



DEPARTMENT OF VETERANS AFFAIRS
Washington DC 20420

May 27, 2020

In Reply Refer To: 001B
FOIA Request: 19-07413-F

Via Email: foia@americanoversight.org

American Oversight
Attention: Austin R. Evers
1030 15th Street NW
Suite B255
Washington, DC 20005

Dear Mr. Evers:

This is the Initial Agency Decision (IAD) to your May 10, 2019 Freedom of Information Act (FOIA) request to the Department of Veterans Affairs (VA), FOIA Service. You requested a copy of "All emails sent by (1) former Secretary David Shulkin, or (2) former Chief of Staff and Acting Secretary Peter O'Rourke containing any of the following terms:

- i. "personal email"
- ii. "private email"
- iii. "personal account"
- iv. "private account"
- v. "personal address:
- vi. "personal contact info"
- vii. "personal contact information"

Your request was received by the VA FOIA Service on May 10, 2019 and assigned FOIA tracking number **19-07413-F**. Please refer to this number when corresponding with our office about this request.

Your request was referred to and received by the VA Office of the Secretary (OSVA) on May 15, 2019.

On August 5, 2019, we conducted four searches of the mailboxes of the four VA Secretary, Deputy Secretary David Shulkin and former Chief of Staff and Acting Secretary Peter O'Rourke. The searches consisted of the following:

Search 1

Peter O'Rourke

Key Terms: ("personal email") OR ("private email") OR ("personal account") OR ("personal address") OR ("personal contact information")

From Date: 12/20/2018

To Date: 5/24/2019

Search 2

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From: Shulkin

Key Terms: ("personal email") ("private email") ("personal account") ("personal address") ("personal contact information")

Search 3

From: O'Rourke

Key Terms: ("personal email") ("private email") ("personal account") ("personal address") ("personal contact information")

Start Date: 2/17/2018

End Date: 12/19/2018

Search 4

From: Shulkin or O'Rourke

Key Terms: ("personal email") ("private email") ("personal account") ("personal address") ("personal contact information")

On May 19, 2020, we conducted one search of the mailboxes of the four VA Secretary, Deputy Secretary David Shulkin and former Chief of Staff and Acting Secretary Peter O'Rourke. The searches consisted of the following:

Search

From: Shulkin or DJS or O'Rourke or O'Rourke

Date: 2/14/17 (when Shulkin was VASEC) to 5/24/19 (search cut-off date)

Key Terms: "private account" or "personal contact info"

Our search located 75 pages of responsive records Bates numbered (19-07413-F) - 000001 through (19-07413-F) - 000075. I have determined that 32 pages are releasable in its entirety, 30 pages are partially releasable, and 13 pages are withheld in full pursuant to Title 5 U.S.C. §§ 552(b)(5), (b)(6), and (b)(7)(C), FOIA Exemptions 5, 6, and 7(C).

FOIA Exemption 5 protects interagency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency. Moreover, this exemption permits an agency to withhold material reflecting the thoughts, opinions, and recommendations of federal officials and consultants reviewing an issue. Under the deliberative process privilege and FOIA Exemption 5, OSVA redacts internal government deliberations, thoughts, opinions, recommendations, and proposed solutions from federal employees and consultants reviewing VA programs in their professional capacities, as well as non-final or draft documents. The information contained in the responsive records is both predecisional and deliberative because it reflects preliminary opinions, proposed solutions, and recommendations, which do not reflect VA's final decision. Exposure of premature discussions before a final decision is made could create undue public confusion. The release of the redacted information would negatively impact the ability of federal employees and consultants to openly and frankly consider issues amongst themselves when deliberating, discussing, reviewing, proposing changes to, and making recommendations on VA programs. The information reveals the thoughts, deliberations, and opinions that, if released, would have a chilling effect on the ability of federal officials and consultants to discuss, opine, recommend or be forthcoming about the agency's issues which require full and frank assessment. Here, the disclosure of the withheld

information is likely to compromise the integrity of this deliberative or decision-making process. Moreover, the predecisional character of a document is not altered by the passage of time. Bruscino v. BOP, No. 94-1955, 1995 WL 444406 at *5 (D.D. C. May 15, 1995), aff'd in part, No. 95-5212, 1996 WL 393101 (D.C. Cir. June 24, 1996).

FOIA Exemption 6 exempts from disclosure of personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test. Specifically, the information being withheld, as indicated on the enclosed documents, under FOIA Exemption 6, consists of names, identities, email addresses, VA usernames, phone numbers, cellular numbers, and retirement information of federal civilian employees and private citizens; we however release the names of VA Senior Executives. Federal civilian employees and private citizens retain a significant privacy interest under certain circumstances, such as in instances where the release of their information could represent a threat to their well-being, harassment, or their ability to function within their sphere of employment. The federal civilian employees and private citizens whose information is at issue have a substantial privacy interest in their personal information. In weighing the private versus the public interest, except names of VA Senior Executives, we find that there is no public interest in knowing the names, identities, email addresses, VA usernames, phone numbers, cellular numbers, and facsimile numbers of federal civilian employees and private citizens. The coverage of FOIA Exemption 6 is absolute unless the FOIA requester can demonstrate a countervailing public interest in the requested information by demonstrating that the individual is in a position to provide the requested information to members of the general public and that the information requested contributes significantly to the public's understanding of the activities of the Federal government. Additionally, the requester must demonstrate how the public's need to understand the information significantly outweighs the privacy interest of the person to whom the information pertains. Upon consideration of the records, I have not been able to identify a countervailing public interest of sufficient magnitude to outweigh the privacy interest of the individuals whose names are redacted. The protected information has been redacted and (b)(6) inserted. "Withholding a telephone number or e-mail address, alone, is not sufficient to protect that [privacy] interest; alternate means of contacting and harassing these employees would be readily discoverable on the Internet if this court ordered their names disclosed." Long v. Immigration & Customs Enf't, 2017 U.S. Dist. LEXIS 160719 (D.C. Cir. 2017).

FOIA Exemption 7(C) exempts from required disclosure law enforcement information the disclosure of which "could reasonably be expected to constitute an unwarranted invasion of personal privacy." Redacted information includes names, titles, and other identifying information of VA employees involved in law enforcement proceedings. The release of this information would jeopardize the health and safety of not only law enforcement personnel, but those persons they are charged with protecting.

Bates numbered pages (19-07413-F) 000046 through (19-07413-F) 000058 are withheld in full under FOIA exemptions 5 and 6. As such, the pages are not included in the enclosed records.

FOIA Mediation

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and

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Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. Under the provisions of the FOIA Improvement Act of 2016, the following contact information is provided to assist FOIA requesters in resolving disputes:

VA Central Office FOIA Public Liaison:

Name: Doloras Johnson

Email Address: vacofiaservice@va.gov

Office of Government Information Services (OGIS)

Email Address: ogis@nara.gov

Fax: 202-741-5769

Mailing address:

National Archives and Records Administration

8601 Adelphi Road

College Park, MD 20740-6001

FOIA Appeal

Please be advised that should you desire to do so; you may appeal the determination made in this response to:

Office of General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

If you should choose to file an appeal, please include a copy of this letter with your written appeal and clearly indicate the basis for your disagreement with the determination set forth in this response. Please be advised that in accordance with VA's implementing FOIA regulations at 38 C.F.R. § 1.559, your appeal must be postmarked no later than ninety (90) days of the date of this letter.

Sincerely,

Ruthann Parise

941640

Ruthann Parise
OSVA FOIA Officer

Digitally signed by Ruthann
Parise 941640
Date: 2020.05.27 12:14:45
-04'00'

Enclosure: 62 pages, responsive records

From: O'Rourke, Peter M.
Sent: 26 Nov 2018 21:56:57 +0000
To: (b)(6)
Subject: FW: Phone call details

Sent to personal email for personal record.

From: Powers, Pamela
Sent: Monday, November 26, 2018 10:23:33 AM
To: O'Rourke, Peter M.; Byrne, Jim
Cc: (b)(6) EOP/WHO (b)(6)@who.eop.gov)
Subject: RE: Phone call details

Peter,

That is correct. (b)(5)

(b)(5)

Pam

From: O'Rourke, Peter M.
Sent: Monday, November 26, 2018 9:22 AM
To: Powers, Pamela (b)(6)@va.gov>; Byrne, Jim (b)(6)@va.gov>
Subject: Phone call details

Jim, Pam,

Confirming the details of your phone call to me this morning at 8:30 am. (b)(5)

(b)(5)

If I have any of these details incorrect please let me know.

From: O'Rourke, Peter M.
Sent: 2 Oct 2018 18:25:26 +0000
To: (b)(6)
Subject: RE: MSD

(b)(6)

Could you, please send this to my personal email account so I can print and sign. For some reason it won't let me forward it to myself. (b)(6)@me.com

Thank you,
Pete

From: (b)(6)
Sent: Tuesday, October 02, 2018 9:14:35 AM
To: O'Rourke, Peter M.
Subject: MSD

Good afternoon Pete,

(b)(6) I have attached both for your reference.

(b)(6)
(b)(6) I will forward it to DFAS for processing. Once processed, you will receive bills regarding the amounts owed and your various payment options. The bills will be sent to your home address.

If you have any additional questions or concerns, please let me know.

Thanks & have a wonderful day!!

(b)(6)
Benefits & Retirement Officer
Corporate Senior Executive Management Office
Department of Veterans Affairs
810 Vermont Avenue NW, Room 234
Washington, DC 20420
(b)(6)
(202) 495-5496 fax
(b)(6)@va.gov

From: O'Rourke, Peter M.
Sent: 2 Oct 2018 18:22:19 +0000
To: (b)(6)
Subject: FERS buy back information
Attachments: O'Rourke- Deposit Owed-Air Force.pdf, O'Rourke-Application.pdf,
O'Rourke-Deposit Owed- Navy.pdf

Sent to personal account

Military Service Deposit Report

Peter M O'Rourke

Date: 10/02/2018

Estimate Basis

Retirement System	FERS
Balance Computation Date	(b)(6)
Post-2018 Interest Rate Assumption	N/A
First Date Covered After Military Service	(b)(6)
Military Service Period - Start Date	(b)(6)
Military Service period - End Date	(b)(6)
Pre-1999 Military Earnings	(b)(6)
1999 Military Earnings	(b)(6)
2000 Military Earnings	(b)(6)
Post-2000 Military Earnings	(b)(6)

Deposit Summary

Military Service Deposit Amount	(b)(6)
Accrued Interest	(b)(6)
Total Amount of Deposit	(b)(6)

Interest Accrual History

Date	Interest	Balance
(b)(6)	(b)(6)	(b)(6)

Notes

Next Interest Accrual Date (IAD): 08/16/2019



Application to Make Service Credit Payment

Federal Employees Retirement System

Form Approved
OMB No. 3206-0134

To avoid a delay in processing your claim:

1. Read the attached information carefully.
2. Type or print in ink.
3. Complete Part A in full. If you are currently a Federal employee, have your employing agency complete Part B.

