

282B-WF-2896615

Continuation of FD-302 of [REDACTED]

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b7C -2,3

from [REDACTED] on the same chain dated 06/08/2011 was about the briefing topic.

PAZ and LERNER requested a briefing because the cases had to go to Counsel and through LERNER's Senior Technical Advisor, [REDACTED] does not know whether PAZ or LERNER reached out to him about providing a briefing. He was simply obtaining information and did not know there was another request through a different channel to get the information, as discussed in the e-mail.

[REDACTED] asked his staff, specifically [REDACTED] to obtain the information. He told the whole team they needed to get ready for the briefing. The briefing was a joint effort between the EOG staff and his staff. EOG, EOT, and EOD staffs met to discuss the briefing paper.

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[REDACTED] prepared a briefing document. [REDACTED] reviewed it and forwarded it to PAZ. [REDACTED] deferred to his staff to put together their input to include the facts, how they got there, their recommendations, and their opinions. When [REDACTED] looked at the briefing paper, his impression was that they should not be using the label "Tea Party". The name of the group is not the test to apply to the cases.

The 501(c)(4) test is an activities test. What you do is not what you call yourself. He thought the Tea Party term would be underinclusive and would only capture people who call themselves by the Tea Party name. [REDACTED] realized this point when he first looked at the briefing paper. Prior to that time, he did not recognize the name was used to identify cases.

In some emails, the cases were referred to as "Tea Party" cases. He thought they were using the term as a general acronym amongst themselves.

He did not realize they were using the terminology on the "Be on the Lookout" ("BOLO") list as a labeling device. [REDACTED] did not receive the BOLOs. He saw excerpts from the BOLOs in the press and the Oversight Committee showed BOLOs to him. He did not receive the BOLO in his section and he was not familiar with how the BOLO worked.

b6 -2
b7C -2

In his meeting concerning the briefing in mid-June, [REDACTED] met with EOT and EOG staffs and PAZ. [REDACTED] were also present for the meeting. The meeting was held in the library and lasted about an hour. The briefing paper was the only topic discussed. They showed PAZ the briefing paper and the use of the Tea Party term. PAZ was the highest ranking person at the meeting. [REDACTED] does not recall who was the lead briefer. Part of the briefing was about labeling the cases as Tea Party cases. Somebody said they may not want to use Tea Party as a labeling term. [REDACTED] had recognized they may not want to use the term Tea Party when they were doing the briefing paper, but his plan was to raise the issue with PAZ at the briefings. He does not recall PAZ's reaction.

b6 -2,3
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