

**William B. Lytton**  
[REDACTED]  
[REDACTED]

April 21, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

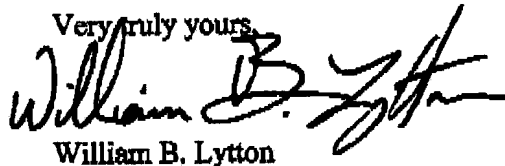
I served as an Assistant U. S. Attorney in both the Northern District of Illinois and the Eastern District of Pennsylvania in the late 1970s and early 1980s. I also served as deputy special counsel to President Ronald Reagan and as special counsel to President George H.W. Bush. As a result of these experiences, I have great respect for public service in general and for the Department of Justice in particular. We need good people in public service and I believe that Mary Smith will be a strong addition to the leadership of the Department.

I met Mary while I was the executive vice president and chief legal officer of Tyco International Ltd. In September of 2002, I joined Tyco in the wake of the scandal that was the result of the actions of the prior management team. As part of the new senior management team at Tyco, we had the enormous task of restoring confidence in and stability to the business, safeguarding the jobs of some 250,000 employees, and dealing with the various legal issues that arose out of the actions of the prior management. Part of my job was to bring in lawyers of proven ability and integrity. Mary was one of the people I brought into Tyco and she worked under my leadership managing the extensive, multi-district class action litigation that was then pending. Mary supervised all aspects of the litigation and spearheaded much of the strategy for the litigation. Mary quickly mastered all aspects of the litigation. She worked tirelessly and with the upmost ethical standards.

Mary also has dedicated a significant amount of her career to public service. From 1994 to 1996, Mary was a Trial Attorney in the Civil Division, Commercial Litigation Branch, at the Department of Justice. During this time, Mary managed an extensive docket of cases and worked diligently on behalf of the Department. From 1997 to 2000, Mary was Associate Director of Policy Planning, Domestic Policy Council, at the White House. From 2001 to 2001, Mary was Associate Counsel to the President in the White House Counsel's Office.

In short, Mary Smith is a fine choice to be this nation's Assistant Attorney General for the Tax Division. I urge the Senate to act quickly on her confirmation.

Very truly yours,

A handwritten signature in black ink, appearing to read "William B. Lytton". The signature is fluid and cursive, with a large, stylized "W" and "L".

William B. Lytton

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Direct Dial [REDACTED] [REDACTED]

April 23, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Re: Support For The Confirmation of Mary L. Smith As Assistant Attorney General  
For The Tax Division

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Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

I have known Mary for the past few years through various positions in the American Bar Association ("ABA"), including my current position as President-Elect of the ABA. I have found that Mary works tirelessly on many issues including promoting the advancement of women in the legal profession and in the many ways in which she has shown vision, leadership, collegiality, and support for positive changes, all in the context of practicing law with excellence and according to the highest ethical standards.

Mary is passionate about advancing women and persons of color in the legal profession and working to eradicate barriers to the full participation of all in the legal profession. She not only calls on her own experiences as a woman lawyer of color, she is able to build bridges with people of many different racial and ethnic backgrounds to take concrete steps for advancing the diversity of the legal profession. Her many activities in the ABA, the National Native American Bar Association, the Chicago Bar Association, and the Chicago Bar Foundation show a deep commitment to making diversity a reality.

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ABU DHABI ALMATY ANKARA BEIJING BERLIN BRATISLAVA BRUSSELS BUCHAREST BUDAPEST DÜSSELDORF FRANKFURT HAMBURG  
HELSINKI HONG KONG ISTANBUL JOHANNESBURG LONDON LOS ANGELES MEXICO CITY MIAMI MOSCOW MUNICH NEW YORK  
PALO ALTO PARIS PRAGUE RIYADH SÃO PAULO SHANGHAI SINGAPORE STOCKHOLM TOKYO WARSAW WASHINGTON, DC

Mary currently serves as one of thirteen Commissioners on the ABA's Commission on Women in the Profession. She is Native American and an enrolled member of the Cherokee Nation, and she is the very first enrolled tribal member to serve on the Commission in its twenty-year history. As part of her duties on the Commission, Mary is Chair of the Women of Color Committee and directs the Women of Color Research Initiative, a nationally-known research program that has developed seminal national research and landmark reporting on the hiring and retention of women of color in the legal profession.

Under Mary's leadership, the Commission recently published *From Visible Invisibility to Visibly Successful: Success Strategies for Law Firms and Women of Color in Law Firms*, a compilation of information, insights, and advice gathered from a national sample of prominent women partners of color in private practice and an examination of the practices at their firms that contributed to their success. Mary is also spearheading the next two phases of research conducted by the Women of Color Committee, which focuses on women of color who are attorneys in the corporate and government sectors. As with the earlier phases of this work, the next phases of research will focus on many issues which have not been previously examined in these environments, such as hiring, advancement and retention, performance evaluations, compensation, and working relationships with clients and colleagues.

Mary currently is a member of the Illinois Delegation to the ABA House of Delegates, where she serves as the representative for the National Native American Bar Association. This past year, she assisted in an effort to press for passage of the Lilly Ledbetter Fair Pay Act, which would reverse a 2007 Supreme Court decision and allow women to sue for pay discrimination once they discover the discrimination.

While she hails from Chicago, Mary spent a number of years in the White House both as a member of the Domestic Policy Council and as Associate Counsel to the President, where she was responsible for policy areas including criminal justice, tax issues, Native American policy, and civil rights issues.

After the White House, Mary joined Skadden, Arps, Slate, Meagher & Flom LLP in Washington, D.C., specializing in securities litigation, internal investigations, and class action defense, followed by an in-house position at Tyco International (US) Inc. in New Jersey. At Tyco, Mary managed one of the nation's largest securities fraud class actions. As in-house counsel, Mary acted on her commitment to diversity. She substantially increased the participation of women lawyers and lawyers of color serving as outside counsel in the Tyco litigation, and serving as a role model for other lawyers in the position of managing major litigation. She also played a continuing mentoring role, and co-authored an article offering practical advice for women seeking to advance their in-house careers, *In-House Journey to Success for Women Lawyers*, published in the ABA's Section of Litigation Committee on Corporate Counsel In-House Litigator Journal, Vol. 21 No. 3 (Spring 2007).

In the past year, Mary also provided policy advice to President Obama's campaign, including in the area of women's issues. She was a delegate to the Democratic Convention last August and, most recently, served on the Obama-Biden Transition Team for the U.S. Department of Justice.

In her law practice, Mary is Partner at Schoeman, Updike & Kaufman, LLP, one of the nation's largest women-owned firms. Her selection of the Schoeman firm as the setting for her private practice also reflects Mary's commitment to diversity in her every day work life, and her ability to serve as a role model for women lawyers and lawyers of color.

I enthusiastically support Mary Smith's nomination as Assistant Attorney General for the Tax Division. She is one of the most talented and dedicated lawyers I have worked with. I am confident she will lead the Tax Division with the same brilliance and exemplary ability she has demonstrated throughout her career.

Very truly yours,

A handwritten signature in black ink, reading "Carolyn B. Lamm". The signature is written in a cursive, flowing style.

Carolyn B. Lamm



April 27, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express the National Native American Bar Association's support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division of the U.S. Department of Justice.

Mary is an outstanding attorney, and a dedicated member of the Native American community. We are delighted and thrilled with her nomination.

The National Native American Bar Association (NNABA) serves as the national association for Native American attorneys, judges, law professors and law students, and attorneys who practice Indian law. NNABA strives to be a leader on social, cultural, political and legal issues affecting American Indians, Alaska Natives, and Native Hawaiians. Unfortunately Natives are dramatically underrepresented in the legal field and in the federal government.

Mary has been a board member of NNABA for the past several years. Mary currently is a member of the Illinois Delegation to the American Bar Association (ABA) House of Delegates, where she serves as the representative for the NNABA. As a Delegate, Mary works tirelessly to improve the visibility and access of Native Americans in the legal profession and Native American civil rights. In the last several years, she has worked on two resolutions to advance access to justice in tribal communities. At the 2008 Annual Meeting, Mary was one of the principal drafters and lead advocates for a resolution that passed the House and which supported increased funding for tribal courts and tribal justice systems.

Mary also served in the Clinton White House as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas including domestic violence, equal pay, homelessness, transportation safety, food safety, Internet gambling, Native American issues, civil rights issues, and hate crimes. She was the highest-ranking Native American in

The Honorable Patrick J. Leahy  
The Honorable Arlen Specter  
April 27, 2009

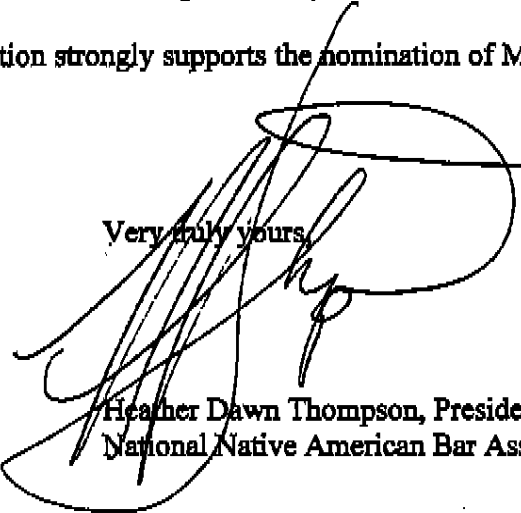
the White House during the Clinton Administration. During her time in the White House, Ms. Smith was the architect for a historic Native American policy initiative which spanned areas such as health care, economic development, education, the digital divide, and criminal justice issues. This initiative resulted in an increase in funding of \$1.1 billion for Native American programs across all federal agencies.

In addition, while in the White House, Mary was a leader in affecting passage of a change to the Federal Unemployment Tax Act (FUTA). Mary's efforts helped to ensure passage of tribal FUTA language in the final FY 2001 omnibus appropriations bill that provided equity to Indian tribes by treating tribal governments the same as state and local governments.

Mary is a first-rate litigator whose experience spans government, private practice and the private sector. Mary served as a trial attorney in the Civil Division at the Department of Justice where she never lost a case. She has worked at Skadden, Arps, Slate, Meagher & Flom LLP, and currently is a partner at Schoeman, Updike, Kaufman & Scharf LLP, a woman-owned firm. In addition, she was the in-house attorney responsible for managing a large multi-district litigation at Tyco International.

The National Native American Bar Association strongly supports the nomination of Mary L. Smith, and respectfully urges her swift confirmation.

Very truly yours,



Heather Dawn Thompson, President  
National Native American Bar Association



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ROBERT J. GREY, JR.

FILE NO:

April 27, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division

I have known Mary for the past several years through various positions in the American Bar Association ("ABA"), including during 2004-2005 when I was President of the ABA. I have seen Mary work her way up through the ranks of the ABA, while assuming positions of increasing responsibility and leadership.