Part A. To be Completed by the Applicant

1. Name (Last, first, middle) O'Rourke, Peter, M	2. List other names you have used	3. Birthdate (mm/dd/yyyy) (b)(6)
4. Address (Number and street) (b)(6) (City, state and ZIP Code) (b)(6)	5. Department or agency in which presently or last employed, including bureau, branch, or division Department of Veterans Affairs	6. Social Security Number (b)(6)
9. Have you previously filed any application under the Federal Employees Retirement System (FERS) or the Civil Service Retirement System (CSRS)? <input type="checkbox"/> Yes, complete items 9a and 9b <input checked="" type="checkbox"/> No	9a. Type of application <input checked="" type="checkbox"/> Service credit payment <input type="checkbox"/> Return of excess deductions <input type="checkbox"/> Refund <input type="checkbox"/> Retirement	9b. Claim number(s) [if available]

10. I am applying to make a service credit payment for: Civilian Service (Complete item 10) Military Service (Go to item 11)

List below in chronological order all periods of Federal civilian service. Be sure all your service is listed so that the Office of Personnel Management (OPM) can bill you for the correct amount.

Department or Agency (including bureau, branch or division where employed)	Location of Employment (city and state)	Title of Position	Periods of Service		Check whether deductions were not withheld, withheld and refunded, or withheld and remain to your credit			Put a check mark (✓) in the boxes below, next to the periods of service you want to pay for. (If you do not want to pay for a specific period of service, leave the box blank.)
			Beginning Date (mm/dd/yyyy)	Ending Date (mm/dd/yyyy)	Not Withheld	Withheld and Refunded	Withheld and Not Refunded	
United States Postal Service	Cookeville, TN	Casual	(b)(6)					
Department of the Army	Arlington, VA	Program Manager						
US House of Representatives	Washington, DC	Senior Policy Advisor						
Department of Veterans Affairs	Washington, DC	Senior Advisor						

11. Are deductions for the Federal Employees Retirement System now being withheld from your salary? <input checked="" type="checkbox"/> Yes (Go to item 13) <input checked="" type="checkbox"/> No (Go to item 12)	12. Give the date of separation from your last position under the Federal Employees Retirement System Date of separation (mm/dd/yyyy) _____
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13. Signature of applicant (b)(6)	14. Telephone number (including area code) where you can be reached during the day (b)(6)	15. E-mail address	16. Date (mm/dd/yyyy)
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Part B. To be Completed by the Employing Agency

Instructions to the Agency - Do not use this application to verify service for leave, retention or other non-retirement purposes. Procedures for verifying service and establishing creditability of service are contained in the CSRS (Civil Service Retirement System)/FERS (Federal Employees Retirement System) Handbook for Personnel and Payroll Offices. If more space is needed for the information requested below, please attach a separate sheet. Show the name and Social Security Number of the applicant on the separate sheet (SF 3107-1 may also be used for this purpose).

1. Did this employee elect to transfer to FERS? No Yes → Effective date of election (mm/dd/yyyy) → _____
2. From verified service documented in official personnel records, list all Federal civilian service performed (including current service) and the retirement system under which it was performed (FERS, CSRS, CSRS-Offset, FICA).

Agency	Retirement System	Periods of Service	
		Beginning Date (mm/dd/yyyy)	Ending Date (mm/dd/yyyy)
United States Postal Service	(b)(6)		
Department of the Army	(b)(6)		
US House of Representatives	(b)(6)		
Department of Veterans Affairs	(b)(6)		

3. Civilian Service Not Under FERS or CSRS

From verified service documented in official personnel records, list any Federal civilian or District of Columbia Government service not covered by FERS or CSRS deductions which you believe is potentially creditable. If a period of service was subject to another retirement system for Federal employees, note this in the **Leave Without Pay** column. If total basic salary earned for any such period of service is known, a summary entry may be entered on the right-hand side below. For periods of non-deduction service spanning 1999 and 2000, separate entries for those years need to be entered if providing earnings in these columns. Otherwise, show each change affecting basic salary during the period of service. List any period of nondeduction service claimed on the front of this form which cannot be verified from official records and note it in the **Leave Without Pay** column as **Unverified**. Service which was not subject to FERS or CSRS deductions is creditable only as specifically allowed by law. **NOTE:** This information will also be requested on the SF 3107-1 in connection with the employee's retirement. File a copy of this schedule on the right side of the Official Personnel Folder to facilitate completion of the SF 3107-1.

Nature of Action (Appt., pro., res., etc.)	Effective Date (mm/dd/yyyy)	Basic Salary Rate	Salary Basis (per annum, per hour, WAE, etc.)*	Leave Without Pay	If Basic Salary actually earned is available, make summary entry below		
					From (mm/dd/yyyy)	To (mm/dd/yyyy)	Total Earned

Comments _____

- * If part-time, provide the number of hours in the scheduled tour of duty and dates of each change in tour of duty. If employee claims to have worked more than the scheduled tour(s), provide number of hours worked at each pay rate. If intermittent (WAE), provide the number of hours or days worked, if available, at each pay rate.

Certification - The information entered above is based on official records of this agency and is correct. There is no official personnel or fiscal record in this agency of the additional service (if any) alleged by the employee and marked unverified in item 3.

Agency address Department of Veterans Affairs CSEMO Policy & Programs Division 810 Vermont Avenue NW Washington, DC 20420	Signature	Date (mm/dd/yyyy)
	Official title Human Resources Specialist	Email address (b)(6)@va.gov
	Telephone number (including area code) (b)(6)	Fax number (including area code) (202) 496-5496

Information About Service Credit Payments

Federal Employees Retirement System

Detach this sheet before filling out the application and save it for your records.

Read this information carefully before filling out the attached application.

Who Should Use this Application?

You should use this application if you are covered by the Federal Employees Retirement System (FERS) and you want to pay for civilian service so that you can receive retirement credit for the service. Use this application even if you transferred to FERS and want to pay for service which will be credited under Civil Service Retirement System (CSRS) rules.

If you are not currently working as a Federal employee under FERS, but you had been covered under FERS and had at least 5 years of paid creditable civilian service at the time you left FERS covered employment, you may also use this application to pay for additional unpaid civilian service that you performed.

You should also use this application to pay a deposit for your military service performed after December 31, 1956, if you are currently in a position covered by FERS.

If you are under the Civil Service Retirement System, use Standard Form 2803, *Application to Make Deposit or Redeposit*, to apply to pay for service. You can obtain that application from your Human Resources office or from our website at www.opm.gov/forms.

Requesting Additional Information About Past Service

If you are currently a Federal employee and you want to know whether: (1) a period of service will be creditable for retirement; (2) retirement deductions were withheld from your pay; or (3) you received a refund for a period of service, ask your agency for assistance. If you decide to pay for some periods of service, but not others, discuss this with your agency's benefits office. It may be more advantageous for you to pay for certain periods of service instead of others. There are different types of service and different rules relating to how the service may be credited in determining when you can retire and in determining the amount of your annuity. If you are not currently a Federal employee, you can call the Office of Personnel Management (OPM) on 1-888-767-6738 (TTY: 1-855-887-4957) Monday through Friday from 7:30 AM to 7:45 PM Eastern Time, or write to:

Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045

to ask for the information you need.

Credit for Military Service Performed After December 31, 1956

To make payment for military service performed after December 31, 1956, refer to the instructions on SF 3108A, *Application to Pay Military Deposit*, which is part of this package. Only current FERS covered employees may apply to pay for military deposits.

Credit for Civilian Service

Unless you elected to transfer to FERS under conditions that permit CSRS rules to apply to some of your service, your service will be subject to FERS service credit rules. What follows is a general overview of the FERS service credit rules. If you elected to transfer to FERS and are entitled to have CSRS rules apply to part of your FERS benefit, OPM will bill you the appropriate amount of deposit for the service subject to CSRS rules. You can obtain information about the CSRS rules and CSRS deposit rates from your agency's benefits office or from SF 2803, *Application to Make Deposit or Redeposit, Civil Service Retirement System*. Your agency should be able to provide you with a copy of that form or you can obtain it from our website at www.opm.gov/forms. But remember, use the SF 2803 for informational purposes only.

General FERS Rules

You can pay a civilian deposit/redeposit for:

- ❖ Any period of creditable civilian service performed before 1989 during which no retirement deductions were withheld from your pay.
- ❖ Any period of civilian service during which CSRS deductions were withheld from your pay and were then refunded to you based on an application you filed before you became covered by FERS, if the service will not be credited under CSRS rules.
- ❖ Certain periods of civilian service performed under other retirement systems for Federal employees (that is, other than CSRS or FERS).
- ❖ Any period of Peace Corps or VISTA volunteer service (excluding training time) regardless of when the service was performed provided that it was followed by a period of creditable FERS covered service.
- ❖ If you were employed under FERS on or after October 28, 2009, you can pay a civilian redeposit for any period of service under FERS for which you received a refund of your retirement deductions.

You cannot pay a civilian deposit/redeposit for:

- ❖ Any period of service under FERS for which you received a refund of your retirement deductions based on an application you filed after you had been covered by FERS, if you were not employed under FERS on or after October 28, 2009.
- ❖ Temporary or intermittent service which you performed after 1988, unless a deposit is allowed by a special provision of law. Temporary service means an appointment which is limited to one year or less. Intermittent service means an appointment with no scheduled tour of duty.
- ❖ Any other service which is not creditable under FERS.
- ❖ Periods of leave without pay. (But a military deposit may be allowed for a period of leave without pay from a FERS covered position while serving on active military duty.)
- ❖ Time covered by a lump sum leave payment.

The amount of the deposit payment for most civilian service is 1.3 percent of your basic pay for the service, plus interest. The 1.3 percent rate applies regardless of whether deductions would have been taken at that rate, if they had been taken at the time the service was performed. You must pay the total amount due for each separate period of service before you can receive credit for it in your annuity. A separate period of service is a period of civilian service that is not interrupted by a break in service of more than three days.

If you pay for part-time service, you will receive credit for the number of hours in your official tour of duty - e.g. 20 hours per week. If you worked more than your official tour of duty, attach a statement with the name of the agency where you worked, the beginning and ending dates of each period of service, your grade and job title, and the number of hours worked per week. If available, attach copies of any earnings statements which show the number of hours worked.

The amount of the deposit payment for Peace Corps or VISTA volunteer service is the percentage of your basic salary shown below, plus interest.

Dates Service Was Performed	Payment Rate
Before 1999	3.00%
During 1999	3.25%
During 2000	3.40%
After 2000	3.00%

If you are repaying a refund of FERS deductions, paying a deposit for certain non-covered service that became subject to mandatory Social Security tax as the result of the Social Security Amendments of 1983, or you are repaying a refund of deductions for CSRS Offset service which will be credited as FERS service, or you are waiving credit for service under the Foreign Service Pension System or the Federal Reserve Board's Bank Plan, in order to credit the service under FERS, the amount of the deposit or redeposit payment is the amount that would have been deducted from your salary under FERS, plus interest. The deduction rate for most FERS service is listed below. For some service subject to special retirement provisions, however, the deduction rate is 0.5% higher than the rate shown in the chart.

