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"Rummaging in the government's attic"

Description of document: Each page from the Treasury Inspector General for Tax Administration (TIGTA) Disclosure Wiki on the Internal employee-only Website 2019-2020

Requested date: 19-November-2020

Release date: 16-February-2021

Posted date: 08-March-2021

Source of document: FOIA Request
Office of Chief Counsel Disclosure Branch
Treasury Inspector General for Tax Administration
1401 H Street, NW, Suite 469
Washington, DC 20005

COVID-19 preferred:
Email: FOIA.Reading.Room@tigta.treas.gov
National FOIA Portal:
<https://www.foia.gov/request/agency-component/c4f4e60b-7494-4d3c-8bf2-996bf6bf7701/>
Fax: (202) 622-3339

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INSPECTOR GENERAL
FOR TAX
ADMINISTRATION

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20005

February 16, 2021

SENT VIA E-MAIL:

This is in response to your November 19, 2020 Freedom of Information Act (FOIA) request, submitted through the National FOIA portal, seeking access to records maintained by the Treasury Inspector General for Tax Administration (TIGTA). We received your request on November 19, 2020. Specifically, you requested "a copy of each page from the TIGTA Disclosure Wiki internal employees-only share website established during 2018-2019-2020."

In addition, per your discussion with David Greek, Government Information Specialist, via telephone on December 4, 2020, you agreed to exclude any external documents linked from within the Wiki. Therefore, those records were not processed.

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 our requesters and should not be taken as an indication that excluded records do, or do not, exist.

TIGTA's Disclosure Wiki consists of a total of 220 pages of records responsive to your request. We are releasing 101 pages in full and 92 pages in part. A copy is enclosed. We are withholding 27 pages in full. We are asserting FOIA subsections (b)(3) in conjunction with I.R.C. § 6103(a), (b)(4), (b)(5), (b)(6), (b)(7)(C), (b)(7)(E), and (b)(7)(F) as the justification for withholding.

We have withheld information from the documents responsive to your request pursuant to FOIA subsection (b)(3) in conjunction with I.R.C. § 6103(a). The responsive documents contain return information, as that term is defined in I.R.C. § 6103(b)(2), of individuals other than yourself. The information pertaining to third parties was collected by the Secretary of the Treasury with respect to determining the liability of individuals under Title 26, and therefore is exempt from disclosure to you in response to your FOIA

request. Accordingly, we are withholding this material pursuant to FOIA subsection (b)(3) in conjunction with I.R.C. § 6103(a).

FOIA subsection (b)(4) permits an agency to withhold from disclosure information that consists of trade secrets and/or commercial or financial information obtained from individuals that could be considered privileged or confidential. The withheld information consists of commercial/financial information that is considered confidential. Therefore, this information has been withheld in response to your request.

FOIA subsection (b)(5) permits an agency to withhold inter-agency or intra-agency information that is considered to be part of the deliberative process. The type of information for which we assert the deliberative process privilege under subsection (b)(5) consists of information that is pre-decisional such as internal agency documents containing opinions, deliberations, and recommendations of Agency employees in connection with their official duties. Such documents are protected from disclosure pursuant to FOIA subsection (b)(5) and the deliberative process privilege. Also incorporated in subsection (b)(5) is the attorney-client privilege which is applicable to some of the information being withheld. We are asserting the attorney-client privilege for confidential communications between attorneys and clients.

FOIA subsection (b)(6) permits the withholding of records and information about individuals when disclosure of the information could result in a clearly unwarranted invasion of personal privacy. The withheld information consists of identifying information compiled with regard to individuals other than you. Releasing the withheld information would not shed any light into the Agency's performance of its official functions, but instead could result in an invasion into the personal privacy of the individuals whose names and personal information have been withheld. As a result, the privacy interests of the third parties outweigh the public's interest in having the information released.

FOIA subsection (b)(7)(C) permits an agency to withhold "information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy." The withheld information consists of identifying information of individuals other than you. Releasing the withheld information would not shed any light into the Agency's performance of its official functions, but instead could result in an invasion into the personal privacy of the individuals whose names and personal information have been withheld. The information was compiled for law enforcement purposes and the privacy interests of the third parties outweigh the public's interest in releasing the information released. As a result, this information has been withheld in response to your request.

FOIA subsection (b)(7)(E) permits an agency to withhold "records or information compiled for law enforcement purposes ... [that] would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could

reasonably be expected to risk circumvention of the law.” Some of the information withheld pursuant to this exemption was compiled in connection with a TIGTA law enforcement investigation. The withheld information consists of techniques or guidelines not commonly known to the public and/or information that could lead to the circumvention of the law. Other withheld information consists of information technology security guidelines or tolerances the disclosure of which could lead to circumvention of the law. As a result, this information has been withheld in response to your request.

FOIA subsection (b)(7)(F) permits an agency to withhold information that, if released, could reasonably be expected to endanger the life or physical safety of any individual or group of individuals.

The cost incurred to process your FOIA request was less than \$25.00, the threshold set by Treasury’s FOIA regulation, so no fees were assessed.

If you have any questions regarding this response, please contact David Greek, Government Information Specialist, at (202) 878-9194 or david.greek@tigta.treas.gov and refer to Disclosure File #2021-FOI-00037. Alternatively, you may contact me, TIGTA’s FOIA Public Liaison, at (202) 557-5616 or via e-mail at amy.jones@tigta.treas.gov, for further assistance or to discuss any aspect of your request.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, NARA, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or fax at (202) 741-5769.

Finally, if you are not satisfied with this determination in response to your request, you may administratively appeal to TIGTA’s Office of Chief Counsel, which is continuing to process FOIA and Privacy Act appeals during the COVID-19 pandemic. However, there may be delays in processing appeals submitted via U.S. mail or commercial carrier. Therefore, if you decide to appeal, we encourage you to use electronic means, either e-mail to FOIA.Reading.Room@tigta.treas.gov or fax to (202) 622-3339.

If you must use mail, please address the envelope as follows:

Freedom of Information Act Appeal
Treasury Inspector General for Tax Administration
Office of Chief Counsel
1401 H Street, NW, Suite 469
Washington, DC 20005

Your appeal must be electronically transmitted or postmarked within 90 days of the date of this letter.

Sincerely,

A handwritten signature in black ink that reads "Diane K. Bowers". The signature is written in a cursive style and is contained within a rectangular box.

Diane K. Bowers
(For) Amy P. Jones
Disclosure Officer and
FOIA Public Liaison

Enclosure

Using the Wiki

Friday, June 7, 2019 12:13 PM

Accessing the Wiki

The files associated with the Disclosure Branch Wiki are located at (b)(7)(E)

(b)(7)(E) (To provide someone with access to the Wiki, you may send them this link: (b)(7)(E)

(b)(7)(E)

Searching the Wiki

The number of tabs and pages in the Wiki can be overwhelming. As a result, you may find the Search bar in the top right-hand corner helpful. To search specific phrases, such as "testimony authorization," make sure to use quotation marks. The results will be those pages that contain the search terms.



Creating a New Section (Tabs at Top)

You can create a new section by doing any of the following:

1. Clicking the "+" sign by the tabs at the top.
2. Right-clicking in the tab row and selecting "New Section."

Make sure to name the section tab when you create it. Each new section will have one page in it. You may then add additional pages if you would like.

Creating New Pages

You can create a new page by doing any of the following:

1. Clicking "+ Add Page" at the top of the blue panel to the right.
2. Right-clicking in the blue panel to the right and selecting "New Page."
3. Typing Ctrl + N .

Editing Pages

The menu bar above contains a number of commands similar to those in Microsoft Word — *e.g.*, font, **bold**, *italics* — that you may find useful when adding content to the Wiki.



Reordering Section Tabs and Pages

Tabs can be reordered by dragging them to the desired spot above. Similarly, pages can be reordered by dragging them to the desired spot in the blue panel to the right.

Uploading Documents to Wiki

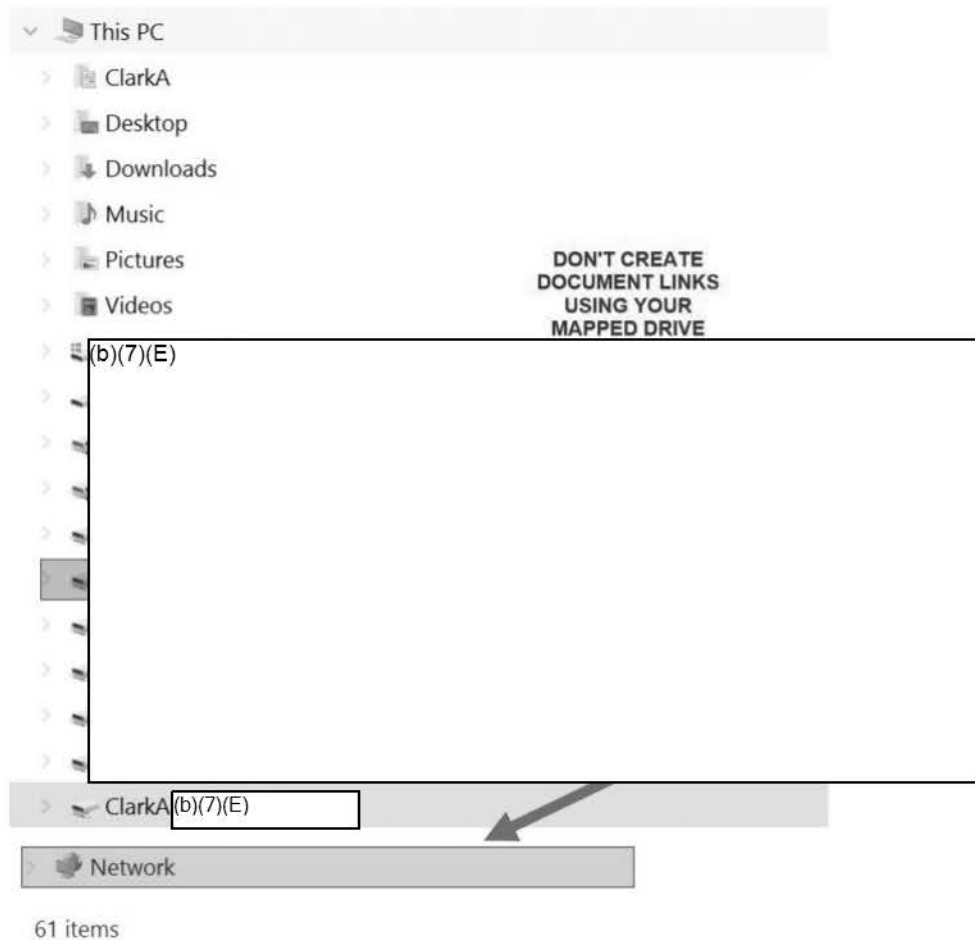
You can link documents — e-mails, checklists, templates, etc. — to the Wiki so that others may access them. Follow these steps:

1. Save the document to the appropriate folder in (b)(7)(E)

NOTE: There should be a folder for each tab. If there is not a folder for the tab to which you are adding the document, create a new folder and give it the same name as the tab.

2. Highlight the text in the Wiki you wish to hyperlink.
3. Right-click on the highlighted text and select "Link ..."
4. To the right of the "Address" field, click on the Folder icon. A new window will open.
5. Scroll all the way to the bottom and select "Network." It might take a second for the drives to load.
6. Click through to (b)(7)(E) and select the document you just saved.
7. Test the link.

NOTE: It is important that you navigate to the network drive instead of the mapped drive on your workstation. Other users will not be able to access the link if you create the link using your mapped drive.



Reviewing What Others Have Added to the Wiki

One of the nice things about using OneNote is that it will mark additions to the document that others have made. Pages that have been updated will appear in **bold**.



When you navigate to the page, the new/revised material will be highlighted and the initials of the author will be in the right-hand margin.

Electronic Transmission of Large Files

Counsel staff may occasionally need to transmit large electronic files [attachments] to persons within and without TIGTA. The tools that can be used for this purpose will vary according to the circumstances:

eMail is the easiest method for transmitting files to recipients in or outside of TIGTA. As of June 2019, the transport limit for attachments in TIGTA's email system is 35 MB. It may be possible to transmit larger files by compressing them in a .zip archive and/or splitting the file into several pieces.

SharePoint. For internal users, it may be possible to upload large files to a SharePoint folder on which both the attorney and the recipient have permissions. (b)(7)(E)

(b)(7)(F)

(b)(7)(F)

Access to this application must be requested from OIT.

CD/DVD. Files (in either archived or unarchived format) can be uploaded and burned on CDs or DVDs using Symantec's Removable Media Encryption Burner Application. For external recipients, the files should be saved as a self-extracting archive encrypted with a passphrase for maximum compatibility.

MGMT

By right-clicking on the new/revised material, you can see the full name of the author as well as the time and date of the edit.

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SharePoint. For internal users, it may be possible to upload large files to a SharePoint folder on which both the attorney and the recipient have permissions. (b)(7)(E)

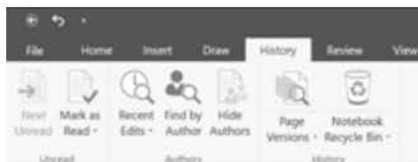
(b)(7)(F)

(b)(7)(F) Access to this application must be requested from OIT.

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Miller Gregory M TIGTA at 6/7/2019 11:40 AM

Additionally, there are other review tools in the "History" tab that will allow you to see recent updates as well as updates you have yet to review.



Disclosure Meeting Notes

Wednesday, December 11, 2019 10:30 AM

Roundtable Notes 11/12/19

Roundtable Notes 12/16/19

Roundtable Notes 5/12/2020

Requesting DVD writer

Wednesday, August 7, 2019 10:57 AM

New Disclosure team-members can request a DVD reader/writer using the following instructions:

Please submit your request at the following site:

(b)(7)(E)

Select "+ New Document" and then select **other** and type in your hardware request.

Records and Information Mgmt

Monday, September 30, 2019 2:06 PM

Records Management SOP

Chief Counsel File Maintenance Policy - 10/1/2019

Text and Instant Messaging Records Policy - Added 4/28/2020

OI Memo re: Investigative Case File Retention Procedures - 7/23/2019

(RIM)

Reserving a room w/ Outlook

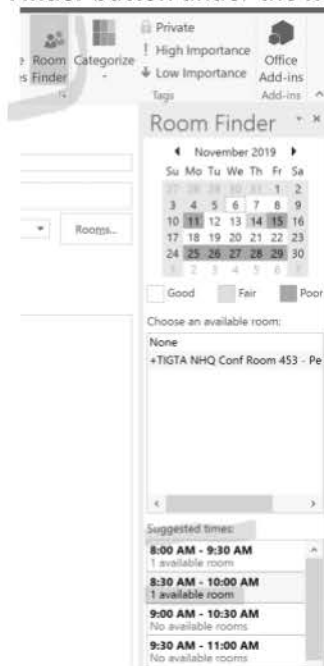
Wednesday, November 6, 2019

10:13 AM

To set up a meeting invite and reserve a conference room in Outlook:

1. In Outlook: Start a new meeting
2. In the **To:** line, add your recipients.
3. In the **Location:** line, click the "**Rooms**" button located on the far right.
 - a. If you type "+TIGTA NHQ" in the search box you will see a list of rooms available at NHQ.
4. Select the desired room (double click on the room name and then click OK). You should now be back at your meeting invite, and see the room name entered in the **Location:** line. If not, go back to step 3.
5. Fill in your desired date and start/end times.
6. In the right column under "**Suggested times**" you can see if the room is available or not.
 - a. If you don't see the "**Suggested times**" you can display the room finder by clicking the **Room Finder** button under the **Meeting** tab (pic)

b.



7. Don't forget to fill out your **Subject** and message body and then hit **Send**.

Pennsylvania Training Room Equipment

Thursday, November 21, 2019 8:59 AM

Information re: Audiovisual Equipment in the Pennsylvania Training Room (Kevin Winston, 11/2019)

International Phone Calls

Wednesday, January 8, 2020 12:20 PM

BACKGROUND:

Occasionally, you may need to make an official phone call to another country. Always obtain permission from the Disclosure Chief before making an international call.

SETUP:

TIGTA desk phones are not set up to perform international calls. To set up, contact Kevin Winston for this feature to be added to your phone. The process takes 1-2 days through the telephone vendor.

DIALING OUT:

To dial outside the country, dial 9 to get the outside line, and then start with "011" instead of "1" at the beginning of the international number.

Background Email 1/8/2020

Counsel Conference Call In Number

Thursday, January 23, 2020 3:13 PM

The call in number for those participating in the meeting remotely:

Dial-In Number: (b)(6)
Participant Access Code [Password]: (b)(6)

Host password/pin: (b)(6)

If you are the one hosting the meeting you give the call-in number and access code to all the attendees. Please note, the number is for the sole use of the Office of Chief Counsel. Please schedule and post the time in the share calendar.

Both host and attendee have the same call in number and access code.

The host should follow the instructions you hear when you call the call-in number.

When asked for host number you enter the host password/pin.

Using Numbers in written correspondence per TIGTA Style Guide

Monday, March 9, 2020 1:49 PM

3.9 Be consistent with listing numbers. Spell out whole numbers below 10 and use figures for 10 and above. For more guidance, please refer to Rule 9.50 in this Style Manual, Rule 12.5 in the GPO Style Manual, and the section titled "Numerals" in the *AP Stylebook*.

Additional Information From GPO Style Manual:

Numbers expressed in figures

12.4. A figure is used for a single number of 10 or more with the exception of the first word of the sentence. (See also rules 12.9 and 12.23.)

50 ballots 24 horses nearly 13 buckets
10 guns about 40 men 10 times as large

Numbers and numbers in series

12.5. When 2 or more numbers appear in a sentence and 1 of them is 10 or larger, figures are used for each number. (See supporting rule 12.6.)

Each of 15 major commodities (9 metal and 6 nonmetal) was in supply.

but Each of nine major commodities (five metal and four nonmetal) was in supply.

Petroleum came from 16 fields, of which 8 were discovered in 1956.

but Petroleum came from nine fields, of which eight were discovered in 1956.

That man has 3 suits, 2 pairs of shoes, and 12 pairs of socks.

but That man has three suits, two pairs of shoes, and four hats.

Of the 13 engine producers, 6 were farm equipment manufacturers, 6 were principally engaged in the production of other types of machinery, and 1 was not classified in the machinery industry.

but Only nine of these were among the large manufacturing companies, and only three were among the largest concerns.

There were three 6-room houses, five 4-room houses, and three 2-room cottages, and they were built by 20 carpenters. (See rule 12.21.)