Mary holds many leadership positions in the ABA. Mary currently serves as one of thirteen Commissioners on the ABA's Commission on Women in the Profession. She is Native American and an enrolled member of the Cherokee Nation, and she is the very first enrolled tribal member to serve on the Commission in its twenty-year history. As part of her duties on the Commission, Mary is Chair of the Women of Color Committee and directs the Women of Color Research Initiative. She also holds leadership positions in both the Section of Litigation as well as the Section of Individual Rights and Responsibilities, where she is a member of the Council. Mary currently is a member of the Illinois Delegation to the ABA House of Delegates, where she serves as the representative for the National Native American Bar Association.





Senator Patrick J. Leahy  
Senator Arlen Specter  
April 27, 2009  
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Within the ABA, Mary works consistently to raise the visibility of Native Americans and issues important to the Native American community. She has worked on two resolutions, which have since become official ABA policy, to advance issues of important to Native Americans. For instance, last year, she helped to ensure passage of a resolution to promote additional funding for tribal justice systems. Mary also serves as a mentor to women and persons of color. This past February both she and I testified at a Diversity Hearing at the ABA Mid-Year meeting in Boston. Through this diversity initiative, the ABA seeks to expand its diversity efforts by reaching out to a variety of stakeholders within the legal profession to examine how the face of diversity has changed over the years and what direction diversity may take in the future.

Outside of the ABA, Mary has a breadth of experience that makes her well-suited to head the Tax Division at the Department of Justice. From 1994-1996, Mary served as a career Trial Attorney at the Department of Justice where she was the principal attorney for a number of trials and appeals. Following her stint at the Department of Justice, Mary spent a number of years in the White House both as a member of the Domestic Policy Council and as Associate Counsel to the President, where she was responsible for policy areas including criminal justice, tax issues, Native American policy, and civil rights issues.

After leaving the White House, Mary joined Skadden, Arps, Slate, Meagher & Flom LLP in Washington, D.C., specializing in securities litigation, internal investigations, and class action defense. From 2005-2007, Mary served as the principal in-house attorney on the wide-ranging litigation stemming from the illegal acts of former Tyco management. As part of the responsibilities, Mary supervised a large team of outside attorneys, drove strategy for the litigation, and managed a multi-million dollar budget. Currently, Mary is Partner at Schoeman, Updike & Kaufman, LLP, one of the nation's largest women-owned firms.

I enthusiastically support Mary Smith's nomination as Assistant Attorney General for the Tax Division and urge her rapid confirmation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert J. Grey, Jr.", written over a circular stamp or seal.

Robert J. Grey, Jr.  
ABA President, 2004-2005

April 28, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

Having previously served as Special Trial Counsel for the United States Department of Justice in its successful antitrust suit against Microsoft, I care deeply about the Justice Department and its goal of enforcing this nation's laws fairly and pursuant to the rule of law. I believe that Mary Smith will lead the Department's Tax Division with dedication, sound judgment and integrity.

I have known Mary for several years, and I worked closely with her while she served as Senior Litigation Counsel at Tyco International (US) Inc. where she was responsible for the sprawling multi-district litigation arising out of the criminal acts of former Tyco management. I served as lead counsel for Tyco in the case of *In re Tyco International Ltd. Securities Litigation*, which has been called "the most complex securities class action in history."

This case involved extensive and complex accounting and tax issues. Mary came to the case in 2005 following an internal investigation which had been conducted in 2002. The case involved hundreds of witnesses and over 80 million pages of documents. In a short time, Mary became intimately familiar not only with the facts and law of the case, but the intricate accounting principles and issues which spanned several years and five restatements of Tyco's financial statements. In fact, Mary knew many of these accounting issues better than many of the outside counsel involved in the case, some of whom had been involved in the case for some time. I was impressed with Mary's ability not only to grasp complex financial concepts but to assimilate that knowledge into a cohesive strategy for the case.

Given the scope of the case, there were many moving parts, including hundreds of witnesses and a great number of outside law firms. Mary was the focal point of coordinating many of the defense counsel in the case. She fairly listened to the concerns and issues of all

The Honorable Patrick J. Leahy  
The Honorable Arlen Specter  
April 28, 2009

involved with the result that the overwhelming majority of former Company employees cooperated with the defense and there were no internecine conflicts between competing law firms. The case moved forward with efficiency and with air of collegiality – a feat not to be underestimated.

Mary effectively supervised, questioned, and where necessary challenged her outside counsel on case strategy and tactics. She took her fiduciary duty to her client seriously and acted with the greatest ability and integrity. I believe she will bring these same qualities to her position at the Department of Justice.

I am pleased to support Mary Smith as Assistant Attorney General for the Tax Division at the U.S. Department of Justice. I would be happy to respond to any questions you or your staff may have.

Sincerely,

A handwritten signature in black ink, appearing to read "David", with a stylized flourish at the end.

David Boies

April 28, 2009

Michael S. Greco



Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I write to express my strong support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division in the Department of Justice.

As Past President of the American Bar Association I have observed first-hand Ms. Smith's leadership, integrity, perseverance, and her considerable skills as a lawyer and public servant. She is a principled leader and dedicated attorney. Ms. Smith's longstanding commitment to public service is exemplary and her wide experience and substantive knowledge in the field of tax law is excellent.

Ms. Smith has served her community and the legal profession through the offices she has held in the American Bar Association ("ABA"), the National Native American Bar Association, the Chicago Bar Association and the District of Columbia Bar Association. She currently serves as one of thirteen Commissioners on the ABA's Commission on Women in the Profession. She is Native American and an enrolled member of the Cherokee Nation, and she is the first enrolled tribal member to serve on the Commission in its twenty-year history. As part of her duties on the Commission, Ms. Smith is Chair of the Women of Color Committee and directs the Women of Color Research Initiative, a nationally-known research program. She also currently serves as a member of the Council of the Section of Individual Rights & Responsibilities, a Section widely known as the "conscience" of the ABA and of which I am a former Chair. Ms. Smith is a member of the Illinois Delegation to the ABA House of Delegates, where she serves as the representative for the National Native American Bar Association. As a Delegate she works tirelessly to improve the visibility and access of Native Americans in the legal profession and Native American civil rights. At the 2008 ABA Annual Meeting, Ms. Smith was one of the principal drafters of and a lead advocate for

Senator Patrick J. Leahy  
Senator Arlen Specter  
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Page 2

a resolution that passed the House and which supports increased funding for tribal courts and tribal justice systems.

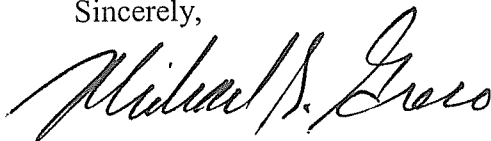
In the ABA's Litigation Section Ms. Smith has risen through the ranks to become a member of the Section's leadership. She currently is Co-Chair of the Content Committee. She has served as Co-Chair for the Litigation Section's Corporate Counsel CLE Program, which is one of the Section's well-attended conferences. She also served as Co-Editor of the *In-House Litigator*, which was recognized as Best Overall Newsletter for 2006-2007 under her leadership.

Ms. Smith's broad-based experience in both the public and private sectors makes her well-qualified to be Assistant Attorney General for the Tax Division. From 1994 to 1996, she was a Trial Attorney in the Civil Division, Commercial Litigation Branch, in the Department of Justice. During that time she never lost a case. From 1997 to 2000 she served as Associate Director of Policy Planning, Domestic Policy Council, at the White House. From 2000 to 2001 she was Associate Counsel to the President in the White House Counsel's Office.

In private practice, from her time at Skadden, Arps, Slate, Meagher & Flom LLP to her tenure as in-house counsel at Tyco International, Ms. Smith has had lead responsibility for large, complex matters involving finance and accounting issues.

For these reasons, I am pleased that Mary L. Smith has been nominated for, and I strongly support her confirmation to, the position of Assistant Attorney General for the Tax Division in the U.S. Department of Justice. She will be an outstanding addition to the Department.

Sincerely,

A handwritten signature in black ink, reading "Michael S. Greco". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael S. Greco

MSG:gmoc



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April 28, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

I served as Deputy White House Counsel and Deputy Assistant to the President of the United States during the Clinton Administration. During my time in the White House, I worked closely with Mary while she was a member of the Domestic Policy Council and was so impressed with her abilities that I helped recruit her to join the Counsel's Office. It was one of my best decisions.

Mary is an absolutely superb lawyer and she will be an outstanding Assistant Attorney General. I have observed Mary's career develop from her time in the White House to private practice at one of the country's most prominent law firms to her stint as in-house counsel managing one of the largest, most complex securities cases. She has achieved tremendous success in all of these capacities and she enjoys a well-earned and well-established reputation for excellence.

While in the White House, I, along with Mary, worked closely with members of this committee to draft compromise language on legislation which was eventually signed by the President. Mary worked closely with both majority and minority Committee members to resolve issues involving constitutional questions. I was impressed with Mary's ability to work across party lines to develop innovative policy solutions.

Mary has the ability to juggle many projects and issues at one time. I can think of no one who works harder. Her ability to build consensus is a testament to her integrity and respect for other viewpoints. She is also exceptionally well qualified for positions at the highest levels of public service. She has superb judgment, knows how to work on matters that are in the public eye, and is a person of unquestioned character and integrity.

I am pleased to support Mary Smith as Assistant Attorney for the Tax Division. I know that she will serve the Department and the country well.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. P. Marshall". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

William P. Marshall  
Kenan Professor of Law  
University of North Carolina  
Chapel Hill, NC 27599



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DENNIS W. ARCHER



April 29, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

As you know, I served as an Associate Justice of the Michigan Supreme Court, as Mayor of Detroit, and as Past President of the American Bar Association. I have great respect for public service and the importance of adherence to the rule of law.

Mary's career spans the government, private practice, and the private sector. Mary was a trial attorney at the U.S. Department of Justice where she served as the principal attorney in a number of trials and appeals. While she hails from Chicago, Mary spent a number of years in the White House as a member of the Domestic Policy Council, where she was responsible for policy areas that are key to advancing the rights of women and minorities, including domestic violence, equal pay, Native American issues, civil rights issues, and hate crimes. At the end of her tenure on the Domestic Policy Council, Mary moved to the White House Counsel's Office where she served as Associate Counsel to the President.

After leaving the White House, Mary joined Skadden, Arps, Slate, Meagher & Flom LLP in Washington, D.C., specializing in securities litigation, internal investigations, and class action defense, followed by an in-house position at Tyco International (U.S.) Inc. in New Jersey. At Tyco, Mary managed one of the nation's largest securities fraud class actions – the high profile litigation arising out of the Dennis Kozlowski era and the Company's most troublesome litigation. Recently, the major portion of the litigation was settled for approximately \$3 billion, representing the single largest payment from any corporate defendant in the history of securities class action litigation. As part of her responsibilities, Mary managed a multi-million dollar budget, over 40 outside counsel, and over 60 contract attorneys.

C o u n s e l o r s   A t   L a w

DETROIT   NASHVILLE   WASHINGTON, D.C.   TORONTO   PHOENIX  
BLOOMFIELD HILLS   ANN ARBOR   LANSING   GRAND RAPIDS

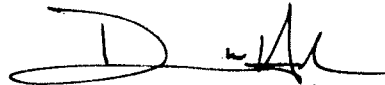


Senator Patrick J. Leahy  
Senator Arlen Specter  
April 29, 2009  
Page 2

Mary is passionate about advancing women and persons of color in the legal profession and working to eradicate barriers to the full participation of all in the legal profession. She not only calls on her own experiences as a woman lawyer of color, she is able to build bridges with people of many different racial and ethnic backgrounds to take concrete steps for advancing the diversity of the legal profession. Her many activities within the American Bar Association, the National Native American Bar Association, the Chicago Bar Association, and the Chicago Bar Foundation show a deep commitment to making diversity a reality.