Dates Service Was Performed	Payment Rate
Through 12/31/87	1.3%
1/1/1988 - 12/31/1989	.94%
1/1/1990 - 12/31/1998	.8%
1/1/1999 - 12/31/1999	1.05%
1/1/2000 - 12/31/2000	1.2%
After 2000	.8%

Interest is computed from the midpoint of each period of service included in the computation, or from the date the refund was paid. Interest accrues annually on the outstanding balance, and is compounded annually until the outstanding balance is deposited. Interest is charged to the date of deposit/redeposit or commencing date of annuity, whichever is earlier. *(Interest on Peace Corps/ VISTA service credit deposit begins to accrue on October 1, 1995, or 2 years after the date you first became a Federal employee, whichever is later.)*

Interest is charged at the following rates:

Before 1948	4%	A variable rate determined by the Department of Treasury. The variable rate for any year equals the overall average yield to the fund from retirement securities during the preceding fiscal year.
1948 - 1984	3%	
1985 - Present		

Payment is optional. You do not have to pay if you do not want to do so.

- ❖ If you were employed under FERS on/after October 28, 2009 and do not pay a redeposit for a period of refunded FERS service or a deposit for refunded CSRS service that is being credited under FERS rules, you will not receive credit for it in the computation of your annuity, however, you will receive credit toward your eligibility to receive an annuity and computing your average salary. If you were not employed under FERS on/after October 28, 2009, you cannot pay a redeposit for a period of refunded FERS service and the service will not be used to compute your benefit, toward your eligibility to receive an annuity or in computing your average salary.
- ❖ If you were not employed under FERS on/after October 28, 2009, and do not pay a deposit for a period of refunded CSRS service that is being credited under FERS rules, you will not receive any credit for it toward retirement, including your eligibility to receive an annuity and computing your average salary.
- ❖ If you do not pay for a period of FERS service where no FERS deductions were withheld from your pay, you will not receive any credit for it toward retirement, including your eligibility to receive an annuity and computing your average salary.

Payment for civilian service can be made by -

- ❖ You while you are employed by the Federal government and covered by the Federal Employees Retirement System (FERS).
- ❖ You when you retire. The Office of Personnel Management (OPM) will automatically compute any amount payable when you retire and give you an opportunity to pay it.
- ❖ You, after you leave the Federal government, provided you are eligible for a deferred annuity because you have at least five years of paid civilian service when you leave. If you are not eligible for a deferred annuity, but you have at least 5 years of combined paid and unpaid civilian service, you may pay a deposit for the unpaid service provided you apply before leaving FERS covered service.

- ❖ Your surviving spouse if you die as an employee or separated employee and your spouse is eligible for a survivor annuity benefit. OPM will automatically compute any amount payable and give your spouse an opportunity to pay it.

Payment by you or your spouse must be completed before final processing of retirement or survivor benefits.

Payment cannot be withdrawn unless (1) you become eligible for and obtain a refund of all your FERS retirement deductions, or (2) you retire and are eligible to choose an alternative annuity and lump sum payment of your retirement deductions. If you make payment, and later receive a refund, you cannot redeposit the money again. This applies to refunds of payments for both civilian and military service. If you do not complete payment for a period of service before your annuity begins, OPM will refund the partial payment, plus interest, at the time of retirement.

How to Apply and Make Payment

If you are a Federal employee, send your completed application to your department or agency because they must certify it. Please do not file an application if you plan to retire within six months. OPM will give you an opportunity to make payment when it computes your annuity.

If you are not currently a Federal employee, send your completed application directly to:

Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045.

Instructions for making payment, together with a bill for the amount due, will be sent to you as soon as OPM processes your application.

Installment payments of at least \$50.00 are acceptable. However, since interest is charged on the unpaid balance, you have to pay additional interest if you make installment payments.

Direct Debit Payments can be made from your checking or savings account. If you want to authorize direct debit payments, complete form RI 16-28, *Authorization for Direct Payments*, which is found on our website at www.opm.gov/forms. If you prefer, you can call us on 1-888-767-6738 (TTY: 1-855-887-4957) and we'll send you a copy of this form.

Additional Information and assistance in completing this application may be obtained from your human resources office. If this source of information is not available to you, you can call OPM on 1-888-767-6738 (TTY: 1-855-887-4957) Monday through Friday from 7:30 AM to 7:45 PM Eastern Time. If you prefer, you can write to:

Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045

Privacy Act Statement

Title 5, U.S. Code, Chapter 84, authorizes the solicitation of this information. The data you furnish will be used to determine your eligibility to make payments for retirement credit to the Civil Service Retirement Fund, to identify records properly associated with your application, to obtain additional information if necessary, and to maintain a uniquely identifiable claim file.

The information may be shared and is subject to verification via paper, electronic media, or through the use of computer matching programs, with national, state, local, or other charitable or social security administrative agencies to determine benefits under their programs. It may also be shared and verified as noted above with law enforcement agencies when they are investigating a violation of civil or criminal law.

Executive Order 9397 (November 22, 1943) authorizes the use of the Social Security Number. Failure to furnish the requested data will delay or prevent action on this application.

Public Burden Statement

We estimate this form takes an average of 30 minutes per response to complete including the time for reviewing the completed form. Send comments regarding our estimate or any other aspect of this form, including suggestions for reducing completion time, to the Office of Personnel Management, Retirement Services Publications Team, (3206-0134), Washington, DC, 20415-3430. The OPM number, 3206-0134, is currently valid. OPM may not collect this information, and you are not required to respond, unless this number is displayed.

Application To Pay Military Deposit For Military Service Performed After December 31, 1956

You must be currently employed and covered under FERS to make the military deposit. You must complete the deposit in full before the separation on which your retirement benefit will be based.

Employee's Name O'Rourke, Peter, M	Date of Birth (mm/dd/yyyy) (b)(6)	Social Security Number (b)(6)
---------------------------------------	--------------------------------------	----------------------------------

1. Information About Employee's Military Service

To Be Completed By Employee			Agency Use Only (To Be Completed By Agency HR Office)				
Branch of Military	Period of Service		Retirement System Rules That Apply to the Service <i>(Check appropriate box)</i>		Does Alternative Deposit Calculation Under USERRA Apply? <i>(Check appropriate box)</i>		Interest Accrual Date (IAD) <i>(mm/dd/yyyy)</i>
	Beginning Date <i>(mm/dd/yyyy)</i>	Ending Date <i>(mm/dd/yyyy)</i>	CSRS	FERS	Yes	No	
US Navy	09/10/1990	05/09/1994	(b)(6)				
US Air Force	09/25/1998	01/04/2006					

Certification: The information entered above is based on official records of this agency and is correct.

Agency Official Signature	Date (mm/dd/yyyy)
---------------------------	-------------------

2. Employee's Acknowledgment of Understanding of Military Service Credit and Deposit Rules

I am currently employed in a position where deductions for the Federal Employees Retirement System (FERS) are being deducted from my salary, and I wish to pay the deposit necessary to obtain credit for my military service after 1956. I understand that I must pay the entire deposit to my employing agency before separation for retirement. I further understand that the military deposit cannot be deemed paid at retirement if I am eligible for and elect an alternative annuity. If I do elect the alternative annuity upon retirement, any completed military deposits made to the Fund will be refunded to me along with any other retirement contributions or payments I made to the Fund. Once I complete the deposit in full, I understand that it can only be refunded to me if I become eligible for a refund of my retirement contributions or retire without waiving my military retired pay (if any).

I understand that for any given full period of military service that I have performed, if I do not complete the deposit for that full period of military service, any payments I made that were applied to that full period of military service will be refunded to me when I retire or when I become eligible for a refund of my retirement contributions. I also understand each of the following service credit rules and how they apply to any given full period of military service that I have performed for which I have not completed the military deposit:

- For each period of military service performed after 1956 that is subject to FERS rules, the post-1956 military service will not be used to compute or establish title to a FERS annuity if I do not complete the deposit before I separate for retirement.
- For each period of military service performed after 1956 that is subject to Civil Service Retirement System (CSRS) rules in a CSRS component of my FERS annuity:
 - ◆ If the first time I worked in a position where CSRS deductions were withheld from my salary was on or after October 1, 1982, the post-1956 military service will not be used to compute or establish title to a FERS annuity if I do not complete the deposit before I separate for retirement.
 - ◆ If the first time I worked in a position where CSRS deductions were withheld from my salary was before October 1, 1982, the post-1956 military service will not be used to compute my annuity at age 62 (or when I retire, if I retire after age 62), if I am eligible for Social Security benefits at that time.

Finally, I understand that payment of this deposit will not make my military service creditable if it is otherwise not creditable under FERS or CSRS. I realize that the Office of Personnel Management (OPM) is solely responsible for adjudicating and administering civil service retirement benefits. I understand that OPM will determine if my military service can be credited in my FERS retirement when I apply for my retirement benefits.

Employee's Signature	Telephone number where you can be reached during the day ()	E-mail address	Date (mm/dd/yyyy)
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Information For Employee

Employee Instructions for Applying to Pay Post-1956 Military Service Deposit

- Complete sections 1-11 on the front of the SF 3108, *Application to Make Service Credit Payment*.
- Complete this form, SF 3108A, *Application to Pay Military Deposit for Military Service Performed After December 31, 1956*.
- Include a copy of your DD 214, *Report of Transfer or Discharge*, or equivalent record to verify your military service. If copies of the DD 214 are not available, you should complete form SF 180, *Request Pertaining to Military Records*, and send it to the appropriate address (found on the form) to verify your military service. You can obtain this form from your employing agency.
- Attach documentation of military basic pay to this application. (*See below*)
- Give the completed SF 3108, SF 3108A, and documentation noted above to your employing agency. Your agency will compute the military deposit you owe and give you instructions for paying the deposit.

Employee Instructions for Completing this Form (SF 3108A)

- Complete item 1 (Information About Employee's Military Service) by providing the branch of the military in which you served (e.g. Army, Navy, etc.) and the dates of your military service. If you have more than one period of military service, make a separate entry for each period of military service you performed. Note, a period of military service includes consecutive periods of service where there is no break in service. For military purposes, a 1-day break separates service into two periods. Your agency will complete the section relating to the retirement system, the alternative deposit computation rules, and the interest accrual date.
- Read the information in item 2 and then sign and date the form, and provide a telephone number where you can be reached during the day, at the bottom of item 2.

To Obtain Documentation of Military Basic Pay

Basic pay earnings may be documented by either of the following methods:

- Actual pay records from the military service. Your agency can tell you what military pay records are acceptable for documenting actual military earnings.
- Estimated earnings, if you do not have official records of military earnings for the entire period of service. To obtain these estimated earnings from the military, use RI 20-97, *Request for Estimated Earnings During Military Service*. You can obtain this form from your employing agency or from our website www.opm.gov/forms. You must attach a copy of your DD 214 for the period of military service and any available records of pay and promotions. If the alternative deposit calculation under USERRA applies to a period of military service, you should check with your agency for special instructions for requesting estimated earnings if you received civilian pay (military leave, annual leave) during your period of military service.

The following records may not be used to document earnings:

- Earnings statements from tax records. (They include allowances as well as basic pay.)
- Social Security earnings statements. (They include allowances as well as basic pay and also reflect only military basic pay earned up to the Social Security maximum wage base for withholding.)

