:59 EDT
Attachments: image001.jpg

This is indeed workable - thank you. Your client has every assurance that we are 6103 authorized. A TIGTA representative will attend the interview to confirm and answer any questions you or your client have about that. Further, when I get to a computer terminal (rather than my Blackberry), I will send you an email that cc's a TIGTA representative confirming same.

See you at 2pm on 8/7.

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, July 24, 2013 11:36 AM Eastern Standard Time
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]


(b)(6), (7)(C) Dear [REDACTED]; I am returning herewith the Proffer Agreement which [REDACTED] and I have signed. [REDACTED] is willing to submit to a voluntary interview under that agreement. [REDACTED] is concerned that you and the FBI have necessary 6103 authorization and/or a (l) (4) letter. [REDACTED] does not want [REDACTED] co-operation to put [REDACTED] in any position that jeopardizes [REDACTED] employment.

(b)(6), (7)(C) I also would appreciate meeting in our offices. My schedule is clear on 8/7 and I would suggest 2:00 P. M. that afternoon. That will allow our client to work part of the day and have any last minute questions that [REDACTED] may have of me addressed before the interview. You can execute the proffer letter when we meet. Please let me know if my proposal is workable.

Thanks, [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C)

A solid black rectangular redaction box covering text.

From: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
(b)(6), (7)(C) Cc: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlf)/cn=recipients/cn=[REDACTED]
[REDACTED]> [REDACTED]
Bcc:
Subject: RE: Interviews in IRS matter
Date: Tue Jul 23 2013 15:37:41 EDT
Attachments:

(b)(6), (7)(C) Thanks, [REDACTED]

I will check with our team and get back to you. I am guessing this – or something very close to it—will work.

From: [REDACTED]
Sent: Tuesday, July 23, 2013 2:44 PM
(b)(6), (7)(C) To: [REDACTED] (CRT)
Cc: [REDACTED] (CRM); [REDACTED]
Subject: RE: Interviews in IRS matter

(b)(6), (7)(C) Hi [REDACTED]

Thanks for your email. Let me know if this tentative schedule would work for you—

Monday, 7/29, at our office

(b)(6), (7)(C) 1:00 [REDACTED]
4:00 [REDACTED]

Wednesday, 7/31, at our office

(b)(6), (7)(C) 2:00 [REDACTED]

(b)(6), (7)(C) Either Wednesday, 7/31 or the afternoon of 8/1—[REDACTED] (It would work best for our schedules if [REDACTED])

can be interviewed sometime next week as well).

(b)(6), (7)(C) Also, I am trying to arrange a day during the week of August 5 that I can travel to Cincinnati for [REDACTED] and [REDACTED]. I'll be in touch with you soon about that as well.

Thanks,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C)

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, July 23, 2013 12:56 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRM)
Subject: Interviews in IRS matter

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED] is out this week, but I understand that you and [REDACTED] had several discussions about scheduling interviews with your clients. I wanted to follow up to see if we can flesh out next week's schedule. We are hoping and expecting to interview [REDACTED] next week. Please confirm that they will be in town. Also let me know, given their scheduled congressional testimony, what dates/times they will be available for interviews.

(b)(6), (7)(C) As [REDACTED] may have indicated, we plan to be in Cincinnati the week of August 5 and would very much like to interview [REDACTED] while we are there, unless you anticipate that they will

be traveling to D.C. in the very near future (in which case we are happy to interview them in D.C. instead).

I am in the office all day today and tomorrow. Feel free to call me so that we can discuss. Thank you.

(b)(6), (7)(C)

[REDACTED]

[REDACTED]

Civil Rights Division

Criminal Section

(b)(6), (7)(C)

[REDACTED]

From: [REDACTED] (CRM)
Sent: Tuesday, July 16, 2013 5:23 PM
To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Re: Interviews

(b)(6), (7)(C)

(b)(6), (7)(C)

[REDACTED]

One last issue. If any of your clients have documents they are providing to Congress that you can (or would like to) provide to us before their testimony, we would be pleased to receive them. We are 6103 authorized and I can connect you with TIGTA to confirm; we would like the unredacted documents. If you have none, that is ok. I just know that some employees have assembled their own set, in which instance it is helpful to obtain them.

Thanks,

(b)(6), (7)(C)

[REDACTED]

From: [REDACTED]
Sent: Monday, July 15, 2013 08:51 PM Eastern Standard Time
To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Interviews

(b)(6), (7)(C)

(b)(6), (7)(C)

[REDACTED]

Per our conversation today, I understand that the clients of yours listed below are testifying before Congress on the date listed. We are available to slate interviews for each of these individuals on whatever day works for you – the day before, day of, or day after they testify. Please just let us know where and what time you would like to meet. If you decide it is easier for you to come to us, we can provide space at offices near Judiciary Square or the White House. (As I told you over the phone, I am unavailable the week of 7/22, but [REDACTED], who is cc'd on this email, will be there for the [REDACTED] interview.)

(b)(6), (7)(C)

Congressional Schedule:

[REDACTED]

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

[REDACTED]

(b)(6), (7)(C) We would like to interview [REDACTED] as soon as possible as well. If [REDACTED] is available to come to D.C. during the week of 7/29, that would be great. If not, we could interview [REDACTED] in Cincinnati the week of 8/5.

(b)(6), (7)(C) Finally, I feel less pressed to schedule an interview with [REDACTED]. I would certainly like to interview [REDACTED] but I think we could hold off on [REDACTED] until later in August, unless you (or [REDACTED]) have a pressing need to accomplish an interview.

With respect to Garrity waivers, it would be helpful for your clients to execute them if they have given prior statements or testimony. If they did not speak to the TIGTA auditors, they could just cross that off; if they have not given a prior statement to anyone in Congress, they can cross that off; if they have given no previous statement, they do not need to execute one. Let me know if you have any questions about that.

Thanks,

(b)(6), (7)(C)

[REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]

Cell: [REDACTED]

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This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: [REDACTED] TIGTA
<[REDACTED]@tigta.treas.gov>
To: [REDACTED] (CRT)
(b)(6), (7)(C) <[REDACTED]@crt.usdoj.gov>; [REDACTED]
Cc: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
>
Bcc:
Subject: RE: IRS interviews/ 6103
Date: Thu Jul 25 2013 08:06:16 EDT
Attachments:

(b)(6), (7)(C) [REDACTED]

Please accept this e-mail as confirmation that you are permitted and we have the authority to receive any 6103 material as this is a joint TIGTA, FBI and DOJ investigation. If you have any additional questions feel free to contact me on my cell phone.

Thanks

(b)(6), (7)(C) [REDACTED]
Treasury Inspector General for Tax Administration

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]
Sent: Wednesday, July 24, 2013 3:41 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED] (CRM)
Subject: IRS interviews/ 6103

(b)(6), (7)(C) [REDACTED]

I am writing to confirm our interview schedule and to provide assurance about the 6103 issue we discussed today.

Interviews will be held next week at your office on the following schedule (the times you proposed).

Monday, July 29

1:00 [REDACTED]

(b)(6), (7)(C)

4:00 [REDACTED]

Wednesday, July 31

(b)(6), (7)(C) 2:00 [REDACTED]

(b)(6), (7)(C) We will hold off on [REDACTED] for now and contact you later about potential interview dates in September.

(b)(6), (7)(C) We will find a mutually convenient time during the week of August 5 to interview [REDACTED].

(b)(6), (7)(C) As [REDACTED] previously told you, DOJ/ FBI is authorized to review 6103 material that relates to the subject of the May 14, 2013, Treasury Inspector General Audit Report, Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review. [REDACTED], cc'd on this email, is with TIGTA and will send you an email confirming that we have authority to receive this information.

I look forward to meeting you next week.

(b)(6), (7)(C)

Civil Rights Division

Criminal Section

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
To: [REDACTED] TIGTA
(b)(6), (7)(C) Cc: [REDACTED] <[REDACTED]@crt.usdoj.gov>;
[REDACTED] </o=crm/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Mon Jul 29 2013 07:26:24 EDT
Attachments: image001.jpg

(b)(6), (7)(C) Dear [REDACTED]; Thanks you for your response. We will talk further with our client and I expect the interview will proceed as scheduled.

Thanks, [REDACTED]
[REDACTED]

(b)(6), (7)(C)

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From: [REDACTED] TIGTA [mailto:[REDACTED]@tigta.treas.gov]
Sent: Sunday, July 28, 2013 8:58 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) This is a confirmation e-mail as requested by [REDACTED]. As [REDACTED] stated below, any documents provided by your client will be provided to a TIGTA agent who will be present and participating in the meeting. There are no 26 USC 6103 issues. If you have any other questions feel free to contact me on my cell phone.

Thanks

(b)(6), (7)(C)

[REDACTED]
Baltimore Field Office
Washington Field Division

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]]
Sent: Sunday, July 28, 2013 6:11 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C) Further to our emails below, I write to assure you that the Department of Justice and FBI are authorized to receive and review material protected by 26 U.S.C. 6103 relating to the subject of the May 14, 2013, Treasury Inspector General Audit Report (titled "Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review"). This authority is by virtue of our participation with TIGTA in a joint investigation of this matter. I have cc'd TIGTA [REDACTED] of the Washington Field Division, who will send a confirmation email to this end. Moreover, a TIGTA special agent will be present at the interview to provide your client the same assurance; and, to the extent you possess any documents you are able to share with us in advance of or during the interview, TIGTA will take possession of the documents and then provide them to DOJ and FBI. In essence, both by way of the discussion of any return information during the interview or through any documents your client provides, TIGTA will actually be making the disclosure to DOJ and FBI.

If you have additional questions or simply want to discuss the mechanics of this more, please let me know. I am also happy to discuss with you what I suspect the source of the comment that "the IRS has provided no guidance" is – which is essentially the mechanical differences between the congressional and criminal investigations. I am unavailable tomorrow (Monday, 7/29/13), but am generally available to speak (and will plan to give you a call in any event) the remaining days of the week.

(b)(6), (7)(C)

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]

Cell: [REDACTED]

From: [REDACTED]

Sent: Saturday, July 27, 2013 9:47 AM

(b)(6), (7)(C) To: [REDACTED]

Cc: [REDACTED]

Subject: Re: [REDACTED]

Let's discuss next week when I return to DC. I appreciate your and your client's concerns and we will absolutely address them. 6103 is not an impediment; I can provide some insight into this and will also make sure you have sufficient assurances.

From: [REDACTED]

Sent: Saturday, July 27, 2013 09:21 AM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]

Cc: [REDACTED]

Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED]

As you know we have advised our client to submit to a voluntary interview with you, the FBI and TIGTA. The union has advised against same and made a curious statement in responding to us:

"A significant concern we have is disclosure. Although the FBI may say they have full disclosure rights, the IRS has provided no guidance. If this becomes an issue, the FBI will not be character witness in any admin matter."

I am not sure exactly what this means and I do not profess to any special expertise in understanding 26 U.S.C. 6103 and/or all other privacy statutes and regulations that [REDACTED] may be subject to as an IRS employee. I do not want [REDACTED] co-operation to be the basis for any employment action against [REDACTED] either. Any suggestion on how best to address this concern so that we adequately protect our client's employment?

My schedule is fairly light next week and I will be available to discuss this with you. Have a good weekend!