I enthusiastically support Mary Smith's nomination as Assistant Attorney for the Tax Division, and I urge her confirmation.

Sincerely,



Dennis W. Archer

DWA/ma

C o u n s e l o r s   A t   L a w

DETROIT   NASHVILLE   WASHINGTON, D.C.   TORONTO   PHOENIX  
BLOOMFIELD HILLS   ANN ARBOR   LANSING   GRAND RAPIDS



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April 29, 2009

Michael J. Madigan  


The Honorable Patrick J. Leahy, Chairman  
The Honorable Arlen Specter, Ranking Member  
Senate Committee on the Judiciary  
SD-224 Dirksen Senate Office Building  
Washington, DC 20510-6275

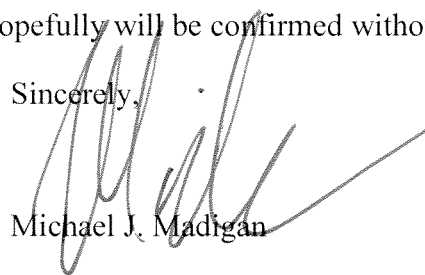
Dear Mr. Chairman and Senator Specter:

I write to wholeheartedly support the nomination of Mary Smith to be Assistant Attorney General for the Tax Division of the Department of Justice. With the President's announced priority of reforming our badly outdated, inefficient and inequitable tax code, Mary would be a positive force and the right kind of leader. In addition, the Tax Division would no doubt benefit from a fresh critical look at all aspects of tax enforcement. Mary's wide and varied background of experience will serve her well in this regard.

As a trial lawyer who has interfaced with the Tax Division in recent years, I believe that Mary would bring the energy and changes needed in the future critical years ahead. As a Republican, I think the President has made an outstanding choice to lead the critically important Tax Division.

Mary Smith is exceptionally qualified and hopefully will be confirmed without delay.

Sincerely,

  
Michael J. Madigan

cc: Judiciary Committee Members

Abner Mikva

April 30, 2009

The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

*Pat*  
Dear Senator Leahy,

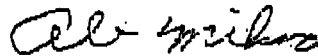
I am writing in strong support of the nomination of Mary L. Smith as Assistant Attorney General for the Tax Division at the Department of Justice. She will make an outstanding head of that department.

Mary was Associate Counsel to President Clinton when I first came to know her. I observed then that Mary was diligent and hardworking. Since then, I have continued to be impressed with her work efforts and work ethics. She has served in government both as a career employee and as a political employee, which has given her a real appreciation of the importance of both categories of federal employees to make the system work as it should. She previously worked as trial attorney in the Civil Division at Justice and in the Domestic Policy Council at the White House.

In the private sector, Mary worked at one of the largest and most prestigious law firms in the country and as counsel to a Fortune 500 company. She understands tax law as well as all of the other issues that she will confront in the position of Assistant Attorney General.

Mary is one of people that brings pride to the cause of government service. She will be an outstanding addition to this Administration and I urge her confirmation with great enthusiasm.

Kindest Personal Regards,



Abner J. Mikva  
Former White House Counsel  
Former Chief Judge, U.S. Court of Appeals, DC Circuit  
Former U.S. Congressman



# AMERICAN UNIVERSITY

W A S H I N G T O N , D C

DANIEL MARCUS

April 30, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy:

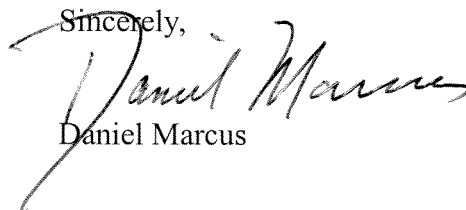
I am writing to express my support for the confirmation of **Mary L. Smith** as Assistant Attorney General for the Tax Division.

I served as Associate Attorney General from 2000-2001, Acting Associate Attorney General from 1999-2000, and Senior Counsel in the White House Counsel's Office from 1998-1999. At the Department of Justice, I supervised the Tax Division, and I am familiar with its work.

During my tenure at the White House and the Department of Justice, I worked with Mary Smith on a number of policy issues while she was a member of the Domestic Policy Council and later when she served as an Associate Counsel to the President. In all my dealings with Mary, I found her to be intelligent, thoughtful, and energetic. Mary's experience during the last eight years as a senior litigation lawyer for a major corporation and at two law firms has undoubtedly enhanced her already formidable talents.

Mary has the professional qualifications and the personal skills that will make her an effective manager and a good colleague for the excellent career lawyers of the Tax Division. I urge the Committee to recommend Mary's confirmation to the full Senate.

Sincerely,



Daniel Marcus

**JUDITH A. WINSTON**



May 1, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Re: Support for the Nomination and Confirmation of Mary L. Smith for the Position of  
Assistant Attorney General for the Tax Division, Department of Justice

Dear Senators Leahy and Specter:

I am delighted to have the opportunity to write in support of the nomination of Mary L. Smith for the position of Assistant Attorney General for the Tax Division. I have known Ms. Smith for many years. We met and worked together during the Clinton Administration when I served first as the General Counsel, and subsequently Undersecretary, in the U.S. Department of Education and second as the Executive Director of President Clinton's Initiative on Race in the White House. I am currently semi-retired from the practice of law and working occasionally as a consultant on federal education law and policy issues.

Mary Smith is an extraordinary lawyer who possesses not only excellent analytical skills and judgment but also broad experience in many areas of law and policy. I believe the breadth of her experience as well as her strong intellectual capacity and legal talent make her particularly well suited to lead the Tax Division in the Department of Justice. She is a person who is sensitive to both the beneficial and potential adverse impact of law, regulations and policy on diverse communities and individuals from disparate cultures and socio-economic levels. She is also knowledgeable about and sensitive to issues of critical concern to corporate and business interests. Mary's prior work at the White House on the staff of the Domestic Policy Counsel, in the Office of White House Counsel, her service at the Department of Justice as well as her work in private practice demonstrate of her extensive and varied legal experience.

What may be less obvious in a review of her resume is her deep commitment to advancing and securing the rights of all Americans with special emphasis on issues that affect disproportionately women and people of color. She has worked on policy to combat hate crimes and secure equal pay for women. She was responsible for creating a comprehensive Native American policy agenda across federal agencies. As a

Letter to Senators Leahy and Specter re: Nomination and Confirmation of Mary L. Smith for the Position of Assistant Attorney General for the Tax Division,  
Department of Justice  
May 1, 2009

Page 2 of 2

Native American woman enrolled in the Cherokee nation, she brings a lived experience that helps to inform her superior work on issues of equity and fairness. Moreover, Mary brings with her to every aspect of her work a generous and warm spirit that infects her work with her colleagues and all who have had the pleasure of working with her. She is gracious and careful in her manner and speech. My work with her not only advanced my understanding and knowledge of the issues we worked on together but also provided me and others an opportunity to enjoy her company and look forward to her positive attitude and participation.

For all of the foregoing reasons, I am pleased to add my name and comments to those of others supporting the nomination of Mary L. Smith as Assistant Attorney General for the Tax Division in the U.S. Department of Justice. If you would like me to respond to questions or provide additional information about my knowledge of Mary's qualifications for this position, please do not hesitate to contact me. My telephone number is [REDACTED] and my email address is: [REDACTED].

Sincerely,

A handwritten signature in cursive script, appearing to read "Judith A. Winston".

Judith A. Winston

May 1, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senator Leahy:

We are writing to voice our strong support for the nomination of Mary L. Smith to be the Assistant Attorney General for the Tax Division at the Department of Justice. We have worked with Mary over the course of many years and have the highest respect for her legal abilities, her tenacity in pursuit of fairness and justice, and her commitment to the law.

The National Women's Law Center was founded in 1972, and has worked since that time to advance women's rights and opportunities in education, employment, health, and family economic security. We have had an opportunity to work with Mary Smith from the time she served as Associate Counsel to the President and Associate Director of Policy Planning for President Clinton to her substantial and ongoing efforts on behalf of women and people of color within the American Bar Association (ABA).

Through the ABA, she has worked tirelessly to advance opportunities for women and persons of color in the legal profession and beyond. For example, she currently serves as one of thirteen Commissioners on the ABA's Commission on Women in the Profession, the first enrolled tribal member to serve on the Commission in its twenty-year history. She is Chair of the Women of Color Committee and directs the Women of Color Research Initiative, a nationally known research program that has engaged in groundbreaking investigation of the hiring and retention of women of color in the legal profession.

These activities amplify the important perspectives and skills she would bring to bear as Assistant Attorney General for the Tax Division, in addition to her impressive career as an attorney in a variety of private practice settings. We believe that she would be an exceptional asset to the Department of Justice, and therefore personally support her nomination with enthusiasm.

Please feel free to be in touch with either of us if there is further information that we can provide.

Sincerely,

  
Nancy Duff Campbell  
Co-President

  
Marcia D. Greenberger  
Co-President

# McDermott Will & Emery

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Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

Strategic alliance with MWE China Law Offices (Shanghai)

Charles R. Work  
Attorney at Law

May 4, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

As Chairman Leahy may recall, I served as an Assistant U.S. Attorney in the District of Columbia and as a former deputy administrator of the Law Enforcement Assistant Administration. I am also a former president of the D.C. Bar. In my career, I have tried to combine public service, service through bar associations, and zealous representation of my clients in private practice. I believe that Mary Smith has already achieved all three of these goals.

I first met Mary several years ago when she was the liaison counsel for a large putative class action filed in the D.C. federal court. Mary coordinated filings and strategy for all of the defendants' counsel. Mary kept up-to-date in a case where, at various points, weekly filings were the norm. I saw Mary successfully argue a motion at the trial court where she was able to prevent her client from being required to produce a voluminous amount of documents. I was impressed with Mary's performance in that case, both inside and outside the courtroom.

Mary also has dedicated a significant amount of her career to public service. From 1994 to 1996, Mary was a Trial Attorney in the Civil Division, Commercial Litigation Branch, at the Department of Justice. During this time, Mary managed an extensive docket of cases and worked diligently on behalf of the Department. From 1997 to 2000, Mary was Associate Director of Policy Planning, Domestic Policy Council, at the White House. From 2001 to 2001, Mary was Associate Counsel to the President in the White House Counsel's Office.

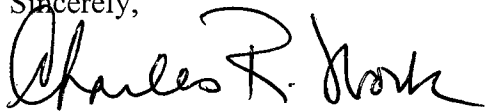


Senator Patrick J. Leahy  
Senator Arlen Specter  
May 4, 2009  
Page 2

Finally, I know that Mary is involved in many bar activities and hold offices in the American Bar Association, National Native American Bar Association, Chicago Bar Association, and the District of Columbia Bar Association. In fact, Mary currently is Co-Chair of the D.C. Bar Litigation Section Steering Committee, a section that was awarded the Best Section award last year under Mary's leadership.