Information For Employing Agency

Agency Instructions: The employing agency (or organization designated by the agency to administer the personnel records of the employee) must complete the Agency Use Only section for every application before the action is processed through payroll. For each period of military service listed by the employee in Block 1, the employing agency must indicate which retirement plan rules are applicable to the particular period of service by placing a check mark in the appropriate block under Retirement System Rules. (A check mark in the CSRS column indicates that the military service will be credited in a CSRS component of the FERS annuity and the deposit will be computed under CSRS rules. A check mark in the FERS column indicates that the military service will be credited under FERS rules and that the deposit will be computed under FERS rules.) The agency must also indicate if the period is subject to the special comparative deposit calculation rules specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, as amended, by checking the appropriate block (Yes or No) under the Does Alternative Deposit Calculation Under USERRA Apply? column. Do not leave that column blank. And, for each period of military service listed, the agency must provide the interest accrual date for the military deposit. Finally, an authorized agency official should sign and date the certification section.

Military Service Deposit Report

Peter M O'Rourke

Date: 09/21/2018

Estimate Basis

Retirement System

Balance Computation Date

Post-2018 Interest Rate Assumption

First Date Covered After Military Service

Military Service Period - Start Date

Military Service period - End Date

Pre-1999 Military Earnings

1999 Military Earnings

2000 Military Earnings

Post-2000 Military Earnings

(b)(6)

Deposit Summary

Military Service Deposit Amount

Accrued Interest

Total Amount of Deposit

(b)(6)

Interest Accrual History

<u>Date</u>	<u>Interest</u>	<u>Balance</u>
-------------	-----------------	----------------

(b)(6)

Notes

Next Interest Accrual Date (IAD): 08/16/2019

From: O'Rourke, Peter M.
Sent: 4 Sep 2018 15:25:23 +0000
To: (b)(6)@me.com
Subject: Sent to personal email for printing
Attachments: (b)(6)_101858_Written Affidavit_RMO approved_PMO.doc

Peter O'Rourke

Department of Veterans Affairs
Washington DC



DEPARTMENT OF VETERANS AFFAIRS
Office of Resolution Management
Southeast District
140 Fountain Parkway, Suite 620
St. Petersburg, FL 33716

Written Affidavit – RMO
In the Matter of the EEO Complaint of Discrimination Filed By:

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

Complainant

v.

Secretary
Department of Veterans Affairs
810 Vermont Avenue NW
Washington, DC 20420
Respondent

ORM Complaint Number:

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

Formal Complaint Filed:

April 17, 2018

Facility: (b)(6), (b)(7)(C)

Claim accepted for investigation:

Whether complainant was subjected to a hostile work environment based on race (African American), disability, age and reprisal (prior EEO activity), as evidenced by the following events:

- 1) On December 15, 2017, the complainant received a Fully Successful on his performance appraisal.
- 2) On January 10, 2018, (b)(6), (b)(7)(C) reassigned the complainant's duties to other employees.
- 3) On April 13, 2018, the complainant received a 5 day suspension, effective April 16, 2018 to April 20, 2018.
- 4) On April 13, 2018, complainant time card was falsified when his approved FLMA was removed.

I, Peter O'Rourke, solemnly swear/affirm that the information given in response to the following questions are true and complete to the best of my knowledge and belief.

1. Do you have a representative? If yes, please provide your representative's name and contact information. No
2. Please identify the facility where you are currently employed. VACO

Affiant's Initials: _____ Date: _____

3. How long have you worked for this facility? Approximately 18 months
4. Please identify your position and grade. Senior Advisor to the Secretary, NC-SES
5. How long have you held this position? 1 month
6. Do you know (b)(6), (b)(7)(C) hereinafter called complainant? I interviewed (b)(6), (b)(7)(C) twice in 2017.
7. Were you the complainant's supervisor during this instant complaint? No
 - a. If yes, how long did you supervise the complainant? Specify dates.
 - b. If not, were you in his chain of command? No
 - i. If so, what level?
8. How would you describe your working relationship with the complainant? No working relationship.

Background Information:

9. Please identify your race? White
10. Please identify your age (Month and Year only). July 1972
11. Please identify the complainant's race and age. (b)(6), (b)(7)(C) unknown
12. When and how did you become aware of the complainant's race and age? I was aware of (b)(6), (b)(7)(C) race prior to interviewing him.
13. If you do not know complainant's age, do you believe he is over the age of 40? I'm not sure.

Disability Questions:

14. Do you have a disability? Yes ___ No X
15. Are you aware of the complainant's disability? No
 - a. If yes, please describe your knowledge of his disability. (Specific Name)
 - b. How did you become aware of the complainant's disability?
 - c. How long has the complainant had this condition?

- d. How long is it expected to continue?
- e. Please describe which of complainant's normal life functions, to your knowledge, are substantially limited because of his disability.
- f. Please describe in detail how the normal life functions identified above are substantially limited by the complainant's disability.
- g. Does the complainant use medication and/or assistive devices for his disability? If yes,
 - i. Identify and describe their purpose.
- h. To your knowledge do the complainant's medication and/or assistive devices affect any of the complainant's normal life functions? If yes,
 - i. Describe the normal life function.
 - ii. Describe the degree to which the function is affected.
- i. Is the complainant able to perform the essential duties of his position? If not,
 - i. Please identify the duty or duties the complainant is unable to perform.
 - ii. Indicate how the disability impacts accomplishing these duties.

16. Have you ever been involved in EEO activity? Yes ___ No ___ Not that I'm aware.

17. Are you aware of the complainant's prior or current EEO activity? Not aware of specifics of complainant's activity.

- a. If yes, when and how did you become aware of the complainant's prior and/or current EEO activity? (b)(6), (b)(7)(C) sent unsolicited emails to government accounts describing his activity.
- b. What is the status of complainant's prior and/or current EEO activity?
Unknown

18. Briefly describe your facility's policy on reprisal. Reprisal for protected disclosures is unacceptable.

19. How are employees trained on this policy? Annual training and posted instruction.

HOSTILE WORK ENVIRONMENT HARASSMENT: is unwelcome personal slurs or other denigrating, intimidating, or insulting verbal or physical conduct that shows

hostility toward a person; that the harassment was sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with the complainant's work performance, or had an effect of intimidating, hostile, or offensive work environment, or adversely affecting the employment opportunities.

20. Have you received training on how to deal with allegations hostile work environment harassment? If so, indicate when? Yes, annual training.

21. What does the policy indicate an employee should do when they feel that they are being harassed or subjected to a hostile work environment? Discuss with supervisor, if not satisfactory resolution make disclosure to OIG and/or OSC.

22. What is your understanding of management's role and responsibility once an allegation of harassment is put forth by an employee? Protect the employee, investigate the complaint.

23. When these incidents occurred, did the complainant follow the policy? If not, why not? Unknown

24. When these incidents occurred, did management follow the policy? If not, why not? Unknown

Claim-Specific Questions:

1) On December 15, 2017, the complainant received a Fully Successful on his performance appraisal.

25. What was your role in the complainant receiving a Fully Successfully on his performance appraisal? (Provide as much detail as possible) None

26. Who administered the complainant a Fully Successful on his performance appraisal? Unknown

27. What justification was provided to complainant regarding his Fully Successful rating on his performance appraisal? Unknown

28. Did you consult with HR or any other management officials when deciding to rate the complainant Fully Successful on his performance appraisal? Was not involved with the decision.

a. If so, who, when, and what was discussed?

b. What was the outcome of the discussion?

29. Did you discuss the Fully Successful appraisal rating with the complainant? No

- a. If so, when and what was discussed?
 - b. What was his response and the outcome of the discussion?
30. Within the last 24 months, have there been any other employees, with circumstances similar to the complainant, who was treated more favorably than the complainant? Unknown
- a. Please identify this individual(s) by name, race, age and supervisor's name of this individual.
 - b. Are you aware if this individual(s) has a disability?
 - c. Are you aware if this individual has prior EEO activity? If so, what is the status of the prior EEO activity?
 - d. Explain how this individual was treated differently than the complainant under the same or similar circumstances.
31. What policy and/or procedure was used to determine it was acceptable to rate the complainant Fully Successful on his performance appraisal? Was not involved with the decision.
32. Was the complainant's disability, race, age, and prior EEO activity a factor in this incident? Unknown
33. Did the complainant complain that this event constituted hostile work environment harassment based on disability, race, age and prior EEO activity? If so, what action did you take? Unknown
34. As it pertains to this event, did you subject the complainant to hostile work environment harassment based on disability, race, age, and prior EEO activity? No
- a. If so, Why?

2) On January 10, 2018, (b)(6), (b)(7)(C) reassigned the complainant's duties to other employees.

35. What was your role in the complainant's duties being reassigned to other employees? Was not involved with the decision.
36. Who reassigned the complainant's duties to other employees on January 10, 2018? Unknown
37. What justification was provided to complainant regarding his duties being reassigned to other employees? Unknown

38. Did you consult with HR or any other management officials when deciding to reassign the complainant's duties to other employees? Was not involved with the decision.
- a. If so, who, when, and what was discussed?
 - b. What was the outcome of the discussion?
39. Did you discuss reassigning the complainant's duties to other employees with the complainant? Was not involved with the decision.
- a. If so, when and what was discussed?
 - b. What was his response and the outcome of the discussion?
40. Within the last 24 months, have there been any other employees, with circumstances similar to the complainant, who was treated more favorably than the complainant? Unknown
- a. Please identify this individual(s) by name, race, age and supervisor's name of this individual.
 - b. Are you aware if this individual(s) has a disability?
 - c. Are you aware if this individual has prior EEO activity? If so, what is the status of the prior EEO activity?
 - d. Explain how this individual was treated differently than the complainant under the same or similar circumstances.
41. What policy and/or procedure was used to determine it was acceptable to reassign the complainant's duties to other employees? Unknown
42. Was the complainant's disability, race, age and prior EEO activity a factor in these incidents? Unknown
43. Did the complainant complain that this event constituted hostile work environment harassment based on disability, race, age, and prior EEO activity? If so, what action did you take? Unknown
44. As it pertains to this event, did you subject the complainant to hostile work environment harassment based on disability, race, age and prior EEO activity? No
- a. If so, Why?

3) On April 13, 2018, the complainant received a 5 day suspension, effective April 16, 2018, to April 20, 2018.