Thanks, [REDACTED]

(b)(6), (7)(C)

"It is amazing what you can accomplish if you do not care who gets the credit." President Harry S. Truman

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From: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
(b)(6), (7)(C) Cc: [REDACTED]@tigta.treas.gov
<[REDACTED]@tigta.treas.gov>; [REDACTED]
</o=crm/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>; [REDACTED]
Bcc: [REDACTED]
Subject: RE: IRS interviews/ 6103
Date: Tue Jul 30 2013 18:18:23 EDT
Attachments:

Excellent. Thanks so much! We will see you tomorrow.

From: [REDACTED]
Sent: Tuesday, July 30, 2013 6:17 PM
(b)(6), (7)(C) To: [REDACTED] (CRT)
Cc: [REDACTED]@tigta.treas.gov; [REDACTED] (CRM); [REDACTED]
Subject: RE: IRS interviews/ 6103

(b)(6), (7)(C) Hi [REDACTED]

(b)(6), (7)(C) I've confirmed with [REDACTED] and [REDACTED] that they are available for interviews next Tuesday in Covington, Ky. We can talk more tomorrow about the logistics.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, July 26, 2013 5:42 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]@tigta.treas.gov; [REDACTED] (CRM); [REDACTED]
Subject: RE: IRS interviews/ 6103

Thanks!

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, July 26, 2013 5:42 PM

(b)(6), (7)(C) To: [REDACTED] (CRT)
Cc: [REDACTED]@tigta.treas.gov; [REDACTED] (CRM); [REDACTED]
Subject: RE: IRS interviews/ 6103

Hi all,

(b)(6), (7)(C) Please find attached executed Garrity waivers for [REDACTED] and [REDACTED].

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]
Sent: Thursday, July 25, 2013 11:37 AM

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]@tigta.treas.gov; [REDACTED] (CRM); [REDACTED]
Subject: RE: IRS interviews/ 6103

(b)(6), (7)(C) Thanks for the info, [REDACTED] I'll let the team know, and we can touch base again next week before or after the interviews. We may be able to reserve a date then. We appreciate your letting us know about potential scheduling conflicts in advance.

(b)(6), (7)(C) [REDACTED]
[REDACTED]

Civil Rights Division

Criminal Section

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Thursday, July 25, 2013 11:34 AM

(b)(6), (7)(C) To: [REDACTED] (CRT)
Cc: [REDACTED]@tigta.treas.gov; [REDACTED] (CRM); [REDACTED]
Subject: RE: IRS interviews/ 6103

(b)(6), (7)(C) Hi [REDACTED]

To follow up on our conversation from yesterday—[REDACTED] actually has limited time in September due to travel plans. [REDACTED] should be available to be interviewed on September 10 or 11, so please make a note on your calendar for those dates, if possible.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]

Sent: Wednesday, July 24, 2013 3:41 PM

(b)(6), (7)(C) To: [REDACTED]

Cc: [REDACTED]@tigta.treas.gov; [REDACTED] (CRM)

Subject: IRS interviews/ 6103

(b)(6), (7)(C) [REDACTED]

I am writing to confirm our interview schedule and to provide assurance about the 6103 issue we discussed today.

Interviews will be held next week at your office on the following schedule (the times you proposed).

Monday, July 29

1:00 [REDACTED]

(b)(6), (7)(C)

4:00 [REDACTED]

Wednesday, July 31

(b)(6), (7)(C) 2:00 [REDACTED]

(b)(6), (7)(C) We will hold off on [REDACTED] for now and contact you later about potential interview dates in September.

(b)(6), (7)(C) We will find a mutually convenient time during the week of August 5 to interview [REDACTED]
[REDACTED]

(b)(6), (7)(C) As [REDACTED] previously told you, DOJ/ FBI is authorized to review 6103 material that relates to the subject of the May 14, 2013, Treasury Inspector General Audit Report, Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review. [REDACTED], cc'd on this email, is with TIGTA and will send you an email confirming that we have authority to receive this information.

I look forward to meeting you next week.

(b)(6), (7)(C)

[REDACTED]
[REDACTED]
Civil Rights Division

Criminal Section

(b)(6), (7)(C)

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CONSENT AND WAIVER FORM

(b)(6), (7)(C)

I, [REDACTED] am an employee of the IRS. I understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax-exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to IRS personnel, TIGTA auditors, and Congress, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Moreover, I waive any claims I may otherwise have under *Garrity* regarding my prior statements, including any argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my prior statements being furnished to special agents of the FBI and TIGTA, as well as attorneys from the Department of Justice, to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

(b)(6), (7)(C)

[REDACTED]
Printed Name

[REDACTED]
Attorney Name

[REDACTED]
Signature

[REDACTED]
Attorney Signature

7-26-13
Date

7-26-13
Date

07/25/2013 15:20 5132410584

FEDEX OFFICE 0125

PAGE 02/02

CONSENT AND WAIVER FORM

(b)(6), (7)(C)

I, [REDACTED] am an employee of the IRS. I understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax-exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to IRS personnel, TIGTA auditors, and Congress, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Moreover, I waive any claims I may otherwise have under *Garrity* regarding my prior statements, including any argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my prior statements being furnished to special agents of the FBI and TIGTA, as well as attorneys from the Department of Justice, to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

(b)(6), (7)(C)

[REDACTED]
Printed Name[REDACTED]
Attorney Name[REDACTED]
Signature[REDACTED]
Attorney Signature7/25/13
Date7/26/13
Date

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
Bcc:
Subject: Re: Documents
Date: Wed Jul 31 2013 20:43:09 EDT
Attachments:

Address for next week:

[REDACTED]

(b)(6), (7)(C)

My cell is [REDACTED] in case of problems.

From: [REDACTED]
Sent: Wednesday, July 31, 2013 08:30 PM Eastern Standard Time
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT) <[REDACTED]@crt.usdoj.gov>; [REDACTED] TIGTA <[REDACTED]@tigta.treas.gov>
Subject: Documents

(b)(6), (7)(C)

On Monday you gave us a document bates stamped [REDACTED] 0009 that contains 6103 redactions. It is an email from [REDACTED] to [REDACTED] dated 7/27/2010. I would like to obtain the unredacted version. Do you have it? If so, are you in a position to produce it? I have cc'd [REDACTED] from TIGTA, who by way of a separate email will authorize disclosure (and in fact the disclosure should cc [REDACTED] In the event that you do not possess the unredacted document, are you able to let us know who the two organizations listed in the email are?

(b)(6), (7)(C)

Thank you,

(b)(6), (7)(C)

(b)(6), (7)(C)

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlf)/cn=recipients/cn=[REDACTED]
[REDACTED]>
To: [REDACTED]
(b)(6), (7)(C) [REDACTED] TIGTA
<[REDACTED]@tigta.treas.gov>
Cc: [REDACTED]@usdoj.gov
<[REDACTED]@crt.usdoj.gov>; [REDACTED]
[REDACTED]
Bcc:
Subject: RE: Documents
Date: Thu Aug 01 2013 16:53:27 EDT
Attachments:

Thank you.

From: [REDACTED]
(b)(6), (7)(C) Sent: Thursday, August 01, 2013 4:44 PM
To: [REDACTED] TIGTA; [REDACTED]
Cc: [REDACTED]@usdoj.gov; [REDACTED]
Subject: RE: Documents

Hi all,

(b)(6), (7)(C) Please find attached unredacted versions of the documents that we gave to you from [REDACTED], as
well as unredacted versions of the documents that [REDACTED] has produced to the House Oversight
Committee. [REDACTED]—are you available tomorrow morning to talk? I can talk to you about [REDACTED]
's involvement in the same manner that we have for other witnesses.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] TIGTA [mailto:[REDACTED]@tigta.treas.gov]
(b)(6), (7)(C) Sent: Thursday, August 01, 2013 7:40 AM
To: [REDACTED]@usdoj.gov; [REDACTED]
Cc: [REDACTED]@usdoj.gov
Subject: Re: Documents

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) In reference to [REDACTED] email below, you are authorized to provide us any documents containing 6103
related information. Please send any electronic documents directly to this email, or cc me on any

(b)(6), (7)(C) documents you send [REDACTED] If there are paper documents you wish to provide us, please let me know a convenient time, and I will send someone to your office to collect them. I greatly appreciate your help and assistance in this matter

Thank You,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Wednesday, July 31, 2013 08:30 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]

Cc: [REDACTED] (CRT) <[REDACTED]@usdoj.gov>; [REDACTED] TIGTA

Subject: Documents

(b)(6), (7)(C) [REDACTED]

On Monday you gave us a document bates stamped [REDACTED] 0009 that contains 6103 redactions. It is an email from [REDACTED] to [REDACTED] dated 7/27/2010. I would like to obtain the unredacted version. Do you have it? If so, are you in a position to produce it? I have cc'd [REDACTED] from TIGTA, who by way of a separate email will authorize disclosure (and in fact the disclosure should cc [REDACTED] In the event that you do not possess the unredacted document, are you able to let us know who the two organizations listed in the email are?

(b)(6), (7)(C)

Thank you,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]

(b)(6), (7)(C) Cell: [REDACTED]

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For more information please visit <http://www.symanteccloud.com>

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]>
To: [REDACTED] (CRT)
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>; [REDACTED]
Cc: [REDACTED]
Bcc: [REDACTED]
Subject: RE: Documents
Date: Thu Aug 01 2013 18:13:38 EDT
Attachments:

(b)(6), (7)(C) I'm available. [REDACTED]

(b)(6), (7)(C) From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]
Sent: Thursday, August 01, 2013 6:11 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Documents

(b)(6), (7)(C) I am likely not in at that time, but please just talk to [REDACTED] He can brief me.

(b)(6), (7)(C) From: [REDACTED]
Sent: Thursday, August 01, 2013 4:59 PM
To: [REDACTED] (CRM)
Cc: [REDACTED] (CRT); [REDACTED]
Subject: RE: Documents

I'll call you at 10:30 if that works for you.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Thursday, August 01, 2013 4:58 PM
To: [REDACTED]
Cc: [REDACTED]@usdoj.gov; [REDACTED]
Subject: RE: Documents

(b)(6), (7)(C) Sorry [REDACTED] I missed the part below about talking. Yes – what time? After 10 is best.

(b)(6), (7)(C) From: [REDACTED]

Sent: Thursday, August 01, 2013 4:44 PM

(b)(6), (7)(C) To: [REDACTED] TIGTA; [REDACTED]
Cc: [REDACTED]@usdoj.gov; [REDACTED]
Subject: RE: Documents

Hi all,

(b)(6), (7)(C) Please find attached unredacted versions of the documents that we gave to you from [REDACTED], as well as unredacted versions of the documents that [REDACTED] has produced to the House Oversight Committee. [REDACTED]—are you available tomorrow morning to talk? I can talk to you about [REDACTED]'s involvement in the same manner that we have for other witnesses.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] TIGTA [mailto:[REDACTED]@tigta.treas.gov]

Sent: Thursday, August 01, 2013 7:40 AM

(b)(6), (7)(C) To: [REDACTED]@usdoj.gov; [REDACTED]
Cc: [REDACTED]@usdoj.gov
Subject: Re: Documents

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) In reference to [REDACTED] email below, you are authorized to provide us any documents containing 6103 related information. Please send any electronic documents directly to this email, or cc me on any documents you send [REDACTED]. If there are paper documents you wish to provide us, please let me know a convenient time, and I will send someone to your office to collect them. I greatly appreciate your help and assistance in this matter

Thank You,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Wednesday, July 31, 2013 08:30 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT) <[REDACTED]@usdoj.gov>; [REDACTED] TIGTA
Subject: Documents

(b)(6), (7)(C) [REDACTED] -

(b)(6), (7)(C) On Monday you gave us a document bates stamped [REDACTED] 0009 that contains 6103 redactions. It is an email from [REDACTED] to [REDACTED] dated 7/27/2010. I would like to obtain the unredacted version. Do you have it? If so, are you in a position to produce it? I have cc'd [REDACTED] from TIGTA, who by way of a separate email will authorize disclosure (and in fact the disclosure should cc [REDACTED]. In the event that you do not possess the unredacted document, are you able to let us know who the two organizations listed in the email are?