As any litigator who is worth her salt, Mary is able to quickly assimilate the facts and law in pending cases. As such, Mary Smith is superbly qualified to be Assistant Attorney General for the Tax Division. I urge the Senate to act quickly on her confirmation.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles R. Work". The signature is fluid and cursive, with a large initial "C" and "W".

Charles R. Work

Enclosures

df

WDC99 1717217-1.T00591.0011

# CADWALADER

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May 4, 2009

United States Senate  
Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senator Leahy and Members of the Senate Judiciary Committee:

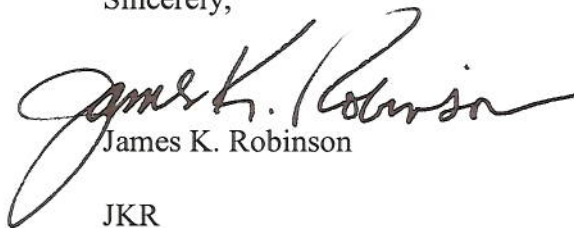
I write to support the nomination of Mary L. Smith to serve as the Assistant Attorney General for the Tax Division of the Department of Justice.

Having served myself as an Assistant Attorney General at the Department (Criminal Division 1998-2001), I am confident that Ms. Smith's extraordinary legal and public service career has prepared her well to do an outstanding job in leading the Department's Tax Division.

I had the pleasure of working with Ms. Smith during our service on the Obama-Biden Transition Team where we served as members of the U.S. Justice Department's Agency Review Team. Ms. Smith was an energetic and highly productive member of the team. The insight she gained during this process will serve her well as a key member of the Justice Department's management team.

I am pleased to support Ms. Smith's nomination and to urge her prompt confirmation.

Sincerely,



James K. Robinson

JKR

# NATIONAL CONGRESS OF AMERICAN INDIANS

May 4, 2009

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Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

## Re: Support for Mary Smith, Assistant Attorney General for the Tax Division of the U.S. Department of Justice

Dear Chairman Leahy and Ranking Member:

I am writing to express the National Congress of American Indians' (NCAI) support for the confirmation of Ms. Mary L. Smith as Assistant Attorney General for the Tax Division of the U.S. Department of Justice.

Ms. Smith is an outstanding attorney, and a dedicated member of the Native American community. We are delighted and thrilled with her nomination.

The National Congress of American Indians is the oldest and largest advocacy organization of tribal governments. NCAI was founded in 1994 in response to adverse Federal policies. It is a sign of a major change in Federal and Indian relations when a tribal member is nominated for the position of Assistant Attorney General for the Tax Division of the Department of Justice.

Ms. Smith has been an advocate for improving the relationship between the legal system and tribal governments for several years. She works tirelessly to improve the visibility and access of Native Americans in the legal profession and Native American civil rights. In the last several years, she has worked to advance access to justice in tribal communities.

Ms. Smith also served in the Clinton White House as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas including domestic violence, equal pay, homelessness, transportation safety, food safety, Internet gambling, Native American issues, civil rights issues, and hate crimes.

She was the highest-ranking Native American in the White House during the Clinton Administration. During her time in the White House, Mary was the

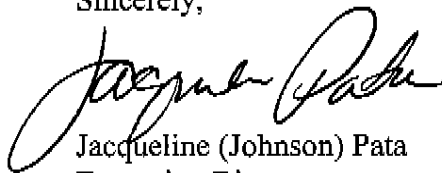
architect for a historic Native American policy initiative which spanned areas such as health care, economic development, education, the digital divide, and criminal justice issues. This initiative resulted in an increase in funding of \$1.1 billion for Native American programs across all federal agencies.

In addition, while in the White House, Ms. Smith was a leader in affecting passage of a change to the Federal Unemployment Tax Act (FUTA). Her efforts helped to ensure passage of tribal FUTA language in the final FY 2001 omnibus appropriations bill that provided equity to Indian tribes by treating tribal governments the same as state and local governments.

Ms. Smith is a first-rate litigator whose experience spans government, private practice and the private sector. She served as a trial attorney in the Civil Division at the Department of Justice where she never lost a case. She has worked at Skadden, Arps, Slate, Meagher & Flom LLP, and currently is a partner at Schoeman, Updike, Kaufman & Scharf LLP, a woman-owned firm. In addition, she was the in-house attorney responsible for managing a large multi-district litigation at Tyco International.

The National Congress of American Indians strongly supports the nomination of Ms. Mary L. Smith, and respectfully urges her swift confirmation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacqueline Pata", written in a cursive style.

Jacqueline (Johnson) Pata  
Executive Director

DANNY K. DAVIS

7TH DISTRICT, ILLINOIS

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[www.davis.house.gov](http://www.davis.house.gov)

May 5, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Sessions:

It is my pleasure to express my strong support for the nomination of Mary L. Smith as Assistant Attorney General for the Tax Division and to urge her confirmation.

I know Mary from her many community activities in Illinois. She is a board member for both the Chicago Bar Association and Chicago Bar Foundation. She also is a member of the Illinois delegation in the American Bar Association's House of Delegates. Mary also served as a Delegate from Illinois to the 2008 Democratic Convention in Denver.

Mary's broad experience in both the public and private sector make her well-qualified to be Assistant Attorney General for the Tax Division at the Department of Justice. In private practice, Mary specializes in complex financial investigations and litigation. Earlier in her career, she served as a Trial Attorney in the Department of Justice. Her experience as a career attorney at the Department will serve her well in understanding the stellar work done by the career public servants in the Tax Division.

Mary will help lead the Department with dedication, sound judgment and integrity. I wholeheartedly support her nomination, and urge the full Senate to confirm her as expeditiously as possible.

Very truly yours,

  
Danny K. Davis

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AND THE DISTRICT OF COLUMBIA

INFORMATION POLICY, CENSUS,  
AND NATIONAL ARCHIVES



**ILLINOIS STATE  
BAR ASSOCIATION**

*Jack C. Carey • President*

[REDACTED]

May 5, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Re: Mary Smith  
Assistant Attorney General, Tax Division

Dear Chairman Leahy:

I first met Mary when I served as President-Elect of the Illinois State Bar Association. We were colleagues in the House of Delegates of the American Bar Association. Mary was the Delegate from the National Native American Bar Association. As both President-Elect and President of the ISBA, I appreciated Mary's candor, her preparedness, and her personality.

While serving with her in the ABA House of Delegates, I appreciated her dedicated, passionate and thoughtful service to both the Illinois Delegation and the ABA. She attended Illinois Delegation Pre-ABA meetings either personally or by phone; she was always prepared and she always brought insight to the issues which were going to be discussed by the ABA.

For the past two years, during ABA Law Day, Mary has joined with the ISBA in lobbying for additional funds for the Legal Services Corporation. She is sensitive to the needs of those who require legal services but are unable to obtain them.

Mary has had substantial legal experience in both the public and private sector. She has clerked for a federal judge, interned at the US Attorney's Office for the Northern District of Illinois, served as Trial Attorney in the Civil Division, and Commercial Litigation Branch with the Department of Justice. Finally, she enjoyed a political appointment in the Clinton White House, holding the positions of both Domestic Policy Counsel and White House Counsel's Office.

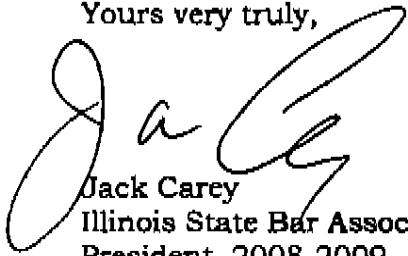
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[REDACTED]

The Honorable Patrick J. Leahy  
The Honorable Arlen Specter  
May 5, 2009

It is without reservation I support Mary Smith's nomination as Assistant Attorney General for the Tax Division. I urge confirmation.

Yours very truly,

A handwritten signature in black ink, appearing to read "Jack Carey". The signature is stylized with a large, looping "J" and a long, sweeping "C".

Jack Carey  
Illinois State Bar Association  
President, 2008-2009



## National Association of Women Lawyers®

the voice of women in the law®

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Executive Director  
Chicago, IL

May 5, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Senate Judiciary Committee  
335 Russell Senate Office Building  
Washington, DC 20510

Re: Nomination of Mary L. Smith: Assistant Attorney General for Tax  
Division in the Department of Justice

Dear Senators Leahy and Sessions:

I am writing on behalf of the National Association of Women Lawyers ("NAWL"), a national legal professional organization devoted to the interests of women lawyers and women's rights, to express our support for the nomination of Mary L. Smith to serve as Assistant Attorney General for the Tax Division in the Department of Justice. Ms. Smith is a stellar candidate, and we urge her swift confirmation.

NAWL is the oldest women's bar association in the country and has thousands of individual, law firm, public sector, and corporate department members across the country. We provide professional development opportunities for women lawyers at every stage of their careers. NAWL also participates in legal and public policy issues by participating in *amicus* briefs, international law endeavors, review of Supreme Court nominees, and other activities.

Mary Smith has dedicated a significant amount of her career to public service and pro bono efforts, making a difference in advancing women and persons of color in the legal profession and beyond. From 1994 to 1996, Ms. Smith also served as a trial attorney for the United States Department of Justice Civil Division where she served as principal attorney for a number of trials and appeals. From 1997 to 2001, Ms. Smith served in the Clinton White House as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas including domestic violence, equal pay, homelessness, transportation safety, food safety, Internet gambling, Native American issues, civil rights issues, and hate crimes. In the White House, she was one of the leaders who worked tenaciously to ensure reauthorization of the historic Violence Against Women Act, legislation with which NAWL has been very involved. Ms. Smith also fought to secure equal pay for women, drafting policy initiatives that would ensure women receive equal pay for equal work. She also spearheaded an initiative that would prepare women for non-traditional jobs.

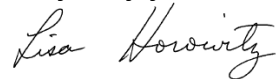


From 2001 to 2005, as an attorney at Skadden, Arps, Slate, Meagher & Flom LLP in Washington, D.C, Ms. Smith specialized in governmental investigations and securities class actions, and on a pro bono basis she filed an *amicus* brief in the United States Supreme Court on behalf of several members of Congress in support of the University of Michigan's affirmative action programs.

Ms. Smith currently serves as one of thirteen Commissioners on the ABA's Commission on Women in the Profession and is the first enrolled tribal member to serve on the Commission in its twenty-year history. As part of her duties on the Commission, she serves as Chair of the Women of Color Committee. Under her leadership, the Commission recently published *From Visible Invisibility to Visibly Successful: Success Strategies for Law Firms and Women of Color in Law Firms*, a compilation of information, insights, and advice gathered from 28 prominent women partners of color in national law firms and an examination of the practices at their firms that contributed to their success. Ms. Smith is also spearheading the next two phases of research which will focus on women of color who are attorneys in the corporate and government sectors. NAWL is extremely familiar with her outstanding work in this area.

The Department of Justice employs a large number of lawyers in the federal government, particularly women. Ms. Smith has a proven track record of advocating for programs that benefit women as well as promoting women in the legal profession. In addition, her complex litigation experience involving highly-regulated, financial issues makes her well-suited to head the Tax Division.

