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Description of document:	Internal Revenue Service (IRS) Minutes of the Final Four Meetings of the Advisory Committee on Tax Exempt and Government Entities (TE/GE-ACT), 2017-2018
Requested date:	02-July-2020
Release date:	26-August-2020
Posted date:	08-March-2021
Source of document:	FOIA Request Internal Revenue Service Central Processing Unit Stop 211 PO Box 621506 Atlanta, GA 30362-3006 Fax: 877-807-9215

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**Department of the Treasury**  
**Internal Revenue Service**  
**Privacy, Governmental Liaison and Disclosure**  
**Centralized Processing Unit**  
Stop 93A  
PO Box 621506  
Atlanta, GA 30362

**Date:**  
August 26, 2020  
**Employee name:**  
Francisca Eyetsemitan  
**Employee ID number:**  
1000591343  
**Telephone number:**  
617-316-2271  
**Fax number:**  
855-205-9335  
**Case number:**  
2020-06013

This is a final response to your Freedom of Information Act (FOIA) request dated July 7, 2020, received in our office on July 27, 2020.

You asked for a copy of the meeting minutes from the final 4 meetings of the Advisory Committee on Tax Exempt and Government Entities, a Federal Advisory Committee under the auspices of the IRS that was merged into another committee in 2018.

We searched for and located 12 pages of documents responsive to your request. Of the 12 pages located in response to your request, we're enclosing 12 pages. We're releasing are withholding 11 pages in part and withholding one page in full. Redacted portions of each page are marked by the applicable FOIA exemptions which are described below:

FOIA exemption (b)(5) exempts from disclosure inter or intra-agency memorandums which wouldn't be available by law to parties other than those in litigation with the agency. The exemption privileges covered in this response is the deliberative process privilege, which protects documents that reflect the pre-decisional

FOIA exemption (b)(6) exempts from disclosure files that would constitute an unwarranted invasion of personal privacy. We base the determination to withhold on balancing interests between the protection of an individual's right to privacy and the public's right to access government information.

If you would like to discuss our response, you have the right to contact the FOIA public liaison, Summer Sutherland, at 801-620-2149.

The FOIA public liaison responds to FOIA and Privacy Act requests for copies of documents maintained by the IRS. There is no provision in either Act to resolve tax, collection, or processing issues. If you need assistance with tax-related issues, you can call the IRS at 800-829-1040.

You also have the right to contact the Office of Government Information Services (OGIS). The Office of Government Information Services, the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and federal agencies. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road--OGIS  
College Park, MD 20740-6001  
202-741-5770  
877-684-6448  
ogis@nara.gov  
ogis.archives.gov

You have the right to file an administrative appeal within 90 days from the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. I've enclosed Notice 393, Information on an IRS Determination to Withhold Records Exempt From the Freedom of Information Act - 5 U.S.C. 552, to explain your appeal rights.

Your decision to contact the FOIA public liaison or OGIS for assistance resolving your dispute does not extend the 90-day period in which you can file an appeal.

If you have questions, you can contact the person at the telephone number at the top of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "David S. Nimmo".

David S. Nimmo  
Disclosure Manager  
Disclosure Office 13

Enclosures:  
Responsive documents  
Notice 393

TE/GE 3rd ACT Joint Working Session  
Meeting Minutes

Tuesday, February 6, 2018

**Attendees:**

In person

On telephone

Roll Call:

**MEMBERS:**

**IRS:** Mark O'Donnell, Dave Horton, Eric San Juan, Margaret Von Lienen, Kyle Brown, Steve A. Martin, Steve M. Martin, Marie Hook, Cathy Jones, Justin Abold-LaBreche, Sean O'Reilly, Kirk Paxton, Khin M. Chow, Doug Jordan, Nicole Swire,

Mark O'Donnell opened the meeting by welcoming the members of ACT.

Mark gave the floor to Dave Horton for TE/GE Leadership Updates. Dave informed the members that the President has identified a candidate to serve as the new IRS Commissioner. Dave gave the floor to (b) (6)

(b) (6) thanked the Service for the opportunity to meet and collaborate with all members in-person and initiated a status report on the ACT projects being developed this year:

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IRS.

She asked for a standardized schema from the

Save the Dates - upcoming meetings:

- The next ACT Joint Working Session is March 8, 2018, from 1:00 p.m. - 3:00 p.m. ET. The invite will be sent out to all soon.