Thank you,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

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For more information please visit <http://www.symanteccloud.com>

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Fri Aug 02 2013 11:04:20 EDT
Attachments: image001.jpg

2:00 would be great. Thank you.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 02, 2013 11:01 AM
To: [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED] I will check and see if [REDACTED] are available this afternoon after 2:00. [REDACTED]
[REDACTED] have dealt with [REDACTED] at the IRS in getting the previous authorizations. His contact info is
[REDACTED]@irs.counsel.treas.gov.

Thanks, [REDACTED]
[REDACTED]
(b)(6), (7)(C) [REDACTED]

"It is amazing what you can accomplish if you do not care who gets the credit." President Harry S. Truman

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From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, August 02, 2013 10:28 AM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: RE: [REDACTED]

(b)(6), (7)(C) [REDACTED] – I want to make sure I understand your partner's concern. Can we slate a call for this afternoon?
Also, is there a particular IRS counsel you are dealing with?

Thanks,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Friday, August 02, 2013 9:47 AM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED] My partner, [REDACTED] is an employment lawyer and is [REDACTED] sounding board and mentor. [REDACTED] opinion, based on the prior authorizations and [REDACTED] research is that the language in Delegation Order 11-2 is sufficiently broad enough to suggest that [REDACTED] needs an authorization before meeting with you next week. In the absence of an authorization from the IRS Chief Counsel's Office or if the indication is that one will not be forthcoming, [REDACTED] recommendation is to advise [REDACTED] against giving a voluntary statement. [REDACTED] feels uncomfortable suggesting that [REDACTED] go forward since it appears that DOJ and Chief Counsel's Office are not cooperating. The past authorization letters given to [REDACTED] referenced DO 11-2 and 26 CFR 301.9000-1. The reg (below) - particularly the highlighted portions - looks like the issue isn't so much the definition of "testimony" but rather [REDACTED] authorization to disclose IRS "records or information" (again, exceeding that granted under 6103, pertaining solely to individual tax-payer matters).

§ 301.9000-1

Definitions when used in §§ 301.9000-1 through 301.9000-6.

(a) IRS records or information means any material (including copies thereof) contained in the files (including paper, electronic or other media files) of the Internal Revenue Service (IRS), any information relating to material contained in the files of the IRS, or any information acquired by an IRS officer or employee, while an IRS officer or employee, as a part of the performance of official duties or because

of that IRS officer's or employee's official status with respect to the administration of the internal revenue laws or any other laws administered by or concerning the IRS. IRS records or information includes, but is not limited to, returns and return information as those terms are defined in section 6103 (b)(1) and (2) of the Internal Revenue Code (Code), tax convention information as defined in section 6105 of the Code, information gathered during Bank Secrecy Act and money laundering investigations, and personnel records and other information pertaining to IRS officers and employees. IRS records and information also includes information received, generated or collected by an IRS contractor pursuant to the contractor's contract or agreement with the IRS. The term does not include records or information obtained by IRS officers and employees, solely for the purpose of a federal grand jury investigation, while under the direction and control of the United States Attorney's Office. The term IRS records or information nevertheless does include records or information obtained by the IRS before, during, or after a Federal grand jury investigation if the records or information are obtained—

(1) At the administrative stage of a criminal investigation (prior to the initiation of the grand jury);

(2) From IRS files (such as transcripts or tax returns); or

(3) For use in a subsequent civil investigation.

(b) IRS officers and employees means all officers and employees of the United States appointed by, employed by, or subject to the directions, instructions, or orders of the Commissioner or IRS Chief Counsel and also includes former officers and employees.

(c) IRS contractor means any person, including the person's current and former employees, maintaining IRS records or information pursuant to a contract or agreement with the IRS, and also includes former contractors.

(d) A request is any request for testimony of an IRS officer, employee or contractor or for production of IRS records or information, oral or written, by any person, which is not a demand.

(e) A demand is any subpoena or other order of any court, administrative agency or other authority, or the Congress, or a committee or subcommittee of the Congress, and any notice of deposition (either upon oral examination or written questions), request for admissions, request for production of documents or things, written interrogatories to parties, or other notice of, request for, or service for discovery in a matter before any court, administrative agency or other authority.

(f) An IRS matter is any matter before any court, administrative agency or other authority in which the United States, the Commissioner, the IRS, or any IRS officer or employee acting in an official capacity, or any IRS officer or employee (including an officer or employee of IRS Office of Chief Counsel) in his or her individual capacity if the United States Department of Justice or the IRS has agreed to represent or provide representation to the IRS officer or employee, is a party and that is directly related to official business of the IRS or to any law administered by or concerning the IRS, including, but not limited to, judicial and administrative proceedings described in section 6103(h)(4) and (l)(4) of the Internal Revenue Code.

(g) An IRS congressional matter is any matter before the Congress, or a committee or subcommittee of the Congress, that is related to the administration of the internal revenue laws or any other laws administered by or concerning the IRS, or to IRS records or information.

(h) A non-IRS matter is any matter that is not an IRS matter or an IRS congressional matter.

(i) A testimony authorization is a written instruction or oral instruction memorialized in writing within a reasonable period by an authorizing official that sets forth the scope of and limitations on proposed testimony and/or disclosure of IRS records or information issued in response to a request or demand for IRS records or information. A testimony authorization may grant or deny authorization to testify or disclose IRS records or information and may make an authorization effective only upon the occurrence

of a precedent condition, such as the receipt of a consent complying with the provisions of section 6103 (c) of the Internal Revenue Code. To authorize testimony means to issue the instruction described in this paragraph (i).

(j) An authorizing official is a person with delegated authority to authorize testimony and the disclosure of IRS records or information.

(b)(6), (7)(C) As I indicated originally, I don't profess to fully understand the IRS's internal procedures, but our concern is to protect [REDACTED] job and not create an employment issue for [REDACTED] because [REDACTED] answered questions regarding an on-going, potential criminal investigation. Can you get TIGTA to get an appropriate authorization letter from someone in [REDACTED] direct line of supervision that will allay these concerns beyond the E-mail that has been submitted. In the absence of same, next week's scheduled interview may not go forward.

Thanks, [REDACTED]

(b)(6), (7)(C) [REDACTED]

"It is amazing what you can accomplish if you do not care who gets the credit." President Harry S. Truman

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(b)(6), (7)(C) From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
>; [REDACTED] TIGTA
<[REDACTED]@tigta.treas.gov>
Cc:
Bcc:
Subject: RE: Documents
Date: Fri Aug 02 2013 11:17:20 EDT
Attachments: 6-6-11 CT Email.pdf

(b)(6), (7)(C) Hi [REDACTED]

(b)(6), (7)(C) Attached is the email that I discussed with [REDACTED] this morning.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, August 02, 2013 11:16 AM
To: [REDACTED] TIGTA
Subject: RE: Documents

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) Per [REDACTED] email below, please go ahead and forward the email we just discussed; there is no 6103 impediment per below.

Thank you,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Thursday, August 01, 2013 4:44 PM
To: [REDACTED] TIGTA; [REDACTED]
Cc: [REDACTED]@usdoj.gov; [REDACTED]
Subject: RE: Documents

Hi all,

(b)(6), (7)(C) Please find attached unredacted versions of the documents that we gave to you from [REDACTED], as well as unredacted versions of the documents that [REDACTED] has produced to the House Oversight Committee. [REDACTED]—are you available tomorrow morning to talk? I can talk to you about [REDACTED]'s involvement in the same manner that we have for other witnesses.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] TIGTA [mailto:[REDACTED]@tigta.treas.gov]
Sent: Thursday, August 01, 2013 7:40 AM
(b)(6), (7)(C) To: '[REDACTED]@usdoj.gov'; [REDACTED]
Cc: [REDACTED]@usdoj.gov
Subject: Re: Documents

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) In reference to [REDACTED] email below, you are authorized to provide us any documents containing 6103 related information. Please send any electronic documents directly to this email, or cc me on any documents you send [REDACTED]. If there are paper documents you wish to provide us, please let me know a convenient time, and I will send someone to your office to collect them. I greatly appreciate your help and assistance in this matter.

Thank You,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Wednesday, July 31, 2013 08:30 PM Eastern Standard Time
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT) <[REDACTED]@usdoj.gov>; [REDACTED] TIGTA
Subject: Documents

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) On Monday you gave us a document bates stamped [REDACTED] 0009 that contains 6103 redactions. It is an email from [REDACTED] to [REDACTED] dated 7/27/2010. I would like to obtain the unredacted version. Do you have it? If so, are you in a position to produce it? I have cc'd [REDACTED] from TIGTA, who by way of a separate email will authorize disclosure (and in fact the disclosure should cc him). In the event that you

do not possess the unredacted document, are you able to let us know who the two organizations listed in the email are?

Thank you,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

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For more information please visit <http://www.symanteccloud.com>

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdl)/cn=recipients/cn [REDACTED]
[REDACTED]>
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA
[REDACTED]@tigta.treas.gov>; [REDACTED]
[REDACTED]
Bcc:
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Fri Aug 02 2013 11:45:12 EDT
Attachments: image001.jpg

Great – thank you. I will call you at 2pm.

From: [REDACTED]
Sent: Friday, August 02, 2013 11:32 AM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) [REDACTED] I will keep it on my calendar. Also, [REDACTED] and I are clear at 2:00. We are waiting on verification from [REDACTED]. If [REDACTED] is not available, [REDACTED] and I will go ahead. [REDACTED] has been more involved than me on these authorization issues and letters and can best articulate the issue.

Thanks, [REDACTED]

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, August 02, 2013 9:49 AM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: RE: [REDACTED]

We'll look into this and get back to you. In the meantime, let's please hold the meeting while we work to resolve this.

From: [REDACTED]
Sent: Friday, August 02, 2013 9:47 AM
To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C)

Dear [REDACTED], My partner, [REDACTED] is an employment lawyer and is [REDACTED] sounding board and mentor. [REDACTED] opinion, based on the prior authorizations and [REDACTED] research is that the language in Delegation Order 11-2 is sufficiently broad enough to suggest that [REDACTED] needs an authorization before meeting with you next week. In the absence of an authorization from the IRS Chief Counsel's Office or if the indication is that one will not be forthcoming, [REDACTED] recommendation is to advise [REDACTED] against giving a voluntary statement. [REDACTED] feels uncomfortable suggesting that [REDACTED] go forward since it appears that DOJ and Chief Counsel's Office are not cooperating. The past authorization letters given to [REDACTED] referenced DO 11-2 and 26 CFR 301.9000-1. The reg (below) - particularly the highlighted portions - looks like the issue isn't so much the definition of "testimony" but rather [REDACTED] authorization to disclose IRS "records or information" (again, exceeding that granted under 6103, pertaining solely to individual tax-payer matters).