Very truly yours,



Lisa Horowitz  
President, 2008-09  
National Association of Women Lawyers

cc: Mary L. Smith

**EXECUTIVE DIRECTOR**  
John E. Echohawk

**LITIGATION MANAGEMENT  
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Donald M. Ragona

**GRANT WRITER/EDITOR**

Ray Ramirez

# Native American Rights Fund

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**ATTORNEYS**

Richard A. Guest  
Dawn Sturdevant Baum

**ANCHORAGE OFFICE**

420 L Street, Suite 505  
Anchorage, AK 99501  
Ph. (907) 276-0680  
FAX (907) 276-2466

**ATTORNEYS**

Heather R. Kendall-Miller  
Natalie A. Landreth

Website: [www.narf.org](http://www.narf.org)

May 5, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
433 Russell Senate Office Bldg  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
711 Hart Building  
Washington, DC 20510

Dear Senators Leahy and Specter:

I am writing on behalf of the Native American Rights Fund (NARF), which is the oldest and largest nonprofit law firm dedicated to asserting and defending the rights of Indian tribes, organizations and individuals nationwide, to express our support for the nomination of Mary L. Smith to serve as Assistant Attorney General for the Tax Division at the Department of Justice. If confirmed, Ms. Smith will be the first Native American to hold the rank of Assistant Attorney General at the Department of Justice. Ms. Smith is a stellar candidate, and we urge her swift confirmation.

The Department of Justice plays a vitally important role in ensuring public safety in Indian Country and safeguarding the federal trust relationship. Under federal law, many Indian communities are completely dependent on the Department of Justice for investigation and prosecution of violent crimes and other felonies committed on Indian reservations. The Department also plays an important role in ensuring the consistent enforcement of tax laws with regard to Indian tribes, recognizing the nation-to-nation relationship between tribes and the federal government.

Ms. Smith served in the Clinton White House as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas including Native American issues. She was the highest-ranking Native American in the White House during the Clinton Administration. During her time in the White House, Ms. Smith spearheaded a comprehensive Native American policy initiative across all federal agencies which spanned areas such as health care, economic development, education, the digital divide, and criminal justice issues. This initiative resulted in an increase in funding of \$1.1 billion for Native American programs, including a \$300 million increase for the Indian Health Service at the Department of Health and Human Services and a new initiative at the Department of Education to train 1000 new Native American teachers.

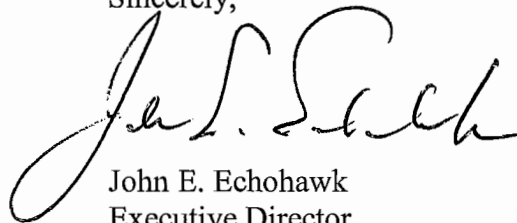
In addition, while in the White House, Ms. Smith was one of the main leaders working for a change to the Federal Unemployment Tax Act (FUTA). Ms. Smith's efforts helped to ensure passage of tribal FUTA language that provided equity to Indian tribes by treating tribal governments the same as state and local governments.

After leaving the White House, Ms. Smith continued to work on behalf of the Native American community. She filed an *amicus curiae* brief on behalf of the National Congress of American Indians in *Smith v. Salish Kootenai College*, 434 F. 3d 1127 (9th Cir. 2006) (*en banc*). In addition, Ms. Smith has served for the past few years as the National Native American Bar Association's delegate to the American Bar Association (ABA) House of Delegates, where she has championed increased funding for tribal justice systems and support for legislation to establish a process for federal recognition for Native Hawaiian sovereignty.

For these reasons, the Native American Rights Fund is pleased to support the historic nomination of Mary L. Smith to be Assistant Attorney General for the Tax Division at the U.S. Department of Justice.

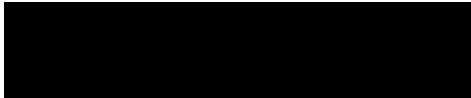
I thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Echohawk". The signature is fluid and cursive, with a large initial "J" and "E".

John E. Echohawk  
Executive Director

**Beth Nolan**



May 6, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Mr. Chairman and Senator Sessions:

I am writing to convey to the Senate Judiciary Committee my enthusiastic support for the nomination of **Mary L. Smith** to be Assistant Attorney General for the Tax Division.

I have known Ms. Smith since we worked together in the White House during the time I served in President Clinton's administration as Counsel to the President. Ms. Smith was in the Domestic Policy Council at the beginning of my tenure, and after several months as Counsel, I hired Ms. Smith to serve as Associate Counsel to the President, based on her outstanding work on a range of legal policy matters and her excellent reputation throughout the government.

Ms. Smith's responsibilities in the Counsel's Office covered a broad range of matters, and she delivered consistently excellent work. The hallmark of her career has been her ability to address nearly any legal issue put before her—whether it's a tax matter, or civil rights, or massive class action litigations—with sophistication and genuine understanding of the context and consequences of the legal decision at hand. She is probing in her legal assessments, and straightforward and clear in her analysis. Moreover, Ms. Smith is an astute listener who seeks the input of many constituencies to ensure that her decisionmaking is fully informed and balanced. She is an excellent manager who can handle a number of significant, complex, and time-sensitive matters with appropriate attention to each.

Mary Smith will make a superb Assistant Attorney General for the Tax Division. I hope the Committee will act favorably on her nomination as quickly as possible, so that the Department, the Administration, and the Country will have the benefit of her valuable service.

Very truly yours,



Beth Nolan

LEWIS, FEINBERG, LEE, RENAKER & JACKSON, P.C.  
ATTORNEYS AT LAW  
1330 BROADWAY, SUITE 1800  
OAKLAND, CALIFORNIA 94612-2519

---

May 6, 2009

Honorable Patrick Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

Honorable Jeff Sessions  
Ranking Minority Member, Senate Judiciary  
Committee  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

**RE: Nomination of Mary L. Smith for Assistant Attorney General for Tax**

Dear Chairman Leahy and Senator Sessions:

I write to support the nomination of Mary L. Smith for Assistant Attorney General for the Tax Division and urge her confirmation by the Judiciary Committee.

I have known and worked with Mary since 1997, particularly in the 1997-2001 period when she worked in the White House as Associate Director of the White House Domestic Policy Council and the White House Counsel's Office and when I served as Assistant Attorney General for Civil Rights. As Assistant Attorney General, I had occasion to work with other individuals who headed the Tax Division and know generally the skills needed to perform that job.

Mary and I worked together on many issues, such as proposed legislation to strengthen the federal hate crimes statute, to reauthorize the Violence Against Women Act, to recognize the status of Native Hawaiians, and to speed resolution of federal employee civil rights complaints. More recently, Mary and I also served together on President Obama's Transition Team to review the work of the Justice Department for the then-incoming Administration.

After Mary left the Clinton Administration, she worked for a private law firm and for Tyco International as litigation counsel on complex litigation matters. At Tyco, for instance, she worked with the executive team and oversaw a large group of outside counsel and contract attorneys dealing with tax and securities issues in several jurisdictions.

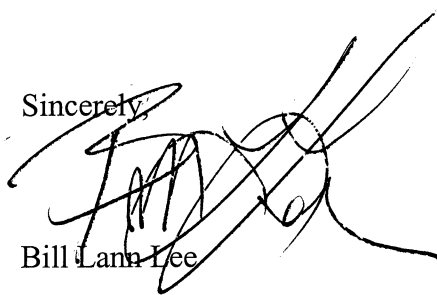
Mary has always impressed me as an even-handed, level-headed individual with excellent judgment. When she worked in the White House on policy initiatives, I found her to be very sensitive to Department of Justice enforcement issues and very flexible in accommodating those interests and the interests of individual, business, and other governmental stakeholders in framing policy proposals. She worked very well with Justice Department career lawyers. She struck me as a highly ethical individual. I am sure that her work at Tyco and private practice has given her a breadth of perspective and hands-on experience on tax and business issues and managerial expertise that will greatly assist her as Assistant Attorney General for Tax.

Patrick Leahy and Jeff Sessions  
May 6, 2009  
Page 2

I believe also that Mary would take very seriously her oath to enforce the Constitution and laws of the United States fairly, and that she cares very much for the Department of Justice as an institution. I also believe that she would work well with this Committee and Congress. She has a seriousness of purpose combined with a light touch and friendliness.

I therefore enthusiastically recommend Mary Smith for Assistant Attorney General for the Tax Division.

Sincerely,

A handwritten signature in black ink, appearing to be "Bill Lann Lee", written over a horizontal line.

Bill Lann Lee



## THE CHICAGO BAR ASSOCIATION

321 South Plymouth Court  
Chicago, Illinois 60604-3923  
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www.chicagobar.org

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GENERAL COUNSEL

May 6, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

My frame of reference includes my over 30 year legal career, my roles as Presiding Judge of the Circuit Court of Cook County's First Municipal District and as President of the Chicago Bar Association (CBA), and my work in local and state bar groups and programs. While it has been my privilege to work with a broad array of lawyers, I am pleased to work with Mary while she serves on the CBA's Board of Managers. Mary is committed to serving the Chicago legal community, particularly in these turbulent economic times.

Mary returned to Chicago in the past few years and quickly became a leader in the legal community here. Even before her full-time return to Chicago, she had joined the board of the Chicago Bar Foundation ("CBF") and would fly in for each CBF board meeting because of the importance of her commitment to the goals and programs of the CBF. Mary is passionate about improving access to justice in Illinois.

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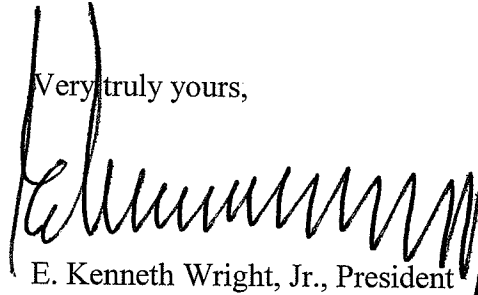
The Honorable Patrick J. Leahy  
The Honorable Arlen Specter  
May 6, 2009

Mary also has dedicated a significant amount of her career to public service, both here in Chicago and in Washington, D.C. During law school, she worked as an extern for a federal judge in Chicago and as an intern in the U.S. Attorney's Office for the Northern District of Illinois. Following law school, Mary served as a career Trial Attorney in the Civil Division, Commercial Litigation Branch, at the Department of Justice. After that, she was a political appointee in the Clinton White, holding positions in both the Domestic Policy Council and in White House Counsel's Office.

In her law practice, Mary is Partner at Schoeman, Updike & Kaufman, LLP, one of the nation's largest women-owned firms. Her practice focuses on complex litigation and business counseling.

I am pleased to support Mary Smith's nomination as Assistant Attorney General for the Tax Division.