45. What was your role in the complainant receiving a 5-day suspension, effective April 16, 2018, to April 20, 2018? Was not involved with the decision.
46. Who administered the complainant a 5-day suspension effective April 16, 2018, to April 20, 2018? Unknown
47. What justification was provided to complainant for his 5-day suspension effective April 16, 2018, to April 20, 2018? Unknown
48. Did you consult with HR or any other management officials when deciding to administer the complainant a 5-day suspension, effective April 16, 2018, to April 20, 2018? Was not involved with the decision.
- a. If so, who, when, and what was discussed?
 - b. What was the outcome of the discussion?
49. Did you discuss the 5-day suspension, effective April 16, 2018, to April 20, 2018, with the complainant? No
- a. If so, when and what was discussed?
 - b. What was his response and the outcome of the discussion?
50. Within the last 24 months, have there been any other employees, with circumstances similar to the complainant, who was treated more favorably than the complainant? Unknown
- a. Please identify this individual(s) by name, race, age and supervisor's name of this individual.
 - b. Are you aware if this individual(s) has a disability?
 - c. Are you aware if this individual has prior EEO activity? If so, what is the status of the prior EEO activity?
 - d. Explain how this individual was treated differently than the complainant under the same or similar circumstances.
51. What policy and/or procedure was used to determine it was acceptable to administer a 5-day suspension to the complainant? Unknown
52. Was the complainant's disability, race, age and prior EEO activity a factor in these incidents? Unknown
53. Did the complainant complain that this event constituted hostile work environment harassment based on disability, race, age, and prior EEO activity? If so, what action did you take? Unknown

54. As it pertains to this event, did you subject the complainant to hostile work environment harassment based on disability, race, age, and prior EEO activity? No

a. If so, Why?

4) On April 13, 2018, complainant time card was falsified when his approved FLMA was removed.

55. Please explain this incident. (Briefly) I have no awareness of this event

56. Did you discuss this incident with the complainant? No

a. If so, when and what was discussed?

b. What was his response and the outcome of the discussion?

57. Did you discuss this incident with any management official and/or Human Resources? If so, No

a. Who?

b. When?

c. What was discussed?

d. What was the outcome of the discussion?

58. Did the complainant complain that this event constituted a hostile work environment harassment based on race, age, disability and reprisal (prior EEO activity)? If so, what action(s) did you take? Unknown

59. As it pertains to this event, did you subject the complainant to hostile work environment harassment based on his race, age, disability and reprisal (prior EEO activity)? No

a. If so, Why?

Concluding Questions:

60. Do you have anything to offer the complainant in terms of resolving the complaint? No

PLEASE NOTE THAT ORM RESERVES THE RIGHT TO SUPPLEMENT OR ASK ADDITIONAL QUESTIONS AS THE INVESTIGATION REQUIRES.

The above information has been furnished without a pledge of confidence and I understand that it may be shown to any interested party[ies] with a need to know

Affiant's Initials: _____ Date: _____

for this complaint. This includes but is not limited to VA, EEOC, contracting officials with a need to know during the course and scope of the informal and formal EEO process including administrative procedures and litigation as applicable and mandated by law.

This statement is made under penalty of perjury on this 4 day of September 2018.

Affiant's Name and Signature

Continuation Sheet

From: O'Rourke, Peter M.
Sent: 22 Aug 2018 14:24:41 +0000
To: (b)(6)
Subject: FW: Action Requested: OSC Request for Information MA-17-4269
Attachments: Certification.04.27.18.RFI.PDF, 2018.05.22.Lit.Hold.OSC.MA-17-4269.pdf

Sent to personal email to print from home office printer.

From: Byrne, Jim (OGC)
Sent: Tuesday, August 21, 2018 3:46:10 PM
To: O'Rourke, Peter M.
Subject: FW: Action Requested: OSC Request for Information MA-17-4269

Peter,
Can you please be responsive to this request? (b)(6) or Doris can help you with any specific questions.
Thank you,
Jim

From: Gruntmeir, Doris (OGC)
Sent: Monday, August 20, 2018 3:13 PM
To: Byrne, Jim (OGC) <(b)(6)@va.gov>
Subject: FW: Action Requested: OSC Request for Information MA-17-4269
Importance: High

Jim,

Per our discussion, neither (b)(6) nor I have received any response from Mr. O'Rourke to our inquiries below. Can you assist in getting Mr. O'Rourke's response to OSC's RFI and the certification form along with the Lit Hold acknowledgement?

Also, we have received all the emails to be produced. (b)(6) is reviewing and we expect to produce them within the next couple of weeks on a rolling basis following a privilege review.

Doris L. Gruntmeir
Chief Counsel, Personnel Law Group
Office of General Counsel
Tel. (b)(6)

From: Gruntmeir, Doris (OGC)
Sent: Wednesday, June 27, 2018 4:07 PM
To: O'Rourke, Peter M. <(b)(6)@va.gov>

Cc: (b)(6) (OGC) (b)(6)@va.gov>

Subject: Action Requested: OSC Request for Information MA-17-4269

Mr. O'Rourke,

I'm following up on our prior emails related to OSC's request for information and the

(b)(5) (b)(6)



If you have a question regarding whether information you have is responsive to the request, please send it, or at the very least, please contact (b)(6) the assigned attorney, to discuss. If you believe any information is protected, please include it for OGC review and we can advise on whether it may be withheld.

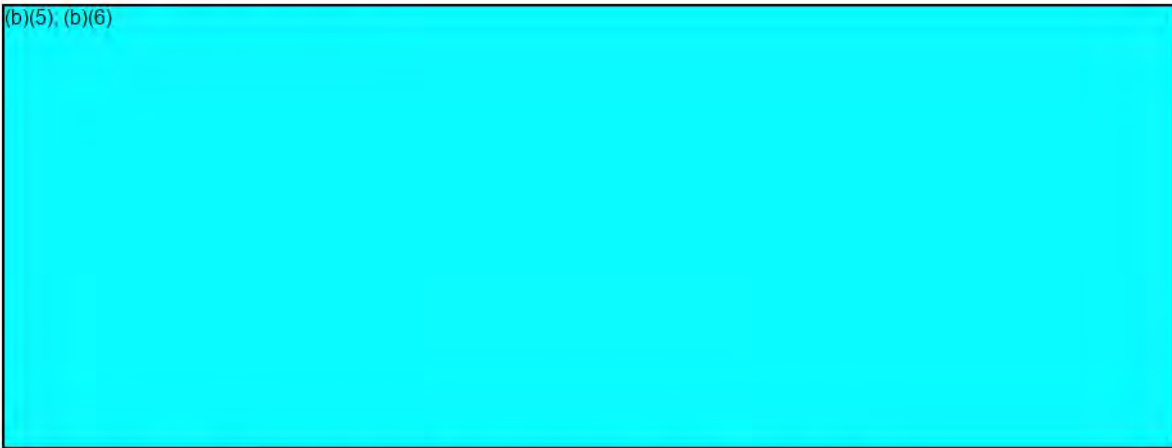
We will assist in any way possible, so please let me know if there is anyone on your staff you would like us to work with or include on this matter.

Doris L. Gruntmeir
Chief Counsel, Personnel Law Group
Office of General Counsel
Tel. (b)(6)

From: (b)(6) (OGC) [mailto:(b)(6)@va.gov]
Sent: Wednesday, June 06, 2018 12:14 PM
To: O'Rourke, Peter M. (b)(6)@va.gov>
Subject: Action Requested: OSC Request for Information MA-17-4269

Good afternoon Mr. O'Rourke,

(b)(5), (b)(6)

A large rectangular area of the document is completely redacted with a solid black fill. The text "(b)(5), (b)(6)" is visible in the top-left corner of this redacted area.

Please let me know how I can assist you in responding to these requests.

(b)(6)
Attorney
Personnel Law Group | Office of General Counsel
U.S. Department of Veterans Affairs (VA)
Tel: (b)(6)
(b)(6)@va.gov

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From: (b)(6) (OGC)
Sent: Thursday, May 24, 2018 2:19 PM
To: O'Rourke, Peter M.
Subject: Action Requested: OSC Request for Information MA-17-4269

Good afternoon Mr. O'Rourke,

The Office of Special Counsel is conducting a law enforcement investigation into allegations that officials at the U.S. Department of Veterans Affairs engaged in one or more prohibited personnel practices. OSC has requested information pursuant to 5 U.S.C. 1212 and 5 C.F.R. 5.4.

Please provide any and all information responsive to the below requests. If you have a question regarding whether information you have is responsive to the request, please send it, or at the very least, please call me to discuss. If you believe any information is protected, please include it for OGC review. Under the authority of 5 USC 1212(b)(5)(C)(1), VA cannot claim common law privileges to withhold documents requested by OSC under these authorities.

(b)(5), (b)(6)



Please provide the information or confirmation that you do not have information responsive to any of the above questions as soon as you can. Please let me know how long you believe it will take to provide the information. When you have completed your response, please sign and complete the attached form and send to me.

Please let me know if you'd like me to include your Executive Assistant in this matter for assistance.

I also attach, for your convenience, a litigation hold request which I sent yesterday. Please sign and return as soon as you can.

Please call if the questions are unclear to you.

(b)(6)

Attorney

Personnel Law Group | Office of General Counsel

U.S. Department of Veterans Affairs (VA)

Tel: (b)(6)

(b)(6)@va.gov

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, you are notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and destroy the e-mail and any attachments.

CERTIFICATION

I, _____, affirm that, to the best of my knowledge and belief, the information provided to the U.S. Office of Special Counsel in response to its April 27, 2018 Request for Records and Information to (b)(6) is true, accurate, and complete.

Signature

Date

Position:

Grade:

Agency Division:

Duty Hours:

Work Telephone Number:

List of Information Provided and/or Documents Assembled:

Department of
Veterans Affairs

Memorandum

Date: May 22, 2018

From: Office of General Counsel (OGC), Personnel Law Group (028)

Subj: Litigation Hold for Office of Special Counsel Investigation MA-17-4269


1. **Purpose.** This litigation hold memorandum is to inform you about the case described above and the legal obligation of the Department of Veterans Affairs (VA) to preserve information that may be relevant to the matter. You have been identified as an employee, contractor, volunteer, trainee, or other agent or representative of VA who may have information in your possession, custody, or control ("Custodian") that may be relevant to this litigation ("Custodian"). This memorandum explains what to do if you have such information, including the steps you must take to preserve that information.

Please read the entire memorandum even if you believe that you have no knowledge or relevant information about this matter. This litigation hold supplements but does not supersede prior litigation hold notices in other matters.

2. **Background.** The Office of Special Counsel is conducting a law enforcement investigation into allegations that officials at the U.S. Department of Veterans Affairs engaged in one or more prohibited personnel practices. OSC must be provided with timely access to all records, data, reports, audits, reviews, documents, papers, recommendations, information, or other material that relate to OSC's investigation.

3. **Relevant Information.** Relevant information consists of all records and information, both paper and electronic, contained on the hard drives and work stations, including data files, e-mails, calendars, telephone logs, computer logs, laptop hard drives, personal computers, and personal digital assistants or organizers, for the dates of May 1, 2017 to present, related to:

(b)(5), (b)(6)



Please note that relevant information may include documents that are confidential, privileged, or otherwise protected from disclosure. Please also note that VA is under a legal obligation to preserve all records and information that may be relevant to this matter until the release of this litigation hold. Failure to

preserve the records and information described in this memorandum could result in sanctions against VA and you personally.

4. **Legal Obligation.** All VA personnel, including employees, contractors, volunteers, or other agents, who possess, maintain, or have control over information relevant to this matter are required to preserve such information until this Office advises in writing that the litigation hold is lifted. Failure to preserve relevant information, even if inadvertent, may result in severe sanctions for VA, such as monetary penalties, adverse inferences, exclusion of evidence, and default judgment against the Department. Intentional destruction or deletion of relevant information could expose you to criminal liability.