§ 301.9000-1

Definitions when used in §§ 301.9000-1 through 301.9000-6.

(a) IRS records or information means any material (including copies thereof) contained in the files (including paper, electronic or other media files) of the Internal Revenue Service (IRS), any information relating to material contained in the files of the IRS, or any information acquired by an IRS officer or employee, while an IRS officer or employee, as a part of the performance of official duties or because of that IRS officer's or employee's official status with respect to the administration of the internal revenue laws or any other laws administered by or concerning the IRS. IRS records or information includes, but is not limited to, returns and return information as those terms are defined in section 6103(b)(1) and (2) of the Internal Revenue Code (Code), tax convention information as defined in section 6105 of the Code, information gathered during Bank Secrecy Act and money laundering investigations, and personnel records and other information pertaining to IRS officers and employees. IRS records and information also includes information received, generated or collected by an IRS contractor pursuant to the contractor's contract or agreement with the IRS. The term does not include records or information obtained by IRS officers and employees, solely for the purpose of a federal grand jury investigation, while under the direction and control of the United States Attorney's Office. The term IRS records or information nevertheless does include records or information obtained by the IRS before, during, or after a Federal grand jury investigation if the records or information are obtained—

- (1) At the administrative stage of a criminal investigation (prior to the initiation of the grand jury);
- (2) From IRS files (such as transcripts or tax returns); or
- (3) For use in a subsequent civil investigation.

(b) IRS officers and employees means all officers and employees of the United States appointed by, employed by, or subject to the directions, instructions, or orders of the Commissioner or IRS Chief Counsel and also includes former officers and employees.

(c) IRS contractor means any person, including the person's current and former employees, maintaining IRS records or information pursuant to a contract or agreement with the IRS, and also includes former contractors.

(d) A request is any request for testimony of an IRS officer, employee or contractor or for production of IRS records or information, oral or written, by any person, which is not a demand.

(e) A demand is any subpoena or other order of any court, administrative agency or other authority, or the Congress, or a committee or subcommittee of the Congress, and any notice of deposition (either upon oral examination or written questions), request for admissions, request for production of documents or things, written interrogatories to parties, or other notice of, request for, or service for discovery in a matter before any court, administrative agency or other authority.

(f) An IRS matter is any matter before any court, administrative agency or other authority in which the United States, the Commissioner, the IRS, or any IRS officer or employee acting in an official capacity, or any IRS officer or employee (including an officer or employee of IRS Office of Chief Counsel) in his or her individual capacity if the United States Department of Justice or the IRS has agreed to represent or provide representation to the IRS officer or employee, is a party and that is directly related to official business of the IRS or to any law administered by or concerning the IRS, including, but not limited to, judicial and administrative proceedings described in section 6103(h)(4) and (l)(4) of the Internal Revenue Code.

(g) An IRS congressional matter is any matter before the Congress, or a committee or subcommittee of the Congress, that is related to the administration of the internal revenue laws or any other laws administered by or concerning the IRS, or to IRS records or information.

(h) A non-IRS matter is any matter that is not an IRS matter or an IRS congressional matter.

(i) A testimony authorization is a written instruction or oral instruction memorialized in writing within a reasonable period by an authorizing official that sets forth the scope of and limitations on proposed testimony and/or disclosure of IRS records or information issued in response to a request or demand for IRS records or information. A testimony authorization may grant or deny authorization to testify or disclose IRS records or information and may make an authorization effective only upon the occurrence of a precedent condition, such as the receipt of a consent complying with the provisions of section 6103 (c) of the Internal Revenue Code. To authorize testimony means to issue the instruction described in this paragraph (i).

(j) An authorizing official is a person with delegated authority to authorize testimony and the disclosure of IRS records or information.

(b)(6), (7)(C)

As I indicated originally, I don't profess to fully understand the IRS's internal procedures, but our concern is to protect [REDACTED] job and not create an employment issue for [REDACTED] because [REDACTED] answered questions regarding an on-going, potential criminal investigation. Can you get TIGTA to get an appropriate authorization letter from someone in [REDACTED] direct line of supervision that will allay these concerns beyond the E-mail that has been submitted. In the absence of same, next week's scheduled interview may not go forward.

Thanks, [REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

"It is amazing what you can accomplish if you do not care who gets the credit." President Harry S. Truman

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From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn [REDACTED]>

(b)(6), (7)(C) To: [REDACTED]
[REDACTED]

Cc:

Bcc:

(b)(6), (7)(C) Subject: Re: [REDACTED]
Date: Fri Aug 02 2013 12:16:08 EDT
Attachments: image001.jpg

(b)(6), (7)(C) Thank you, [REDACTED]

From: [REDACTED] [mailto:[REDACTED]]
Sent: Friday, August 02, 2013 12:15 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA <[REDACTED]@tigta.treas.gov>; [REDACTED]
[REDACTED] (CRT) [REDACTED]@crt.usdoj.gov>
Subject: RE: [REDACTED]

(b)(6), (7)(C) We'll make it work. [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, August 02, 2013 12:09 PM

(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED] (CRT)
Subject: RE: [REDACTED]

(b)(6), (7)(C) To make life easier, let's use the PIN teleconference line for the call. Dial in information is below. Let's
please plan on 2:15 if that works for [REDACTED] et al. If you need to do 2:00 though, we can be available
then – 2:15 just gives a little more breathing room for another meeting, if you can accommodate us.

Thank you!

Toll Free Dialing;

(b)(6), (7)(C) [REDACTED]

Participants Passcode:

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 02, 2013 11:46 AM
To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) [REDACTED] – I'm sorry. Can we push this to 2:15, please?

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 02, 2013 11:32 AM
To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: RE: [REDACTED]

(b)(6), (7)(C) [REDACTED] I will keep it on my calendar. Also, [REDACTED] and I are clear at 2:00. We are waiting on verification from [REDACTED]. If [REDACTED] is not available, [REDACTED] and I will go ahead. [REDACTED] has been more involved than me on these authorization issues and letters and can best articulate the issue.

Thanks, [REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, August 02, 2013 9:49 AM
To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: RE: [REDACTED]

We'll look into this and get back to you. In the meantime, let's please hold the meeting while we work to resolve this.

From: [REDACTED]
Sent: Friday, August 02, 2013 9:47 AM
To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C)

Dear [REDACTED] My partner, [REDACTED] is an employment lawyer and is [REDACTED] sounding board and mentor. [REDACTED] opinion, based on the prior authorizations and [REDACTED] research is that the language in Delegation Order 11-2 is sufficiently broad enough to suggest that [REDACTED] needs an authorization before meeting with you next week. In the absence of an authorization from the IRS Chief Counsel's Office or if the indication is that one will not be forthcoming, [REDACTED] recommendation is to advise [REDACTED] against giving a voluntary statement. [REDACTED] feels uncomfortable suggesting that [REDACTED] go forward since it appears that DOJ and Chief Counsel's Office are not cooperating. The past authorization letters given to [REDACTED] referenced DO 11-2 and 26 CFR 301.9000-1. The reg (below) - particularly the highlighted portions - looks like the issue isn't so much the definition of "testimony" but rather [REDACTED] authorization to disclose IRS "records or information" (again, exceeding that granted under 6103, pertaining solely to individual tax-payer matters).

§ 301.9000-1

Definitions when used in §§ 301.9000-1 through 301.9000-6.

(a) IRS records or information means any material (including copies thereof) contained in the files (including paper, electronic or other media files) of the Internal Revenue Service (IRS), any information relating to material contained in the files of the IRS, or any information acquired by an IRS officer or employee, while an IRS officer or employee, as a part of the performance of official duties or because of that IRS officer's or employee's official status with respect to the administration of the internal revenue laws or any other laws administered by or concerning the IRS. IRS records or information includes, but is not limited to, returns and return information as those terms are defined in section 6103(b)(1) and (2) of the Internal Revenue Code (Code), tax convention information as defined in section 6105 of the Code, information gathered during Bank Secrecy Act and money laundering investigations, and personnel records and other information pertaining to IRS officers and employees. IRS records and information also includes information received, generated or collected by an IRS contractor pursuant to the contractor's contract or agreement with the IRS. The term does not include records or information obtained by IRS officers and employees, solely for the purpose of a federal grand jury investigation, while under the direction and control of the United States Attorney's Office. The term IRS records or information nevertheless does include records or information obtained by the IRS before, during, or after a Federal grand jury investigation if the records or information are obtained—

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(c) IRS contractor means any person, including the person's current and former employees, maintaining IRS records or information pursuant to a contract or agreement with the IRS, and also includes former contractors.

(d) A request is any request for testimony of an IRS officer, employee or contractor or for production of IRS records or information, oral or written, by any person, which is not a demand.

(e) A demand is any subpoena or other order of any court, administrative agency or other authority, or the Congress, or a committee or subcommittee of the Congress, and any notice of deposition (either upon oral examination or written questions), request for admissions, request for production of documents or things, written interrogatories to parties, or other notice of, request for, or service for discovery in a matter before any court, administrative agency or other authority.

(f) An IRS matter is any matter before any court, administrative agency or other authority in which the United States, the Commissioner, the IRS, or any IRS officer or employee acting in an official capacity, or any IRS officer or employee (including an officer or employee of IRS Office of Chief Counsel) in his or her individual capacity if the United States Department of Justice or the IRS has agreed to represent or provide representation to the IRS officer or employee, is a party and that is directly related to official business of the IRS or to any law administered by or concerning the IRS, including, but not limited to, judicial and administrative proceedings described in section 6103(h)(4) and (l)(4) of the Internal Revenue Code.

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(j) An authorizing official is a person with delegated authority to authorize testimony and the disclosure of IRS records or information.

(b)(6), (7)(C) As I indicated originally, I don't profess to fully understand the IRS's internal procedures, but our concern is to protect [REDACTED] job and not create an employment issue for [REDACTED] because [REDACTED] answered questions regarding an on-going, potential criminal investigation. Can you get TIGTA to get an appropriate authorization letter from someone in [REDACTED] direct line of supervision that will allay these concerns beyond the E-mail that has been submitted. In the absence of same, next week's scheduled interview may not go forward.

Thanks, [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C)



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From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]>
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]
[REDACTED] (CRT)
<[REDACTED]@crt.usdoj.gov>
Bcc:
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Fri Aug 02 2013 14:50:14 EDT
Attachments: image001.jpg

That is correct. Thank you.

From: [REDACTED]
Sent: Friday, August 02, 2013 2:49 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED]; [REDACTED] (CRT)
Subject: Re: [REDACTED]

(b)(6), (7)(C) Just to follow up on the plan, our understanding is that [REDACTED] is going to talk to Special Agent [REDACTED] and have [REDACTED] confirm with [REDACTED] that he agrees with the position stated by [REDACTED] this afternoon. [REDACTED] is then going to also memorialize that position in a letter and send it to us. We will then follow up with [REDACTED] confirming this position. We expect to have this resolved by Monday. Thank you again for the call today.