There were three six-room houses, five four-room houses, and three two-room cottages, and they were built by nine carpenters.

but If two columns of sums of money add or subtract one into the other and one carries points and ciphers, the other should also carry points and ciphers.

At the hearing, only one Senator and one Congressman testified.

There are four or five things that can be done.

From <<https://www.govinfo.gov/content/pkg/GPO-STYLEMANUAL-2008/html/GPO-STYLEMANUAL-2008-14.htm>>

From (b)(7)(E)

Number formatting

Backdate an Adobe PDF

Friday, March 27, 2020 8:05 AM

Occasionally you may need to digitally backdate-stamp a received document in Adobe Acrobat. Adobe's dynamic "received" stamp will only allow you to use the current date and time. To backdate, you must create your own custom stamp. (the analog method for doing this is to print out the document, physically stamp it with the earlier date, and scan it back in.)

Summary:

In the PDF file you wish to date stamp, you will Create a new stamp, locate your file, and add stamp to document.

Instructions:

1. Create the stamp in a word document and save it, or copy and rename this RECEIVED STAMP TEMPLATE to your desktop and use it. Note: You have to save a new word document each time before you create a stamp.
2. TOOLS - Stamps - Custom Stamps - Create - Browse - select Word File - Open - OK.
3. Next, select Category - Drop Down - Dynamic - OK.
4. Then go to Stamp - Dynamic - and scroll down to your custom stamp and click on it. You can place it anywhere you want, resize it, etc.
5. After you've saved your document, since this stamp will likely be one-time use, delete it from Adobe Acrobat.
 - a. TOOLS - Stamps - Custom Stamps - Manage - Select stamp and Delete
6. Make a note of what you've done in the FX case notes.

Track Changes in MS Word

Monday, April 20, 2020 8:13 AM

When reviewing a Word document for your peers and/or management, enable the Tracked Changes mode. This will highlight all of the changes and comments you make in the document. Turning on Track Changes gives you and your coworkers a way to make changes that are easy to spot. The changes are like suggestions that you can review, and then remove them or make them permanent.

A brief tutorial from Microsoft: <https://support.office.com/en-us/article/Track-changes-in-Word-197ba630-0f5f-4a8e-9a77-3712475e806a>

(Track changes, tracked changes)

Track Changes Key Points (Disclosure Demo 4-24-2020)

1. Make sure that Track Changes are on when editing a document. Go to Review Tab, choose Track Changes in the drop down. Track Changes option will appear as a darker gray when ON.
2. You may choose different Options to the right of Track Changes.
 - a. Simple Markup: you will see a colored (i.e. red) mark on the line where there was a change (if there are more than one person making edits the colors will vary per person), you will not be able to see where the change is; no comments will be shown. You will only see a bubble where it is but, not the actual comment.
 - b. All Markup: allows you to see all the markups completed by all reviewers and see any comments made in the document.
 - c. No Markup: shows how the document looks if all changes are accepted, it makes it in the final format.
 - d. Original: shows you the original document that came in for review, before any markups or comments were done.
3. You may use Previous Change and Next Change when looking through a document with Track Changes to go to a previous change made or proceed to the next change made.
4. Reject a change: will eliminate all the changes made by you and other reviewers.
5. Accept: all changes are accepted in the document.
6. Comment: highlights where you want to add a comment by selecting new comment and it will show that a comment was made where that item is

located.

7. Reviewing Pane: gives you a choice to have the changes shown at the bottom or the side of the document, and show who has made changes to the document. Not commonly used as if you have it in All Markup view and hoover over the change it will tell you who made the change.
8. Once all changes are complete you may choose to: Accept All Changes or Accept All Changes and Stop Tracking (Under Accept drop down)

Deleting an Approved Leave Request

Monday, April 27, 2020 2:02 PM

Procedures for deleting an approved leave request:

Send Amy an email that you want to delete a specific leave request. She will open the approved request and revert the approved leave request to Pending (She has a button on the approved request that indicates Revert Pending).

Once the request is pending again, you can delete the request.

Background e-mail 4/27/2020

Adding a trusted website

Monday, May 4, 2020 9:35 AM

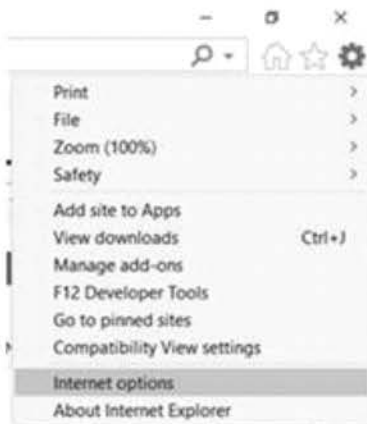
If you're having difficulty viewing a trusted web page (e.g., OIP's DOJ Guide to the FOIA), the following steps may help:

Adding URL to the Trusted sites

1. Click the gear icon at the top right of IE. Or click on TOOLS, located on the menu bar.



2. Click Internet Options.



3. In the popup, click the Security tab.
4. Select and highlight the Trusted Sites zone.
5. Click the Sites button.



6. Type in the URL of the site you want to add:



*Note: You may add wildcards to add an entire domain – such as: *//*.microsoft.com*

7. Click Add.

8. Click Close.
9. Click Ok.
10. Close all Internet Explorer windows
11. Open Inter Explorer again and try to access the site.

Joining a Skype meeting

Thursday, May 7, 2020 8:23 AM

The steps below are required before you join **each** Skype meeting.:

Skype tutorial videos:

Joining a Skype for Business Meeting

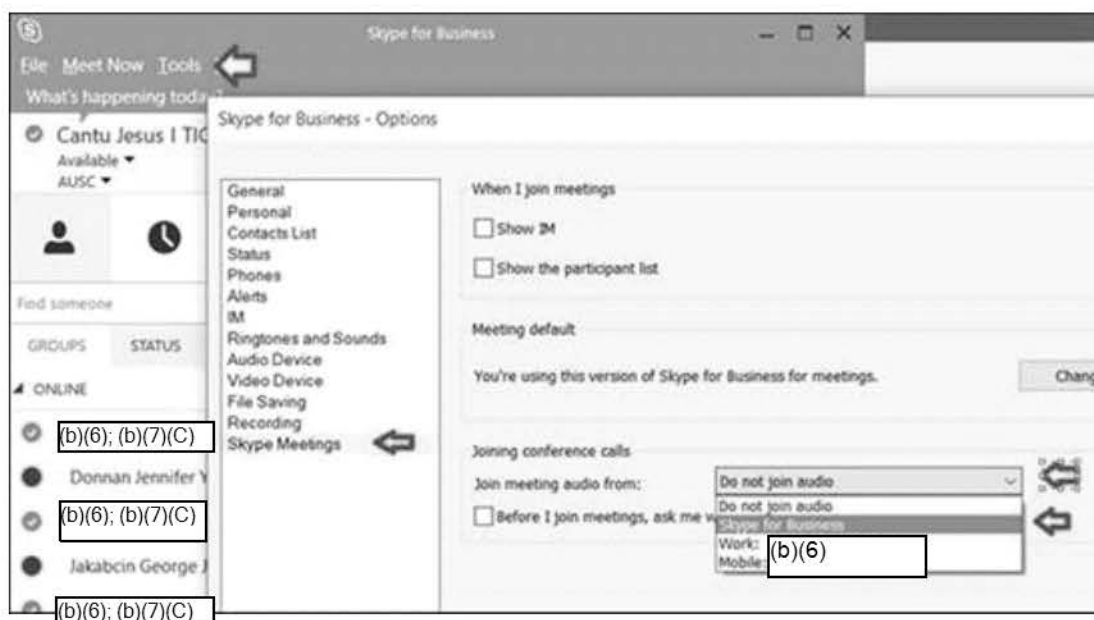
<https://support.office.com/en-us/article/join-a-skype-for-business-meeting-3862be6d-758a-4064-a016-67c0febf3cd5>

Setting up a Skype for Business Meeting

<https://support.office.com/en-us/article/video-set-up-an-online-meeting-with-skype-for-business-c9c2294b-a56a-493a-beba-7ccb117314e>

Meeting steps and sample invitation language:

- **Before joining the Skype Meeting** you will need to change the audio setting for Skype Meeting as follows:
- **Skype > Tools > Options > Skype Meetings >** Select the **Skype for Business** option under **Joining conference calls**.
- Please note that if you log out of Skype, shut down or restart your laptop, you will have to repeat this process before joining a Skype Meeting, as currently the system defaults back to Do not join audio.



- At the scheduled start time - Click on Join Skype Meeting

Acting Branch Chief Information

Tuesday, June 2, 2020 2:03 PM

Acting Disclosure Officer/Branch Chief

UPDATE:

Please see Lori's email below [6/22/20] *to managers* regarding the daily status reports that we send her. She now wants the managers to submit one daily report providing an update on our staff as well as the response needed for reporting to the Treasury Operations Center or TOC. I am sharing this information with you because you'll need it for reporting to Lori when you are acting for me.

**During the pandemic there are two reports due to Deputy Chief Counsel every morning.
Copy Amy on the e-mail to Lori.**

Background e-mail update for managers 6/22/20 - Only send one e-mail

Background e-mail - Two separate reports

Background e-mail - 1st Report

Background e-mail - 2nd Report

Covid; acting;

Setting up the Skype Icon for Skype meetings

Wednesday, July 8, 2020 11:48 AM

Go to Outlook -File Options -Add-Ins

Find Skype Meeting Add-In for Microsoft Office ☐ Click on it

Then go to the bottom where it says Manage: COM Add-Ins -then click GO

When the box opens to show All of the Add-Ins:

Check the box next to Skype Meeting Add-In for Microsoft Office ☐ Click OK

Footnote: Sometimes this may reset and you may have to redo the steps again to see the Icon

Faxing (Outgoing)

Tuesday, July 14, 2020 8:01 AM

E-mail from OIT regarding outgoing fax procedures 7/13/2020

Time Sheet Coding - CARES ACT

Friday, August 7, 2020 3:05 PM

Coding time sheet re: CARES ACT (from meeting notes posted 5/12/20)

Q: Should we be using the CARES timecode on our timesheets for FOIAs and M-cases?

A: If it's not a FOIA, and it's a simple inquiry (e.g. quickly resolved M-case such as How can I get my stimulus check), there is no need to use the CARES time code on your time sheet. If it is a FOIA request or M case/Complaint that would be handled by TIGTA

(b)(3):26 U.S.C. 6103; (b)(6); (b)(7)(C)

(b)(3):26 U.S.C. 6103; (b)(6); (b)(7)(C)

, the request would be processed under FOIA/M Case and the hours worked on the case would be added to the time sheet each day using the CARES act accounting code. TIGTA employees must use the cost pool code **TGTCARESTR** to record time spent performing COVID-19 related activities.

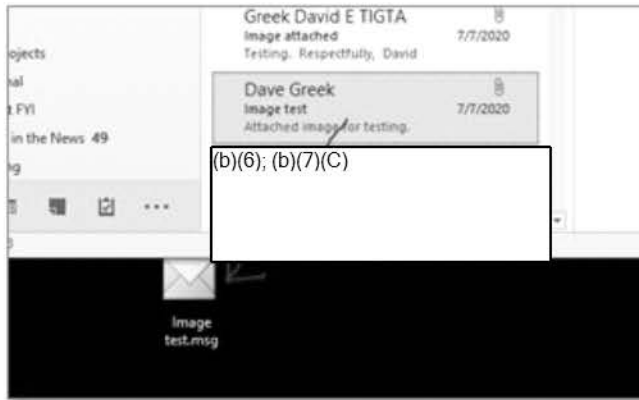
CARES Act Time Code E-mail from OMS with attachments

E-mailed JPGs not converting into PDF

Monday, August 31, 2020 1:53 PM

If you notice images attached to an e-mail are not included when you convert to pdf:

1. Click and drag the original e-mail from Outlook to your desktop (pic below).
2. Open the desktop version of the e-mail.
3. Covert it to pdf as you normally would. Done!



Testing has worked but this method may not work all the time, so you may need to extract the images and append them to the pdf.

While this is a “quick fix,” this ticket remains open with the Applications team, but there is no time estimate for if/when this will be permanently addressed as it appears to be a complicated issue.

HEIC images

Wednesday, October 7, 2020

8:29 AM

HEIC images will not easily open on our laptops. HEIC images are viewable on the PC in a couple of ways:

- 1- If they're in an e-mail, open the e-mail on your government iPhone. HEIC images are native to Apple, so the phone will be able to view them.
- 2- Copy the images to your desktop, and change the name of the file to end in ".jpg" instead of ".heic"
- 3-

(b)(4)

General Guidance

Friday, September 6, 2019 5:50 PM

General Processing of a FOIA Case

Friday, September 6, 2019 6:01 PM

Review the incoming request.

Is it valid? Request must meet all criteria to be valid (including legible ID). The requester must:

- State it is a FOIA Request.
- (If first party requester) Sign the FOIA Request (we only accept true signatures).
- Must describe records adequately for us to reasonably conduct a search for records.
- (If first party requester) Must provide ID, notarized signature, or "penalty of perjury statement; or if representing someone, must provide statement from client authorizing requester to receive records on their behalf and provide ID of client and self (b)(5) [redacted] (b)(5) [redacted]
- State willingness to pay fees (Do not need to go back for this reason if this is the only missing component. It will be addressed later in the process if fees will be charged).

Conduct Search.

Request Records (b)(4) [redacted] or Search Memo. See contacts list.

Add all correspondence (b)(4) [redacted]

Load responsive records into Document Management.

Review records and apply needed redactions.

Prepare response letter.

Mail or e-mail response and records. If sending records via e-mail, they will have to be encrypted with a password. [Appeals and exemption sheet no longer used]

FOIA Intake / Controlling / New Correspondence

Friday, October 11, 2019 2:05 PM

Controlling new FOIA requests:

1. Check for new requests

- a. Mail room (once daily, after mail has arrived for the day)
- b. Fax (several times daily)
- c. FOIA Reading Room email (several times daily). Don't forget to check the Junk Mail folder as well.

2. Date stamp the request

- a. 5 p.m. is the cutoff. If a request arrives after 5 p.m., stamp for the next day.
- b. If stamping digitally in Adobe Acrobat, you can only stamp for the current day (no backdating / forward dating possible in Adobe Acrobat.) If you need to back/forward date, you must print the request, physically stamp it with the correct date and scan it back in.
- c. If there are separate items (envelope, email, separate pdf of request) date stamp each item. You may combine them all into a single PDF, but each new "section" will have a date stamp.

3. Log in the request

(b)(4)

4. Again, always ensure accuracy of data elements. Re-read request several times and check the elements to be sure.

(b)(4)

5.

6.

7.

8.

9. FYI: If expedited processing is requested, we have 10 calendar days to respond. Highlight this in your notification email to the Disclosure Branch staff member who assigns cases (below).

Please note: Do NOT take action to grant or deny an expedited processing until a request is perfected

10. Address fee waiver info later, if requested. (b)(4)
11. Click save.
12. Send a "notification of new FOIA" email to the appropriate Disclosure Branch staff member who assigns new cases. Cc: the Disclosure Branch chief. Notify them that a new case has been controlled and is ready for assignment to the team. Include the case number. (Note: you will be (b)(4) since you created the case.)
13. Put all paper records (incoming request, envelope, etc.) in an unmarked, plain file folder (for re-use) in the Disclosure Inbox in the file room – add a sticky note with the case number. The assigned GIS will verify and destroy the paper records or keep a convenience copy as he/she will determine the need to keep them temporarily.

[incoming, control, new case, new foia, intake]

Receiving New Correspondence

Thursday, January 16, 2020 8:52 AM

Receipt of new Correspondence for a case:

If you're acting as the Secretary and you receive new correspondence for an existing case:

Please follow the procedures below to notify the Specialists (b)(4)

(b)(4)

I need you to (b)(4)

(b)(4)

As illustrated below, (b)(4)

(b)(4); (b)(6)

Background email 1/16/2020

Case Notes/Administrative Record

Friday, September 6, 2019 5:23 PM

When assigned a new case, in general, include the following in the Case Notes section, with date of action:

- Reviewed/Verified All Data Elements
- The request is valid or invalid (needs the following ...)
- Sent acknowledgment or Need for Additional Information Letter
- Conducted search in CRIMES (see info below) or sent Search Memo to
- Requested Records - notate the records requested and to whom the request was sent.
- Receipt of Records - notate from whom and any important information on the records received.
- Consultations - with whom and what was discussed/outcome of advice.
- E-mails and contents (or synopsis).
- Additional information pertaining to review of records (reasons why you decided to handle it the way you did if unusual situation).
- Mailed or sent response letter.
- Etc.

Actions on SEARCH:

When conducting an indices search for records in CRIMES, document the case notes as follows:

- (b)(5); (b)(7)(E)
-

Redaction Guidance

Friday, September 6, 2019 6:13 PM

Redact consistently

Complaint:

(b)(5); (b)(7)(E)

ROI:

(b)(5); (b)(7)(E)

Closed Case:

(b)(5); (b)(7)(E)

Open Case:

(b)(5); (b)(7)(E)

FX (b)(4)

Monday, January 13, 2020 9:23 AM

Effective immediately:

(b)(4) We are allowed the one
extension of 10 days (b)(4)
(b)(4)

If the case goes over 30 days, the request will be recorded as Backlogged.

NOTE: If applicable, you still must notify the requester via phone call or email when you will need additional extensions past the 10-day extension and document the case notes. However, as stated above, (b)(4)

(b)(4)

Background email 1/7/2020

Encrypting a PDF

Friday, March 13, 2020 3:08 PM

If emailing the final response to the requester, you must encrypt the pdf if it contains information with privacy implications, e.g. SSN, investigatory information, etc.

If you just want to restrict document editing, skip step 3.

1. Once you have all pages to be delivered in a single pdf (Final response letter, records, other attachments, etc.) click on **TOOLS -> PROTECT** to open up the protection menu items.
2. Select **Advanced Options -> Encrypt with password**
3. Select **Require a password to open the document** and set a password. (b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

Put this

password in the case notes so others may access the document.

Document Open

☒ Require a password to open the document

a. Document Open Password: Not Rated

This password will be required to open the document.

4. If you want to also restrict editing of the PDF, click the **Restrict editing and printing...** checkbox and select your settings. This password is just for you and is not shared with the requester. This just prevents them from making changes to the document. Set something that you can remember (b)(5); (b)(7)(E) You may wish to set the following options so the user can at least print and select/copy text:

Permissions

☒ Restrict editing and printing of the document. A password will be required in order to change these permission settings.