Very truly yours,



E. Kenneth Wright, Jr., President



May 6, 2009

[REDACTED]  
The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
433 Russell Senate Office Building  
Washington, D.C. 20510

[REDACTED]  
Honorable Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
335 Russell Senate Office Building  
Washington, D.C. 20510

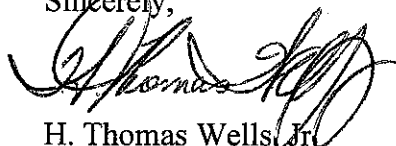
**Re: Mary L. Smith**

Dear Senators Leahy and Sessions:

Mary Smith has been nominated to be Assistant Attorney General for the Tax Division at the U.S. Department of Justice. I have had the chance to know Mary through professional association for several years, and I commend her to you for favorable consideration by the Committee. She is currently a partner in the Chicago office of Schoeman, Updike and Kaufman, law firm which also has offices in New York. She previously served as Senior Litigation Counsel at Tyco International (U.S.), Inc., where she had interaction with the Tax Department on a number of issues relating to the corporation.

I hope that you will favorably consider her nomination, and give her nomination a swift confirmation.

Sincerely,

  
H. Thomas Wells, Jr.

HTW/psr

**NANCY E. GIST**



**May 6, 2009**

**Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510**

**Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510**

**Dear Chairman Leahy and Ranking Member Sessions,**

**I am writing to express my enthusiastic support for the confirmation of Mary L. Smith, President Obama's nominee to serve as Assistant Attorney General for the Tax Division.**

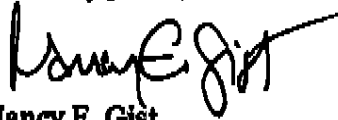
**I served as Director of the Bureau of Justice Assistance in the Clinton administration, and had occasion to work with Mary first when she was Associate Director of Policy Planning at the Domestic Policy Council, and then when she was Associate Counsel to the President. Our work together focused on hate crimes and civil rights initiatives. Mary proved to be a smart, savvy negotiator, organizing and leading a disparate group of advocates and agency representatives with a firm but unfailingly gracious hand. As she has demonstrated throughout her legal career, Mary is a lawyer of great judgment and integrity, as well as a strong and capable leader. With her extensive securities and financial litigation experience, and her varied legal practice in major law firms, at a Fortune 500 company, and as a career lawyer as well as a political appointee in the federal government, Mary will bring solid legal grounding and a unique perspective to the Tax Division.**

**In addition, Mary has a significant record of service to the profession through her active engagement with the American Bar Association, the Chicago Bar Association, the District of Columbia Bar Association and the Native American Bar Association. In each instance, she has been a leader on issues of fairness and equity within the profession and beyond.**

---

I have no doubt that Mary will prove to be an outstanding leader of the Tax Division, and I urge that the Senate act swiftly to confirm her.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Nancy E. Gist". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Nancy E. Gist

# EDWARDS ANGELL PALMER & DODGE LLP

One Giralda Farms Madison, NJ 07940 973.520.2300 fax 973.520.2600 [capdlaw.com](http://capdlaw.com)

Paulette Brown

Partner & Chief Diversity Officer

May 6, 2009

## **VIA FEDERAL EXPRESS**

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Re: **Mary L. Smith**

Dear Chairman Leahy and Ranking Member Sessions:

It is an honor to write a letter on behalf of Mary Smith who has been nominated to be Assistant Attorney General for the Tax Division of the United States Justice Department. Over the past several years, I have come to know Mary in a number of capacities and I am confident that she will serve our country well as Assistant Attorney General. Based upon her background, experience and work ethic, Mary is ideally suited for this position.

As a past president of the National Bar Association, I have worked closely with other bar associations of color, including the Native American Bar Association. Mary has been a major contributor to that Association's goals and ideals, where she serves as a member of its Board. Mary has not limited her efforts to the Native American Bar Association, she has also worked tirelessly for Individual Rights and Responsibilities Section of the American Bar Association in a number of capacities. In each position, Mary has advanced the rights of others.

Mary succeeded me as Chair of the Women of Color Committee for the ABA's Commission on Women in the Profession. (For a period of time, our terms on the Commission on Women overlapped.) As current Chair, Mary has taken this committee and its initial project, "Visible Invisibility: Women of Color in Law Firms" to the next two levels, focusing first on how women can be successful in the large law firm setting and second on women of color in government and the private sector. As can be gleaned from Mary's resume, she knows first hand the experiences of women of color in each of these arenas.

EDWARDS ANGELL PALMER & DODGE LLP

Senator Patrick J. Leahy  
Senator Jeff Sessions  
May 6, 2009  
Page 2

At Tyco, Mary was Senior Litigation Counsel, responsible for the coordination of all Tyco legacy litigation matters and managed a multi-million dollar budget, along with 40 outside counsel, of which I was one. My interaction with Mary in this context was rewarding and instructive. It was during this attorney/client relationship that I came to appreciate the depth of Mary's knowledge in the area of securities and her keen analytical skills.

Mary was recently elected to the Board of Governors of the American Bar Association, where I was looking to work with her once again. Of course, if Mary is confirmed, I will miss out on this opportunity. I looked forward to working with Mary once again, learning from her and getting her unique perspective on issues. Serving as Assistant Attorney General for the Tax Division is clearly more important and more impactful.

Please advise if you need further information.

Very truly yours,



Paulette Brown

PB/am

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May 6, 2009

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Client No.

G 99999-00004

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Sessions:

I am writing to express my support for the confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

As you know, I served as Solicitor General during the Administration of George W. Bush and as Assistant Attorney General for the Office of Legal Counsel during the Administration of Ronald Reagan. I have great respect for the Department of Justice, its missions and for the men and women who serve there, and deep convictions concerning the qualities that are important in leadership positions at the Department. I believe that Mary Smith will be a strong addition to the leadership of the Department.

I worked with Mary while she was managing the extensive, multi-district litigation at Tyco International. Mary supervised all aspects of the sprawling litigation at the trial and appellate levels. She is a first-rate litigator. Mary also has

**GIBSON, DUNN & CRUTCHER LLP**

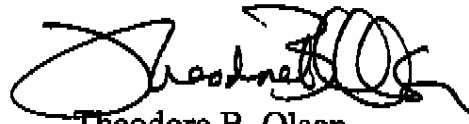
May 6, 2009

Page 2

dedicated a significant amount of her career to public service. From 1994 to 1996, Mary was a Trial Attorney in the Civil Division, Commercial Litigation Branch, at the Department of Justice. From 1997 to 2000, Mary was Associate Director of Policy Planning, Domestic Policy Council, at the White House. From 2001 to 2001, Mary was Associate Counsel to the President in the White House Counsel's Office.

In short, Mary Smith is a fine choice to be this nation's Assistant Attorney General for the Tax Division. I urge her swift confirmation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Theodore B. Olson', with a large, stylized initial 'T' and 'O'.

Theodore B. Olson

BILL FOSTER  
14TH DISTRICT, ILLINOIS

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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1314**

May 7, 2009

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119 WEST FIRST STREET  
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137 SOUTH STATE STREET  
SUITE 344  
GENESEO, IL 61254  
(309) 944-3558

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Sessions:

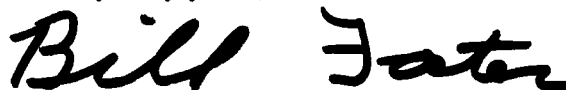
I am writing to express my strong support for the nomination of Mary L. Smith as Assistant Attorney General for the Tax Division and to urge her confirmation.

I came to know Mary through her community involvement in Illinois. Mary is a leader in the Chicago legal community as a board member for both the Chicago Bar Association and Chicago Bar Foundation. She also is a member of the Illinois delegation in the American Bar Association's House of Delegates. Mary has fought over the years for increased funding for legal service providers in the state of Illinois.

Mary is also extremely committed to public service having served as a Trial Attorney in the Department of Justice as well as both a member of the Domestic Policy Council and Associate Counsel to the President in the Clinton White House. In these roles, Mary worked on legal, legislative and policy issues to help citizens across the country. She has displayed a consistent dedication to serving the country and the State of Illinois. I believe that Mary Smith will be a strong addition to the leadership of the Department.

President Obama has made an excellent decision in nominating Mary Smith to be the next Assistant Attorney General for the Tax Division. I know she will bring able leadership and integrity to the Department of Justice. In short, Mary Smith is a fine choice to be this nation's Assistant Attorney General for the Tax Division. I urge her swift confirmation.

Very truly yours,



Bill Foster



REGIONAL DEMOCRATIC WHIP

COMMITTEE ON  
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CHAIR, COMMERCE, TRADE  
AND CONSUMER PROTECTION

TELECOMMUNICATIONS AND THE INTERNET

CO-CHAIR, CONGRESSIONAL BIOTECHNOLOGY  
CAUCUS



**BOBBY L. RUSH**  
CONGRESS OF THE UNITED STATES  
1<sup>ST</sup> DISTRICT, ILLINOIS  
WEBSITE: <http://www.house.gov/rush>

May 7, 2009

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2418 RAYBURN HOB  
WASHINGTON, D.C. 20515  
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(202) 225-0333 (FAX)

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(773) 324-8800  
(773) 324-8824 (FAX)

MIDLOTHIAN OFFICE:  
3235 WEST 147TH STREET  
MIDLOTHIAN, ILLINOIS 60449  
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(708) 385-3860 (FAX)

The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Sessions:

It is my pleasure to express my strong support for the nomination of Mary L. Smith as Assistant Attorney General for the Tax Division of the United States Department of Justice and to urge her confirmation.

Mary has spent the last several years promoting diversity in general and specifically in the legal profession. Mary is passionate about advancing women and persons of color in the legal profession. Mary promotes diversity through many activities within the American Bar Association (ABA), the National Native American Bar Association (NNABA), the Chicago Bar Association, and the Chicago Bar Foundation.

Mary currently is a member of the Illinois delegation for the ABA's House of Delegates, where she serves as the representative for the NNABA. Mary is Native American and an enrolled member of the Cherokee Nation. In this capacity, Mary tirelessly works to improve the visibility and access of Native Americans in the legal profession. In the last several years, she has worked on two resolutions to help the Native American community and to advance access to justice in tribal communities. Most recently, at the 2008 ABA Annual Meeting, Mary was one of the principal drafters and lead advocates for a resolution that passed the House which supported increased funding for tribal courts and tribal justice systems.

In addition, Mary has participated in ABA Day for the last several years and presses for increased legal services funding for persons in Illinois. In addition, this past year, she

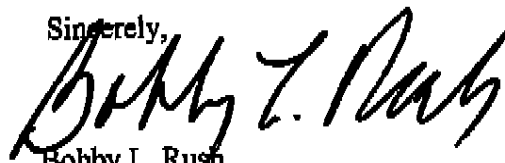
coordinated an effort to press for passage of the Lilly Ledbetter Fair Pay Act, which would reverse a 2007 Supreme Court decision and allow women to sue for pay discrimination once they discover the discrimination.

From 1997 through 2001, Mary served in the Clinton White House both as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas involving the Department of Justice. She regularly interacted with members of the Department on a range of policy and legal issues, including criminal issues, liability issues, domestic violence, Internet gambling, Native American issues, civil rights issues, and hate crimes. She was the highest-ranking Native American in the White House during the Clinton Administration.