(b)(6), (7)(C) On Fri, Aug 2, 2013 at 2:20 PM, [REDACTED] wrote:

Copy of previous Authorization Letter attached

(b)(6), (7)(C) On Fri, Aug 2, 2013 at 10:28 AM, [REDACTED]@usdoj.gov> wrote:

(b)(6), (7)(C) [REDACTED] – I want to make sure I understand your partner's concern. Can we slate a call for this afternoon? Also, is there a particular IRS counsel you are dealing with?

Thanks,

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Friday, August 02, 2013 9:47 AM

(b)(6), (7)(C)

To: [REDACTED]
Cc: [REDACTED] TIGTA; [REDACTED]
Subject: [REDACTED]

Dear [REDACTED]; My partner, [REDACTED] is an employment lawyer and is [REDACTED] sounding board and mentor. [REDACTED] opinion, based on the prior authorizations and [REDACTED] research is that the language in Delegation Order 11-2 is sufficiently broad enough to suggest that [REDACTED] needs an authorization before meeting with you next week. In the absence of an authorization from the IRS Chief Counsel's Office or if the indication is that one will not be forthcoming, [REDACTED] recommendation is to advise [REDACTED] against giving a voluntary statement. [REDACTED] feels uncomfortable suggesting that [REDACTED] go forward since it appears that DOJ and Chief Counsel's Office are not cooperating. The past authorization letters given to [REDACTED] referenced DO 11-2 and 26 CFR 301.9000-1. The reg (below) - particularly the highlighted portions - looks like the issue isn't so much the definition of "testimony" but rather [REDACTED] authorization to disclose IRS "records or information" (again, exceeding that granted under 6103, pertaining solely to individual tax-payer matters).

(b)(6), (7)(C)

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Thanks, [REDACTED]

(b)(6), (7)(C)

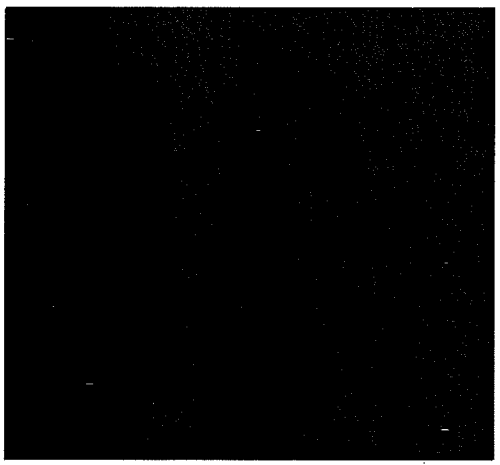
(b)(6), (7)(C)

A rectangular black box redacting a portion of the document.

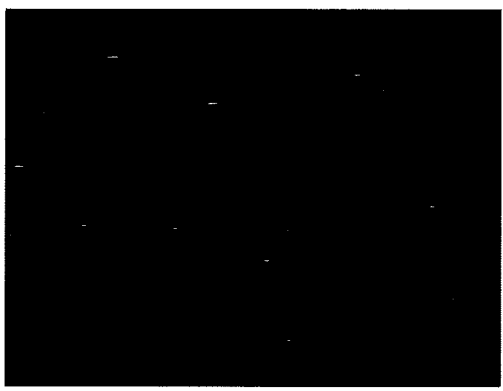
"It is amazing what you can accomplish if you do not care who gets the credit." President Harry S. Truman

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(b)(6), (7)(C)

A large rectangular black box redacting a significant portion of the document.

(b)(6), (7)(C)

A large rectangular black box redacting a significant portion of the document.

(b)(6), (7)(C)



From: [REDACTED]
To: [REDACTED] TIGTA
(b)(6), (7)(C) Cc: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlf)/cn=recipients/cn=[REDACTED]
<[REDACTED]@crt.usdoj.gov>; [REDACTED]
Bcc: [REDACTED]
Subject: RE: draft letter
Date: Fri Aug 02 2013 17:58:42 EDT
Attachments: image001.jpg
image004.jpg

(b)(6), (7)(C) Dear [REDACTED]; Thank you for your letter. We believe it appropriately addresses our concerns. Have a good weekend,

Thanks, [REDACTED]

(b)(6), (7)(C)

"It is amazing what you can accomplish if you do not care who gets the credit." President Harry S. Truman

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(b)(6), (7)(C) From: [REDACTED] TIGTA [mailto:[REDACTED]@tigta.treas.gov]
Sent: Friday, August 02, 2013 4:55 PM
To: [REDACTED]

(b)(6), (7)(C) Cc: [REDACTED]@usdoj.gov; [REDACTED]@usdoj.gov
Subject: FW: draft letter

(b)(6), (7)(C) [REDACTED]

As requested, attached you will find the letter we discussed earlier today. If you have any further questions please feel free to contact me.

Thank you.

(b)(6), (7)(C) [REDACTED]
[REDACTED]

(b)(6), (7)(C) Washington Field Division
[REDACTED]

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn [REDACTED]
>
To: [REDACTED]
[REDACTED]@tigta.treas.gov
[REDACTED]@tigta.treas.gov>
Cc:
Bcc:
(b)(6), (7)(C) Subject: Re: [REDACTED]
Date: Mon Aug 05 2013 12:03:48 EDT
Attachments: image001.jpg

(b)(6), (7)(C) That's right, but given that [REDACTED] is cc'd on the letter, I told [REDACTED] to just give you [REDACTED] phone number in case you have questions. Sorry for the confusion. We'll ask him to call you.

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, August 05, 2013 12:00 PM Eastern Standard Time
To: [REDACTED] TIGTA [REDACTED]@tigta.treas.gov>
Cc: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED] I thought that in addition to the letter forwarded on Friday that [REDACTED], to whom [REDACTED] deferred was going to call me and confirm that the position stated in your letter was correct and that [REDACTED] was authorized to speak on Wednesday? Please see [REDACTED] E-mail to [REDACTED] from Friday at 2:49 P.M. My E-mail as to your letter neglected to raise that part of our conversation. Sorry.

Thanks, [REDACTED]

(b)(6), (7)(C)

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From: [REDACTED] TIGTA
<[REDACTED]@tigta.treas.gov>
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]>
Bcc:
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Mon Aug 05 2013 12:19:34 EDT
Attachments: image001.jpg

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) Is there a number that [REDACTED] can reach you on?

Thanks

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Monday, August 05, 2013 12:00 PM
(b)(6), (7)(C) To: [REDACTED] TIGTA
Cc: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED] I thought that in addition to the letter forwarded on Friday that [REDACTED], to whom [REDACTED] deferred was going to call me and confirm that the position stated in your letter was correct and that Joseph was authorized to speak on Wednesday? Please see [REDACTED] E-mail to [REDACTED] from Friday at 2:49 P.M. My E-mail as to your letter neglected to raise that part of our conversation. Sorry.

Thanks, [REDACTED]

[REDACTED]

(b)(6), (7)(C)

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U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

May 19, 2015

Via Electronic Delivery

Ramona Raula Cotca, Esq.
Kate Bailey
Judicial Watch
425 Third Street, SW, Suite 800
Washington, DC 20024
rcotca@judicialwatch.org

Re: CRM-300444674
PR3:GIS8

Dear Ms. Cotca:

This letter serves as the fourth installment of the Criminal Division's rolling production in Judicial Watch, Inc. v. U.S. Department of Justice, 14-cv-1239, (D.D.C.), pursuant to the Meet and Confer Report filed September 23, 2014. Your request seeks records concerning meetings and/or communications between the Department of Justice Criminal Division Public Integrity Section and the Internal Revenue Service Tax Exempt and Government Entities Division, the White House, Members of Congress and/or congressional staff, and any non-government entity, regarding 501(c)(4) or other tax-exempt organizations.

After carefully reviewing 413 pages of records, this Office has determined that forty pages are appropriate for release with excisions and that 373 pages be withheld in full pursuant to:

5 U.S.C. § 552(b)(5), which concerns certain inter- and intra-agency communications protected by the attorney-work product and deliberative process privileges;

5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties; and

5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

An additional 166 pages of reviewed records originated with the Federal Bureau of Investigation, an additional 150 pages originated with the Internal Revenue Service, and an additional seven pages originated with the Treasury Inspector General for Tax Administration. In accordance with 28 C.F.R. § 16.4(c) (2014), this Office has referred that material to those

agencies for processing and response to you. If you have any questions regarding these referrals, you may contact those agencies at the following:

David M. Hardy, Chief
Record/Information Dissemination Section
Records Management Division
Federal Bureau of Investigation
170 Marcel Drive
Winchester, VA 22602-4843
Tel: (540) 868-4500
Fax: (540) 868-4997
foiparequest@ic.fbi.gov

Amy P. Jones
Office of the Chief Counsel, Disclosure Branch
Treasury Inspector General for Tax Administration
1401 H Street NW, Suite 469
Washington, DC 20005
Tel: (202) 622-4068
Fax: (202) 622-3339
FOIA.Reading.Room@tigta.treas.gov

Rhonda O'Reilly, FOIA Contact
Internal Revenue Service
HQ FOIA Stop 211
P.O. Box 621506
Atlanta, GA 30362-3006
Tel: (860) 756-4673
Fax: (860) 807-9215

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all requesters and should not be taken as an indication that excluded records do, or do not, exist.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to an administrative appeal of this determination. Your appeal must be in writing and addressed to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001. Your appeal must be postmarked or transmitted electronically within sixty days from the date of this

letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Courter", with a stylized flourish at the end.

Kenneth Courter
Chief
FOIA/PA Unit

Enclosures

cc: Bradley Cohen, Esq.
U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Bradley.Cohen@usdoj.gov

Document ID: 0.7.300.19316

(b)(6), (7)(C) From: [REDACTED]
</o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>
To: [REDACTED] (FBI) (b)(6), (7)(C) per FBI
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
Cc:
Bcc:
Subject: Fw: DATA FORMAT ISSUE -- TIME SENSITIVE
Date: Tue Oct 05 2010 20:00:51 EDT
Attachments:

This is incoming data re 501c4 issues. Does FBI have a format preference?

(b)(6), (7)(C) [REDACTED] Election Crimes Branch &
Senior Trial Attorney
Public Integrity Section
Criminal Division
United States Department of Justice
Washington, D.C. 20530

(b)(6), (7)(C) [REDACTED]
202/514-3003 (f)

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(b)(6), (7)(C) From: Lerner Lois G <Lois.G.Lerner@irs.gov>
To: [REDACTED]
Cc: Lerner Lois G <Lois.G.Lerner@irs.gov>; Whitaker Sherry L <Sherry.L.Whitaker@irs.gov>
Sent: Tue Oct 05 17:52:04 2010
Subject: DATA FORMAT ISSUE -- TIME SENSITIVE

In checking with my folks on getting you the disks we spoke about, I was asked the following:

Before we can get started do you know if they would like the images in Alchemy or Raw format?

The difference is, Alchemy you need to search on one of the 5 index fields where Raw format, you load into your on software and you can do what ever you want to with it.