Printing Allowed: High Resolution

Changes Allowed: None

a. ☒ Enable copying of text, images, and other content

☒ Enable text access for screen reader devices for the visually impaired

Change Permissions Password: Not Rated

5. Click OK. You will be prompted to re-enter both of the passwords to ensure they were entered correctly.
6. The security does not take effect until you save the document again.
7. Be sure to try and open the document using the password to make sure everything works.

Note: The encryption feature is powerful and more important; but the "restrict editing" permissions password is not. Adobe tells you this:

Adobe Acrobat



All Adobe products enforce the restrictions set by the Permissions Password. However, not all third-party products fully support and respect these settings. Recipients using such third-party products might be able to bypass some of the restrictions you have set.

☐ Do not show this message again

OK

Bonus:

1. To view a pdf's security settings, go to **TOOLS -> PROTECT -> More Options -> Security Properties**

Document Properties

Description	Security	Fonts	Initial View	Custom	Advanced
Document Security					
The document's Security Method restricts what can be done. To remove all security restrictions, set the Security Method to No Security.					
Security Method:		Password Security			
Can be Opened by: Acrobat 7.0 and later					
All contents of the document are encrypted and search engine metadata.					
Document Restrictions Summary					
Printing:		Allowed			
Changing the Document:		Not Allowed			
Document Assembly:		Not Allowed			
Content Copying:		Allowed			
Content Copying for Accessibility:		Allowed			
Page Extraction:		Allowed			
Commenting:		Not Allowed			
Filling of form fields:		Not Allowed			
Signing:		Not Allowed			
Creation of Template Pages:		Not Allowed			

2. **Adobe's instructions:** <https://helpx.adobe.com/acrobat/using/securing-pdfs-passwords.html>

Keywords: Security,email,final response,encrypt,password protect,pdf

Editing a PDF

Tuesday, June 23, 2020 10:49 AM

There are instances (perhaps a glitch) where you accept all changes to a letter in Word, but when converting the document to PDF and saving it, some of the corrections may re-appear in the PDF format. In this occurs, you need to edit the document in Adobe Acrobat to make the necessary changes to the document before sending the document to the recipient (requester).

[Examples and instructions here](#) 6/23/2020

Hide / Block Caller ID

Monday, March 16, 2020 8:42 AM

While teleworking, you may encounter the need to call a requester to provide a password or other information. If using your personal cell phone, you can hide your outgoing phone number. It might be a good idea to send an email beforehand to inform the requester that you'll be calling, so that they won't ignore a call from an anonymous or blocked phone number.

***67:**

This should work on all phones, including land lines:

1. Dial code *67 (star 67) before the phone number, and it will temporarily deactivate caller ID.
 - a. Example: *67 (888) 555-5555 and then place the call.
2. On the receiving end, caller ID will usually display as "private number" or "anonymous" because it has been blocked.

Other options:

iPhone:

Note: This option varies by carrier (some have this option disabled). Confirmed it works with AT&T/Cricket.

1. From the home screen, tap the **Settings** icon and then tap **Phone**.
2. Select **Show My Caller ID** and turn it off.
3. When you call someone, the caller ID will now show "Anonymous" or "Blocked" on their end.

Remember to turn it back on once you are done using the feature, otherwise you will confuse your friends and family when you call them and they may not answer.

Duplicate Requests

Tuesday, March 24, 2020 3:39 PM

Complainant is Requester

Monday, June 10, 2019 5:06 PM

General procedures when processing a case where the requester is the complainant seeking all records on their complaint:

1. Is the request valid? Send Acknowledgment Letter. If not valid, send need for additional information letter.

2. (b)(5); (b)(7)(E)

- 3.

- 4.

- 5.

- 6.

7. In general, the response language will include:

A. Exception Language:

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 our requesters and should not be taken as an indication that excluded records do, or do not, exist.

DKB deleted §

(b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

D. Fee paragraph:

The cost incurred to process your FOIA request was less than \$25.00, the threshold set by Treasury's FOIA regulation, so no fees were assessed.

OR

The cost incurred to process your FOIA request was less than \$25.00, the threshold set by Treasury's FOIA regulation, so no fees were assessed. Therefore, your request for a fee waiver is moot.

E. Usual closing language when records have been withheld:

If you have any questions regarding this response, please contact ~~Diane Bowers~~, Government Information Specialist, at (202) 927-7043 or ~~Diane.Bowers@tigta.treas.gov~~ and refer to Disclosure File #2019-FOI-00XXX. Alternatively, you may contact me, TIGTA's FOIA Public Liaison, at (202) 622-4068 or via email at amy.jones@tigta.treas.gov, for further assistance or to discuss any aspect of your request.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, NARA, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at 1-877-684-6448; or facsimile at (202) 741-5769.

Finally, if you are not satisfied with this determination in response to your request, you may administratively appeal this decision. Please address the envelope as follows:

Freedom of Information Act Appeal
Treasury Inspector General for Tax Administration
Office of Chief Counsel
City Center Building
1401 H Street, NW, Suite 469
Washington, DC 20005

Alternatively, you may submit an appeal via fax at (202) 622-3339 or e-mail at FOIA.Reading.Room@tigta.treas.gov. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this letter.

Sincerely,

(For) ~~Diane K. Bowers~~
Amy P. Jones
Disclosure Officer and
FOIA Public Liaison

Enclosures

CRIMES Screen Redaction Template

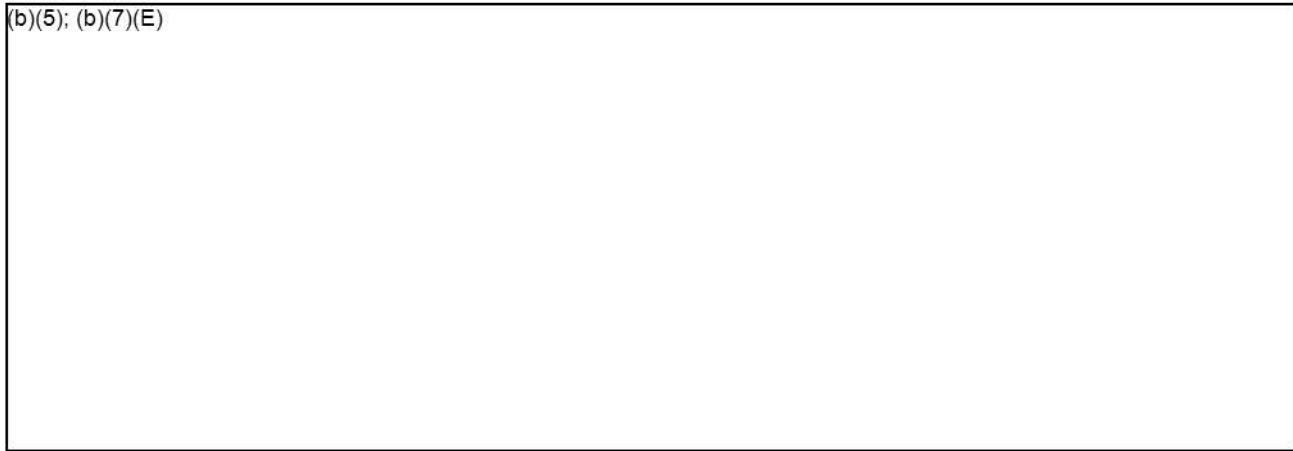
Wednesday, August 21, 2019 3:26 PM

CRIMES Screen Redaction Template (b)(5); (b)(7)(E)

Unknown Subject

Wednesday, August 21, 2019 3:26 PM

(b)(5); (b)(7)(E)



Subject is requester

Thursday, June 20, 2019 6:01 PM

(b)(5); (b)(7)(E)

Notification of Media Request

Tuesday, June 25, 2019 5:24 PM

When you receive a valid FOIA request from a Media organization, you must send an e-mail notification to *TIGTA Communications (TIGTACommunications@tigta.treas.gov); (b)(6) with cc: to Amy Jones, (b)(6) Gladys Hernandez, David Barnes.

Sample E-Mail:

Subject: Notification of FOIA Request from Media

FOR INFORMATION ONLY:

This e-mail is a notification that on June 26, 2019 the Disclosure Branch received the attached FOIA request from John Doe, ABC News-New York. If you have any questions, please contact me at (202) 927-7043. Thank you.

/s/

Reference: 11/20/2019 - Email authorizing adding Gladys to Media Notification cc:

Keywords: Media; press; journalist;

Records

Friday, July 5, 2019 3:56 PM

Requesting Records

Thursday, June 20, 2019 6:01 PM

Requesting OI Records - General

Friday, July 10, 2020 3:41 PM

Requesting Office of Investigation Records Responsive to a FOIA Request

NOTE: Each responsive record needs to be requested separately, i.e., on separate record request emails. Do not combine requests for a Complaint and ROI record

(b)(4); (b)(5)

(b)(4); (b)(5)

on whether each record requested was located or destroyed, etc.

(b)(5); (b)(7)(E)

Attachment (Memorandum signed by James Jackson, DIGI)

Posted by DKBowers, 7/16/2020; Revised 10/9/2020.

OI CRIMES Records Search

(b)(5); (b)(7)(E)

Tuesday, September 8, 2020 4:09 PM

(b)(5); (b)(7)(E)

Also, See 2019-FOI-00236 Case Note Explanation:

(b)(5); (b)(6); (b)(7)(C)

(b)(5); (b)(6); (b)(7)(C); (b)(7)(E)

E-mail contacts for requesting records / documents

Friday, August 2, 2019 4:57 PM

Email contacts for requesting documents / records

If you make an update, annotate at the very bottom.

Also, notify AMY or DAVE (b)(4)

CC: (b)(6); (b)(7)(C) **Trevor Nelson for OI records.** [Background Email](#)

OFFICE OF INVESTIGATIONS – THE FIVE FIELD DIVISIONS

 (b)(4)

Mid-Atlantic Field Division (69)

To: (b)(6); (b)(7)(C) Secretary
Cc: Andrew McKay, Acting SAC (Normally Deputy SAC); (b)(6); (b)(7)(C) Office Manager

Mountain Central Field Division (63)

To: (b)(6); (b)(7)(C) Office Manager
Cc: Krystofor Proev, SAC

Northeastern Field Division (71)

To: William Kalb, SAC; (b)(6); (b)(7)(C) Office Manager

Southern Field Division (75)

To: Gary Smith, SAC, and Mark Morini, Deputy SAC
Cc: Office Managers (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C)

Western Field Division (62)

To: Rod Ammari, SAC
Cc: (b)(6); (b)(7)(C) Office Manager

OFFICE OF INVESTIGATIONS – HEADQUARTERS OFFICES

 (b)(4)

Strategic Data Services (SDS) Division (52)

To: (b)(6); (b)(7)(C) Director
Cc: John Kirk, SAC

Special Investigations Unit (54)

To: Erik Wood, SAC (effective 11/10/19)
Cc: (b)(6); (b)(7)(C) SA; (b)(6); (b)(7)(C) Office Manager

Complaints Management Team (55) cases only

To: (b)(6); (b)(7)(C) Program Analyst (b)(6); (b)(7)(C)
Cc: John Kirk, SAC; (b)(6); (b)(7)(C) Assistant Director, Complaint Management Team; (b)(6); (b)(7)(C) Team Leader

Fraud and Schemes Division (FSD) (all 50 cases)

To: John Kirk, SAC
Cc: (b)(6); (b)(7)(C)

E-MAIL SEARCH MEMOS TO:

Bowers Diane K TIGTA at 5/13/2020 11:38 AM

Chief Counsel

To: (b)(6)
Cc: Lori Creswell, DCC

Office of Investigations

To: James S. Jackson, Deputy Inspector General for Investigations
Cc: Susan Moats, AIGI Field Divisions; Bernard Williams, SAC, Operations Division,
Trevor Nelson, AIGI; (b)(6); (b)(7)(C) Chief of Staff

Office of Mission Support (includes requests for Communication Office records)

To: (b)(6) &
Mervin Hyndman, Acting Deputy Inspector General for Mission Support/Chief Financial Officer
Cc: Jennifer Donnan, Director, Human Capital & Personnel Security Services

Office of Information Technology

To: Richard A. Varn, Chief Information Officer
Cc: Jesus Cantu, Management Analyst

Office of Communications

To: (b)(6)
Cc: Mervin Hyndman (Acting Director). No other cc's to add.

FOR MEDIA NOTIFICATION email:

To: *TIGTA Communications; (b)(6)
Cc: (b)(6) Gladys Hernandez, Amy Jones, David Barnes, Merv Hyndman

[See also [Notification of Media Request](#)]

Office of Audit

To: Michael McKenney, DIGA

Office of Inspections and Evaluation

To: Heather Hill, Acting Deputy for Inspections and Evaluations
Cc: Nikole L. Smith, Jacqueline Nguyen, Staff Advisor (b)(6)
Nikole asked that her name be added from this point on as she will be the new Staff Advisor (11/19/20).

UPDATES

9/11/2019 DKB - changes are highlighted in yellow. ;
9/30/19 DG - Crossed out Lori (no longer acting deputy); removed (b)(6); (b)(7)(C) from CMT per his request (moved to policy)
10/25/19 DG - OI Trevor Nelson - removed word "acting" . Removed Jennifer Donnan from OMS.
11/5/19 DG - Erik Wood now SAC of SIU. Removed Moats.
11/14/19 DG - Heather Hill now Acting for Inspections and Evaluations.
12/4/19 DG - (b)(6); (b)(7)(C) added as main contact for OIT per Jesus Cantu.
3/24/20 DKB - Richard Varn is new CIO.
4/20/20 DG - Added Fraud and Schemes Division.
8/12/20 DKB - Added (b)(6); (b)(7)(C) as Acting SAC, Operations/CMT

[Email, contacts, search memo]

(b)(6);
(b)(7)(C)

Seeking Investigatory Records on TIGTA Employees

Wednesday, September 11, 2019 3:42 PM

Records on TIGTA employees are handled by the Special Investigations Unit (SIU). (b)(5); (b)(7)(E)
 (b)(5); (b)(7)(E) We must send a records request (b)(4) to SIU
 letting them know they need to conduct the search for any responsive records.

This should also be applicable to SIU investigations on higher level IRS employees or IRS Criminal Investigators. See below:

OI Ops Manual (400)-340.2 Primary IRS Investigative Responsibility.

IAD has the responsibility for investigations of senior IRS officials and IRS LB&I – Assistant Deputy Commissioner (International) employees located in the U.S. and within U.S. Embassies abroad. Additionally, IAD has responsibility for investigations of IRS-CI employees and employees of the IRS Office of Chief Counsel (OCC).

Note: Allegations involving IRS employees located in Puerto Rico and the U.S. Virgin Islands must be referred to the Special Agent in Charge (SAC)-Southern Field Division. Allegations involving IRS employees in Guam or the American Samoa Islands must be referred to the SAC-Western Field Division.

340.2.1 Identification of Senior IRS Officials. Within the IRS, senior officials include:

- Members of the IRS Oversight Board;
- The Commissioner of Internal Revenue;
- The Commissioner's Special Pay Executives; and
- Any IRS official, executive or manager, GM/GS-15 or above, occupying a position within the Senior Executive Service (SES), to include OCC and any IR-1 or IR-3 employees.

Requesting Records that were handled by more than one OI Office

~~We always request the complaint records from CMT (or the office that inputs the complaint) **and the Field Division** handling the complaint.~~

UPDATED 4/14/2020

Per new guidance, we no longer have to go to the OI Division that does the intake for complaint records if the complaint is transferred. We will only request complaint documents from the Division that works the complaint. This includes if CMT did the intake--only request from the Division working the complaint.

Background e-mails regarding records from the field 4/10/2020

Background e-mails regarding records from CMT 4/13/2020

Completing the (b)(4)

Tuesday, June 25, 2019 4:53 PM

Identify the Investigatory Records/Records Search (b)(4)

Re-Read the Request. Identify the records responsive to the request and determine which TIGTA component(s) will likely have those records based on the specifics of the requested information. Most of our requests are for investigatory records and we should be able to identify the records through conducting an indices search to locate those records in CRIMES. Once located, we request the records from the appropriate field or Headquarters Office.

Notes on records:

Complaint records are held in the Field and then should be destroyed after 2 years in accordance with the Records Retention Schedule. However, we still must conduct a search for these records to ensure they have been destroyed by the Field. If they did not destroy them, they must provide us the records still in their possession.

(b)(5); (b)(7)(E)

NOTE: Per Gladys Thompson on 10/8/20 (COVID related):

The FRC is not closed - anymore. They are in phase 2 which means we can order boxes from the Washington Federal Records Center (WFRC) as normal. The boxes that are stored in Philadelphia are only filing emergency requests. So, when I order the boxes and see that the box is in Philadelphia, I have to make it an emergency request – which cost more. The FRCs are not picking up boxes while in phase 2. We have to take them there. Hope this helps.

Background e-mails dated 10/8/2020

To obtain records from RMS, send the request to CMT (b)(4)

(b)(4); (b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

○

○

○

(b)(4); (b)(5)

The records holding office has 5 business days to comply unless they ask for an extension. If records are not received, follow up immediately with a reminder (b)(4)

(b)(4); (b)(5)

- If seeking any other TIGTA records:
 - Prepare a search memo [See sample Search Memo].
 - Send the search memo and FOIA request via email to the SAC or Head of Function with a due date of 5 business days.

Search Memos - Requesting Records other than investigatory.

Tuesday, June 25, 2019 4:53 PM

Example memos:

Records Delivered to a Shared Drive

Monday, September 9, 2019 1:33 PM

When records are delivered using a shared drive, you should receive a response from the office sending the records:

1. The email e-discovery export has been completed using the criteria requested. You can find the results at [CLICKABLE DRIVE NAME] ***If NOT clickable see below (MF)
2. Within this server share you will find an Outlook PST file under the subfolders Enterprise Vault and Microsoft Exchange.
3. From this server share you can choose to upload the files to any other repositories you have access to other than this file server share. If opening within Outlook from your workstation, you will NOT want to open these files directly from this share or other server repository. You will want to copy them to your local D drive on your workstation and then open within Outlook by using the File tab/Open&Export/Open Outlook Data File.

