

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Z STREET, INC.,

Plaintiff,

)

No: 2:10-cv-04307-CMR

v.

)

DOUGLAS H. SHULMAN,
IN HIS OFFICIAL CAPACITY AS
COMMISSIONER OF
INTERNAL REVENUE,

)

)

)

Defendant.

)

DECLARATION OF DIANE M. GENTRY

I, Diane M. Gentry, pursuant to 28 U.S. C. § 1746, do hereby declare as follows:

- 1 I am a Determinations Specialist with the Internal Revenue Service, assigned to the Exempt Organizations Division. I have been in this position since August 31, 1998.
- 2 On May 12, 2010, I was assigned to review the Form 1023 application of Z Street.
- 3 On May 15, 2010, I wrote a letter to Z Street requesting more information in order to complete the IRS' consideration of Z Street's application for exemption.
- 4 On June 18, 2010, I received Z Street's response to my May 15, 2010, letter from its attorney, Donna Johnson Bullock.
- 5 On July 20, 2010, I discussed Z Street's application with my manager, William Angner. At the time, I was concerned that Z Street might be an action organization. Mr. Angner kept the case file and indicated that the case might be transferred to E.O. Technical or the Touch and Go (TAG) group.

6. On July 23, 2010, Mr. Angner emailed me informing me that the case had been referred to the TAG group. He asked that I contact Z Street to let them know of the referral.
7. Although I had telephone conversations with Ms. Bullock on July 19, 2010, and July 27, 2010, I never told her that the IRS had a special concern about organizations whose positions contradict the Obama Administration's Israel policy, or that cases are sent to a special unit in the Washington, D.C. office to determine whether an organization's activities contradict the Administration's public policies.
8. I never told Ms. Bullock that the IRS has an "Israel Special Policy" governing the processing of applications for tax exemption by organizations that are believed to be operated by persons holding political views inconsistent with those espoused by the Obama administration.
9. I am unaware of an "Israel Special Policy" that mandates that Form 1023 applications by organizations that are believed to be operated by persons holding political views inconsistent with those espoused by the Obama administration be scrutinized differently and at greater length; that such applications take longer to process than those made by organizations without that characteristic; or that the Form 1023 application might be denied

altogether on that basis

CERTIFICATION

declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/8/10


DIANE M. GENTRY
Determinations Specialist
Internal Revenue Service