If you're like me, you don't know the answer. But, if you can check and get back to me Wednesday, we can get started and have these in about 2 weeks. If we don't have the information by tomorrow, it will take longer as there are other priorities in line. Please cc Sherry Whitaker on your response as she is likely to see your response before I do. Thanks

Lois G. Lerner
Director, Exempt Organizations

Document ID: 0730019375

From: Whitaker Sherry L
<sherry.l.whitaker@irs.gov>
To: (b)(6), (7)(C) </o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>
Cc: (b)(6), (7)(C) [REDACTED] (FBI) (b)(6), (7)(C) per FBI
</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>; [REDACTED]
</o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>
Bcc:
Subject: RE: Address for 501 data
Date: Thu Oct 07 2010 10:48:54 EDT
Attachments:

Thanks

Sherry L. Whitaker, Manager

SE:T:BSP:SPP

Office Phone - 801-620-5045

Fax - 801-620-5088

Cell - [REDACTED] (b)(6) per IRS

TOD: Monday - Thursday 6:00 am - 4:30 pm (MT)

Sherry.L.Whitaker@irs.gov

Life isn't about waiting for the storm to pass, It's about learning to dance in the rain

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov]
Sent: Thursday, October 07, 2010 8:47 AM
To: Whitaker Sherry L (b)(6), (7)(C) per FBI
(b)(6), (7)(C) Cc: [REDACTED] (FBI); [REDACTED]
Subject: Address for 501 data

Please forward the properly available IRS 501 filing data to -

SSA [REDACTED] (b)(6), (7)(C) per FBI

FBI

935 Pennsylvania Ave NW
Room 3973
Washington, DC 20535

Thanks very much.

From: Lerner Lois G [mailto:Lois.G.Lerner@irs.gov]
Sent: Tuesday, October 05, 2010 5:52 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: Lerner Lois G; Whitaker Sherry L
Subject: DATA FORMAT ISSUE -- TIME SENSITIVE

In checking with my folks on getting you the disks we spoke about, I was asked the following:

Before we can get started do you know if they would like the images in Alchemy or Raw format?

The difference is, Alchemy you need to search on one of the 5 index fields where Raw format, you load into your on software and you can do what ever you want to with it.

If you're like me, you don't know the answer. But, if you can check and get back to me Wednesday, we can get started and have these in about 2 weeks. If we don't have the information by tomorrow, it will take longer as there are other priorities in line. Please cc Sherry Whitaker on your response as she is likely to see your response before I do. Thanks

Lois G. Lerner

Director, Exempt Organizations

Document ID: 0.7.300.19668

From: [REDACTED]

To: [REDACTED]

(b)(6), (7)(C)

</o=crm/ou=wash/cn=recipients/cn=users/cn=pin/cn=[REDACTED]>

Cc: [REDACTED] (FBI) (b)(6), (7)(C) per FBI

</o=crm/ou=wash/cn=recipients/cn=[REDACTED]>

Bcc:

Subject: Re: DATA FORMAT ISSUE -- TIME SENSITIVE

Date: Thu Oct 07 2010 10:48:42 EDT

Attachments:

(b)(6), (7)(C) per FBI

[REDACTED] - [REDACTED] will be attending the IRS meeting with you tomorrow in my absence.

(b)(6), (7)(C)

[REDACTED] (b)(6), (7)(C) per FBI

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>

To: [REDACTED]

Sent: Thu Oct 07 10:44:23 2010

Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Got it—20535. See, the prsctrs can investigate too

From: [REDACTED] (b)(6), (7)(C) per FBI

Sent: Wednesday, October 06, 2010 6:03 PM

(b)(6), (7)(C)

To: [REDACTED]

Subject: Re: DATA FORMAT ISSUE -- TIME SENSITIVE

935 Pennsylvania Ave NW
Room 3973
Washington, DC

I need to get the zip for you

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>

To: [REDACTED] (b)(6), (7)(C) per FBI

Sent: Wed Oct 06 17:55:41 2010

Subject: FW: DATA FORMAT ISSUE -- TIME SENSITIVE

[REDACTED] can you respond with your address?

(b)(6), (7)(C) per FBI

From: Lerner Lois G [mailto:Lois.G.Lerner@irs.gov]

Sent: Wednesday, October 06, 2010 4:34 PM

To: Whitaker Sherry L; [REDACTED]

(b)(6), (7)(C)

Cc: [REDACTED]; [REDACTED] (FBI) (b)(6), (7)(C) per FBI

Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Thanks guys

Lois G. Lerner

Director, Exempt Organizations

From: Whitaker Sherry L

Sent: Wednesday, October 06, 2010 2:11 PM

To: [REDACTED] (b)(6), (7)(C) per FBI

(b)(6), (7)(C)

Cc: [REDACTED]; [REDACTED] (FBI); Lerner Lois G

Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Raw format it will be. Please send me the address that you would like the DVDs sent to.

Thanks

Sherry L. Whitaker, Manager

SE:T:BSP:SPP

Office Phone - 801-620-5045

Fax - 801-620-5088

Cell - [REDACTED] (b)(6) per IRS

TOD: Monday - Thursday 6:00 am - 4:30 pm (MT)

Sherry.L.Whitaker@irs.gov

Life isn't about waiting for the storm to pass It's about learning to dance in the rain

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov]
Sent: Wednesday, October 06, 2010 12:05 PM
To: Lerner Lois G
(b)(6), (7)(C) Cc: Whitaker Sherry L; [REDACTED]; [REDACTED] (FBI) (b)(6), (7)(C) per FBI
Subject: RE: DATA FORMAT ISSUE -- TIME SENSITIVE

Thanks Lois – FBI says Raw format is best because they can put it into their systems like excel.

(b)(6), (7)(C) From: Lerner Lois G [mailto:Lois.G.Lerner@irs.gov]
Sent: Tuesday, October 05, 2010 5:52 PM
To: [REDACTED]
Cc: Lerner Lois G; Whitaker Sherry L
Subject: DATA FORMAT ISSUE -- TIME SENSITIVE

In checking with my folks on getting you the disks we spoke about, I was asked the following:

Before we can get started do you know if they would like the images in Alchemy or Raw format?

The difference is, Alchemy you need to search on one of the 5 index fields where Raw format, you load into your on software and you can do what ever you want to with it.

If you're like me, you don't know the answer. But, if you can check and get back to me Wednesday, we can get started and have these in about 2 weeks. If we don't have the information by tomorrow, it will take longer as there are other priorities in line. Please cc Sherry Whitaker on your response as she is likely to see your response before I do. Thanks

Lois G. Lerner

Director, Exempt Organizations

(b)(6), (7)(C) From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
[REDACTED]>; [REDACTED]@tigta.treas.gov
<[REDACTED]@tigta.treas.gov>
(b)(6), (7)(C) Cc: [REDACTED]
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Tue Aug 06 2013 07:19:51 EDT
Attachments: image001.jpg

(b)(6), (7)(C) Dear [REDACTED]; [REDACTED] put [REDACTED] in touch with me yesterday and [REDACTED] agreed with the letter and said our client had the "green light" to proceed as long as a TIGTA agent was present or conducting the interview. [REDACTED] was to talk with [REDACTED] and will advise after [REDACTED] does so.

Thanks, [REDACTED]

(b)(6), (7)(C) [REDACTED]

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(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, August 05, 2013 12:04 PM
To: [REDACTED]; [REDACTED]@tigta.treas.gov
Subject: Re: [REDACTED]

(b)(6), (7)(C) That's right, but given that [REDACTED] is cc'd on the letter, I told [REDACTED] to just give you [REDACTED] phone number in case you have questions. Sorry for the confusion. We'll ask [REDACTED] to call you.

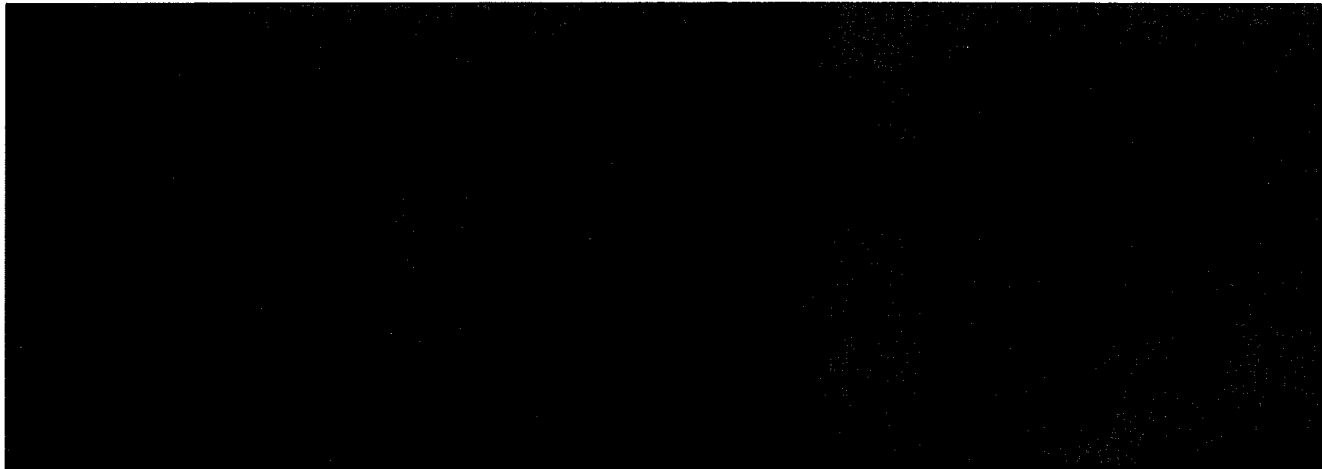
(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, August 05, 2013 12:00 PM Eastern Standard Time
To: [REDACTED] TIGTA <[REDACTED]@tigta.treas.gov>
Cc: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) Dear [REDACTED] I thought that in addition to the letter forwarded on Friday that [REDACTED], to whom [REDACTED] deferred was going to call me and confirm that the position stated in your letter was correct and that [REDACTED] was authorized to speak on Wednesday? Please see [REDACTED] E-mail to [REDACTED] from Friday at 2:49 P.M. My E-mail as to your letter neglected to raise that part of our conversation. Sorry.

(b)(6), (7)(C) Thanks, [REDACTED]
[REDACTED]

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(b)(5), (b)(6) & (7)(C)

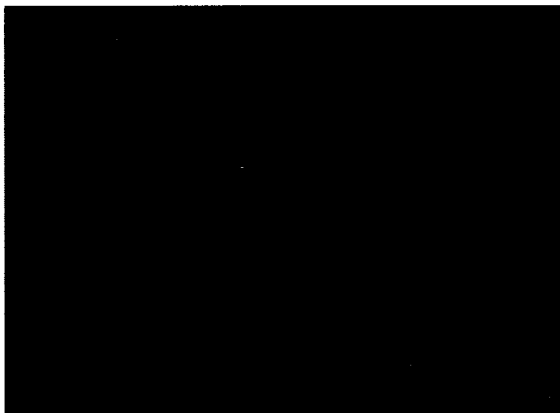


(b)(6), (7)(C) From: [REDACTED]
Sent: Thursday, August 08, 2013 2:39 PM
To: [REDACTED]
Subject: FW: [REDACTED] documents from other binder [IWOV-DMS.FID372463]

Here are the documents from the other binder. I am sorry for the delay.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, July 23, 2013 7:04 AM
To: [REDACTED]
Subject: [REDACTED] documents from other binder [IWOV-DMS.FID372463]

(b)(6), (7)(C)



(b)(6), (7)(C)

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Thank You

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
Cc: [REDACTED] (CRT) </o=crm/ou=wash/cn=recipients/cn=[REDACTED]>
Bcc: [REDACTED]
Subject: Re: [REDACTED]
Date: Fri Aug 30 2013 16:42:55 EDT
Attachments:

(b)(6), (7)(C) I apologize; I intended to cc [REDACTED], my colleague from Civil Rights, who I told you about. [REDACTED] is cc'd here.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 30, 2013 04:41 PM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED]

Thank you for your email. I will forward you the authorization next week.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, August 30, 2013 04:29 PM Eastern Standard Time
To: [REDACTED]
Subject: [REDACTED]

(b)(6), (7)(C) [REDACTED]:

(b)(6), (7)(C) Per our telephone conversation this afternoon, this is to confirm that I represent Internal Revenue Service employee [REDACTED] in matters relating to the IRS's alleged targeting of political advocacy organizations.