UPDATE: If the Drive name is NOT clickable (MF 10/20)

4. Copy the drive name provided
5. Open up your file explorer
6. In the box next to the star that states "Quick access"; paste the copied drive name in the box over "Quick access" and hit enter.
7. Now proceed to follow steps 2-3

Audit Spreadsheets (tax related)

Thursday, October 8, 2020 2:31 PM

We need to request all responsive documents, including any spreadsheets (no matter the size or even though they would be withheld in full under 6103 if they contain tax information). It is recommended that you contact the requester to see if they will exclude the spreadsheets if they are not releasable.

Large records can be received via Sharepoint.

Audio Records

Monday, May 4, 2020 4:20 PM

Per (b)(6); (b)(7)(C) When we receive AUDIO from OI that are IRS call center conversations that came from the IRS, you must open them from Windows Media Player as they will not open in VLC. Also, OIT may have to install a special audio codec to your laptop.

Background e-mail 5/4/2020

Files too large for e-mail (including Audio Files)

Monday, September 28, 2020 12:34 PM

If the office providing the records says they are unable to e-mail the records due to a large file size, they can set up a SharePoint folder and give you access. They must do this through OIT.

Sample e-mail to the office providing the records:

Good Morning John,

It is my understanding that the records can be saved in a SharePoint folder, but I must be granted access to download those records for our FOIA review. Please reach out to OIT for assistance if necessary. I am not sure how to do it, but this has been done previously when a file has been too large to transmit through e-mail. I appreciate your assistance.

Thanks,
Dave

FYI: Large files can be transmitted via Skype (perhaps useful in a situation where it's just one large file)

Closing an Imperfect Request

Monday, August 26, 2019 3:22 PM

If the requester has not responded to their "invalid letter" within 30 calendar days, it is time to close the case. (b)(4)

Details on new procedures below -- full steps further down.

Synopsis of the Main Three Points:

1. (b)(4); (b)(5)
2. (b)(4); (b)(5)
3. **When a requester has failed to perfect the request within 30 days,** (b)(4); (b)(5)
(b)(4); (b)(5) **as we would normally. Instead,** (b)(4); (b)(5)
(b)(4); (b)(5) **to continue processing the case. Screenshots in the background e-mail linked at the bottom of this page.**

Here are the (b)(4) **steps in a nutshell:**

(b)(4); (b)(5)

If you have any questions, please ask before closing the case. Thanks.

(b)(4); (b)(5)

Background e-mail 5/29/2020

(not perfected, imperfect, invalid, closing, close)

(b)(4)

Instructions

Monday, August 24, 2020 5:31 PM

8/18/2020 Email to Disclosure Staff:

Good afternoon,

During our last Disclosure Staff meeting, we discussed (b)(4) and the need to use more than one (b)(4) in certain situations. When more than one record is requested and the disposition for one record is a release in full and the other one is a "no records" or a "referral" disposition, this type of situation would be considered a

Partial Grant/Partial Denial

(b)(4)

I have attached the SOP for this situation as well as the relevant portion of the DOJ Handbook for Agency Annual FOIA Reports.

If you have any questions, we can discussed at our meeting tomorrow at 10 a.m.

Thanks.

Diane

SOP LINKS

(b)(4)

in FX

Department of Justice Handbook for Agency Annual Freedom of Information Act Reports - Disposition

Illegible Pages or Blacked Out/Redacted Language in Records

Tuesday, June 25, 2019 5:13 PM

If pages cannot be read, you must determine if it was a scanning issue and rescan the page (lighten or darken it) or go back to the records holding office to see if you can get a better copy. If that page is the best there is, then we need to note (b)(4)

(b)(4) and in the Response Letter to the requester if releasing these pages.

If you receive documents from the records holding office with redactions, you will need to determine if the redactions were already on the records collected by TIGTA or if they were made before providing Disclosure the requested records. The records holding office may not make any redactions to the records they provide us.

(b)(5)

Expedited Processing Language

Friday, June 28, 2019 5:36 PM

Add to acknowledgment letter template:

GRANT:

This is to acknowledge receipt of your FOIA request (Treasury #2019-10-00XX) that the Department of the Treasury's FOIA Office referred to TIGTA on November 2, 2017. Your request has been assigned TIGTA case number 2019-FOI-000XX and will be processed as expeditiously as possible in accordance with Federal laws and regulations. The actual processing time will depend upon the complexity of the request, whether or not it involves third party or voluminous documents, the amount of time needed by the staff to search for records, and/or the need to consult other TIGTA offices or Federal agencies.

We are granting your request for expedited processing.

Thank you for your correspondence. If you have any questions, please contact me at (202) 927-7043 or at diane.bowers@tigta.treas.gov and reference case number 2019-FOI-000XX.

DENIAL (template in FX): (This can also be added to the Acknowledgment Letter)

This is in response to your Freedom of Information Act (FOIA) request, dated and received on August 12, 2019, seeking expedited processing of your request. (change as necessary).

The U.S. Department of the Treasury FOIA Regulation at 31 CFR Part 1, Subpart A § 1.4(e) states that your request must involve:

- (1) "Circumstances in which the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;"
- (2) "An urgency to inform the public about an actual or alleged Federal government activity, if made by a person who is primarily engaged in disseminating information. The standard of "urgency to inform" requires that the records requested pertain to a matter of current exigency to the public and that delaying a response to a request for records would compromise a significant recognized interest to and throughout the general public; or"
- (3) "The loss of substantial due process rights."

The Regulation also requires that the "requester who seeks expedited processing must submit a statement, certified to be true and correct, explaining in detail the basis for making the request for expedited processing."

Based on these regulatory criteria and the information you provided, we are unable to grant your request for expedited processing; however, we will process your request as expeditiously as possible.

If you have any questions regarding this response, please contact David Greek, Government Information Specialist, at (202) 927-9193 or david.greek@tigta.treas.gov and refer to Disclosure File #2020-FOI-000XX. Alternatively, you may contact me, TIGTA's FOIA Public Liaison, at (202) 622-4068 or via email at amy.jones@tigta.treas.gov, for further assistance or to discuss any aspect of your request.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, NARA, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; e-mail

at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Finally, if you are not satisfied with this determination in response to your request, you may administratively appeal this decision. ~~We have enclosed an Information Sheet that explains your administrative appeal rights.~~ Please address the envelope as follows:

Freedom of Information Act Appeal
Treasury Inspector General for Tax Administration
Office of Chief Counsel
City Center Building
1401 H Street, NW, Suite 469
Washington, DC 20005

Also, you may electronically submit your appeal via fax at (202) 622-3339 or e-mail at FOIA.Reading.Room@tigta.treas.gov.

Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of this letter.

Sincerely,

GIS
(For) Amy P. Jones
Disclosure Officer and
FOIA Public Liaison

Enclosure

Referrals

Wednesday, July 3, 2019 12:28 PM

Referral from Treasury

Wednesday, June 10, 2020 12:17 PM

If you plan on accepting a referral from Treasury FOIA & Transparency, please reply to the sender of the e-mail [often (b)(6)] and FOIA@treasury.gov to accept the referral.

Example language:

Good Morning,

TIGTA Disclosure acknowledges receipt of this request for processing under the FOIA.

Thank you.

Referrals to CMT (not a FOIA request)

Thursday, January 9, 2020 5:35 PM

Effective **October 1, 2020**: CMT is now part of the Fraud and Schemes Division led by SAC John Kirk.

Updated 10/1/20:

Once it is determined that the incoming request is not a FOIA request and should not be logged in as one (b)(4) if necessary), the request should be forwarded (referred) to CMT. In FX, complete the Template (b)(4)

(b)(4) MEMO ROUTING SLIP TO CMT - M FILE - NOT A FOIA

REQUEST. (b)(4) Attach a copy of the incoming.

Add signature next to your name (optional). Then send via email to *TIGTA

Investigations Complaints Unit at Complaints@tigta.treas.gov with cc: to **SAC John**

Kirk and (b)(6); (b)(7)(C)

IRS Referrals (COVID 19 instructions below)

Thursday, June 27, 2019 12:36 PM

Referrals to IRS: Use appropriate Fax template (sample language included on Fax template). We do not need to prepare a Referral Memo). Only refer the incoming request (if a partial referral, state the part being referred). (b)(5)

(b)(5)

(b)(5)

Sample templates included below:

All requests for IRS Policy and procedure documents
For personal/business taxpayer records

Where to refer IRS FOIA Requests (using appropriate Fax Template with correct Stop number and fax number):

All requests for IRS Policy and procedure agency documents that are not already publicly available in the FOIA Library:

Internal Revenue Service
 Central Processing Unit
 Stop 211
 PO Box 621506
 Atlanta, GA 30362-3006
 Fax: 877-807-9215

For personal/business taxpayer records

Internal Revenue Service
 Central Processing Unit
 Stop 93A
 Post Office Box 621506
 Atlanta, GA 30362
 Fax: 877-891-6035

POINT OF CONTACT for response letter to requester:

2/11/2020 - Per Denise Higley, we will only use Jeremy Woods, (b)(6), as the IRS point of contact in our response letters to requesters when we notify them that we referred their request to the IRS.

NOTE - The list of IRS FOIA Liaisons has been removed from the IRS' FOIA website. (see paragraph directly above)

If unsure if it should be referred to IRS, contact IRS Disclosure employees (Denise Higley, William White (b)(6), Jeremy Woods

(b)(6)

Cathy Ortiz, Debra Middleton - send to all three) to see if they will accept the referral.

Sample e-mail to IRS Disclosure:

We received the attached FOIA request from Mr. XXXXXXXX. It appears his request
 (b)(3); 26 U.S.C. 6103; (b)(6); (b)(7)(C)

Please let us know if you will accept this referral via this email.

NOTE: If you need to encrypt the request, please add to the email a request to have someone call you for the password.

Regarding COVID19 Restrictions in the Workplace and FOIA Referrals:

5/15/2020 Guidance as we do not have access to a fax machine:

I just talked to Denise Higley, IRS Disclosure, and she verified that we can send all FOIA Requests that appear to fall under the IRS's jurisdiction to the following e-mail addresses (Note: Encrypt your e-mail if it contains sensitive information):

(b)(6)

SAMPLE LANGUAGE from Wiki:

We received the attached FOIA request from Mr. XXXXXXXX. It appears his request would fall under the jurisdiction of the IRS as he is seeking information regarding a Notice of Fiduciary (26 CFR 301.6903).

Please let us know if you will accept this referral via this email.

Denise, William, or Jeremy will let us know if IRS Disclosure will accept the referral and then we can notify the requester.

FYI - if needed in any response letter/e-mail where you think the requester might also want to file a FOIA with the IRS, you can notify FOIA Requesters that the IRS is still accepting FOIA requests **via fax** to the FOIA Centralized Processing Operations Unit in Georgia or through the **FOIA.gov** Portal.

(COVID 19 info added by Diane)

Referral to other Treasury Bureau/Office

Wednesday, July 3, 2019 1:16 PM

If unsure of the Treasury Bureau a request should be referred to, and for all requests referred to Treasury DO, send an e-mail to FOIA@treasury.gov and cc:

(b)(6) (Per (b)(6) 11-18-20)

Sample e-mails to DO:

I am referring the e-mail request below to you as it appears to fall under your purview. Please let us know if you will accept this referral and we will notify the requester. Thank you.

OR

We believe the attached FOIA request should be handled by the Department as TIGTA does not maintain "accounts" on individuals. Please let us know if you will accept this referral and we will notify the requester. Thank you.

Please note, DO does not need a separate memo from us to refer records. They accept referrals via e-mail.

Treasury Bureau List of FOIA Contacts and Public Liaisons

Good afternoon,

(b)(5); (b)(7)(E)

Please respond to this e-mail with a direct contact or please contact me directly at the number below and refer to TIGTA Disclosure File # 2019-FOI-00146.

Thank you,

Julissa M. Hurtado

Government Information Specialist
Office of Chief Counsel, Disclosure Branch
The Treasury Inspector General for Tax Administration
(202) 622-3087- Direct
(202) 622-4068 - Main
(202) 622-3339 - Fax
Julissa.Hurtado@tigta.treas.gov

Commercial Requests for E-mails (Emails)

Monday, June 15, 2020 3:59 PM

(b)(5)

Guidance:

Case note from 2019-FOI-00237:

(b)(5)

Example e-mail to requester:

This regards your June 8, 2020 Freedom of Information Act (FOIA) request to the U.S. Department of the Treasury, which was forwarded to the Treasury Inspector General for Tax Administration (TIGTA) for handling. In response

(b)(5)

DKB revised

Since you are considered under the FOIA to be a Commercial requester, you will be charged search and review fees for processing this request (even if no records are delivered to you). As we are unable to release the e-mail addresses you specifically requested, please let us know whether your organization is still interested in your FOIA request being processed and we will begin calculating a fee estimate.

Thank you.

Listing of TIGTA Personnel - Redacting names and location of sensitive/protected employees

Thursday, August 15, 2019 11:59 AM

OPM's Current Policy regarding sensitive names, positions, and duty station:

<https://www.opm.gov/policy-data-oversight/data-analysis-documentation/data-policy-guidance/data-standards/data-release-policy-november-2018.pdf>

(b)(5); (b)(6); (b)(7)(C); (b)(7)(E)

List of Closed Investigations

Tuesday, March 3, 2020 5:12 PM

Search Memo Instructions:

Send Search Memo via email to the Office of Investigations (James Jackson, cc appropriate parties). The following is a sample Search Memo (b)(5)

(b)(5)

December 28, 2016

MEMORANDUM FOR DEPUTY INSPECTOR GENERAL FOR INVESTIGATIONS

FROM: Diane K. Bowers
(For) Amy P. Jones
Disclosure Officer

SUBJECT: Freedom of Information Act (FOIA) Request from
Michael Ravnitzky
Disclosure File #2017-FOI-00068

On December 27, 2016, we received the attached FOIA request from Mr. Michael Ravnitzky who is seeking a list of investigations closed during Calendar Years 2015 and 2016.

(b)(5); (b)(7)(E)

Please provide an electronic copy of the responsive documents, along with any disclosure recommendations, within five (5) business days from the date of this memorandum (i.e. by January 5, 2017). Since the FOIA imposes strict timeframes for issuing a final response to the requester, we ask that your office comply with the response deadline. If you are unable to respond by January 5, 2017, please let us know the reason for the delay and when we can expect a response.

Any responsive material should be sent to Diane Bowers, Office of Chief Counsel – Disclosure Branch, at Diane.Bowers@tigta.treas.gov. **You must provide to the Office of Chief Counsel any documents contained in your files responsive to the FOIA request even if the documents originated in another Federal agency and even if you believe that such documents should not be released to the requester. The Office of Chief Counsel will carefully review the documents, consider your disclosure recommendations, and withhold information as authorized by the FOIA.** A negative response is requested in the event you do not locate any responsive records.

If you have any questions, you should contact Diane Bowers at (202) 927-7043 or Diane.Bowers@tigta.treas.gov. Please reference the disclosure file number provided above when corresponding with her. We appreciate your assistance in this matter.

Attachment

TIGTA CY 2019 Closed Investigations

Case Number	Case Title	Primary Violation	Case Initiation Date	Closed Date
(b)(6); (b)(7)(C)		532 - DESTRUCTION OF GOVERNMENT PROPERTY	10/31/18	10/28/19
(b)(3); 26 U.S.C. 6103; (b)(6); (b)(7)(C)				
(b)(6); (b)(7)(C); (b)(3); 31 U.S.C. § 5319 (Bank Secrecy Act)				
(b)(6); (b)(7)(C)		418 - THEFT/EMBEZZLEMENT-REFUND	11/06/18	12/12/19
(b)(3); 26 U.S.C. 6103; (b)(6); (b)(7)(C)				

Ensure the Columns fit on one page.

Once done, you need to save as a PDF.

(b)(4)


(b)(4); (b)(5); (b)(7)(E)

Private Letter Ruling Disclosure

Wednesday, August 7, 2019 9:56 AM

Reference case: 2019-FOI-00191

(b)(3);26 U.S.C. 6103; (b)(5); (b)(6); (b)(7)(C)



New Exemption 4 Guidance

Wednesday, October 9, 2019 12:46 PM

On October 3, 2019, the Department of Justice, Office of Information Policy issued guidance on Exemption 4 in the wake of the U.S. Supreme Court's decision in *Argus Leader* and the impact on the definition of "confidential." The term "confidential" under Exemption 4 must be given its "ordinary" meaning.

Step-by-Step Guide for Determining if Commercial or Financial Information Obtained from a Person is Confidential Under Exemption 4 of the FOIA

1. Does the submitter customarily keep the information private or closely-held? (This inquiry may in appropriate contexts be determined from industry practices concerning the information.)
If no, the information is not confidential under Exemption 4.
If yes, answer question

2. Did the government provide an express or implied assurance of confidentiality when the information was shared with the government?

If no, answer question 3.

If yes, the information is confidential under Exemption 4 (this is the situation that was present in *Argus Leader*).

3. Were there express or implied indications at the time the information was submitted that the government would publicly disclose the information?

If no, the information is "confidential" under Exemption 4 (the government has effectively been silent—it hasn't indicated the information would be protected or disclosed—so a submitter's practice of keeping the information private will be sufficient to warrant confidential status).

If yes, and no other sufficient countervailing factors exist, the submitter could not reasonably expect confidentiality upon submission and so the information is not confidential under Exemption 4.

Agencies should feel free to contact OIP if they have any questions or for assistance in applying this analysis.

For the Guidance, please visit <https://www.justice.gov/oip/step-step-guide-determining-if-commercial-or-financial-information-obtained-person-confidential>

Exemption 7 and Law Enforcement Purpose

Wednesday, May 27, 2020 9:05 AM

When does Exemption 7 apply to TIGTA records?

(b)(5); (b)(7)(E)

Your first stop should be to read the OIP DOJ Guide to the FOIA [section on Exemption 7](#), particularly the following areas:

- Types of Law Enforcement Covered by Exemption 7 (page 6)
- Personnel Actions and Law Enforcement Purpose (page 14)
- Standards for Demonstrating Law Enforcement Threshold Met (page 17)

(b)(5)

Excerpts from the handbook:

p.1

In order to protect any of the Exemption 7 categories of information, agencies must satisfy the threshold which requires that the "records or information be compiled for law enforcement purposes."

p.2

"records or information compiled for law enforcement, even if not actually investigatory, satisfy the exemption's threshold requirement"

"legislative history makes it clear that Congress intended the amended exemption to protect both investigatory and non-investigatory materials, including law enforcement manuals and the like"

p.3

Courts have "denied protection when the agency failed to establish a sufficient connection between the

records and any law enforcement function"

p.6

The "law" to be enforced within the meaning of the term "law enforcement purposes" includes both civil and criminal statutes, as well as those statutes authorizing administrative (i.e., regulatory) proceedings.