She currently is a partner at the woman-owned law firm, Schoeman, Updike, Kaufman & Scharf. Prior to that, she served as Senior Litigation Counsel at Tyco International (US) Inc. where she was responsible for the securities class action arising out of the acts of former Tyco management. She was hired after the fact to manage the situation on behalf of new management and the shareholders. The case recently settled for approximately \$3 billion, which was the largest payment by any single corporate defendant in the history of securities litigation. As part of her responsibilities, Mary managed a multi-million dollar budget, over 40 outside counsel, and over 60 contract attorneys.

Earlier in her career, from 1994 to 1996, Mary served as a career trial attorney in the Commercial Litigation Branch of the Civil Division of the Department of Justice. Again, I am pleased to lend my enthusiastic support to Mary L. Smith to be Assistant Attorney General for the Tax Division of the U. S. Department of Justice.

Sincerely,

A handwritten signature in black ink, appearing to read "Bobby L. Rush". The signature is stylized with a large, sweeping "B" and "R".

Bobby L. Rush  
Member of Congress

BLR:sw



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May 7, 2009

Senator Patrick Leahy  
Chair  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Re: **WBA's Endorsement of Mary Smith**

Dear Senators Leahy and Specter:

On behalf of the Women's Bar Association of the District of Columbia, I write to express the WBA's strong endorsement of Mary L. Smith as Assistant Attorney General for the Tax Division of the United States Department of Justice. Ms. Smith's breadth of experience in the law-firm, in-house corporate, and government practice of law, combined with her commitment to diversity and greater inclusion in the legal profession, in our view, make her uniquely qualified to serve in this important role in the Justice Department. Ms. Smith's temperament, judgment, work ethic, and management experience will be invaluable assets in this position in managing and helping to develop policy for the Tax Division. In addition, Ms. Smith's sustained long-standing service to the profession, through her work in a variety of bar associations, and to retaining women and minorities in the legal profession, through her work on the American Bar Association's Commission on Women in the Profession and Section of Individual Rights and Responsibilities, demonstrate her commitment to a diverse and inclusive work place and to listening to a variety of viewpoints will serve the country well in this position.

In contacting references for Ms. Smith, we in the WBA were impressed with the enthusiasm that the references uniformly expressed for Ms. Smith's nomination for this important position. Ms. Smith's references unvaryingly referred to her strategic thinking, good judgment, fairness, follow-through, and capacity and appetite for hard work. A former colleague at Tyco International, John S. Jenkins, Jr., Vice President, Corporate Secretary, and International General Counsel, emphasized that Ms. Smith "works collegially in a team environment and has excellent judgment when faced with the options for resolving a legal problem."

**Women's Bar Association of the District of Columbia**

2020 Pennsylvania Avenue, NW, Suite 446

Washington, DC 20006

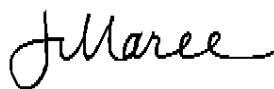
Phone: 202-639-8880 Fax: 202-639-8889

Email: [admin@wbadc.org](mailto:admin@wbadc.org) Web: [www.wbadc.org](http://www.wbadc.org)

Ms. Smith has been very active in a variety of bar associations, including the American Bar Association's Section on Individual Rights and Responsibilities, the Native American Bar Association, and the ABA Section of Litigation, pursuing her varied interests and passions with a dedication and commitment to results and excellence obvious to all fortunate to work with her. We in the WBA are very impressed with her work in the past three years as a member of the ABA Commission on Women in the Profession. Seats on the Commission are highly coveted slots appointed by the ABA President. Ms. Smith has well earned her seat, chairing for the past two years the Commission's Women of Color Initiative. Ms. Smith's vision in organizing and moving the Commission's work forward has been key to the Commission's leadership on these issues and the Commission's nationally renowned report on increasing diversity in the legal profession, *Visibly Successful*, published in 2008.

Ms. Smith has demonstrated a sustained level of excellence and commitment to justice and access to opportunity for all throughout her career. In surveying the breadth of Ms. Smith's experience and her service to our country and to the legal profession, we know of no other Native American woman lawyer in the Washington, DC area (or, indeed, in the country) who has accomplished so much at such a young age. We are convinced, from reviewing her record and body of work and from doing our due diligence, that Ms. Smith possesses the skills, temperament, and management ability to serve as an effective leader of the Tax Division at the United States Department of Justice.

Very truly yours,



Jennifer Maree  
President

cc: WBA Board of Directors  
WBA Judicial and Executive Endorsements Committee



**NATIONAL ASIAN PACIFIC AMERICAN BAR ASSOCIATION**

May 8, 2009

The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
433 Russell Senate Office Building  
Washington, DC 20510

**Re: Recommendation of Mary L. Smith for confirmation as Assistant  
Attorney General for the Tax Division**

Dear Senator Leahy:

We are writing on behalf of the National Asian Pacific American Bar Association (NAPABA) to support Mary L. Smith for the position of Assistant Attorney General for the Tax Division at the United States Department of Justice. NAPABA is a national bar association representing the interests of Asian Pacific American attorneys, judges, law professors, and law students. Now in its twenty-first year, NAPABA represents the interests of 58 affiliate organizations and over 40,000 Asian Pacific American attorneys. NAPABA works to promote diversity in the legal profession and justice, equity, and opportunity for Asian Pacific Americans. This is accomplished in part through partnering with other organizations and individuals who share a commitment to our mission. Ms. Smith -- a Native American who continues to stay involved with the racial and ethnic minority communities -- is such an individual.

Mary Smith is highly qualified to serve as Assistant Attorney General for the Tax Division as evidenced by her years of service both in the public and private sectors. From 1997-2001, she served in the Clinton White House as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas. She was the highest-ranking Native American in the White House during the Clinton Administration. From 1994-1996, she served as a Trial Attorney at the Department of Justice, where she never lost a case.

In addition to her public service, Ms. Smith has held several positions in the private sector that have helped prepare her for the duties and responsibilities of Assistant Attorney General, including her current position as a litigation partner at the women-owned firm of Schoeman, Updike, Kaufman & Scharf LLP. Ms. Smith's practice focuses on complex litigation and business counseling. She has represented clients in

1612 K STREET, NW, SUITE 1400 • WASHINGTON, DC 20006  
PHONE: (202) 775-9555 • FAX: (202) 775-9333 • WWW.NAPABA.ORG

*Senator Leahy*

*May 8, 2009*

*Page 2*

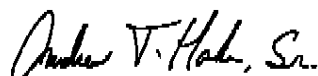
government investigations, class actions, civil actions, and criminal proceedings. She has tried a number of cases to victory as lead counsel.

Ms. Smith is a long-standing NAPABA friend and, in fact, has been a member. She knows us well and we know her. Since its inception in 1992, she has been actively involved with the Coalition of Bar Associations of Color (CBAC) that consists of officers and leaders of the national bar associations of color – NAPABA, the National Bar Association, the Hispanic National Bar Association and the National Native American Bar Association (NNABA). Ms. Smith has been a NNABA board member for the past several years. In that capacity, Ms. Smith has worked with NAPABA and the other bars of color in promoting policies that advance diversity in the legal profession and ensures that lawyers of color thrive over the course of their careers.

Over the years, there have been several occasions where Ms. Smith has worked particularly closely with NAPABA on important matters. For instance, while in the White House, Ms. Smith worked tirelessly with the Department of Justice and Congressional staff on legislation to establish a process to provide federal recognition and to restore self-determination to Native Hawaiians. Additionally, she worked closely with NAPABA staff and others at NAPABA on the issue. As a Native American intimately familiar with the special political and legal relationship between the United States and Native Americans, Ms. Smith adroitly advised NAPABA and answered all the questions raised regarding the Native Hawaiian self-determination legislation in great detail and in a very thoughtful manner.

As a national bar association that engages in advocacy on behalf of Asian Pacific Americans, NAPABA is very pleased to support the swift confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division. She is an accomplished lawyer whom we have come to respect as someone who embraces NAPABA's goals.

Sincerely,



Andrew T. Hahn, Sr.  
President  
National Asian Pacific American Bar Association



Tina Matsuoka  
Executive Director  
National Asian Pacific American Bar Association



**RAMONA E. ROMERO**  
**NATIONAL PRESIDENT**

May 11, 2009

**VIA FACSIMILE AND ELECTRONIC MAIL**

The Honorable Patrick J. Leahy  
Chairman  
U.S. Senate Committee on the Judiciary  
433 Russell Senate Building  
Washington, DC 20510

The Honorable Jeff Sessions  
Ranking Member  
U.S. Senate Committee on the Judiciary  
335 Russell Senate Building  
Washington, DC 20510

Re: *HNBA Letter of Support of Mary L. Smith for Assistant Attorney General  
of the Tax Division in the U.S. Department of Justice*

Dear Senators Leahy and Sessions:

On behalf of the Hispanic National Bar Association (HNBA), I write to support the immediate confirmation of Ms. Mary L. Smith as Assistant Attorney General for the Tax Division of the U.S. Department of Justice. The HNBA is a non-profit, non-partisan organization that represents the interests of the more than 100,000 Hispanic attorneys, judges, law professors, law students and paralegals in the United States and Puerto Rico.

We support President Obama's nomination of Ms. Smith due to her broad experience as a lawyer and her impressive career as an attorney in both the private sector and the federal government. Since graduating *cum laude* from the University of Chicago School of Law in 1991, she has excelled as a well-respected practitioner and litigator. For the last several years, Ms. Smith has been a partner at the law firm Schoeman, Updike & Kaufman in Chicago. Her experience in the private sector also includes serving as Senior Litigation Counsel at Tyco International (US), Inc. and as a senior associate at Skadden, Arps, Slate, Meagher & Flom, LLP in Washington, D.C.

Ms. Smith has substantial management experience that makes her a strong candidate to run the Tax Division. For example, while working at Tyco, she managed a securities class action multi-district litigation that required her to oversee a multi-million dollar budget and to manage over 40 outside counsel and 60 contract attorneys. This managerial experience will serve her well as Assistant Attorney General, a post that will

HNBA Letter of Support for Mary L. Smith  
May 11, 2009  
Page 2 of 2

require her to oversee a large staff while working with Attorney General Holder to implement President Obama's tax policy.

Ms. Smith's experience in the private sector is complemented by prior government service. In the Clinton White House, Ms. Smith served as the Associate Counsel to the President and Associate Director of Policy Planning. Earlier in her career, Ms. Smith was a trial attorney for the U.S. Department of Justice Civil Division. These experiences show the reach of Ms. Smith's abilities and her capacity for tackling an array of problems across the legal spectrum.

The HNBA supports the development of a diverse U.S. Department of Justice staffed by the best and the brightest attorneys from the many rich cultures and groups in the United States. Ms. Smith's accomplishments and her identification as an enrolled member of the Cherokee Nation further this goal.