(b)(6), (7)(C) It is my understanding that you seek to conduct an interview of [REDACTED] in the next two or three weeks. I also understand, based on our conversation, that [REDACTED] is not a "target" of the Justice Department's investigation within the meaning of that term as defined in the U.S. Attorney's Manual. I further understand that, while [REDACTED] may technically come within the definition of "subject" as that term is broadly defined, you seek to interview [REDACTED] as a witness regarding the matters under investigation, and that you presently have no reason to believe that [REDACTED] committed any violations of law.

(b)(6), (7)(C) I will confer with my client regarding your request for an interview and get back to you as soon as possible. In the meantime, as we discussed, please provide me with an appropriate written authorization for [REDACTED] to disclose information governed by Section 6103 of the Internal Revenue Code.

Thanks and best regards,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C)

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(b)(6), (7)(C)

CONSENT AND WAIVER FORM

I, _____, am a current or former employee of the IRS. I understand that there is a Department of Justice criminal investigation related to public allegations that IRS officials unlawfully discriminated against applicants for tax-exempt status. I understand that statements I have made in connection with my IRS employment, if induced by threat of termination or other significant adverse employment consequence, may not be used against me in any criminal investigation or proceeding under the principles announced in *Garrity v. New Jersey*, 385 U.S. 493 (1967).

I have made statements on dates prior to this Consent and Waiver Form to the U.S. Congress and its agents, committees, or functionaries, which relate to the matters under investigation (hereinafter "my prior statements"). I hereby acknowledge that my prior statements were made voluntarily and were not induced by threat of termination or other significant adverse employment consequence. Moreover, I waive any claims I may otherwise have under *Garrity* regarding my prior statements, including any argument that my prior statements (or any evidence derived from my prior statements) cannot be used against me in any criminal investigation or proceeding. I voluntarily consent to all of my prior statements being furnished to special agents of the FBI and TIGTA, as well as attorneys from the Department of Justice, to be used for any reason relevant to the pending criminal investigation and any future criminal proceeding.

By my signature below, in consultation with my attorney, I hereby voluntarily, knowingly, and intelligently give the above described consent and waive any rights I may have under *Garrity* related to my prior statements.

Printed Name_____
Signature_____
Date_____
Attorney Name_____
Attorney Signature_____
Date

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]
>
To: [REDACTED]
Cc:
Bcc:
Subject: RE: Follow up
Date: Thu Sep 19 2013 13:37:51 EDT
Attachments:

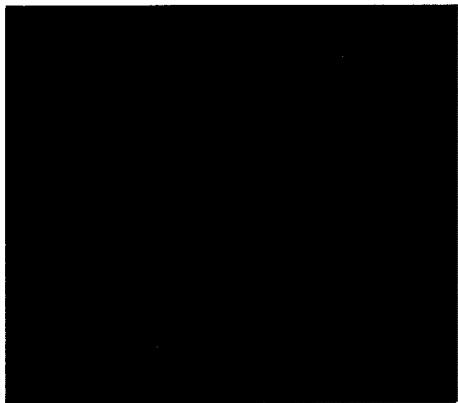
(b)(6), (7)(C) The meeting will take place in the Bond Building, located at 1400 New York Avenue, NW. The Public Integrity Section is located on the 12th Floor. You can ask for me when you check in at security. If you have any problems downstairs, you can contact me on my cell phone, [REDACTED] Also do not hesitate to call my cell phone at any point between now and then if there is anything else we need to discuss.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, September 17, 2013 12:36 PM
To: [REDACTED]
Subject: RE: Follow up

Could you send address, room, other items for us to arrive prepared?

thanks,

(b)(6), (7)(C)



(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Tuesday, September 17, 2013 12:06 PM

To: [REDACTED]

Subject: RE: Follow up

Perfect. See you then.

(b)(6), (7)(C)

From: [REDACTED]

Sent: Tuesday, September 17, 2013 12:05 PM

To: [REDACTED]

Subject: RE: Follow up

Could we begin at 9:30 am on Monday 9/23?

thanks

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, September 17, 2013 12:04 PM
To: [REDACTED]
Subject: RE: Follow up

Since sending this email, I had a scheduling issue come up that would make it preferable for us to meet in the AM; I would recommend b/w about 9 and 1. However, we can do later if necessary – please let me know what works.

(b)(6), (7)(C)

From: [REDACTED]
Sent: Monday, September 16, 2013 7:28 PM
To: [REDACTED]
Subject: RE: Follow up

(b)(6), (7)(C)

[REDACTED]

Monday, 9/23 will work. I recommend that we set aside about four hours for the interview; we are available all day – please let me know a slot that works for you. We are happy to host you here at the Bond Building. Unfortunately, I am not in a position to provide any documents to you to review before the meeting.

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C)

From: [REDACTED]
Sent: Monday, September 16, 2013 4:27 PM
To: [REDACTED]
Subject: RE: Follow up

(b)(6), (7)(C)

[REDACTED], Holly is available at the end of this week or Monday Sep 23. How long do you anticipate?

I also make her available based on your representation that she is not a target of your investigation.
Also do you have documents that you wish to show her or for her to review?

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Friday, September 13, 2013 4:40 PM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Re: Follow up

Thanks for getting back to me. Look forward to receiving some possible dates.

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, September 13, 2013 04:38 PM Eastern Standard Time
To: [REDACTED]

Subject: RE: Follow up

(b)(6), (7)(C)

Holly will have difficulty signing the statement you sent her in that the IRS has required that she testify and cooperate under threat of termination. She of course has testified truthfully.

I will get back to you on dates.

(b)(6), (7)(C)

(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Monday, September 09, 2013 7:54 PM

(b)(6), (7)(C)

To: [REDACTED]
Cc: [REDACTED] (CRT)

Subject: RE: Follow up

(b)(6), (7)(C)

Just wanted to follow up to see if you have any available dates. How does the week of 9/23 look?

(b)(6), (7)(C) [REDACTED]

From: [REDACTED]
Sent: Wednesday, September 04, 2013 8:13 PM
To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: Follow up

(b)(6), (7)(C)

(b)(6), (7)(C) [REDACTED]

Good speaking with you today. We look forward to meeting with you and your client, Ms. Paz. Please let us know some dates that work for you and we will go from there.

Per our conversation, please see the attached consent/waiver form pertaining to Ms. Paz's congressional interviews/testimony. We would like to review whatever transcripts we can obtain; executing this form will permit us to do so.

Also per our conversation, a representative of TIGTA will provide you with a 6103 authorization letter tomorrow.

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
Cc:
Bcc:
(b)(6), (7)(C) Subject: Re: IRS matter -- [REDACTED]
Date: Thu Sep 19 2013 13:52:13 EDT
Attachments:

Yes. There will be 4 or 5 of us. One from TIGTA, one or two from FBI, and me and possibly one other DOJ attorney.

(b)(6), (7)(C) From: [REDACTED]
Sent: Thursday, September 19, 2013 01:45 PM Eastern Standard Time
To: [REDACTED]
Subject: IRS matter -- [REDACTED]

(b)(6), (7)(C) [REDACTED]:

(b)(6), (7)(C) Are we confirmed for an interview of my client [REDACTED] at 9:30 a.m. on Sept. 26 at my office in [REDACTED]? If yes, how many people on your side will be coming?

Thanks --

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

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(b)(6), (7)(C)

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
(b)(6), (7)(C) To: [REDACTED]
<[REDACTED]>
Cc:
Bcc:
Subject: October 23 -- Confirmed
Date: Fri Sep 20 2013 10:59:51 EDT
Attachments:

(b)(6), (7)(C) [REDACTED] -

We are available on October 23 to interview Lois Lerner and are setting aside the entire day. We will come to your offices - I will let you know exactly who is coming before then. I assume we will be talking again before the 23rd; do not hesitate to contact me at any point.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney
Public Integrity Section
Criminal Division
United States Department of Justice
1400 New York Ave, NW, 12th Floor
Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]
Cell: [REDACTED]

(b)(5), (b)(6) & (7)(C)



----- Original Message -----

From: [REDACTED]

Sent: Monday, September 23, 2013 02:14 PM Eastern Standard Time

(b)(6), (7)(C)

To: [REDACTED]

Cc: [REDACTED]@crt.usdoj.gov' <[REDACTED]@crt.usdoj.gov>; [REDACTED]

Subject: Re: [REDACTED]

Great - thanks.

----- Original Message -----

From: [REDACTED]

Sent: Monday, September 23, 2013 10:53 AM Eastern Standard Time

(b)(6), (7)(C)

To: [REDACTED]

Cc: [REDACTED] (CRT) <[REDACTED]@crt.usdoj.gov>; [REDACTED]

Subject: Re: [REDACTED]

(b)(6), (7)(C)

Hi [REDACTED]

Sorry for the slow reply. Thursday works for us. Let's plan on 3 pm if that works for you. I'll let you know if we need to change that time.

Thanks,

(b)(6), (7)(C)

Sent from my iPhone

(b)(6), (7)(C)

On Sep 20, 2013, at 10:13 PM, "[REDACTED]" <[REDACTED]@usdoj.gov> wrote:

(b)(6), (7)(C)

[REDACTED] - Per our convo, can we do [REDACTED] in the afternoon on Thurs, [REDACTED] (Wed is bad for us.) We can be time flexible based on how long her appearance takes.

From: [REDACTED] (CRT) [mailto:[REDACTED]@usdoj.gov]

Sent: Friday, September 13, 2013 10:43 AM Eastern Standard Time

To

(b)(6), (7)(C)

Cc:

Subject:

(b)(6), (7)(C)

(b)(6), (7)(C)

As we discussed on Wednesday, we can be available on Tuesday, September 24, at 3:00 pm to interview [REDACTED] We will come to your office. Thanks.

(b)(6), (7)(C)

Civil Rights Division
Criminal Section

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From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
(b)(6), (7)(C) [REDACTED]
Cc: [REDACTED] (CRT)
<[REDACTED]@crt.usdoj.gov>; [REDACTED]
Bcc: [REDACTED]
(b)(6), (7)(C) Subject: RE: [REDACTED]
Date: Tue Oct 08 2013 17:32:44 EDT
Attachments:

(b)(6), (7)(C) Hi [REDACTED]

(b)(6), (7)(C) Yes—we represent [REDACTED]. Let me talk to [REDACTED] about [REDACTED] schedule and I'll get in touch with you about dates for an interview.