Gray v. U.S. Army Criminal Investigation Command - "holding that 'administrative disciplinary action' qualifies as law enforcement proceeding' "

Schoenman v. FBI - "finding that Exemption 7 threshold applies to files related to enforcement of all kinds of laws including 'administrative matters')"

Env'tl. Prot. Servs. - "records compiled in EPA's administrative proceeding satisfy law enforcement threshold, because Exemption 7 applies to 'enforcement of civil laws, such as regulations' "

p.10

Small v. IRS "IRS audit guidelines satisfy threshold"

p.13

Berger v. IRS "records compiled during IRS civil and criminal tax investigations satisfy threshold even though 'no charges were ever brought against Plaintiff as a result of these investigations' "

p.14

"Personnel investigations of government employees have also been found to have been compiled for law enforcement purposes if they focus on "specific and potentially unlawful activity by particular employees" of a civil or criminal nature."

Wolk v. United States - " 'enforcement' encompasses conducting a 'security background check' by reasoning that 'enforcement of the law fairly includes not merely the detection and punishment of violations of law but their prevention' "

Patterson v. IRS "agency must 'distinguish between internal investigations conducted for law enforcement purposes and general agency monitoring' "

Stern - "it is necessary to distinguish between those investigations conducted 'for a law enforcement purpose' and those in which an agency, acting as the employer, simply supervises its own employees"

Rural Hous. Alliance v. USDA - "distinguishing between agency oversight of performance of employees and investigations focusing on specific illegal acts of employees"

Natl' Whistleblower Ctr. v. HHS - "records at issue "were compiled to investigate allegations that specific individuals at FDA had engaged in specific acts that could constitute violations of criminal and civil laws," rather than "a case involving personnel files maintained in the ordinary course of monitoring employees' performance," that records were compiled for law enforcement purposes)"

MacLean v. U.S. Dept' of the Army - "explaining critical distinction between investigation of particular employee for particular violation of law and customary surveillance of performance of duties)"

p.15

Wonders v. McHugh - "investigation into ethical violation of misrepresentation 'was not limited to determining whether there was a violation of an internal agency policy or regulation,' but rather involved investigation that could have resulted in civil sanctions"

Williams v. Comm'r of Internal Revenue - "records compiled in response to allegations of misconduct regarding enforcement of tax laws by IRS employees are part of agency's law enforcement duties and are thus compiled for law enforcement purposes"

Patterson v. IRS, 56 F.3d 832, 837-38 (7th Cir. 1995) (declaring that agency must "'distinguish between internal investigations conducted for law enforcement purposes and general agency monitoring'"

FOIA Regs / External Guidance / Links

Wednesday, August 21, 2019 5:16 PM

TIGTA / TREASURY

TIGTA Chief Counsel Operations Manual

- I.R.C. Section 6103
- Freedom of Information Act
- Privacy Act
- Testimony and Production of Documents

Treasury FOIA Regulations (2019) - 31 CFR Part 1

Treasury FOIA Regulations (2019) - Web Friendly version

- Synopsis of Changes Summary of the new Treasury FOIA Regulation revisions that will impact us and changes we have planned for our FOIA Webpage and procedures.

Additional information: This is to clarify the information pertaining to **Appeal of Final Decision /**

Actions: Any appeals **postmarked** or **transmitted** after 90 days will be considered untimely and closed administratively with written notice to the requester.

(b)(5)

Treasury.gov/FOIA - Main Treasury FOIA web page

TIGTA System of Records Notices (SORN) Updated 2020

Treasury-wide System of Records Notices

DEPARTMENT OF JUSTICE

DOJ Guide to the FOIA - The FOIA "bible" formerly in print as the yellow book

DOJ FOIA Guidance Memos - OIP releases several memos a year

DOJ/OIP Guidance on using "non-responsive" in a document

(b)(5)

Bowers Diane K TIGTA at 6/5/2020 2:10 PM

Citizens for Responsibility & Ethics in Wash. v. DOJ - Case regarding definition of a record vs. non-responsive e-mails, portion of a record, etc. (CREW)

Gellman v. DHS - Additional case regarding definition of a record vs. non-responsiveness

DOJ Court Decision Summaries - Relevant FOIA cases since January 2013

DOJ Training Page - Free trainings and other resources

FOIA.gov - U.S. Government's central FOIA website

DOJ Handbook for Agency Annual FOIA Reports (2019 update)

OFFICE OF GOVERNMENT INFORMATION SERVICES

OGIS FOIA Ombudsman Blog - Blog with OGIS articles, trainings, and events

INTERNAL REVENUE SERVICE

IRS Frivolous Tax Arguments - Intro to common frivolous tax arguments

Training/Guidance - (b)(6)

Friday, June 28, 2019 5:30 PM

Thursday, June 27 - Diane

Friday, June 28, 2019 5:31 PM

Training (b)(6) on Thursday, June 27:

- (b)(6) receipt of a new FOIA Case (b)(6)
- Where to check for new requests: Mail Room, Fax, FOIA Reading Room
- Need to date stamp all new requests (I did not show him where the date stamp is (LOL))
- Logging in request. (b)(4)
 - (b)(4)
- Ensure accuracy of data (b)(4)
- Let him know 5 pm is our cutoff time for receipt of new requests for each business day.
- Discussed what a Simple and Complex request might entail. Let him know it (b)(4)
(b)(4)
- (b)(4); (b)(5)
- Showed him where to look for (b)(4)
(b)(4)
 - Talked about 10 calendar days to respond to request for expedited processing.
 - Mentioned we rarely charge fees and we will address fee waiver later if fees will be charged (send denial of fee waiver and obtain willingness to pay fees).
- (b)(4)
- Save

Discussed if we receive several letters from same requester seeking different documents, we log them each in as a separate request but would normally compile them into one response.

Create a paper file – directed him to the Wiki Checklist and general organization of paper files.

How to determine if request is valid – must meet criteria that is in our Invalid Letter or on the TIGTA's FOIA Internet Page. Also, directed him to Wiki Guidance on Perfected Request criteria.

- Discussed need for signature and ID/notarized statement/Perjury Statement – Need for First party Requests for own records.
- Discussed someone coming in on behalf of another/client and what we need (spelled out in Wiki).
- If IRS or other Federal agency, they need to provide an ID with signature (not PIV card). Also need to provide us a personal email address and/or home mailing address to communicate with and send the response to requester.
- Talked about adequately describing records – (b)(5)
- (b)(5) If it isn't clear, then we go back – not perfected. Also, may need timeframes.
- Discussed preparing invalid letter (b)(6) and that requester has 30 calendar days to respond back or we close the case.

- Discussed (b)(4) as request is imperfect (b)(4) (b)(4) for fee reasons (b)(4) and one other time (b)(4)
- (b)(4); (b)(6)

Talked about adding case notes from the beginning and each time action is taken on the case.

- Need to date notes and what occurred.
- Note if assigned while out of office (so supervisor can see why there might have been a delay in responding).
- If search is conducted, notate when, where and how you searched. What was located – need Title and case # to request records.

Discussed requesting records – (b)(6)

- (b)(5); (b)(7)(E)
-
- Why we request Complaint Records separately from ROI Records (b)(4); (b)(5) (b)(4); (b)(5)
- (b)(5); (b)(7)(E)
- Briefly discussed when we send out a Search Memo's (b)(5) (b)(5); (b)(6)

Discussed (b)(4) and (b)(4)

I believe I covered everything from yesterday! (b)(6) (b)(6)

"Backlogged" Definition

Tuesday, September 3, 2019 3:24 PM

SUMMARY:

For reporting purposes, a perfected request is not considered/counted as "backlogged" as long as:

1. It is 30 days old or less, and:
2. Due to "unusual circumstances" we have written to the requester and invoked the additional 10 days.

EMAIL GUIDANCE:

From: Paul.Levitan@treasury.gov <Paul.Levitan@treasury.gov>

Sent: Monday, August 19, 2019 1:42 PM

Subject: 6 weeks left till the end of the fiscal year - unusual circumstances

Treasury FOIA colleagues,

It's less than 6 weeks till the end of the fiscal year – so we are in the home stretch for getting our FY19 backlog down!

(b)(5)

Thank you for all your hard work in FY19 – we truly appreciate it! Paul

Paul Levitan
 Director, FOIA & Transparency
 Privacy, Transparency, and Records (PTR)
 U.S. Department of the Treasury
 Office: 202-622-0893

From: Paul.Levitan@treasury.gov <Paul.Levitan@treasury.gov>

Sent: Thursday, August 22, 2019 11:08 AM

Subject: RE: 6 weeks left till the end of the fiscal year - unusual circumstances

Thank you for reaching out Amy,

(b)(4); (b)(5)

(b)(4)

Below is what DOJ states regarding unusual circumstances in a recent policy guidance:

Under the law, all federal agencies are required to respond to a FOIA request within 20 business days, unless there are "unusual circumstances." This time period generally begins

when the request is received by the FOIA office of the Department of Justice component that maintains the records sought.

If a request is misdirected within the Department, the Department component receiving the request has 10 working days to forward it to the proper Department component, before it is considered to be received. Requesters will speed the processing of their request if they address their request to the appropriate component in the first instance.

Some Department components, such as the FBI, receive thousands of requests each year, many requiring a line-by-line review of hundreds or even thousands of pages. Although the Department of Justice makes every effort to respond to FOIA requests as quickly as possible, in some cases it simply cannot do so within the specified time period. This may be due either to the volume of records at issue in a given request or to a backlog of previously received requests that await processing.

The majority of components use "multi-track" processing queues to manage their FOIA workloads; components' descriptions of their multi-track processing systems are contained in the [FOIA Reference Guide](#).

Under the FOIA, a component may extend the 20-day response time when "unusual circumstances" exist. Unusual circumstances exist in one of the following three situations:

- i. the component needs to search for and collect responsive records from a field office or other entity separate from the office processing the request;
- ii. the request involves a "voluminous" amount of records that must be located, compiled, and reviewed; or
- iii. the component needs to consult with another federal agency or two or more Department of Justice (what they mean is two components – it doesn't have to be DOJ ones and your office counts as one of the components. P.L.) components that have a substantial interest in the responsive information.

When an extension of time beyond 10 additional days is needed, the component will notify the requester in writing and offer the opportunity to modify or limit the scope of his or her request, or to arrange for an alternative time frame for completion of the component's processing. The component will also make available its FOIA Public Liaison to assist in the process.

Let me know if this helps clarify, Paul

Questions from Requesters Related to Final Response Letter and Records

Thursday, September 5, 2019 1:44 PM

Records on third parties are protected by the Privacy Act. Anything we did or did not do with your complaint after receipt is considered protected information on a third party. The response letter reflects our standard response to all requesters seeking records on third parties.

Advice - A complainant who is seeking information about his complaint under the FOIA generally will receive records/information that they provided to TIGTA.

IRS request for the status of a TIGTA complaint

Thursday, January 23, 2020 3:39 PM

If you are contacted by IRS workforce / labor relations asking for the status of an investigation or complaint, they are to be directed to OI for that information.

Background: Counsel has no information concerning the status of an OI investigatory matter and are not in a position to address the IRS' inquiry. While Counsel's Disclosure Branch processes requests for access to agency records from the public through the Freedom of Information Act (FOIA), the IRS does not use the FOIA as a mechanism to gain access to TIGTA records.

Under applicable legal authorities, the IRS can be provided access to TIGTA investigative information, including status of a complaint or investigation, if they have a need to know that information for official business purposes, barring an unusual circumstance (e.g., grand jury material, etc.).

[Background email 1/15/2020](#)

Posting to Internet - Instructions

Monday, December 16, 2019 12:04 PM

Place a Service Desk ticket to have Document(s) posted to the FOIA Library on TIGTA's Internet Page. Sample request:

Description: Due to the requirements of the Freedom of Information Act (FOIA) and the Department of the Treasury's FOIA Office, we ask for assistance in posting the Calendar Year 2018 FOIA Log to TIGTA's FOIA Internet site/FOIA Library, Other TIGTA Records/FOIA/FOIA Logs. The FOIA Log needs to be published in both PDF and CSV formats. They will need to know the name you want posted in the library and they will link to it, such as CY FOIA Log.

The HelpDesk will ask you for the information and documents once it is assigned. Someone will contact you to verify the link works.

Creating FOIA Log for Posting in FOIA Library

Monday, December 16, 2019 12:11 PM

Guidelines for Running FOIA Log for Posting (or for a FOIA Request):

We always run the CY FOIA Log by Calendar Year
(as soon as possible at beginning of CY).

(b)(4)

Must provide PDF and CSV formats to OIT for Posting.

(b)(4)

(b)(4)

More Notes:

- Be sure to review every page from a Disclosure point of view: (b)(5)

(b)(5)

-

Other Reasons Disposition Codes

Tuesday, April 7, 2020 1:30 PM

For reference:

Codes used when closing a request with "Other Reasons" disposition:

- D(1) No records
- D(2) Referrals
- D(3) Request withdrawn
- D(4) Fee-related reason
- D(5) Records not reasonably described
- D(6) Not a proper FOIA request for some other reason
- D(7) Not an agency record
- D(8) Duplicate Request

FOIA Requests Seeking CARES Act Information

Friday, August 7, 2020 4:26 PM

Monica's Case (2020-FOI-00196)

Request:

I am requesting a copy of the Coronavirus Relief Fund "costs incurred" during the "covered period" beginning March 1, 2020 and ending on December 30, 2020 as reported by the Cheyenne & Arapaho Tribes of Oklahoma. Also any other data that the Cheyenne & Arapaho Tribes may have reported on how Covid Relief funds were spent.

8/7/2020 Note from Monica to Diane:


I researched the internet and found that Treasury handles the payouts for the Relief fund. I sent an email to the FOIA@Treasury.gov email with a CC to (b)(6) and she accepted the referral.

Key Words: CARES COVID Coronavirus

Social Security Numbers (SSN) in a third party's records

Tuesday, October 6, 2020 2:45 PM

(b)(5); (b)(7)(E)



(b)(4) sensitive FOIA requests

Wednesday, October 14, 2020 10:39 AM

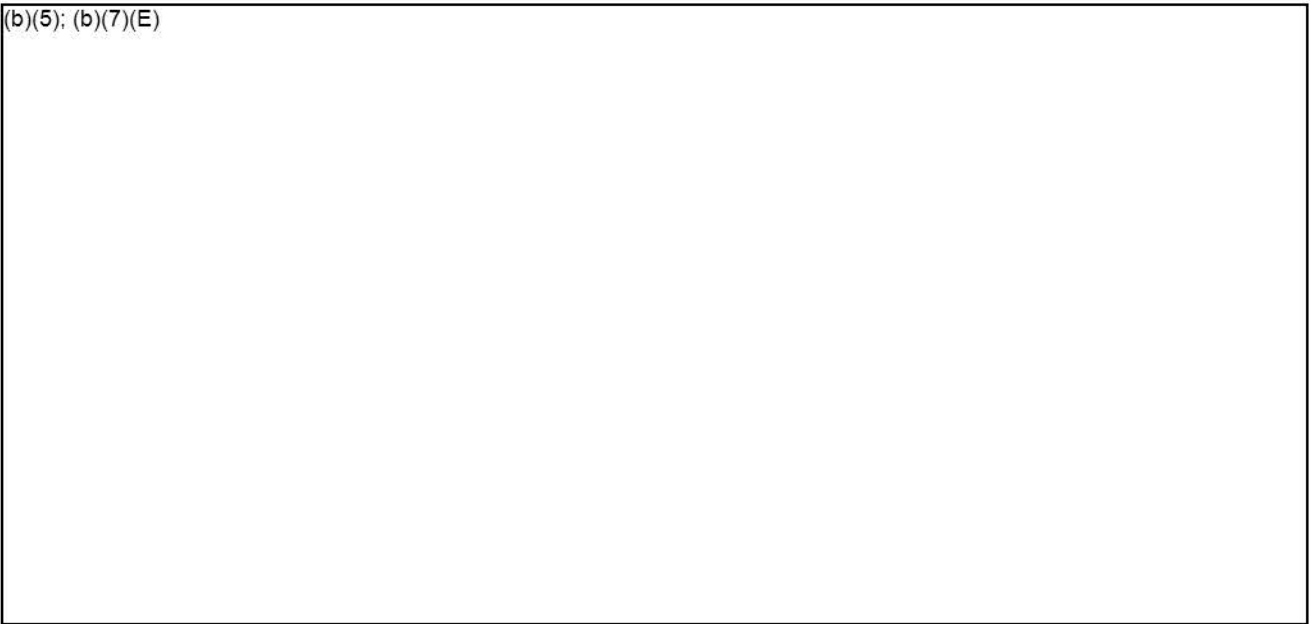
[DRAFT IN PROGRESS]

(b)(4); (b)(5); (b)(7)(E)

ROI Pending Prosecution

Wednesday, October 14, 2020 3:20 PM

(b)(5); (b)(7)(E)



Redacting Work Cell Phone Numbers

Monday, October 26, 2020 1:54 PM

Work cell numbers can be redacted using b(6):

<https://www.justice.gov/oip/smith-v-dept-treasury-no-17-1796-2020-wl-376641-ddc-jan-23-2020-chutkan-j>

*Additionally, regarding the privacy interest in requested cell phone numbers, the court finds that "[w]hether all Treasury employees have a privacy interest in their work cell phone numbers is a closer call." "Cell phone numbers implicate a different privacy interest from landline office phone numbers because employees carry cell phones with them outside the office and regular work hours." "Disclosing the numbers for work cell phones, which employees maintain in their homes and on their person, could subject them to the type of harassment exemption 6 was designed to prevent, and **therefore the court finds that the Treasury employees maintain a privacy interest in protecting their work cell phone numbers.**"*

An exception to this could be if the employee uses their cell phone as their only work number, which could be common during the pandemic. For example, if an employee only has their cell number in their e-mail signatures and also includes it on final response letters to the public, etc.

Letter Templates

Friday, July 19, 2019 4:36 PM

Records Disposed or Prior to TIGTA

Tuesday, June 23, 2020 9:18 AM

Final Response Letter - No Records - Records Disposed - Records Prior to TIGTA

Language from letter:

Please note that TIGTA was established in January 1999 in accordance with the Internal Revenue Service Restructuring and Reform Act of 1998 (RRA 98). Therefore, our search for records covered the period January 1999 to the present.

In response to Item #1 above, we conducted a search of TIGTA's records, and we did not locate any records responsive to your request. We have determined that the records were destroyed in accordance with the Federal Records Retention Schedule.

