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### Douglas Holtz-Eakin FCIC Confidential Agreements 2-9-2011

Cassidy Waskowicz

Douglas Holtz-Eakin

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## Gretchen Newsom

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**From:** Cassidy Waskowicz  
**Sent:** Wednesday, February 09, 2011 5:40 PM  
**To:** Gretchen Newsom  
**Subject:** FW: Email Votes

I am forwarding you the votes as I receive them.

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**From:** Doug Holtz-Eakin [mailto:dholtzeakin@americanactionforum.org]  
**Sent:** Wednesday, February 09, 2011 5:25 PM  
**To:** Cassidy Waskowicz  
**Subject:** Email Votes

Cassidy:

I vote NO on the two referrals and YES on the other motions.

On 2/7/11 6:49 PM, "Cassidy Waskowicz" <[cwaskowicz@fcic.gov](mailto:cwaskowicz@fcic.gov)> wrote:

Commissioners,

I am forwarding an email which I sent to all current and former FCIC staff this afternoon. Please let me know if you have questions.

Regards,  
Cassidy

Deputy General Counsel  
Financial Crisis Inquiry Commission  
1717 Pennsylvania Ave., NW Suite 800  
Washington D.C., 20006  
202 292-2799 main  
202 292-1350 direct

**From:** Cassidy Waskowicz  
**Sent:** Monday, February 07, 2011 3:20 PM  
**To:** Cassidy Waskowicz  
**Subject:** FCIC Staff Confidentiality

Dear Staff,

As you may be aware, Congressman Darrell Issa, Chairman of the Committee on Oversight and Government Reform and two other Chairmen of Congressional Committees have contacted the FCIC requesting certain documents. It is possible that Chairman Issa and other members of Congress may contact, or have already contacted, some of you individually.

The Commission understands and supports appropriate congressional oversight. The Commission also takes its obligations of confidentiality most seriously, and as you recall, to that end has required all staff to sign a Confidentiality and Nondisclosure Agreement ("CNDA").

But as you also know, as part of its process to obtain confidential information from federal and state agencies and departments, private firms and interested individuals, the Commission has entered into numerous confidentiality letters and agreements to allow the Commission to receive confidential information. These agreements have greatly facilitated the Commission's work. These agreements typically provide that the Commission, and by extension its staff, may comply with a request or demand from a duly authorized Committee of the United States Congress with authority to receive or require confidential information.

Thus, the CNDA should not prevent you from complying with a request, demand or subpoena from a duly authorized Committee of the United States Congress with authority to receive or require confidential information. We would trust that any request from the House Committee on Oversight and Government Reform concerning confidential information received from third parties would also respect the confidentiality arrangements to which the Commission is a party. To that end, we ask that you provide me, or Peter Kadzik, the Commission's outside legal counsel, at Dickstein Shapiro LLP, 1825 Eye Street NW, Washington, DC, 20006-5403, (202) 420-4704, after the 11th, with a copy of the request you have received or may receive from the House Committee on Oversight and Government Reform or any other body which seeks to address the investigations and internal workings, or other confidential matters, of the Commission. Also, note that after the Commission sunsets on February 13th, through February 28, 2011, you may contact Peter Kadzik, if you receive such a request and have any questions.

This email should not be interpreted as releasing you from your continuing obligations under the CNDA as to any other matter or request. Please let me or Peter Kadzik know if you have questions.

Regards,

Cassidy Waskowicz

Deputy General Counsel

Financial Crisis Inquiry Commission

1717 Pennsylvania Ave., NW Suite 800

Washington D.C., 20006

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Douglas Holtz-Eakin

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