(b)(6), (7)(C) [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, October 08, 2013 10:11 AM
(b)(6), (7)(C) To: [REDACTED]
Cc: [REDACTED] (CRT)
Subject: [REDACTED]

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) We understand you represent [REDACTED]. We are interested in interviewing [REDACTED] in connection with our IRS investigation. Is this something [REDACTED] is amenable to and, if so, can we please slate something?

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

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(b)(6), (7)(C)

From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]>
Cc:
Bcc:
Subject: Re: Lois Lerner
Date: Fri Oct 11 2013 14:35:54 EDT
Attachments:

Yes. I apologize if you have left me ofc messages. I will call you later this afternoon.

(b)(6), (7)(C)

From: [REDACTED]
Sent: Friday, October 11, 2013 02:20 PM Eastern Standard Time
To: [REDACTED]
Subject: Lois Lerner

Been trying to catch up with you for several reasons..can we get together Tuesday?

(b)(6), (7)(C)

[REDACTED]

(b)(6), (7)(C) From: [REDACTED]
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
Cc:
Bcc:
Subject: RE: Interview of [REDACTED]
Date: Tue Oct 15 2013 10:42:58 EDT
Attachments:

Great. We will see you then.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, October 15, 2013 10:42 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

(b)(6), (7)(C) Yes – Bond at 10am. It will be DOJ (me and [REDACTED]), FBI, and TIGTA.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, October 15, 2013 10:37 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

Yes. Will it be at the Bond Building? Also, who will be in attendance? TIGTA? Any other agencies?

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Tuesday, October 15, 2013 9:31 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

We on for 10am tomorrow?

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, October 09, 2013 7:29 AM
To: [REDACTED]
Subject: Re: Interview of [REDACTED]

Let's go with the 10:00 am slot. I should be able to do an attorney proffer on Monday.

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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(b)(6), (7)(C)

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Wednesday, October 09, 2013 07:03 AM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

That works – we can confirm Monday.

I suggest that we set aside a morning or an afternoon block, i.e., a four-hour block. I anticipate that will be ample to accomplish the interview (it is my hope that we can accomplish the interview in less than that). I suggest that we start at either 10 or at about 1 or 2. Whatever is more convenient for you and your client will work for us.

(b)(6), (7)(C)

If you are so inclined after you speak with [REDACTED] to the extent you can provide an attorney proffer, that may enable me to streamline the interview.

(b)(6), (7)(C)

From: [REDACTED]
Sent: Wednesday, October 09, 2013 6:55 AM
To: [REDACTED]
Subject: Re: Interview of [REDACTED]

(b)(6), (7)(C)

My client is still out of town. [REDACTED] will be back and I will be able to reach a final decision with [REDACTED] on Monday. I continue to believe that the interview will take place next Wednesday, but will confirm for you on Monday. Do you have a sense of how long it will go and what time you would like to start?

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Tuesday, October 08, 2013 10:48 PM

To: [REDACTED]

Subject: RE: Interview of [REDACTED]

(b)(6), (7)(C)

(b)(6), (7)(C)

Just want to see where we are on this. Can we confirm October 16?

(b)(6), (7)(C)

From: [REDACTED]

Sent: Monday, September 30, 2013 5:41 PM

To: [REDACTED]

Subject: Re: Interview of [REDACTED]

(b)(6), (7)(C)

Sounds good. Thanks.

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, September 30, 2013 04:55 PM
To: [REDACTED]
Subject: RE: Interview of [REDACTED]

October 16 works for us; we're setting it aside. Why don't we tentatively plan for that day, and discuss time and any other necessary details assuming your client agrees to be interviewed?

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, September 30, 2013 4:46 PM
To: [REDACTED]
Subject: Re: Interview of [REDACTED]

(b)(6), (7)(C) For scheduling purposes, assuming [REDACTED] agrees to be interviewed, the following dates would work on our end: October 16, 21 and 22. Just let me know if one of these works for you and we can get the date on the calendar.

Sent wirelessly via Blackberry

(b)(6), (7)(C)

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(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, September 30, 2013 03:06 PM
To: [REDACTED]

(b)(6), (7)(C) Subject: Interview of [REDACTED]

[REDACTED]

(b)(6), (7)(C) Per our conversation Friday, attached please find a proffer agreement for your client, [REDACTED]. I would like to schedule an interview with [REDACTED] in the next few weeks if possible. Once you have an opportunity to speak with [REDACTED], assuming [REDACTED] is willing to meet, please let me know your availability.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

(b)(6), (7)(C) Ofc: [REDACTED]

Cell: [REDACTED]

(b)(6), (7)(C) From: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
To: [REDACTED]
<[REDACTED]>
Cc:
Bcc:
(b)(6), (7)(C) Subject: Re: [REDACTED] Interview Wed
Date: Mon Oct 21 2013 14:24:13 EDT
Attachments:

Perfect - see you at 10am on Monday 11/4.

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 12:40 PM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Sure - 10:00 ok?

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Monday, October 21, 2013 11:23 AM
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Yes - can we start in AM?

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 11:14 AM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Yes - are you all available on Monday, 11/4?

(b)(6), (7)(C) Thanks,
[REDACTED]

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Monday, October 21, 2013 10:58 AM
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Now that the shutdown is over, any chance we can try to re-schedule?

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, October 02, 2013 03:54 PM Eastern Standard Time

(b)(6), (7)(C) To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

Of course - no problem. Will do that and re-circulate.

(b)(6), (7)(C) From: [REDACTED]
Sent: Wednesday, October 02, 2013 02:51 PM Eastern Standard Time
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

(b)(6), (7)(C) [REDACTED]: One minor change I wanted to request in the proffer agreement before I forget about it – could you please change my client's first name to [REDACTED] in the first paragraph and [REDACTED] signature line? [REDACTED] is fine with [REDACTED] in conversation, but prefers [REDACTED] in more formal matters.

(b)(6), (7)(C) Thanks,
[REDACTED]

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Tuesday, October 1, 2013 2:46 PM
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

Understood. Let's just plan to reschedule – reopening tomorrow d/n sound promising. If by some chance the shutdown ends this evening, we can touch base by email to see if we can still assemble; but I'm going to tell the agents they can go ahead and schedule other matters under the circumstances.

Thanks.

(b)(6), (7)(C) From: [REDACTED]
Sent: Tuesday, October 01, 2013 2:29 PM
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

If the shutdown is still in effect, we'll have to reschedule, unfortunately.

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: 10/01/2013 2:27 PM (GMT-05:00)
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

How do we look for tomorrow?

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, September 30, 2013 6:22 PM
To: [REDACTED]
Subject: RE: [REDACTED] Interview Wed

I understand completely. Please just keep me posted. If the shutdown necessitates us canceling for Wednesday, we will just reschedule once it is resolved. Thank you.

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, September 30, 2013 6:16 PM
To: [REDACTED]
Subject: Re: [REDACTED] Interview Wed

(b)(6), (7)(C) [REDACTED]: The problem for us is that IRS Chief Counsel's Office told me Friday and again today that, if there is a shutdown and [REDACTED] is not viewed as essential (and I don't think [REDACTED] will be essential), [REDACTED] should not work during the shutdown. I believe they would consider a contrary course of action by [REDACTED] to be a violation of the Anti-Deficiency Act. This is frustrating for us, as [REDACTED] would like to get all three of [REDACTED] interviews scheduled for this week over with. But I don't want to see [REDACTED] get in any hot water with the IRS. We are dealing with this issue right now with the House Oversight and Government Reform Committee, [REDACTED] Majority staff of that committee wants to go forward; the Chief Counsel's Office apparently is caucusing about it right now. I'll keep you posted about how this plays out. Regardless, [REDACTED] wants to sit down with you all as soon as [REDACTED] is able to do so.

Thanks,

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED]@usdoj.gov>
Date: Monday, September 30, 2013 2:51 PM
To: [REDACTED]
Subject: [REDACTED] Interview Wed

Just wanted to let you know that the shutdown does not affect us; we're on for Wednesday. We will be short staffed administratively though. Please carry my cell phone number with you (below) in case you have any problems accessing our building/floor when you arrive. See you then.

(b)(6), (7)(C)

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc:

(b)(6), (7)(C)

Cell:

(b)(6), (7)(C) From: [REDACTED]
<[REDACTED]>
To: [REDACTED] </o=crm/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=[REDACTED]>
Cc:
Bcc:
Subject: RE: Lois Lerner
Date: Mon Oct 21 2013 16:33:10 EDT
Attachments: image004.png
image005.png
image006.png

Lunch is set and I'll give you the receipt when you are here on Wednesday. If you need anything, please don't hesitate to ask.

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, October 21, 2013 3:30 PM
To: [REDACTED]
Subject: Re: Lois Lerner

Yes - we have one vegetarian in the group. There will be 5 of us total. Please also send me a bill and let me know how best to reimburse. Thank you so much for handling the logistics for the meeting!

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 01:12 PM Eastern Standard Time
To: [REDACTED]
Subject: RE: Lois Lerner

(b)(6), (7)(C) [REDACTED] - do I need to be aware of any dietary requirements when ordering lunch for your group on Wednesday?

(b)(6), (7)(C) Description: [REDACTED]
[REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Monday, October 21, 2013 12:51 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Lois Lerner

yes

(b)(6), (7)(C) From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]
Sent: Monday, October 21, 2013 12:36 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Lois Lerner

(b)(6), (7)(C) [REDACTED] -

Can we start at 9am rather 930 on Wednesday?

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) From: [REDACTED]
Sent: Friday, October 11, 2013 06:04 PM Eastern Standard Time
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Lois Lerner

(b)(6), (7)(C) Great... [REDACTED] will be with me

From: [REDACTED] [mailto:[REDACTED]@usdoj.gov]

Sent: Friday, October 11, 2013 5:31 PM

To: [REDACTED]

Subject: RE: Lois Lerner

(b)(6), (7)(C)

(b)(6), (7)(C) [REDACTED] –

I just returned to my office and received your messages from earlier in the week. I was on the road earlier in the week and at meetings out of the office today. A glitch – not the shutdown – prevented me from checking voicemail remotely. I apologize for not getting back to you. Please always feel free to call my cell phone -- [REDACTED] -- and/or ping me on email if you need to reach me and can't get me in my office.

(b)(6), (7)(C)

(b)(6), (7)(C) [REDACTED], my colleague from Civil Rights, will join us on Tuesday. When you arrive, it may be a good idea to call my cell. Our administrative staffing is light due to the shutdown and that has caused some delays in the officers downstairs being able to notify our section when visitors arrive. If you buzz me when you arrive, I'll meet you in the lobby and escort you upstairs.

See you Tuesday at 10.

(b)(6), (7)(C) [REDACTED]

(b)(6), (7)(C) [REDACTED]

Trial Attorney

Public Integrity Section

Criminal Division

United States Department of Justice

1400 New York Ave, NW, 12th Floor

Washington, D.C. 20005

Ofc: [REDACTED]

(b)(6), (7)(C)

Cell: [REDACTED]

(b)(6), (7)(C)
From: [REDACTED]
Sent: Friday, October 11, 2013 2:21 PM
To: [REDACTED]
Subject: Lois Lerner

: Been trying to catch up with you for several reasons..can we get together Tuesday?