In response to Items #2 through #7 above, we conducted a search of TIGTA's records, and we did not locate any records responsive to your request.

(rra, rrs, records retention schedule, records destroyed)

No Records - Media - Referral from DO

Tuesday, May 19, 2020 9:28 AM

Final Response Letter - No records - Media - Referral from DO

Referral of pages to another agency

Monday, August 12, 2019 1:32 PM

Referral memo template

Destroyed Background Investigations prior to 1/18/1999

Wednesday, June 19, 2019 5:34 PM

Template for Destroyed Background Investigations prior to 1 18 1999 REVISED DKB 7-5-18.doc
FAX Template

Letter re: Purchase Card Holders

Friday, July 19, 2019 4:17 PM

Response Letter

(Commercial Public Domain)(Procurement)

Subject Response Letter b6 b7C b7D

Friday, July 19, 2019 4:23 PM

Response Letter

Response Letter - Referral of Request to IRS

Friday, July 19, 2019 4:40 PM

Response Letter

Response Letter - Third Party Requester

Friday, August 16, 2019 2:39 PM

Response Letter - Third Party Requester

Search Memo

Tuesday, August 20, 2019 12:38 PM

E-mail to SAC re: (b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

Tuesday, August 20, 2019 12:35 PM

(b)(5); (b)(7)(E)

Final Response to Complainant

Thursday, September 19, 2019 12:56 PM

Final Response Letter Complainant Release in Full

Language for Response Letters

Tuesday, June 25, 2019 4:33 PM

See Subheadings

Close Out Letter when a requester does not respond within 30 days of TIGTA asking for commitment to pay

Friday, June 19, 2020 8:33 AM



2020-PROJ-
011 Close...

Request Cites FOIA and Privacy Act

Tuesday, June 25, 2019 4:36 PM

When requester cites the FOIA and the Privacy Act in his request for access to TIGTA records, we state that fact in the opening paragraph:

This is in response to your July 20, 2016 Freedom of Information Act (FOIA) and Privacy Act request seeking access to records maintained by the Treasury Inspector General for Tax Administration (TIGTA). Specifically, you requested "any/all ...

We also add the following paragraph in the letter: [added directly before the law enforcement exclusion paragraph]

It is TIGTA's policy to process FOIA/Privacy Act requests under the statute that provides the greatest access to the records requested; therefore, we processed your request under the FOIA.

If the requester cites Title 26, we do not need to address that.

Information in Public Domain

Tuesday, June 25, 2019 4:46 PM

Sample language for the response letter re: information in the public domain:

In regard to your request for, the FOIA does not require that Federal agencies provide copies of documents which are available in the public domain. You can access the responsive record at the following link(s):

<https://www.treasury.gov/tigta/XXXXXXXXXXXXXXXXXXXXXXX> .

OR

The FOIA does not require that Federal agencies provide copies of documents which are available in the public domain. The record(s) you are seeking is/are publicly available on TIGTA's website. You can access the record(s) at the following link(s):

OR

The FOIA does not require that Federal agencies provide copies of documents which are available in the public domain. The XXXXXXXXXXXX you are seeking is/are publicly available on TIGTA's website. You can access the XXXXXXXXXXXXXXXXXX at the following link(s):

FOIA Request - Asking Questions

Wednesday, September 4, 2019 5:07 PM

Standard Response:

Please note that our Bureau only processes FOIA requests for copies of documents generated by or in possession of TIGTA. The FOIA does not require that an agency respond to interrogatories; therefore, we will not be responding to your questions.

No fees assessed language

Tuesday, February 11, 2020 1:44 PM

The cost incurred to process your FOIA request was less than \$25.00, the threshold set by Treasury's FOIA regulation, so no fees were assessed.

OR

The cost incurred to process your FOIA request was less than \$25.00, the threshold set by Treasury's FOIA regulation, so no fees were assessed. Therefore, your request for a fee waiver is moot.

Background Email 1/28/2020

Appeals Language (NEW)

Monday, February 24, 2020 10:24 AM

Finally, if you are not satisfied with this determination in response to your request, you may administratively appeal this decision. Please address the envelope as follows:

Freedom of Information Act Appeal
Treasury Inspector General for Tax Administration
Office of Chief Counsel
City Center Building
1401 H Street, NW, Suite 469
Washington, DC 20005

Alternatively, you may submit an appeal via fax at (202) 622-3339 or e-mail at FOIA.Reading.Room@tigta.treas.gov. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this letter.

(per Amy's email dated 2/20/20)

DG Edit 4/8/2020: Removed "ninety (90) days" parenthetical language

FOIA Language

Monday, February 24, 2020 7:06 PM

b3 6103

We have withheld information from the documents responsive to your request pursuant to FOIA subsection (b)(3) in conjunction with I.R.C. § 6103(a). The responsive documents contain return information, as that term is defined in I.R.C. § 6103(b)(2), of individuals other than yourself. The information pertaining to third parties was collected by the Secretary of the Treasury with respect to determining the liability of individuals under Title 26, and therefore is exempt from disclosure to you in response to your FOIA request. Accordingly, we are withholding this material pursuant to FOIA subsection (b)(3) in conjunction with I.R.C. § 6103(a).

Language to add if IRS employee would know about the info in question:

I

b3 - IG Act (Citation of Act per Tommy Ashton from the Blue Book 7-13-2020: Inspector General Act of 1978, 5 U.S.C. App. § 7(b))

We have withheld information from the documents responsive to your request pursuant to FOIA subsection (b)(3) in conjunction with 5 U.S.C. App. § 7(b). The responsive documents consist of information concerning complainants whose identity is protected by the Inspector General Act.

(b)(5)

b5 Attorney Work-Product:

b5 Deliberative Process Privilege:

FOIA subsection (b)(5) permits an agency to withhold inter-agency or intra-agency information that is considered to be part of the deliberative process. The type of information for which we assert the deliberative process privilege under subsection (b)(5) consists of draft memoranda which contain opinions or recommendations which are predecisional in nature. Internal agency documents containing opinions, deliberations and recommendations of Agency employees in connection with their official duties are protected from disclosure pursuant to FOIA subsection (b)(5) and the deliberative process privilege.

b5 Both Attorney Client Privilege and Deliberative:

FOIA subsection (b)(5) permits an agency to withhold inter-agency or intra-agency information that is considered to be part of the deliberative process. The type of information for which we assert the deliberative process privilege under subsection (b)

(5) consists of draft memoranda as well as internal agency documents containing opinions, deliberations and recommendations of Agency employees in connection with their official duties. Such documents are protected from disclosure pursuant to FOIA subsection (b)(5) and the deliberative process privilege. Also incorporated in subsection (b)(5) is the attorney-client privilege which is applicable to some of the information being withheld. We are asserting the attorney-client privilege for confidential communications between attorneys and clients.

b6

FOIA subsection (b)(6) permits the withholding of records and information about individuals when disclosure of the information could result in a clearly unwarranted invasion of personal privacy. The withheld information consists of identifying information compiled with regard to individuals other than you. Releasing the withheld information would not shed any light into the Agency's performance of its official functions, but instead could result in an invasion into the personal privacy of the individuals whose names and personal information have been withheld. As a result, the privacy interests of the third parties outweigh the public's interest in having the information released.

b7A Language - open investigation:

FOIA subsection (b)(7)(A) permits an agency to withhold records or information compiled for law enforcement purposes to the extent that its release could reasonably be expected to interfere with enforcement proceedings. The responsive records were compiled by TIGTA as part of its investigative responsibilities. Since this investigation is on-going, we have determined that release of information concerning an on-going matter could interfere with these proceedings.

b7C

FOIA subsection (b)(7)(C) permits an agency to withhold "information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy." The withheld information consists of identifying information of individuals other than you. Releasing the withheld information would not shed any light into the Agency's performance of its official functions, but instead could result in an invasion into the personal privacy of the individuals whose names and personal information have been withheld. The information was compiled for law enforcement purposes and the privacy interests of the third parties outweigh the public's interest in releasing the information released. As a result, this information has been withheld in response to your request.

b7D

FOIA subsection (b)(7)(D) permits an agency to withhold information that could "reasonably be expected to disclose the identity of a confidential source ... and ... information furnished by a confidential source." Because the withheld material consists of records or information compiled for law enforcement purposes that could reasonably be expected to directly or indirectly disclose the identity of a confidential source or information provided by a confidential source, this material is being withheld pursuant to FOIA subsection (b)(7)(D).

b7E

FOIA subsection (b)(7)(E) permits an agency to withhold “records or information compiled for law enforcement purposes ... [that] would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.” The information withheld pursuant to this exemption was compiled in connection with a TIGTA law enforcement investigation. The withheld information consists of techniques or guidelines not commonly known to the public and/or information that could lead to the circumvention of the law. As a result, this information has been withheld in response to your request.

b7F

FOIA subsection (b)(7)(F) permits an agency to withhold information that, if released, could reasonably be expected to endanger the life or physical safety of any individual or group of individuals.

Revisions Made by DKB on 7/20/2020

FOIA Exclusion Language

Thursday, April 16, 2020 3:34 PM

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 our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Note: In the above paragraph, "*See*" is in italics.

Updated 4/16/2020.

Background e-mail 4/16/2020

Checklists

Thursday, June 20, 2019 5:33 PM

[Letter Checklist](#)

[FOIA Case File Organization Checklist](#)

[Case Closing Checklist](#)

[FOIA Perfection Checklist](#)

Fax Templates for Referral to IRS

Tuesday, June 25, 2019 4:46 PM

All requests for IRS Policy and procedure documents
For personal/business taxpayer records

Appeals / Exemptions Info Sheet (Obsolete)

Tuesday, August 13, 2019 8:33 AM

FOIA Info Sheet for Appeals and Exemptions -

No longer used as of 2/20/2020

Background email - 2/20/2020

Redaction Guides/Templates

Monday, July 15, 2019 1:52 PM

CRIMES Screen Redaction Template (b)(5); (b)(7)(E)

CRIMES Screen Redaction Template (b)(5); (b)(7)(E)

Email regarding ROI Investigative Summary Report fields

E-mail to Senior Reviewer or Supervisor re: Ready to Review Records/Response Letter

Tuesday, August 27, 2019 12:20 PM

TO:

SUBJECT: PLEASE REVIEW 2020-FOI-XXXXX (NOBODY)

The NOBODY case is ready for your review.

I have attached the request description and final response letter. (OR WHATEVER YOU WANT TO SAY)

/s/

CASE INFORMATION:

REQUESTER	NOBODY
CASE #	2020-FOI-XXXXX
(b)(4)	6/13/2020
	6/26/2020
	7/25/2020
EXTENSION(S) REQUESTED? HOW MANY?	N
FOIA REQUEST ATTACHED?	Y
FINAL RESPONSE ATTACHED?	Y

(b)(4)

FOR REVIEW IN DOC MGMT:

(b)(4)	SUBJECT/TITLE (SUBJECT [OR TITLE] EXACTLY AS IT APPEARS ON THE COMPLAINT OR ROI PARIS SCREENS)	# PAGES (IN FX DOC MGMT FOR REVIEW)	NOTES FOR REVIEWER (TYPE OF RESPONSE, EXEMPTIONS, AND ANY OTHER NOTES TO HELP REVIEWER)
(AS IT APPEARS IN DOC MGMT)		(b)(4)	
Complaint or ROI #			Release in full, etc.

EEO Processing

Wednesday, June 26, 2019 6:10 PM

On October 1, 2014, IRS EEO Operations reorganized, and EEO investigations have since been conducted by Treasury's Office of Civil Rights Division (OCD).

All Requests for records from EEO Investigators should be sent to the FOIA Reading Room Mailbox. If an analyst receives it by mistake, please forward it to the FOIA Reading Room Mailbox with a cc: to the EEO Investigator so EEO knows where to send it for future requests.

Example e-mail: I am forwarding this request to the correct e-mail address for processing.

Reminder e-mail to EEO to cc: FOIA Reading Room 6/2020

General EEO Processing Guidelines

We need the following information to process an EEO Request for Records for a TIGTA record relevant to an EEO complaint:

- Who is the EEO complainant?
- What is the TD case number?
- Is this an informal or formal EEO matter? [Formal = Accepted for investigation]
- What is the purpose of your request for records (the accepted claim or allegation)?
- What are the relevant issues raised by the complainant?
- Do they know the TIGTA Complaint or Report of Investigation number/Title, the nature of the allegations in the record, and/or the subject or complainant of the record?
- Is the EEO Complainant the subject of the TIGTA case or the complainant?

This information is needed to help us (1) identify the TIGTA Report of Investigation (ROI) or Complaint or relevant parts of the ROI/Complaint that are pertinent to the EEO matter and (2) verify that the need for the TIGTA report is for official purposes (to be released on a need to know basis pursuant to the Privacy Act).

What you need to look for as you review the request:

- 1) Ensure Incoming Request has all components to process the request:*
 - o Is this an informal or formal EEO matter? If must be at the formal stage for us to provide records.
 - o What is the purpose of EEO's request for records; i.e., the accepted claim or allegation - e.g. retaliated against based on sex, age, race, prior protected activity*, etc.)? What are the relevant issues raised by the complainant?
 - o Who is the complainant in the EEO matter?
 - o Do they know the TIGTA report number, subject/title, and/or the nature of the allegations? What are the events involving the Complainant?
- 2) Complete (b)(4)
- 3) Send Acknowledgment email to EEO Investigator who sent request for records. You should be able to obtain the original email from the FOIA Reading Room. Keep the string going for acknowledgment, seeking additional information, response email.
- 4) Search CRIMES –

(b)(4); (b)(5)

CRIMES screens.

- (b)(5)

5) Request appropriate records

(b)(4); (b)(5)

7) Conduct review – (b)(5)

(b)(5)

(b)(5)

8) We have 20 business days to complete the request.

9) EEO prefers the documents be sent via e-mail. The records will need to be encrypted before being sent to EEO.

*Is any information missing? If so, you will need to go back to the EEO Investigator to specifically request the missing information that will help us process the request. This may include information pertaining to the records he/she is seeking.

Example: We need additional information before we can process your request. What is the accepted EEO Claim? Who is the subject or the complainant of the requested report? Do you know what the allegations are in the report you are seeking? Any additional information regarding the complaint or report would assist us in locating it. Thank you.

Do we (b)(4)? No.

*Prior protected activity -

Retaliation occurs when an employer takes a materially adverse action because an applicant or employee asserts rights protected by the EEO laws. Asserting EEO rights is called "protected activity." An employer must not retaliate against an individual for "participating" in an EEO process. This means that an employer cannot punish an applicant or employee for filing an EEO complaint, serving as a witness, or participating in any other way in an EEO matter, even if the underlying discrimination allegation is unsuccessful or untimely

It is unlawful to retaliate against an applicant or employee for:

- complaining or threatening to complain about alleged discrimination against oneself or others;
- providing information in an employer's internal investigation of an EEO matter;
- refusing to obey an order reasonably believed to be discriminatory;
- advising an employer on EEO compliance;
- resisting sexual advances or intervening to protect others;
- passive resistance (allowing others to express opposition);
- requesting reasonable accommodation for disability or religion;
- complaining to management about EEO-related compensation disparities; or
- talking to coworkers to gather information or evidence in support of a potential EEO claim.

Addl Processing Guidance

Wednesday, October 30, 2019 5:23 PM

[Click here for the pdf of this email with attachments](#)

From: Jones Amy P TIGTA

Sent: Wednesday, September 12, 2018 2:49 PM

To: (b)(6)

Subject: EEO CASES: USE CLEAN COPY OF INCOMING EMAIL FOR COMMUNICATING WITH EEO - POLICY PROCEDURE GUIDANCE category

Importance: High

"I" or "me" means me, someone acting for me, or another supervisor. I have attached example emails for a case I received today.

Upon receipt of an emailed request from EEO, I will forward the incoming to Virgen to control, along with brief instructions (control it as an EEO; requester's name is ____; add (b)(4)). I typically change the Subject line of this forwarded email to add NEW EEO and the COMPLAINANT'S NAME; I bcc: myself – the NAME in the Subject line helps me keep track of what I've sent to Virgen and easily identify that the case has (b)(4). See the first PDF attached for illustration purposes.

(b)(6) .. THE PROCEDURE is for me then to forward the incoming email from EEO directly to the GIS who is up next for an assignment and add a placeholder on the Assignment Chart (*placeholder is the request type, date received and case's last name – that's all*). **Just to be clear:** I will forward the incoming email to the GIS *without any notes, references or comments & without changing* the Subject line. Simple forward – no changes. See the second email attached for illustration purposes. So, when you get an email such as this, seemingly out of the blue, you will know an EEO case is pending control by Virgen and it will be assigned to you. *What's the purpose of this step?* You must use this email to reply to EEO – don't start a new email or use the email Virgen received, if you happen to get a copy. Use the incoming email to acknowledge the request or ask for additional info and to transmit the final response, if sending it by email. EEO does not want the Complainant's name in the subject line or email body. I don't want to add any notes that may end up being forwarded by mistake.

Hope this makes sense. Please let me know if you have any questions. Thank you.

Amy

T-1 info in documents

Thursday, October 31, 2019 3:32 PM

Request for ROI from EEO Investigator:

(b)(5); (b)(7)(E)

Acknowledgment Email

Tuesday, September 10, 2019 6:53 PM

Here is sample language for the email acknowledgment to an EEO investigator:

EEO Formal Complaint – IRS-xxxxxx
Disclosure Case Number: xxxxxx

This is to notify you that I will be processing your request for records relevant to EEO Case # . TIGTA's Disclosure Branch received your email request on (date). Our goal is to complete the review of documents and respond within 20 business days of receipt of the request.

Please contact me if you have any questions.

--

Good Afternoon,

This regards the following EEO Formal Complaint:
TD Case Number: XXXXX
Disclosure Case Number: XXXXX

This is to notify you that I will be processing your request for records relevant to TD Case Number XXXXX. TIGTA's Disclosure Branch received your email request on [DATE]. Our goal is to complete the review of documents and respond within 20 business days of receipt of the request.

Please contact me if you have any questions.

Thank you.

Response Letter

Tuesday, September 10, 2019 6:54 PM

[SECTION IN PROGRESS] If ROI contains 6103 tax return information:

Sample EEO language ROI contains return information

Release in Full:

Sample EEO letter for Release in Full

Delivering Final Package

Thursday, October 31, 2019 3:47 PM

All EEO responses and records should be sent to the EEO Specialist/requester or as spelled out in the request letter. The documents will be sent via email. The response letter and records in the email transmittal to Treasury must be sent encrypted (either PDF encryption or Securezip).