- The ACT Public Meeting is scheduled for Wednesday, June 7, 2018, at 2:00 p.m. eastern time, at IR-Main room 3313.

Mark mentioned the four new ACT member positions announced back on August 18, 2017. There are two Employee Plans (EP) positions, one Exempt Organizations (EO) position and one Tax Exempt Bonds (TEB) position. The final four have been selected and the approval process, including background checks has begun, we should have it all wrapped up by the Public Meeting in June 2018. We plan to conduct orientation for the new members in May 2018.

Mark asked the ACT subgroups to send their meeting minutes to the ACT mailbox by the end of the week of each meeting. Also, to send travel receipts to process manual travel vouchers. Mark mentioned the ACT report timeline and instructions.

The floor was open for comments. No additional questions or comments. Mark closed the meeting at 2:23 p.m.

Respectfully Submitted:

**Mark F. O'Donnell**

Digitally signed by Mark F. O'Donnell  
DN: c=US, o=U.S. Government, ou=Department of the  
Treasury, ou=Internal Revenue Service, ou=People,  
serialNumber=331920, cn=Mark F. O'Donnell  
Date: 2018.02.26 16:34:07 -05'00'

Mark O'Donnell, Designated Federal Officer

Date: \_\_\_\_\_

I hereby certify these minutes of the February 6, 2018, Advisory Committee on Tax Exempt and Government Entities meeting are true and correct to the best of my knowledge.

\_\_\_\_\_

\_\_\_\_\_ Chairperson

Date: \_\_\_\_\_

TE/GE 4th ACT Joint Working Session  
Meeting Minutes

Thursday March 8, 2018

Roll Call:

**MEMBERS:**

**IRS:** Mark O'Donnell, Margaret Von Lienen, Cathy Jones, Justin Abold-LaBreche, Doug Jordan, Nicole Swire,

Mark O'Donnell opened the meeting by welcoming the members of ACT.

Mark went over the agenda for the meeting. He mentioned that this was the last Joint TE/GE-ACT meeting before the Public Meeting. He asked members not to forget to send their subgroup meeting minutes to all ACT members and to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov).

He reminded the members that they should locate their bios on [IRS.gov](http://IRS.gov) and let us know if they needed to update them. Members are to send updates to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov) by March 29 so that updated bios can be included in the ACT report.

Mark mentioned that the ACT dry-run for the Public Meeting will be delivered virtually via WebEx and conference calls. Members will receive an invitation for the dry run and the Public Meeting soon. They'll also receive an agenda and conference call-in numbers to participate in the dry-run and Public meeting via WebEx.

The schedule for upcoming ACT virtual meetings are:

- Tentatively Thursday, May 31, for a dry run (a week before the public meeting at 2:30 – 3:30 p.m.) More details on virtual delivery will be provided in advance of the dry run.
- Public Meeting -- Thursday, June 7 at 2:00 – 4:00 p.m. Commissioner's office has placed this meeting on the Commissioner's calendar.

All these times are in eastern time.

Members were reminded of the ACT Public Meeting location at the IRS Headquarters Building at 1111 Constitution Avenue, NW, Room 3313. We have reserved a conference room.



C&L will send the slide deck from last year's Public Meeting to the ACT project leads as a guide to developing this year's slide deck. This year's slide deck for the Public Meeting is due on Monday, May 7, 2018.

For the new ACT candidates, we are working on getting the background checks completed, then we will obtain approval from the IRS Commissioner and Treasury for the four new candidates. We'll let you know when it's completed and when we are able to extend an official offer to them. When we have approved background checks on all four, we will schedule orientation.

We discussed the following revised timeline:

Feb 23

- The ACT subgroups submit their DRAFT ACT report to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov) for review. ACT peer review should be completed at this time.

Mar 19

- C&L will return reviewer's comments of DRAFT report to ACT for comments.

Mar 30 – Apr 18

- Comments from ACT due back to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov)
- ACT will submit any question/comments/concerns regarding TE/GE comments no later than Mar 30.
- TE/GE and ACT will work together to address any questions/comments/concerns between Mar 30- Apr 18.
- DRAFT report returned to the ACT by TE/GE C&L for final edits. TE/GE would have made preliminary edits for grammar and formatting.

May 2

- ACT submits FINAL report to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov) for production of the consolidated report.
- ACT Chair will provide General Report of the ACT to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov).

May 7

- ACT subcommittees provide PowerPoint slides for public meeting presentation to [tege.advisory.comm@irs.gov](mailto:tege.advisory.comm@irs.gov).