5. **Preservation.** VA's duty to preserve includes each Custodian's obligation to make diligent, good faith efforts to identify and retain all potentially relevant material. As of the date of this memorandum and until further notice from this Office, you are required to take all reasonable steps to identify and preserve any relevant information, including the following:

- Retain all relevant information in your possession. When we need to collect the information from you, we will notify you of the method for transmitting the information.
- Do not delete, discard, overwrite, or destroy any information that might be relevant even if it appears unimportant. If you believe that any relevant information might be destroyed, you must suspend, or arrange for the suspension of, the scheduled destruction.
- Forward or distribute this memorandum to anyone who might have relevant information, and copy the OGC attorney identified in paragraph 12 on the communication.
- Notify the attorney if you believe that:
 - You might have relevant information in encrypted form.
 - Another person might also have relevant information.
 - You or another person with relevant information might leave VA before the information is collected.

Please keep in mind that the identification and preservation of relevant information should be broad and inclusive. If you are unsure whether a certain document is relevant, err on the side of caution and retain the information until you have consulted with the attorney identified below.

6. **Documentation of Preservation.** In the event any questions arise regarding your compliance with the litigation hold, it is in your interest to document the steps taken to identify and preserve all relevant information, including:

- Where you searched (e.g., Outlook, network folders, paper files);
- When you searched;

- How you searched (e.g., by keyword, date);
- Where you found the relevant information (e.g., filepath); and
- To whom you forwarded or distributed the memorandum.

7. **Types and Sources of Information.** The information may be in a tangible form (e.g., paper) or electronic form (e.g., email, word processing documents, spreadsheets, databases, electronic calendars). The information may be found in office files, desktop or laptop computers, hard drives, portable storage media (e.g., CDs, DVDs, flash drives), mobile communication devices (e.g., cell phones), and other locations where documents, either paper or electronic, may be stored. Sources of information may include personal computers or personal email accounts if they were used to conduct agency business.

8. **Form or Format.** The information should be preserved in the originally-created, or “native,” format, and in the way they were created, collected, or filed in the ordinary course of business. For example, if a document was created or received in Microsoft Word, you must preserve the electronic version in Word (with the extension .DOC or .DOCX), not in Adobe Acrobat (with the extension .PDF) or on paper. Similarly, if a document is a Microsoft Outlook message, it must be retained as an email (with the extension .PST or .MSG), not as a paper copy.

9. **Certification of Receipt.** Should VA’s preservation efforts be challenged, the agency must be able to demonstrate that all Custodians received, understood, and implemented the litigation hold. Therefore, personal acknowledgment by Custodians of their receipt of the litigation hold is a necessary part of the preservation process.

Please (1) sign and date a copy of this memorandum in the space provided below as an acknowledgment that you have received, read, and agree to comply with the preservation instructions contained in this memorandum, and (2) return the certification to the attorney identified below no later than May 25, 2018.

12. **Point of Contact.** If this memorandum is unclear, please contact (b)(6) (b)(6) at (b)(6) or (b)(6)@va.gov. For technical questions regarding the preservation of electronically stored information (ESI), please contact your chief information officer (CIO).

(b)(6)



Certification of Receipt of Litigation Hold

I acknowledge that I have received and read this litigation hold memorandum, and I agree to take all reasonable steps necessary to preserve potentially relevant information as instructed in the memorandum.

Signature _____ Date _____

Printed Name _____ Title _____

Email Address _____ Office _____

From: O'Rourke, Peter M.
Sent: 27 Jul 2018 13:25:58 +0000
To: (b)(6)@me.com
Subject: FW: Images from Today Rep Lamb , Rep Flores
Attachments: GR1_0878.jpg, GR1_0898.jpg, GR1_0901.jpg, GR1_0922.jpg, GR1_0925.jpg, GR1_0971.jpg, GR1_0976.jpg

Sent to personal email for personal use.

Peter O'Rourke

Acting Secretary
Department of Veterans Affairs

From: (b)(6)
Sent: Wednesday, July 25, 2018 3:19 PM
To: O'Rourke, Peter M.
Subject: Images from Today Rep Lamb , Rep Flores

(b)(6) [Photographer](#)

US Army Veteran
Media Services (032B)
Office of Administration
Department of Veterans Affairs
810 Vermont Ave NW Room 175D
Washington DC 20420

Office: (b)(6)
Cell: (b)(6)

[Request Media Services Support](#)



VA Core Values: Integrity Commitment Advocacy Respect Excellence
VA Core Characteristics: Trustworthy | Accessible | Quality | Innovative | Agile | Integrated











Peter O'Rourke
Acting Secretary of Veterans Affairs

VA-19-0584-A-000037
(19-07413-F) - 000037



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VA-19-0584-A-000038
(19-07413-F) - 000038



AMERICAN
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VA-19-0584-A-000039
(19-07413-F)-000039



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VA-19-0584-A-000040
(19-07413-F) - 000040



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VA-19-0584-A-000041
(19-07413-F) - 000041



AMERICAN
OVERSIGHT

VA-19-0584-A-000042
(19-07413-F) - 000042



AMERICAN
OVERSIGHT

VA-19-0584-A-000043
(19-07413-F)-000043

From: O'Rourke, Peter M.
Sent: 9 Jul 2018 13:22:39 +0000
To: (b)(6)@me.com
Subject: FW: DAV Speech
Attachments: 2018 07 14-2 DAV National Convention-Edited Version.docx

Sent to personal email for editing on gov issued ipad.

Peter O'Rourke

Acting Secretary
Department of Veterans Affairs

From: (b)(6)
Sent: Friday, July 06, 2018 11:11 AM
To: O'Rourke, Peter M.
Subject: FW: DAV Speech

Ashleigh's version.

From: Barry, Ashleigh (OAWP)
Sent: Friday, July 06, 2018 10:47 AM
To: (b)(6)
Subject: RE: DAV Speech

My edits Meredith, thank you.

Ashleigh F. Barry
Senior Strategic Communications Advisor
Office of the Secretary
Office of Accountability and Whistleblower Protection
810 Vermont Avenue, NW
Washington DC 20420
O: (b)(6) // C: (b)(6)

VA | U.S. Department of Veterans Affairs

From: (b)(6)
Sent: Friday, July 06, 2018 8:59 AM
To: Barry, Ashleigh (OAWP)
Subject: DAV Speech

(b)(6)
Staff Assistant to the Acting Secretary
Office of the Secretary
Department of Veterans Affairs
810 Vermont Ave NW

Washington, DC 20420

(b)(6) (direct)

From: O'Rourke, Peter M.
Sent: 17 Jun 2018 14:23:46 +0000
To: (b)(6)
Subject: FW: CMOP Info
Attachments: 2018_06_15_ASecVAPharmacy Briefing.pdf

Sent to personal email for editing/review on VA issued iPad.

From: Connell, Lawrence B.
Sent: Friday, June 15, 2018 12:50:49 PM
To: COS-PMO; O'Rourke, Peter M.
Subject: CMOP Info

Boss,
As requested (in .pdf).

Slide deck includes good info on J.D. powers ranking (#1) as well as Opioid reduction and Hep-C success as it relates to Pharmacy.

A couple slides are dated e.g. Cost Savings and Avoidance is dated 2015. However, the message (cost savings and avoidance) is consistent as of 2018.

Let me know if this answers the mail. I have lots more info if you need it, but this deck incorporates the major successes that you can acknowledge/use on your trip to Dallas.

Safe travels.

Larry

Larry Connell
Senior Advisor, SECVA
(b)(6)@va.gov



U.S. Department of Veterans Affairs ASECVA Briefing

Pharmacy Benefits Management Services



Major Successes

“Customer service, Veteran satisfaction, and patient safety delivered through team-based care are a hallmark of the mission of PBM”

“PBM has taken a systems approach to managing pharmaceutical supplies, logistics, and prescribing.”

Commission on Care
Final Report

“Vital to the success of this program is the involvement of clinicians and pharmacists in a vertically integrated model of engagement and decision making through facility-level, Veterans Integrated Service Network (VISN)-level, and national-level PBM committees that contribute to formulary and clinical guideline decisions and manage utilization review with local clinicians.”

“PBM also has a sophisticated web of communications, education, and engagement efforts to ensure clinical leaders across the system are helping drive PBM policy and practices.”



Top Priorities

- Fulfill VA's mission by serving and honoring the men and women who are America's Veterans by promoting and developing pharmacy programs that:
 - Are Veteran-centric with a focus on safety, quality, and value
 - Utilize system-based approaches to engage key clinicians and pharmacists throughout the decision-making processes
 - Leverage automated dispensing, distribution, and ordering processes with exceptional accuracy and lower operating costs
 - Utilize advanced clinical pharmacy specialists to improve access to care
- Continue to be recognized in the profession of pharmacy as the professional benchmark for:
 - Pharmacy practice
 - Pharmacy supply chain management
 - Post-graduate pharmacy education