(b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

Use the incoming email to acknowledge the request or ask for additional info and to transmit the final response, if sending it by email. EEO does not want the Complainant's name in the subject line or email body.

If it is not possible to send electronically, send by UPS to their attention at the following address:

(Address confirmed with (b)(6); (b)(7)(C) 10/31/19, however she emphasized that electronic delivery is preferred)

(b)(6); (b)(7)(C)

EEO Contacts

Thursday, October 31, 2019 4:48 PM

FREQUENT EEO CONTACTS:

(b)(6); (b)(7)(C)

EEO Specialist
Dept of Treasury
Office of Civil Rights and Diversity

(b)(6); (b)(7)(C)

Response Email Example

Friday, March 20, 2020 5:23 PM

Good afternoon,

I have attached TIGTA's response letter and records pertaining to your request. The document is password protected. Please contact me for the password at (b)(6) (cell).

Sincerely,

Guidance to OI re: formal EEO matter

Thursday, October 31, 2019 3:41 PM

[Link to original email](#)

From: Jones Amy P TIGTA

To: (b)(6)

Subject: Guidance to OI when requested to provide an affidavit instead of testifying in an EEO matter (TIGTA or IRS)

Date: Friday, June 1, 2018 8:42:49 PM

Hello all,

Please read and file with your other reference materials.

GUIDANCE re: responding to similar inquiries, i.e., SA receives a request from an EEO Investigator to complete an affidavit (questionnaire) instead of testifying in an IRS EEO case gone *formal*.

Guidance provided to me by Tom Carter on 6/1/18:

(b)(5); (b)(7)(E)

SOP for FOIA Appeals

Monday, September 30, 2019 12:21 PM

SOP for FOIA Appeals (Revised 12/9/2019)

Appeals FX Best Practices

Thursday, January 2, 2020 1:33 PM

Additional Best Practices information from Disclosure Chief:

Good morning all and Happy New Year!

As you know, Counsel recently went paperless and, along with Disclosure's files, FX also contains the official agency file for FOIA appeal and litigation cases. When an attorney contacts you to close an appeal, the attorney should send you all pertinent correspondence, notes, emails, etc. that he/she feels should be uploaded to the official file. It is a Best Practice for you to ask them if there is anything more to add to the official file in FX, unless they specifically state they've provided everything for the official file in FX.

Example of a recent follow-up email:

After receiving the customary email to close an appeal, Diane sent Alexis and Lori this follow-up email (*I added & recommend including the part in brackets [], as it reminds the attorney that FX is the official record; remove the brackets though!*) –

Hi Alexis and Lori,

(b)(6); (b)(7)(C)

Do you have any correspondence/emails or notes to add to the [] Appeal Case? Remember, we only keep electronic records now [and FX is the official agency file for FOIA appeals].

Thanks.
Diane

(b)(5)

Please let me know if you have any concerns or questions.

Thanks!

Amy
Email sent 1/2/2020

FOIA Litigation - General Information

Wednesday, August 5, 2020 2:17 PM

6/27/2018 Amy's Conversation with Paul Levitan re: Litigation that has been remanded/sent back for reconsideration by the Agency:

(b)(5)



Miscellaneous Cases

Tuesday, June 25, 2019 5:09 PM

Effective July 31, 2020:

Please send routed correspondence (ie. M files) for the CMT to *TIGTA Investigations Complaints Unit at Complaints@tigta.treas.gov for processing with a carbon copy to the SAC.

Effective October 1, 2020:

The CMT will be realigned with the Fraud and Schemes Division led by SAC John Kirk.

M-CASES:

Need to review incoming correspondence carefully when you receive a Miscellaneous Case for processing:

If the requester is requesting records but doesn't cite FOIA, it should be considered a FOIA request (b)(4) If not seeking records, then:

- Is the person actually filing a complaint that would fall under TIGTA's jurisdiction. If so, please refer to CMT using (b)(4) Complaints@tigta.treas.gov, cc to SAC: John Kirk (NOT the entire CMT records request contacts list, i.e. (b)(6); (b)(7)(C))
- Is the person providing information related to a complaint that they already filed with TIGTA? If yes, forward to CMT using (b)(4) Complaints@tigta.treas.gov, cc to SAC: John Kirk (NOT the entire CMT records request contacts list, i.e. (b)(6); (b)(7)(C))
- If they are not filing a complaint but sending correspondence to TIGTA's Disclosure Branch and there is no connection between the requester's correspondence and TIGTA or the IRS, we do not refer this to CMT. (b)(4)
- No need to do (b)(4)
- (b)(4) will be either:
 - (b)(4)
 - OR
 - (b)(4)

(b)(4)



- Background e-mail 6/26/2020

(m-file, CMT, forward to cmt, routing to cmt, route)

CARES ACT IRS Economic Stimulus Payment Issues OR Fraud Scam Issues

Monday, April 20, 2020 6:20 PM

Coronavirus Aid, Relief, and Economic Security Act, known as the Cares Act:

When we receive emails concerning the economic stimulus payments and seeking IRS assistance, here is some suggested language to use when responding to the request:

This is in response to your e-mail sent to the Treasury Inspector General for Tax Administration's (TIGTA) Freedom of Information Act (FOIA) request e-mail box. We are sorry but we cannot assist you in this matter. Please note that TIGTA and the Internal Revenue Service (IRS) are two distinct and separate bureaus in the U.S. Treasury Department. As the IRS is handling the Coronavirus Tax Relief and Economic Impact Payments, we are referring you to the IRS Website that provides information that we hope will answer your concerns. Please click on the following link: <https://www.irs.gov/>

You may also wish to contact the IRS Taxpayer Advocate Service (TAS). You can obtain your local TAS office's phone number from the IRS webpage at <https://taxpayeradvocate.irs.gov/contact-us>.

I hope this information is helpful.

FRAUD/SCAMS:

If we receive emails regarding Cares Act fraud/scam concerns/complaints/issues, we should forward those to CMT.

(covid)

CARES Paycheck Protection Program (PPP)

Thursday, August 27, 2020 8:14 AM

Prepared by CField on 8/21/2020

-

Paycheck Protection Program (PPP)

Established by the Coronavirus Aid, Relief, and Economic Stability (CARES) Act, (P.L. 116-136). CARES Act, is implemented by the Small Business Administration (SBA) with support from the Department of the Treasury.

WHAT ARE PPP LOANS?

The PPP allows qualifying small businesses and other organizations to receive loans with a maturity of two years and an interest rate of one percent.

Businesses must use PPP loan proceeds for payroll costs, interest on mortgages, rent and utilities.

The PPP allows the interest and principal to be forgiven if businesses spend the proceeds on these expenses within a set time, and use at least a certain percentage of the loan towards payroll expenses.

Economic Injury Disaster Loans (EIDL)

Small business owners are eligible to apply for an Economic Injury Disaster Loan (EIDL) advance of up to \$10,000. This advance will provide economic relief to businesses that are currently experiencing a temporary loss of revenue. This loan advance will not have to be repaid.

This program is for any small business with fewer than 500 employees (including sole proprietorships, independent contractors and self-employed persons), private non-profit organization or 501(c) (19) veterans' organizations affected by COVID-19.

General Information

Statistical data by states and industries relating to the PPP and EIDL programs are posted monthly on the Small Business Administration (SBA) and Treasury websites.

Requests for Information

Requests frequently are referrals from the Department of Justice National FOIA Portal, NationalFOIAPortal@usdoj.gov, or from the Department of the Treasury.

Procedure

Contact the SBA FOIA office at foia@sba.gov and attach a copy of the incoming FOIA request.

-

Sample e-mail referral language to SBA

The National FOIA Portal, Department of Justice, assigned the attached FOIA request seeking information relating to the Paycheck Protection Program, to the Treasury Inspector General for Tax Administration (TIGTA), Department of the Treasury.

Please let me know if your office will accept the referral as the requested information appears to fall under the jurisdiction of the Small Business Administration.

NOTE: The SBA FOIA office will respond via e-mail to accept the referral.

-

Sample response language

This is in reference to your xxx, 2020 Freedom of Information Act (FOIA) request to the Department of Justice National FOIA Portal. The Treasury Inspector General for Tax Administration (TIGTA) received your request as a referral from the NationalFOIAPortal@usdoj.gov on xxx, 2020.

Information relating to the COVID-19 Paycheck Protection Program Lending and Economic Injury Disaster Loans would fall under the jurisdiction of the U.S. Small Business Administration (SBA). Therefore, on August , 2020, we forwarded your request (enclosed) to the SBA FOIA Office for processing and a direct response to you.

If you have any questions regarding the status of the referral, please contact the SBA at the following:

Chief, Freedom of Information/Privacy Acts Office
U.S. Small Business Administration
409 Third Street, SW, Eight Floor
Washington, DC 20416

Fax: (202) 205-7059
Email: FOIA@sba.gov

If you have any questions regarding this referral, please contact Government Information Specialist xxx at (202) xxx-xxxx, or xxx@tigta.treas.gov and refer to case # 2020-FOI-00xxx.

Processing Payments

Friday, June 7, 2019 2:01 PM

How to process checks/Money Orders for payment of FOIA fees.

Resources

Friday, June 7, 2019

1:57 PM

How to Open a Case File

Friday, June 7, 2019 2:01 PM

Resources

Friday, June 7, 2019

12:14 PM

FOIAXpress

(b)(4)

FOIAXpress

Clearing the Cache

Thursday, August 1, 2019 11:13 AM

It's come to my attention that we have to regularly empty the cache in Internet Explorer (IE) (b)(4) If you'd like to, you can tell IE to automatically clear its temporary files (including the cache) every time you close it. (I've tested this and it appears to work.)

To set this up:

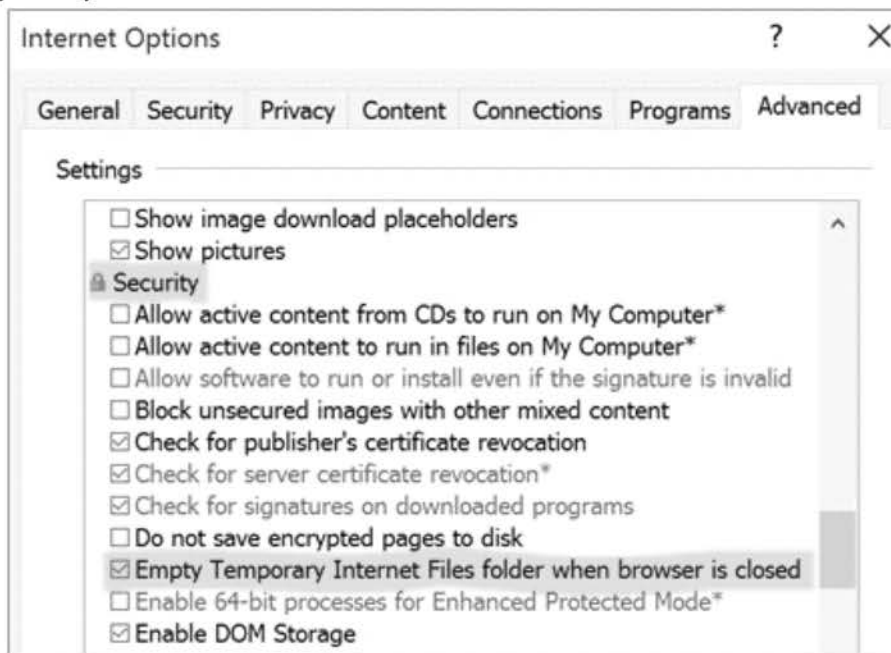
- 1- Go to settings in Internet Explorer (click the gear in the upper right corner)



- 2- Select "Internet Options" and click the "Advanced" tab



- 3- Scroll down to the "Security" heading and click the checkbox next to "Empty Temporary Internet Files folder when browser is closed"



- 4- Click "OK." Now the cache folder will empty every time you close Internet Explorer.

Guidance

Friday, June 7, 2019 2:01 PM

Former Employment or Called by Government

TA (b)(5); (b)(7)(E)

Thursday, October 31, 2019 3:37 PM

(b)(5); (b)(7)(E)

If you have any concerns, please contact me.

Processing a Testimony Authorization Request

Monday, January 27, 2020 5:25 PM

DRAFT IN PROGRESS - 2/4/2020

Processing a Request for Testimony Authorization (TA) - Please review Chapter 700 (90) Testimony and Production of Documents.

(b)(4)

Change the (b)(4)

Do they have a subpoena or email request to attend a hearing/trial?

Do they have the signed affidavit from the prosecutor's office setting forth the expected scope of the employee's testimony (this is always needed after we refer documents to State and locals and they decide to prosecute and need a TIGTA employee to testify).

Promptly send an email acknowledgment notification to the ASAC, with a cc to the Agent, that you are handling the request for a Testimony Authorization. This is where you will ask for any addition information you need to process the request.

Sample acknowledgement language:

I will be handling the request for a Testimony Authorization that will cover December 27, 2017 and January 3, 2018. However, I will need the following information before I can proceed:

- *a subpoena or summons for testimony*
- *an affidavit setting forth the expected scope of the employee's testimony*

--

This is to notify you that I will be handling your request for a Testimony Authorization for SA (b)(6); (b)(7)(C) Disclosure Case #TA-2018-00028). I will let you know if I need additional information.

Please let me know if you have any questions.

Review Request:

(b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

-
-
-
-

Prepare the draft Testimony Authorization Letter.

We use standard language to cover all aspects of proposed testimony.

- Some identifying information in the letter will be changed to fit the request.
- For OI employees, addressed to the Head of the Field Office (SAC) or Headquarters (HQ) Function Head (such as IAD); for other TIGTA employees, addressed to the Function Head, such as Counsel — Branch Chief, OMS Human Capital Officer, etc.

199Approval

Send the draft Testimony Authorization Letter to the appropriate office for signature for OI, cc: Susan Moats for OI as well; if headquarters' function, then ~~Mike Delgado~~ signs. For Counsel, ~~Tom Carter~~ would sign (supervisor of Branch Chiefs), for OMS function, Merv Hyndman would sign. Must know Org Charts and who has oversight over the functions.

Sample Approval Email:

Subject: ACTION REQUIRED – Approval of Testimony Authorization for February 24, 2020 –

(b)(6); (b)(7)(C)

Good Afternoon Ruben,

For review and approval: Please see the attached Testimony Authorization (TA) for Special Agent (b)(6); (b)(7)(C) Southern Field Division, to testify on February 24, 2020. After approval, please send the approved TA to the SAC and cc: me. Thank you.

Case closing actions.

Approvals

Tuesday, February 4, 2020 12:50 PM

Background email 2/4/2020 re: adding Moats to cc: line for TA approvals

Resources

Friday, June 7, 2019 12:18 PM

Privacy Act Referrals - Guidance for Disclosure and Virgen

Friday, June 7, 2019 2:01 PM

7/23/18 Email from Amy Jones:

Good morning Virgen and Disclosure Specialists,

Tom has approved the following PROCEDURE/POLICY/GUIDANCE for handling *inquiries* related to prior, pending or potential Privacy Act referral issues received by Virgen or the Disclosure Branch. The inquiry could come from a Federal, state, local law enforcement or regulatory agency, a TIGTA agent, an IRS official, etc.

The procedure should reduce or eliminate a duplication of effort, confusion or miscommunication. The inquiry should not be logged into FOIAXpress by Virgen or a Disclosure Specialist (b)(4) because the assignment will be controlled in CarMIS by the legal staff.

Refer inquiries related to Privacy Act referrals/situations, from both internal and external sources, immediately to Counsel for assignment. Ways of transferring inquiries to Counsel that are received by telephone, email, fax or mail:

- **take a caller's name and telephone number for a callback from Counsel and email that information to (b)(6) copying Tom or his designated acting Deputy;**
- **forward a voicemail message to Tom or the acting Deputy;**
- **forward an email inquiry to (b)(6) copying Tom or the acting Deputy;**
- **hand-deliver correspondence received via fax or mail carrier to Tom or the acting Deputy.**

These methods will ensure consistency in the transfer to Counsel. If you have any questions or concerns, please let me know.

Resources

Friday, June 7, 2019 12:14 PM

5 CFR § 293.311 - Releasable information about government employees

(Federal)

Privacy Act Consent Form

Thursday, February 6, 2020 4:38 PM

Consent for Release of Privacy Act Information by the Treasury Inspector General for Tax Administration

Security Clearance - Records Requests from Background Investigators

Thursday, April 9, 2020 4:19 PM

If you receive a request from a Background Investigator seeking OI records on an individual, please direct them to send a request to TIGTA's OI/Records Management Section:

4/6/20 - Per (b)(6); (b)(7)(C) The investigator can e-mail their request to (b)(6); (b)(7)(C) and give her a call at (b)(6); (b)(7)(C)

Thursday, October 15, 2020 4:08 PM

Requests from Background Investigators for TIGTA ROI's

When a Background Investigator contacts Disclosure seeking an investigatory file for a background investigation they are working, you should inform them they need to send an email with an official request for the record (i.e., who they are working for and consent) to (b)(6); (b)(7)(C) at

(b)(6); (b)(7)(C) and cc: (b)(6); (b)(7)(C) at (b)(6); (b)(7)(C)

Privacy Act Requests - Exemptions

Monday, September 21, 2020 6:01 PM

If someone is seeking a Privacy Act record on themselves and there is no Privacy Act Exemption, the record must be released. We cannot go to FOIA to withhold.

Privacy Act exemptions apply to Criminal OI Cases not administrative.

FYI: SF-182 Training Requests

Wednesday, February 19, 2020 1:21 PM

For **unpaid** training, Amy is both approvers.
For **paid** trainings, use Amy as 1st and Lori as 2nd.

FYI: Completion Certificates

Wednesday, September 25, 2019 8:14 AM

Per Amy:

When you complete mandatory training, paid training, etc., please send a copy of the training certificate, to the extent one exists or is provided to you. This has not always been a requirement but I've found that it is necessary and saves me time monitoring ITMS.

**** Please put *Training Certificate* and the Title of the training in the subject line of the email. **** Send to me within one business day of completing the training.

Let me or Virgen know if you have trouble locating Certificates that are generated by and maintained in ITMS.

Thanks,

Amy

3/13/2020 - NEW NOTE FROM VIRGEN re Certificates:

She does not need a copy of Completion Certificates for online training in ITMS as they are registered in the system automatically.