June 7

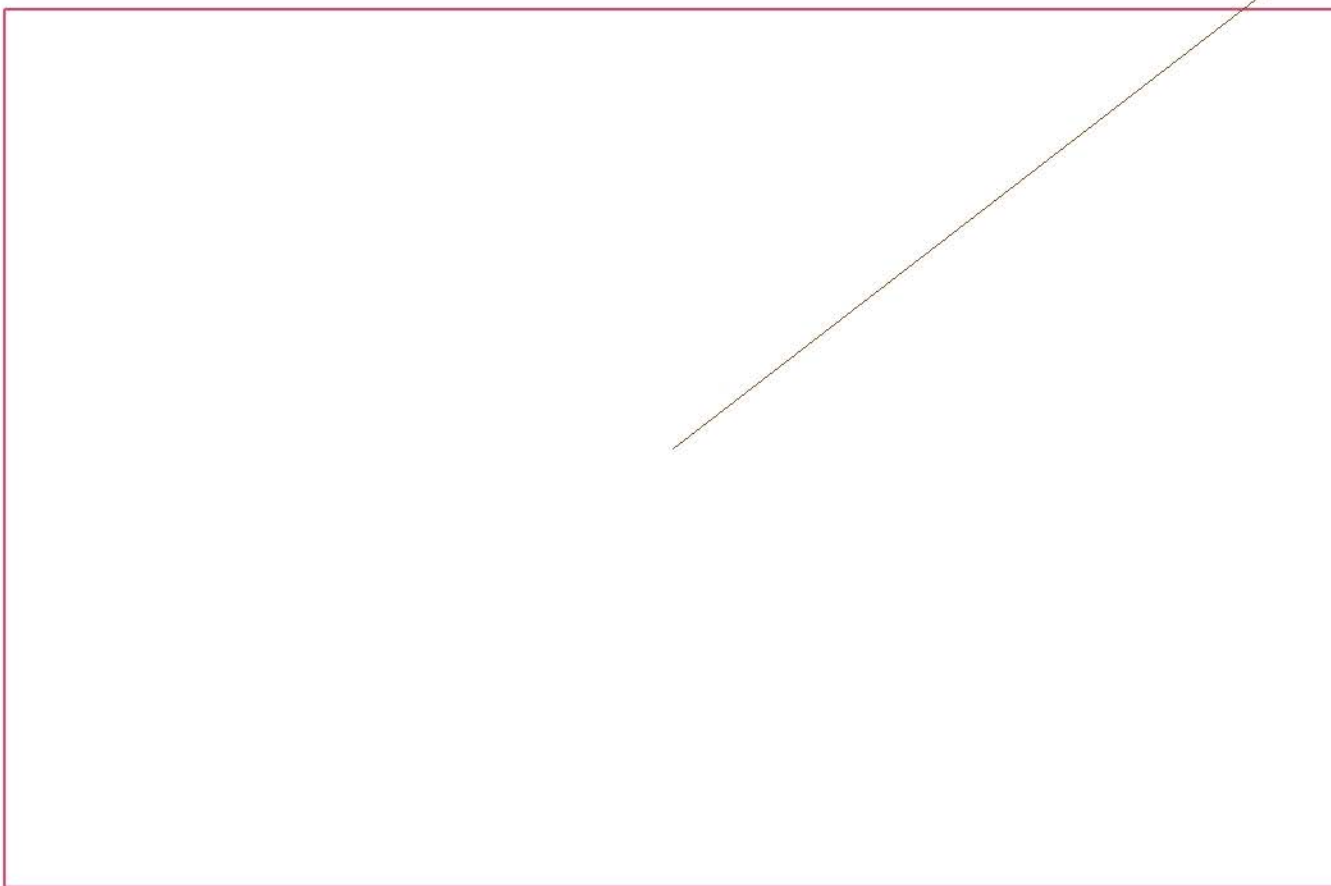
- Distribute report at 2018 ACT public meeting and on the ACT webpage at [IRS.gov](http://IRS.gov).

Mark mentioned

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Mark closed the meeting at 1:22 PM.

Respectfully Submitted:

**Mark F. O'Donnell**

Digitally signed by Mark F. O'Donnell  
DN: c=US, o=U.S. Government, ou=Department of the  
Treasury, ou=Internal Revenue Service, ou=People,  
serialNumber=331920, cn=Mark F. O'Donnell  
Date: 2018.04.20 15:40:19 -04'00'

Mark O'Donnell, Designated Federal Officer

Date: \_\_\_\_\_

I hereby certify these minutes of the March 8, 2018, Advisory Committee on Tax Exempt and Government Entities meeting are true and correct to the best of my knowledge.