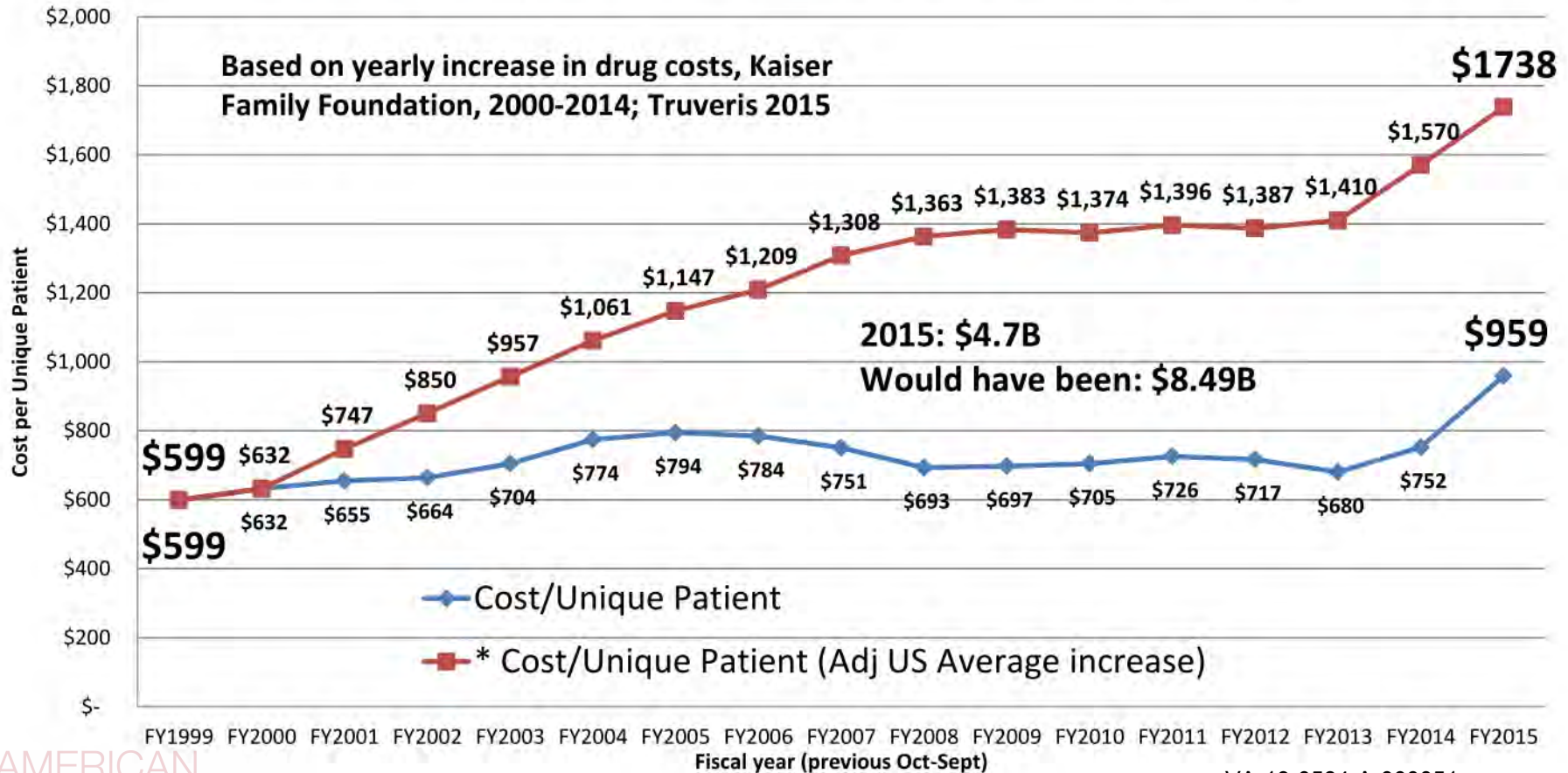
Key Functions and Activities

- Drug Formulary Management
- Pharmacy supply chain management
- Consolidated Mail Outpatient Pharmacy
- Pharmacy data management
- National Pharmacy Efficiency Program
- VA Center for Medication Safety
- Emergency Pharmacy Service
- Pharmacy Re-engineering and Clinical Informatics
 - PBM VA National Drug File
- Academic Detailing
- Civilian Health and Medical Program prescription fulfillment/Virtual Pharmacy services
- Pharmacy Residency Program Office
- Pharmaceutical Compounding and Management Standards Program
- VA Medication Reconciliation Initiative
- Pharmacy Recruitment and Retention Office
- Clinical Pharmacy Practice Office
- Pharmacy practice policy
- Opioid Safety Initiative
- Inter-Agency Collaborations
 - VA/Department of Defense
 - Department of Health & Human Services
 - Federal Bureau of Prisons
 - Indian Health Services
 - State Veterans Homes



Cost Savings and Avoidance

Impact of Control in Pharmacy Spending in VA—What if VA had same rate of increase as U.S.?





Pharmaceutical Supply Chain Fiscal Year 2017

- **Cost Savings**

- Pharmaceutical Prime Vendor (PPV) pays VA a discount for prompt payment on orders
 - \$6.399 Billion in PPV purchases (without discount)
 - \$5.781 Billion in PPV purchases (with discount)
- \$617 Million in cost savings due to PPV discount

- **Cost Avoidance**

- VA negotiates with industry
- National Contracts: \$2.3 Billion
- Temporary Price Reductions: \$2.6 Billion



What About VA vs Medicare

- Annals of Internal Medicine, 2013 (Gellad et al):
- Brand-Name Prescription Drug Use Among Veterans Affairs and Medicare Part D Patients with Diabetes
- Budget Impact: 4 drug classes for diabetics
 - If VA were to be like Medicare: \$108M more/year
 - If Medicare were to be like VA: \$1.4B less/year

	% Brand Oral DM Meds	% Brand LA Insulin	% Brand Statin	% Brand ACEI/ARB
VA	7.4%	26.8%	12.3%	20%
Medicare	13.6%	60%	45.5%	37.8%

Consolidated Mail Outpatient Pharmacy (CMOP)

VA CMOP Rate Among the Best:

2009

2010 (highest score)

2011 (highest score)

2012 (highest score)

2013 (highest score)

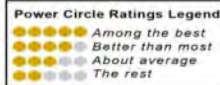
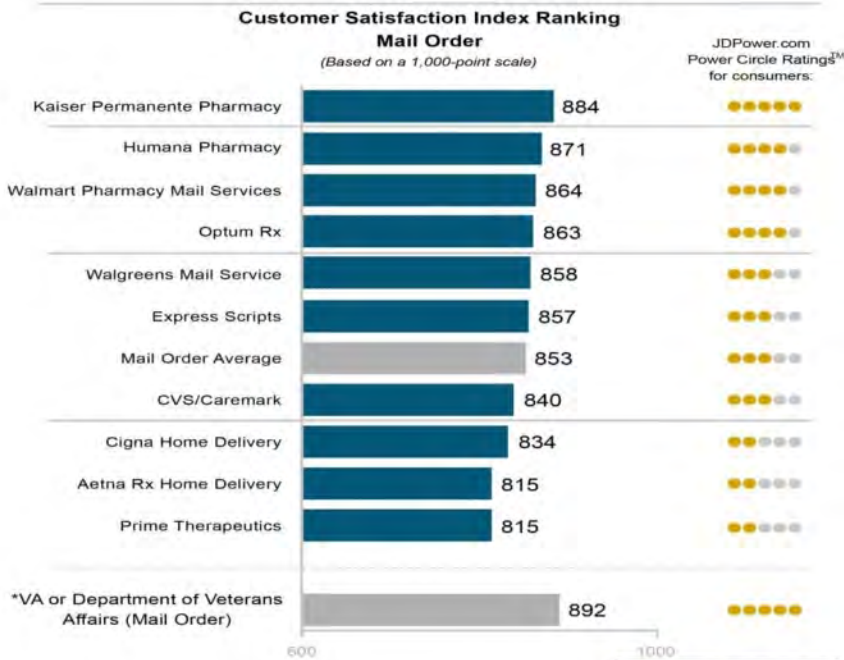
2014 (highest score)

2015 (highest score)

2016

2017 (highest score)

J.D. Power 2017 U.S. Pharmacy StudySM



*The Department of Veterans Affairs pharmacy service is open only to veterans of the U.S. military and their families and therefore is not included in the official rankings.

Source: J.D. Power 2017 U.S. Pharmacy StudySM

Charts and graphs extracted from this press release for use by the media must be accompanied by a statement identifying J.D. Power as the publisher and the study from which it originated as the source. Rankings are based on numerical scores, and not necessarily on statistical significance. No advertising or other promotional use can be made of the information in this release or J.D. Power survey results without the express prior written consent of J.D. Power.



AMERICAN

[http://www.pbm.va.gov/PBM/CMOP/VA Mail Order Pharmacy.asp](http://www.pbm.va.gov/PBM/CMOP/VA_Mail_Order_Pharmacy.asp)

VA-19-0584-A-000054
(19-07413-F) - 000067

VA Shifts To Clinical Pharmacists To Help Ease Patients' Long Waits

By Phil Gellwitz | October 23, 2018



Mike Patzer, a veteran, meets with clinical pharmacist Linda Keshuy at the Veterans Affairs hospital in Madison, Wis. (Phil Gellwitz/KHN)

TWITTER MADISON, WIS.— Something astonishing has happened in the past year to outpatient treatment at the Veterans Affairs hospital here.

FACEBOOK Veterans regularly get next-day and even same-day appointments for primary care now, no longer waiting a month or more to see a doctor as many once did.

LINKEDIN The reason is they don't all see doctors. Clinical pharmacists — whose special training permits them to prescribe drugs, order lab tests, make referrals to specialists and do physical examinations — are handling more patients' chronic care needs. That frees physicians to concentrate on new patients and others with complex needs.

EMAIL

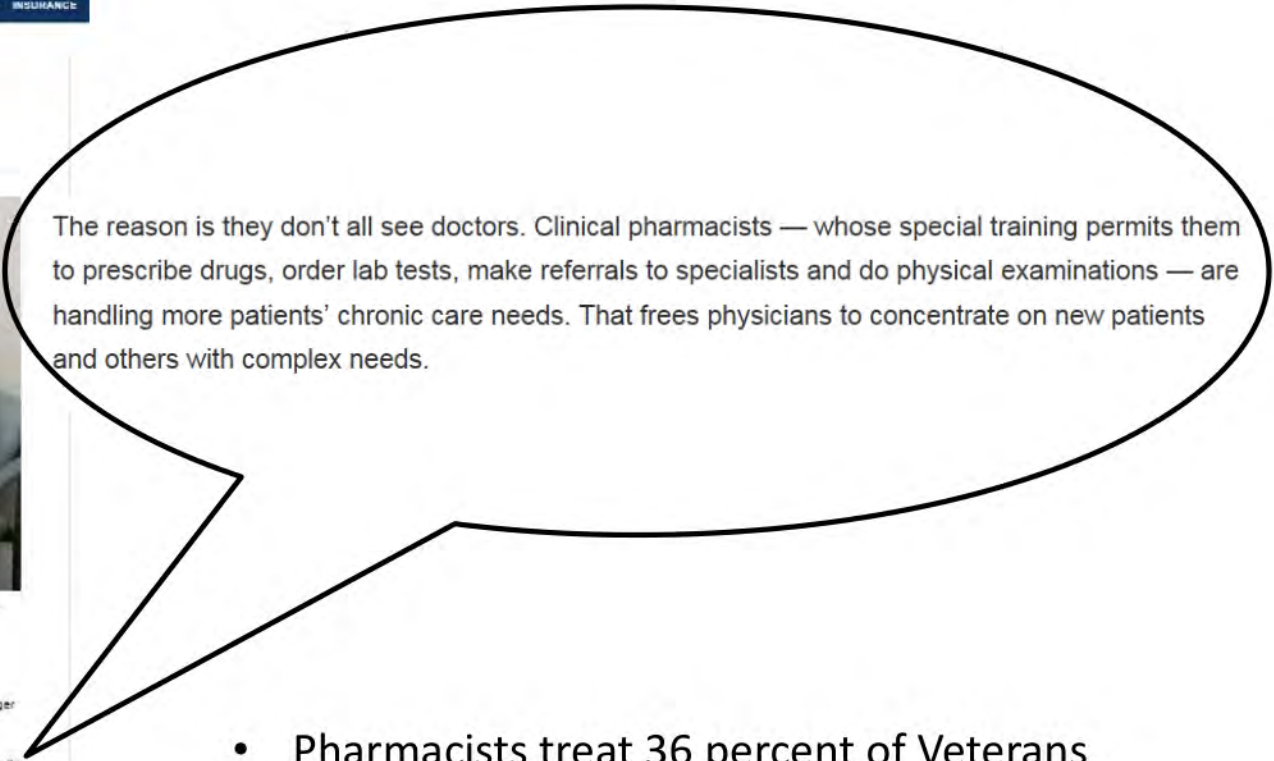
PRINT

REPUBLICLI OUR CONTENT

This story was first in USA Today. It can be republished for free (details)

USA TODAY

A quarter of primary care appointments at the Madison hospital are now handled by clinical pharmacists since they were integrated in patient care teams in 2015. Several VA hospitals — in El Paso, Texas, and Kansas City, Mo., among them — have followed Madison's approach and more than 36 others are



The reason is they don't all see doctors. Clinical pharmacists — whose special training permits them to prescribe drugs, order lab tests, make referrals to specialists and do physical examinations — are handling more patients' chronic care needs. That frees physicians to concentrate on new patients and others with complex needs.