DOJ Continuing FOIA Education (2020)

Thursday, May 28, 2020 12:41 PM

Slides: [OIP Updates and Resources for Continuing FOIA Education](#)

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Slides: [Significant New Court Decisions - May 2020](#)

Links to case summaries from slides:

Montgomery v. IRS, No. 17-918, 2020 WL 1451597 (D.D.C. Mar. 25, 2020) (Boasberg, J.)
<https://www.justice.gov/oip/montgomery-v-irs-no-17-918-2020-wl-1451597-ddc-mar-25-2020-boasberg-j>

Evans v. BOP, 951 F.3d 578 (D.C. Cir. 2020) (Sentelle, J.)
<https://www.justice.gov/oip/evans-v-bop-no-18-5068-2020-wl-1144613-dc-cir-mar-10-2020-sentelle-j>

Nightingale v. USCIS, 333 F.R.D. 449 (N.D. Cal. 2019) (Orrick, J.)
<https://www.justice.gov/oip/nightingale-v-uscis-no-19-03512-2019-wl-5191066-nd-cal-oct-15-2019-orrick-j>

Gellman v. DHS, No. 16-635, 2020 WL 1323896 (D.D.C. Mar. 20, 2020) (Cooper, J.)
<https://www.justice.gov/oip/gellman-v-dhs-no-16-635-2020-wl-1323896-ddc-mar-20-2020-cooper-j>

Brady Ctr. to Prevent Gun Violence v. DOJ, 410 F. Supp. 3d 225 (D.D.C. 2019) (Moss, J.)
<https://www.justice.gov/oip/brady-ctr-prevent-gun-violence-v-doj-no-17-2130-2019-wl-4737331-ddc-sept-28-2019-moss-j>

ACLU v. DOD, No. 17-3391, 2020 WL 419757 (S.D.N.Y. Jan. 27, 2020) (Engelmayer, J.)
<https://www.justice.gov/oip/aclu-v-dod-no-17-3391-2020-wl-419757-sdny-jan-27-2020-engelmayer-j>

Judicial Watch, Inc. v. DOJ, No. 19-5218, 2020 U.S. App. LEXIS 12565 (D.C. Cir. Apr. 17, 2020) (per curiam)
<https://www.justice.gov/oip/judicial-watch-inc-v-doj-no-19-5218-2020-us-app-lexis-12565-dc-cir-apr-17-2020-curiam>

Rojas v. FAA, 927 F.3d 1046 (9th Cir. 2019) (Molloy, J.), reh'g en banc granted, 948 F.3d 952 (9th Cir. 2020)
<https://www.justice.gov/oip/rojas-v-faa-no-17-17349-2019-wl-5382055-9th-cir-oct-22-2019-ikuta-j>

Judicial Watch, Inc. v. DOJ, No. 17-0832, 2019 WL 4644029 (D.D.C. Sept. 24, 2019) (Kollar-Kotelly, J.)
<https://www.justice.gov/oip/judicial-watch-inc-v-doj-no-17-0832-2019-wl-4644029-ddc-sept-24-2019-kollar-kotelly-j>

Leopold v. CIA, 419 F. Supp. 3d 56 (D.D.C. 2019) (Contreras, J.) (appeal pending)
<https://www.justice.gov/oip/leopold-v-cia-no-19-978-2019-wl-5814026-ddc-nov-7-2019-contreras-j>

DOJ Exemptions 6 and 7C and Privacy Act (2020)

Thursday, May 21, 2020 12:31 PM

Exemptions 6 and 7C Presentation Slides

Privacy Act Interface with the FOIA Presentation Slides

DOJ Exemption 5 (2020)

Tuesday, May 19, 2020 8:42 AM

These are the slides from the DOJ Virtual Exemption 5 Workshop held 5/14/2020.

[Exemption 5 Presentation Slides](#)

DOJ 2020 Advanced FOIA Seminar

Wednesday, February 19, 2020 3:46 PM

DOJ 2020 Advanced FOIA Seminar 2/18/2020

[Click here to access folder containing slide presentations](#)

- New FOIA Guidance and Resources Updated Feb 2020
- Exemptions 6 and 7c
- Significant New Decisions - Feb 2020
- FOIA-PA Interface
- Advanced Procedural requirements
- Advanced Litigation Considerations

DOJ Litigation Considerations (2020)

Thursday, October 22, 2020 8:07 AM

[Litigation Considerations \(Slides\)](#)

[Advanced Litigation Considerations \(Slides\)](#)

[Advanced Litigation Considerations \(Handout\)](#)

DOJ - Artificial Intelligence and FOIA

Monday, November 9, 2020 9:03 AM

A.I. and FOIA (Slides) Nov 2020

ASAP 2019 Slides

[Click here to access folder with all 2019 ASAP Slides](#)

List of available slide presentations:

- 1 02 Perfect FOIA 2020 Vision (Baron) IG World Spring 2019
- 1 03 FOIA Procedural Overview (BennettBell)
- 1 04 Privacy Act Overview (Halabuk)
- 1 05 Copyright Protected What to Expect in Litigation (WeismannTyrrell) Huff slides
- 1 06 FOIA Exemptions One to Nine (ManheimBell)
- 1 07 Privacy Act Conditions of Disclosure (Allard)
- 1 08a Updates from the Courts- Case Summaries- 7-14-19
- 1 08b High Court Creates New FOIA Playing Field - Law360
- 1 09 Exemption 1 (EvittMoss)
- 1 10 Sister Statutes FOIA and the Privacy Act (MeyersBrancholiver)
- 1 11 Defining a Federal Record (Ortiz - Bergman slides) - AB
- 2 01 FOIA Requesters (Kwoka)
- 2 05 Privacy-Where Rubber Hits Road (Allard)
- 2 06a Compliance Maze-DHS Compliance Program (Bennett)
- 2 06b Compliance Maze-OGIS (Mitchell)
- 2 07 Exemption 4 (Garcia-MaleneMcCall)
- 2 08 Privacy Scenarios (CantorBarrettRobinson)
- 2 09 Chief FOIA Officers IT Committee (SteinSarich)
- 2 10 Exemptions 6 and 7 (C) (MillerSemo)
- 2 11 Exemption 5 (McCallStearns)
- 2 12 PIAs and SORNs (BiceVogel)
- 3 01a FOIA Resources (Sarich) Reduced file size
- 3 01b Resources at the Ready (Bennett)
- 3 03a FOIA Redaction Workshop (MeyersMillerBrancholiver)
- 3 03b FOIA Redaction Workshop Scenarios (MeyersMillerBrancholiver)
- 3 04 Managing Data and Privacy Risks (MurphyMatoney)
- 3 05 Reasonable Searches (CarrMulvey)
- 3 06 The State of State's eRecords (SteinKootz)
- 3 07 Exemptions 7 (A)(B)(D)(E)(F) (SemoSuzuki)

2019 FX User Conference

Monday, October 28, 2019 9:06 AM

[Click here to access the folder containing the following training materials](#)

- FOIAXpress Product Roadmap
- FOIAXpress Electronic Document Review Workshop
- Federal Govt Transition to Electronic Records Memorandum
- Foreseeable Harm
- Recent FOIA Decisions
- Recent FOIA Decisions Handout
- FOIAXpress (b)(4)

Disclosure 6103 Training 8/20/19

Wednesday, August 21, 2019 2:13 PM

Disclosure 6103 Training Slides

CaRMIS

Thursday, September 12, 2019 2:32 PM

CaRMIS is the case management system used by the attorneys in Chief Counsel. Occasionally, a screenshot will become a responsive record in a FOIA request. If the information is considered attorney/client or attorney work product, it may be withheld. However, if no harm is apparent and/or the information is largely factual, the odds of release are increased.

A sample screen of the CaRMIS Word Template export

(carmis screens)

Guidance for DOJ In-House FOIA Training

Tuesday, March 10, 2020 12:02 PM

General Timeline:

Contact DOJ OIP at main FOIA number (202-514-3642) and state you would like to set up In-House FOIA Training. They will connect you to the OIP Training Office. Usually leave a VM. Call again if no response to your VM.

I talked to Nakeitha Gilbert, Acting Training Coordinator. She took down all of the information re: our training needs, (b7C and processing), when (Oct. 4 or 6), and what it was for (Disclosure's CPE). She indicated she would pass the information on to her boss, Bobby (Bobak) Talebian, and she did not see any reason why they couldn't do this for us.

Follow up is usually necessary: Contacted Nakeitha - She stated we are on the schedule for either of the days we suggested (not exact yet). She will check with Bobby today and get back to me. She will email me some information about the classes that might meet our needs. I provided her my work phone number and email address.

Email to Nakeitha with particulars:

9/6 email to Nakeitha:

RE: October 4 or 6, 2016 - CPE Disclosure Branch – DOJ Training

Address: Treasury Inspector General for Tax Administration (TIGTA) Office of Chief Counsel
1401 H Street, NW, Suite 469 Washington, DC 20005

Contact: Diane Bowers - 202-927-7043

Hi Nakeitha,

I thought we should finalize everything now since days are passing way too quickly!

We would like the Workshops on FOIA Requests Start to Finish and EXEMPTIONS 6 & 7C (especially 7C).

Does your instructor have a preference for October 4 or October 6? We are flexible on those two dates. Also, I will need the starting and ending time.

(b)(7)(E); (b)(7)(F)

What are the instructor's electronic needs for the Workshops? Thank you so much for coordinating this!

Confirmation Email from DOJ:

Email from Nakeitha: Hello Ms. Bowers,

We would like to provide the training on October 6th from 10:00am – 1:00pm. The instructors will be Valeree Villanueva and Matt Gardner. Each presenter will need about 1hr 30mins. Please let us know if the date and time is good for you.

Our instructors will need something to show a power point presentation on. We would just email the

presentations over to you prior to the training. I'm not sure of the room set-up but they normal are standing at a podium or sitting at a table when they present.

Vetting instructors to enter TIGTA space:

(b)(7)(E); (b)(7)(F)

(b)(7)(E); (b)(7)(F)

We are located right next to the McPherson Square Metro

Stop, exit to 14th
Street.

Address: Treasury Inspector General for Tax Administration (TIGTA) Office of Chief Counsel
1401 H Street, NW, Suite 469
Washington, DC 20005

You may also let the instructors know that there is a café in our building as well as a Starbucks nearby!

Quarterly FOIA Report

Monday, September 30, 2019 12:17 PM

Treasury Quarterly FOIA Report SOP

Additional Info from Disclosure Director:

Michelle responded. The data call is on its way! We only submit the chart to Treasury, not the individual reports.

As for our procedures:

- We will wait for Michelle's data call each quarter before responding.
- No need to copy Paul.

Email dated 1/2/2020

FOIA Annual Report

Thursday, January 9, 2020 12:57 PM

SOP - Annual FOIA Report

Wednesday, October 14, 2020 12:10 PM

SOP Annual FOIA Report in FOIAXpress -

(b)(5)

(b)(5)

Additional resources:

Slides: [DOJ Refresher Training for Annual FOIA Report \(Oct 2020\)](#)

[DOJ Agency Resource for Reviewing Raw Data FY2020](#)

FY 2020 FOIA Annual Report - Information from Wendy Holt re: FY 2020 FX Maintenance Contract

Thursday, January 9, 2020 12:51 PM

1/8/2020 - Per phone call with Wendy - She said \$22,036.44 is the FY 2020 Yearly Maintenance Cost for FX.

Quarterly Conference Training Data Call

Friday, December 6, 2019 1:17 PM

Background:

Typically the Deputy Chief Counsel sends the data call request to the Branch Chiefs, who in turn poll their staff members and report back to the Deputy Chief Counsel. See example below.

The request is a quarterly data call for information concerning “conference” attendance. TIGTA has defined “conference” “to include conferences, meetings, continuing professional education events, retreats, seminars, symposiums, training activities, workshops, or events hosted or sponsored by TIGTA that incur expenses for non-local travel, outside vendors, or use of non-Federal Government facilities. Mandatory training is not included in TIGTA’s definition of “conference” unless travel costs are involved.”

In October 2019, I had asked Lori for some clarification and she provided the following:

Lori said *sponsored*, as it is used here, means TIGTA provided the training (that incurred “expenses for non-local travel, outside vendors, or use of non-Federal Government facilities”).

Data call thread example:

Good morning Micki, Brady and Amy,

We have received the 4th quarter data call for information concerning “conference” attendance. TIGTA has defined “conference” “to include conferences, meetings, continuing professional education events, retreats, seminars, symposiums, training activities, workshops, or events hosted or sponsored by TIGTA that incur expenses for non-local travel, outside vendors, or use of non-Federal Government facilities. Mandatory training is not included in TIGTA’s definition of “conference” unless travel costs are involved.”

If any of your branch employees attended a “conference” during the period July 1, 2019 through September 30, 2019, please have the employee complete the above-attached spreadsheet and return it to me. If no one attended a conference during the relevant period, please provide a negative response. A response (including a negative response) is due by COB, Monday, October 28th.

Thanks,

Lori

Good afternoon, Everyone:

The Fourth Quarter Conference FY 2019 conference report is due October 31, 2019. Please use the attached spreadsheet for your FY 2019 4th Quarter Report (July through September 2019). Please do not alter this format. We ask that you include actual costs for conference-related activities and off-sites for all attendees. Please submit your report directly to me at

(b)(6)

Thank you.

Original email

Chief FOIA Officer's Report

Tuesday, February 11, 2020 3:11 PM

2021 Chief FOIA Officer's Report

Monday, January 13, 2020 8:40 AM

1/13/2020 Email From Amy to Diane: Thanks so much for taking the lead on this and working closely with Treasury to update TIGTA's page on FOIA.gov. (b)(6)

(b)(6)

TIGTA. The validation process also fulfills our requirement for the Chief FOIA Officer's report.

My Summary (sent to Gladys):

On 11/18/19, we received an email from (b)(6) with the Department's FOIA Office asking all Bureaus "to ensure the Department of the Treasury's contact information is accurate and the links to our bureaus are functional on FOIA.gov." The email stated:

We are in the process of reviewing the current content. Within the next couple of days, you will be receiving an email from me with issues I may have noticed and a request to provide me with the correct information. Please note that its important to provide your feedback so that we can have the information updated as required for the Chief FOIA Officer report.

You may also be proactive by visiting FOIA.gov here and clicking on your bureau to ensure the appropriate information is displayed.

As I previously worked on this about a year ago, I let Amy know I would handle this request (b)(6)

(b)(6)

What I found:

- The link to TIGTA's Website was missing. It was there a year ago.
 - Per my request, this was added back to TIGTA's FOIA.gov page.

(b)(6)

- I asked that they add a link to the TIGTA FOIA Page that links directly to "See How to Make a FOIA Request to TIGTA" at the top of the page before requesters complete and submit a request through FOIA.gov.

○ (b)(6)

○

- As I requested, they added the link and also the actual language on how to submit

a FOIA request to TIGTA directly on TIGTA's FOIA.gov page.

On 1/9/2020, we received notification from (b)(6) that the validation process for Treasury, Departmental Offices (DO), and the Treasury bureaus was completed.

- I reviewed TIGTA's page on FOIA.gov and agree with the changes.

Information for 2021 Report

Monday, June 1, 2020 2:51 PM

We requested that OIT have all incoming faxes sent to our FOIA Email Box.

Notification added to FOIA page re: COVID 19 Delays

Website Proactive Disclosures Tracker

Wednesday, May 6, 2020 1:57 PM

WEBSITE PROACTIVE DISCLOSURES TRACKER

Date(s)	Updated Content Title	Link to Updated Content
2/11/2020	Calendar Year 2019 FOIA Log	https://www.treasury.gov/tigta/foia/docs/CY%202019%20FOIA%20Log.pdf
5/6/2020	2005-10-161 The Tax Exempt and Government Entities Division is Making Progress to Detect and Deter Fraud Within Its Customer Base, but the Impact Cannot Be Determined at This Time	https://www.treasury.gov/tigta/reports/2005reports/200510161fr.pdf
5/6/2020	2003-10-217 The Tax Exempt and Government Entities Division Should Pursue Additional Methods for Identifying Potential Fraudulent Activities	https://www.treasury.gov/tigta/auditreports/2003reports/200310217fr.pdf

Website Updates and Tracker

Tuesday, February 11, 2020 3:25 PM

To update a TIGTA.gov public facing page:

From the TIGTA intranet:

1. Click *Service Desk*
2. Click *Submit a Ticket*
3. Click TIGTA Internet Content Posting [not "Intranet" unless that's what you're changing]
4. Customer is the person filling out the form [you]
5. Add comments and/or:
 - a. Upload a Word or pdf document that describes the changes.
6. Update the "Website Updates Tracker" chart in the Wiki (below)
7. Submit

They will contact you if they need further information. It helps to be as overly descriptive as possible, i.e. possibly attach a Word document that includes screenshots, etc.

You will be sent a test link for one last verification of the changes. Verify all text, click all the links, etc. Make sure nothing extra has been added somewhere else on the page. Once you approve, the IT representative then contacts Main Treasury IT to apply the changes. Double check the public-facing page once the changes have been applied.

WEBSITE UPDATES TRACKER

Note: Proactive Disclosures go here [[Website Proactive Disclosures Tracker](#)]

Date(s)	Updated Content	Link
2/24/2020 4/1/2020	FOIA Resources Page	https://www.treasury.gov/tigta/important_foia_fr.shtml
3/9/2020	Privacy Act Resources Page	https://www.treasury.gov/tigta/important_foia_pa.shtml
3/27/2020	ALERT for Requesters	https://www.treasury.gov/tigta/important_foia_mafr.shtml
4/1/2020	FOIA Library Page	https://www.treasury.gov/tigta/important_foia_err.shtml
6/29/2020	How To Make A FOIA Request	https://www.treasury.gov/tigta/important_foia_mafr.shtml

TIGTA Reporting Requirements

Wednesday, May 6, 2020 10:26 AM

This is the updated list of TIGTA's reporting requirements. Counsel updates this list annually, on a calendar-year (CY) basis, in coordination with the other functions.

The added/changed items since the CY 2019 update are highlighted in yellow (and with red text when only one part of an item was changed).

[CY 2020 TIGTA Reporting Requirements \(Excel\)](#)

[Background E-mails: CY 2020 Reporting Requirements \(Summary of Changes for CY 2020\)](#)

Tuesday, November 12, 2019 5:32 PM

Please add the CRIMES Complaint Summary and the CRIMES Investigation Summary to the (b)(4) for all cases when you conduct a search of CRIMES.

Thursday, January 16, 2020 5:08 PM

See attached document.