(b)(6)

(b)(6)

\_\_\_\_\_

\_\_\_\_\_ Chairperson

Date: \_\_\_\_\_

TE/GE ACT Joint Working Session  
Meeting Minutes

Tuesday August 29, 2017

**Attendees:**

In person

On telephone

(b)(6) Roll Call:

(b)(6)

**ACT MEMBERS:**

(b)(6)

**IRS:** Mark O'Donnell, Eric San Juan, Margaret Von Lienen, Lisa Beard for Robert Choi

Not present:

Mark O'Donnell opened the meeting by welcoming the members of ACT. He gave an overview of the meeting and presented the agenda items including:

- (b)(6)
1. Administrative updates – Mark O'Donnell
  2. TE/GE updates - TE/GE Leadership
  3. ACT Chair updates - (b)(6) ACT Chair
  4. Projects roundtable - ACT Subcommittees
  5. Closing - Mark O'Donnell

Mark stated that the solicitation for four new ACT members was announced in the Federal Register on August 18, 2017. There was also an IRS press release and newsletter article on it. We have received 35+ new member applications so far by email and eFax. The deadline for applications is September 18, 2017. If you know anyone who would be a good fit for the ACT, please make them aware of the solicitation before the deadline.

Save the Dates - Upcoming ACT Joint Working meetings have been scheduled:

- November 2, 2017 at 1:00 p.m. ET
- January 23, 2018 at 1:00 p.m. ET
- March 8, 2018 at 1:00 p.m. ET

We will continue with our planned virtual meetings through next year, but we hope to make 1 or 2 of them face-to-face meetings depending on the budget. The ACT members will receive an agenda with conference call information as we get closer to each meeting. The calendar invites have been forwarded, so if you did not receive them, please let us know.

The ACT Public Meeting is tentatively scheduled for Wednesday, June 7, 2018 at 2:00 p.m. ET in room 3313 at 1111 Constitution Ave NW, but it has not been approved yet. We cannot provide the request form until January 2018, to lock down the Commissioner for that date.

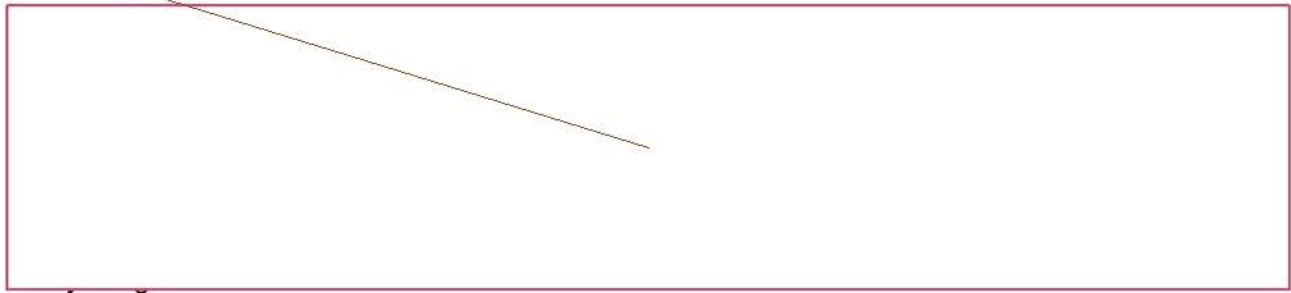
Mark advised the ACT Sub-groups to send their meeting minutes to the ACT mailbox by the end of the week.

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TE/GE Updates –

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Deliberativ



Mark asked if there was anything else anyone wanted to add, and receiving no response, closed the meeting at 1:20 pm.

Respectfully Submitted:

**Mark F. O'Donnell**

Digitally signed by Mark F. O'Donnell  
DN: c=US, o=U.S. Government, ou=Department of the  
Treasury, ou=Internal Revenue Service, ou=People,  
serialNumber=331920, cn=Mark F. O'Donnell  
Date: 2017.11.30 16:56:08 -05'00'

Mark O'Donnell, Designated Federal Officer

Date: \_\_\_\_\_

I hereby certify these minutes of the August 29, 2017 Advisory Committee on Tax Exempt and Government Entities meeting are true and correct to the best of my knowledge.