- Pharmacists treat 36 percent of Veterans with Hepatitis C
- Pharmacists free up millions of primary care visits each year

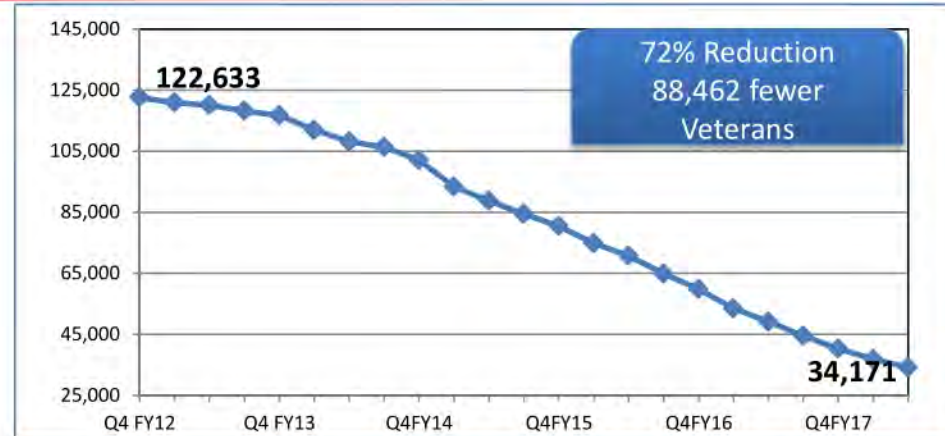


Opioid Safety Initiative Metric Trends

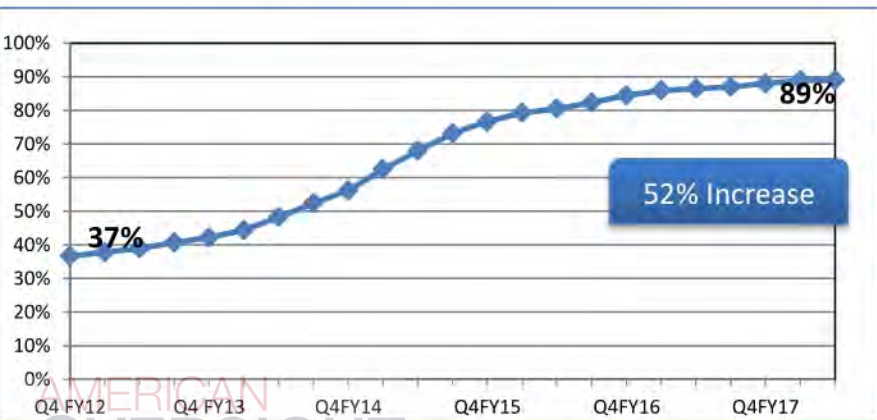
Veterans Dispensed Opioids



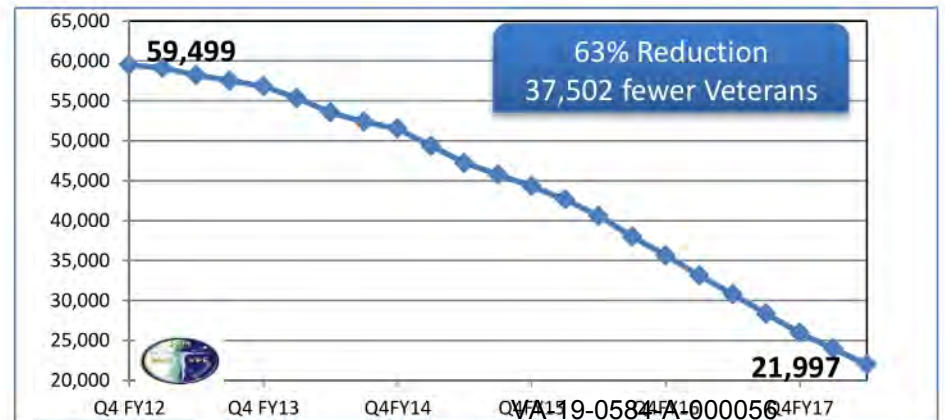
Veterans Dispensed An Opioids And A Benzodiazepine



Veterans on Long-Term Opioid Therapy With a Urine Drug Screen (UDS) Completed



Veterans on ≥ 100 Morphine Equivalent Daily Dose (MEDD)





VA Treatment of Hepatitis C

- **Hepatitis C Virus (HCV) Statistics as of March 31, 2018**
 - 106,184 Veterans treated with oral HCV antivirals since introduced into the market in January 2014
 - 32,455 (approximately) Hepatitis C patients in VA care remaining to be treated
 - 95 percent cure rate
 - 82.5% of VA's highest risk patients (those born between 1945-1965) have been screened for HCV
- **U.S. Hepatitis C Estimates-3.2M infected in the birth cohort of 1945-1965***

*CDC

From: O'Rourke, Peter M.
Sent: 15 May 2018 16:17:22 +0000
To: (b)(6)@hillsdale.edu
Cc: (b)(6)@me.com
Subject: RE: [EXTERNAL] Re: E-Mail Introduction

Josh,

Great to meet you. Let's connect soon – I've cc'd my personal email.

Best,
Pete

Thanks (b)(6)

From: (b)(6) [mailto:(b)(6)@gmail.com]
Sent: Monday, May 14, 2018 6:49 PM
To: (b)(6)@hillsdale.edu
Cc: O'Rourke, Peter M.; (b)(6)
Subject: [EXTERNAL] Re: E-Mail Introduction

Thanks for the introduction. An optimist is right!... immediately makes me think about what can happen when good men do nothing...insert quote

Congrats (b)(6) is a great accomplishment. I am sure it was a wonderful weekend. When we have a moment would love to connect, at least via phone, if only for me to hear about what you have been able to accomplish throughout your many posts, and impressive career.

Look forward to speaking with you.

(b)(6)

On Mon, May 14, 2018 at 5:47 AM (b)(6)@hillsdale.edu> wrote:

Peter & (b)(6) Good Monday morning and I hope you are both well. It is my pleasure to make this electronic introduction and hope that at some point in the future you can meet face to face.

(b)(6) Peter's (b)(6) on Saturday and Peter was able to meet you dad prior to our big Commencement Ceremony with the VP. Peter currently works as Chief of Staff for the Dept. of Veteran's Affairs. In previous lives, Peter was Navy Enlisted, Air Force Officer and Army civilian before founding a non-profit focused on efficiency in the Federal Government—not that's an optimist! Don't worry the fact that he has yet to directly affiliate with the Marine Corps or Coast Guard won't be held against him ☺! Considering your educational background, your Dad wanted Peter to connect with you and it is my honor to make that happen with this e-mail. Peter heard all about you from your proud father who as you can see is copied to this message.

Take care and let's all have a great Monday and even better week. We still live in the greatest Nation the world has ever known regardless of what you might hear on the radio, see on the TV or get in your "social media" news feed.

Semper Fi!

(b)(6)

Legal Counsel & Administrative Director
Office of Gift & Estate Planning
Hillsdale College

(b)(6) (Office)
(b)(6) (Cell)

(b)(6) [@hillsdale.edu](mailto:(b)(6)@hillsdale.edu)
www.hillsdale.edu

--

Best regards,

(b)(6)

From: O'Rourke, Peter M.
Sent: 9 May 2018 11:25:27 +0000
To: Robert Wilkie
Cc: (b)(6); Powers, Pamela
Subject: RE: [EXTERNAL] Re: POTUS salary donation to VA - talking points/comments

Done.

From: Robert Wilkie [mailto:(b)(6)@verizon.net]
Sent: Tuesday, May 08, 2018 10:24 PM
To: O'Rourke, Peter M.
Cc: (b)(6) Powers, Pamela
Subject: Re: [EXTERNAL] Re: POTUS salary donation to VA - talking points/comments

Edited with comments about the MISSION ACT. (b)(6)

Robert Wilkie
(b)(6)@verizon.net

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

From: O'Rourke, Peter M. (b)(6)@va.gov>
To: Robert Wilkie (b)(6)@verizon.net>
Cc: Pham, Katherine (b)(6)@va.gov>; Powers, Pamela (b)(6)@va.gov>
Sent: Tue, May 8, 2018 10:07 pm
Subject: RE: [EXTERNAL] Re: POTUS salary donation to VA - talking points/comments

Sir,

I've sent the document to your personal account using my personal account and converting the document to a .docx file. Please respond to the personal email and cc my va.gov account for capture.

Pete

Sent with Good (www.good.com)

From: Robert Wilkie
Sent: Tuesday, May 08, 2018 5:49:29 PM
To: O'Rourke, Peter M.
Cc: (b)(6) Powers, Pamela
Subject: [EXTERNAL] Re: POTUS salary donation to VA - talking points/comments

Peter:

I can't open the documents sent on my home computer (Windows 10) Apparently, .doc do not work on my system. Is there any way we can change that. This applies to the NORAD speech as well.

Robert Wilkie
(b)(6)@verizon.net

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

From: O'Rourke, Peter M. (b)(6)@va.gov>
To: RLW (b)(6)@va.gov>
Cc: Powers, Pamela (b)(6)@va.gov>; rwilkie (b)(6)@verizon.net>
Sent: Tue, May 8, 2018 8:39 pm
Subject: RE: POTUS salary donation to VA - talking points/comments

Sir,

(b)(5)

(b)(5) I'll work on getting an appropriate statement for your review first thing in the morning.

Pete

From: RLW
Sent: Tuesday, May 08, 2018 6:52 PM
To: O'Rourke, Peter M.
Cc: Powers, Pamela; rwilkie
Subject: RE: POTUS salary donation to VA - talking points/comments

Good to go

From: O'Rourke, Peter M.
Sent: Tuesday, May 08, 2018 3:22:26 PM
To: RLW
Cc: Powers, Pamela
Subject: POTUS salary donation to VA - talking points/comments
Sir,

Attached are the comments that (b)(6) pulled together for your review and approval. (b)(5)

(b)(5)

Pete

Peter O'Rourke
Chief of Staff
Department of Veterans Affairs

From: DJS
Sent: Tue, 10 Oct 2017 15:31:17 -0700
To: Wright, Vivieca (Simpson)
Subject: FW: Number of messages

From: (b)(6)
Sent: Tuesday, October 10, 2017 3:31:15 PM (UTC-08:00) Pacific Time (US & Canada)
To: DJS
Subject: RE: Number of messages

No this is only your private account.

From: DJS
Sent: Tuesday, October 10, 2017 6:28:20 PM
To: (b)(6)
Subject: RE: Number of messages

Is that both the public and private accounts?

Sent with Good (www.good.com)

From: (b)(6)
Sent: Tuesday, October 10, 2017 3:26:06 PM
To: DJS; Wright, Vivieca (Simpson)
Subject: Number of messages

IT could not help me in a reasonable amount of time so I counted by hand.

7-11-7/21 sent is approximately 485

Working on received now