(b)(6)

(b)(6)



Chairperson

Date: \_\_\_\_\_

TE/GE 2nd ACT Joint Working Session  
Meeting Minutes

Thursday, November 2, 2017

**Attendees:**

In person

On telephone

(b)(6) Roll Call:

**MEMBERS:**

(b)(6) **IRS:** Mark O'Donnell, Dave Horton, Eric San Juan, Robert Choi, Margaret Von Lienen,  
Doug Jordan, Brian Dowling

Not present:

(b)(6) Mark O'Donnell opened the meeting by welcoming the members of ACT. He gave an overview of the meeting and presented the agenda items including:

1. Administrative updates – Mark O'Donnell
2. TE/GE updates - TE/GE Leadership
3. ACT Chair (b)(6) Chair
4. Projects roundtable - ACT Subgroups
5. Closing - Mark O'Donnell

Save the Dates - Upcoming ACT Joint Working Session meetings have been scheduled:

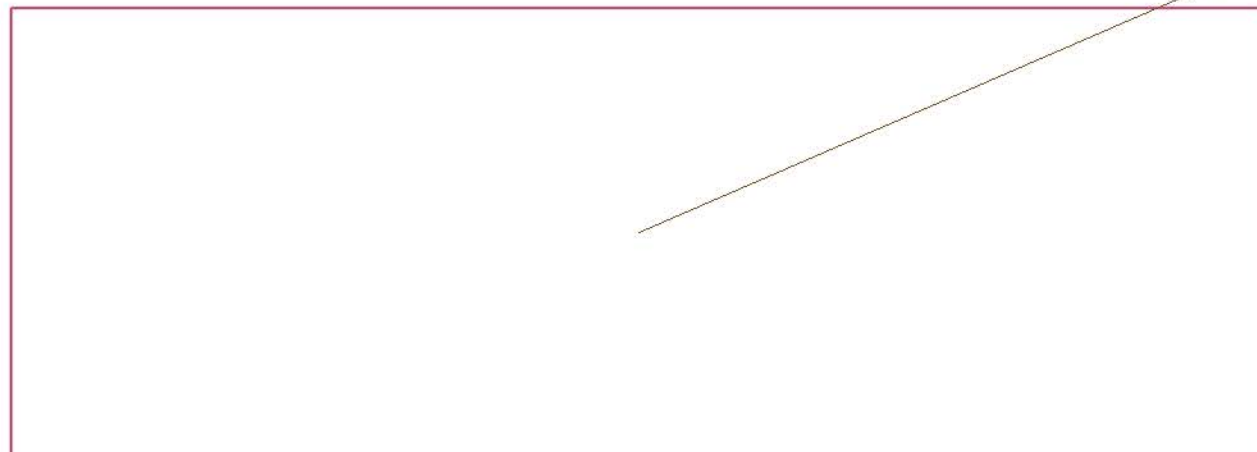
- January 24, 2018, from 1:00 p.m. - 3:00 pm ET. This is part of an ACT face-to-face meeting that extends until January 25, 2018, at 3:00pm ET. The TE/GE executives are in DC that week. Mark advised the members to reserve their rooms now because hotels may fill up. The invite will be sent out to all soon. Mark will have hotel information sent to the members.
- March 8, 2018, from 1:00 p.m. - 3:00 p.m. ET.
- The ACT Public Meeting is tentatively scheduled for Wednesday, June 7, 2018 at 2:00 p.m. ET, at IR-Main room 3313, but this has not been confirmed yet. We cannot provide the request form until January 2018, in order to lock down the new Commissioner for that date.

Withheld pursuant to exemption

(b)(5) Deliberative Process Privilege

of the Freedom of Information and Privacy Act





Mark asked if there was anything else anyone wanted to add, received no response, and closed the meeting at 1:30 pm.

Respectfully Submitted:

**Mark F. O  
Donnell**

Digitally signed by Mark F. O Donnell  
DN: c=US, o=U.S. Government, ou=Department of  
the Treasury, ou=Internal Revenue Service,  
ou=People, serialNumber=331920, cn=Mark F. O  
Donnell  
Date: 2017.11.30 16:52:38 -05'00'

Mark O'Donnell, Designated Federal Officer

Date: \_\_\_\_\_

I hereby certify these minutes of the November 2, 2017 Advisory Committee on Tax Exempt and Government Entities meeting are true and correct to the best of my knowledge.

(b)(6)

(b)(6)

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\_\_\_\_\_

Chairperson

Date: \_\_\_\_\_