In sum, Ms. Smith's professional qualifications, personal attributes and dedication to public service make her an outstanding candidate to serve as the Assistant Attorney General of the Tax Division in the U.S. Department of Justice. We stand ready to assist in your deliberations should there be any questions. Please feel free to contact me at our national office at [REDACTED]

Sincerely yours,



Ramona E. Romero  
National President

cc: The Honorable Eric H. Holder, Jr., U.S. Attorney General  
Ms. Mary Smith, Esq.  
Román D. Hernández, HNBA President-Elect  
Jessica Herrera-Flanigan, Region V President  
Alejandra Castillo, Co-Chair of HNBA Executive Endorsements Committee  
HNBA Executive Committee  
M. Lucero Ortiz, HNBA Director of Programs and Policy





# Leadership Conference on Civil Rights

**1629 K Street, NW  
10<sup>th</sup> Floor  
Washington, D.C. 20006**

**Phone: 202-466-3311  
Fax: 202-466-3435  
www.civilrights.org**

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*National Council of Negro Women*

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*Religious Action Center for Reform  
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Andrew L. Stern  
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International Union*

John Trasvina  
*Mexican American Legal Defense  
and Educational Fund*

Randi Weingarten  
*American Federation of Teachers*

Mary G. Wilson  
*League of Women Voters*

## COMPLIANCE/ENFORCEMENT COMMITTEE CHAIRPERSON

Karen K. Narasaki  
*Asian American Justice Center*

## PRESIDENT & CEO

Wade J. Henderson

May 11, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senators Leahy and Specter:

On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil rights coalition, we write to express our strong support for the historic nomination of Mary L. Smith to serve as Assistant Attorney General for the Tax Division in the Department of Justice. If confirmed, Ms. Smith will be the first Native American to hold the rank of Assistant Attorney General at the Department of Justice.

Ms. Smith is passionate about advancing women and persons of color in the legal profession and working to eradicate barriers to the full participation of all in the legal profession. Beginning in 1997, we worked with Ms. Smith when she was in the White House as a member of the Domestic Policy Council on trying to expand the scope of the federal hate crimes statute to include gender, sexual orientation, and disability. LCCR lead a coalition of outside groups which worked on this initiative for several years, and Ms. Smith was the main policy person in the White House interacting with the coalition on this initiative. Ms. Smith spent a considerable amount of time on the legal and policy issues surrounding the proposed legislative as well as organizing a number of events to highlight the issues. Ms. Smith worked diligently organizing the first-ever White House Conference on Hate Crimes which was held at George Washington University in November 2007. Over the next several years, Ms. Smith worked tirelessly on this legislation and planning events to highlight the need for the expanded law, including an April 2000 event with federal and local prosecutors, including Janet Napolitano, then a United States Attorney and now Secretary of the Department of Homeland Security and Amy Klobuchar, then a local prosecutor and now a U.S. Senator and a member of this esteemed Committee.

In the White House, Ms. Smith was one of the leaders who worked to get the historic Violence Against Women Act reauthorized. Ms. Smith worked tenaciously to ensure that this vital piece of legislation was reauthorized. Ms. Smith also fought to ensure equal

pay for women. She drafted policy initiatives that would ensure that women receive equal pay for equal work. She also spearheaded an initiative that would prepare women for non-traditional jobs. It is through this work that Ms. Smith has truly made a difference of advancing women and persons of color in the legal profession and beyond.

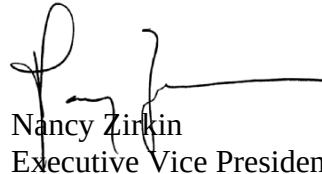
Since her time in the White House, Ms. Smith has only continued to build her wealth of experience in both heavily-regulated areas and toward improving diversity. From 2001 to 2005, she was an attorney at Skadden, Arps, Slate, Meagher & Flom LLP in Washington, D.C. While at Skadden, Ms. Smith specialized in governmental investigations and securities class actions. During her time at Skadden, she filed an *amicus* brief on behalf of several members of Congress in support of the University of Michigan's affirmative action programs on a pro bono basis. Following her time at Skadden, Ms. Smith managed one of the nation's largest securities fraud class actions as in-house counsel at Tyco International. As in-house counsel, Ms. Smith acted on her commitment to diversity. She substantially increased the participation of women lawyers and lawyers of color serving as outside counsel in the Tyco litigation, and served as a role model for other lawyers in the position of managing major litigation.

It is clear from both the volume and breath of the policy initiatives and litigation for which Ms. Smith was responsible that she is an excellent choice to head the Tax Division. Ms. Smith is a team player and a coalition builder, and we strongly support her nomination.

Sincerely,



Wade Henderson  
President and CEO  
LCCR



Nancy Zirkin  
Executive Vice President  
LCCR

# BINGHAM

Nathan J. Hochman



May 11, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Sessions:

I write to express my support for Mary L. Smith to be Assistant Attorney General for the Tax Division at the United States Department of Justice.

Most recently, I served as Assistant Attorney General for the Tax Division during the Bush Administration. I met Mary during the transition where she was responsible for the Tax Division. Since that time, I have had the opportunity to talk to Mary about the Tax Division and its work. I am confident that Mary will provide strong leadership for the Division and is a good choice for the position.

Mary's background as both a career government attorney and a political appointee in the Clinton White House will serve her well at the Tax Division. Mary has tremendous regard for the excellent work of the career public servants in the Division as well as a deep knowledge of how the Department operates. In addition, Mary's private practice experience in complex financial litigation gives her a working background for the type of cases litigated by the Division.

I am happy to support Mary L. Smith as Assistant Attorney General for the Tax Division.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Nathan J. Hochman".

Nathan J. Hochman

NJH/rb

Boston  
Hartford  
Hong Kong  
London  
Los Angeles  
New York  
Orange County  
San Francisco  
Santa Monica  
Silicon Valley  
Tokyo  
Walnut Creek  
Washington

Bingham McCutchen LLP  
The Water Garden  
Fourth Floor  
North Tower  
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Santa Monica, CA  
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# NATIONAL BAR ASSOCIATION

Reply To:

Rodney G. Moore  
*President*  
Atlanta, GA

May 12, 2009

Mavis T. Thompson  
*President-Elect*  
St. Louis, MO

Pamela Finley Boston  
*Vice President*  
Richmond, VA

Karl J. Connor  
*Vice President*  
New Orleans, LA

Daryl D. Parks  
*Vice President*  
Tallahassee, FL

Demetrius D. Shelton  
*Vice President*  
Oakland, CA

Ellen E. Douglass  
*Secretary*  
Chicago, IL

Hon. John L. Braxton  
*Treasurer*  
Philadelphia, PA

John Lewis, Jr.  
*General Counsel*  
Atlanta, GA

Sheryl Robinson Wood  
*Parliamentarian*  
Baltimore, MD

John Crump  
*Executive Director*  
Washington, DC

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Arlen Specter  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

On behalf of the National Bar Association ("NBA"), which represents a network of approximately 44,000 African American attorneys and judges nationwide, I urge you and the members of the United States Senate Judiciary Committee to confirm the nomination of Mary L. Smith to the position of Assistant Attorney General for the Tax Division.

Ms. Smith is qualified to serve as Assistant Attorney General for the Tax Division as evidenced by her years of service both in the public and private sectors.

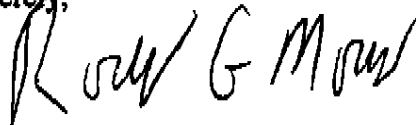
Ms. Smith served in the Clinton White House as Associate Counsel to the President and Associate Director of Policy Planning where she was responsible for a number of policy areas including domestic violence, equal pay, homelessness, transportation safety, food safety, Internet gambling, Native American issues, civil rights issues, and hate crimes. She was the highest-ranking Native American in the White House during the Clinton Administration. During her time in the White House, Ms. Smith was the architect for a historic Native American policy initiative which spanned areas such as health care, economic development, education, the digital divide, and criminal justice issues. This initiative resulted in an increase in funding of \$1.1 billion for Native American programs across all federal agencies. She was also Co-Chair of a Working Group to get the Violence Against Women Act reauthorized.

While in the White House, Ms. Smith worked closely with the National Economic Council regarding on legislation that would put tribal governments on par with state and local governments under the Federal Unemployment Tax Act ("FUTA"). Ms. Smith spent many months working with the Treasury Department, Congressional leaders, and the National Economic Council on addressing this disparity in tax policy between tribal governments and state governments. The end result was that the FUTA language was included in the final FY 2001 omnibus appropriations bill.

In addition to her public service, Ms. Smith has held several positions in the private sector that have given her significant preparation for the execution of the duties and responsibilities of Assistant Attorney General, including her current position as a litigation partner at the women-owned firm of Schoeman, Updike, Kaufman & Scharf LLP. Ms. Smith's practice focuses on complex litigation and business counseling. She has represented clients in government investigations, class actions, civil actions, and criminal proceedings. She has tried a number of cases to victory as lead counsel. Ms. Smith has represented clients in matters alleging securities fraud, RICO violations, ERISA violations, breach of contract, constitutional issues, and breach of fiduciary duties. She also served as Senior Litigation Counsel at Tyco International (US) Inc. where she managed the securities class action multi-district litigation relating to the Dennis Kozlowski era - the largest case pending at the Company and one of the largest cases pending in the country.

For these reasons, the National Bar Association urges the swift confirmation of Mary L. Smith as Assistant Attorney General for the Tax Division.

Sincerely,



Rodney G. Moore, Esq.  
President, National Bar Association

**Sheldon S. Cohen**



Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

June 18, 2009

Dear Chairman Leahy and Ranking Member Sessions,

I write to express my strong support for Mary L. Smith to be Assistant Attorney General for the Tax Division at the United States Department of Justice.

During the Johnson Administration, I served as both Chief Counsel for the Internal Revenue Service (IRS) and as IRS Commissioner. During that time, I worked closely with the Tax Division of the Department of Justice. The Tax Division of the Department of Justice is a litigating division of the Department and serves as the litigation and enforcement arm for the IRS. The Tax Division does not make tax policy. The Treasury Department and the IRS are charged with tax policy-making. The Tax Division merely enforces existing law in federal courts.

As a litigating division, the Assistant Attorney General is well-served to have significant litigating experience, particularly in the area of complex financial litigation. Mary Smith has this experience. I have had the opportunity to meet with Mary at length. We discussed the Tax Division and its work. I believe that Mary is well-qualified for the position, and has the experience necessary to lead the Tax Division. She will be a superb leader for the Tax Division.

I applaud President Obama's selection of her for this position and urge her swift confirmation.

Sincerely,

A handwritten signature in cursive script, reading "Sheldon S. Cohen".

Sheldon S. Cohen, Esq.



## JAMESTOWN S'KLALLAM TRIBE

1033 Old Blyn Highway, Sequim, WA 98382

TEL 360/683-1109

FAX 360/681-4643

October 21, 2009

Senator Harry Reid  
Senate Majority Leader  
522 Hart Senate Office Building  
Washington, DC 20510

Senator Mitch McConnell  
Senate Minority Leader  
361-A Russell Senate Office Building  
Washington, DC 20510

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary  
Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

**Re: Confirmation of Mary Smith as DOJ Assistant Attorney General**

Dear Senators Reid, McConnell, Leahy and Sessions:

I write to urge a swift vote for Mary L. Smith to be Assistant Attorney General for the Tax Division at the United States Department of Justice.

I am the Tribal Chairman/CEO, Jamestown S'Klallam Tribe, and the President, Washington Indian Gaming Association. I currently am the Treasurer and a member of the Executive Committee of the National Congress of American Indians (NCAI) and have previously served for two terms as NCAI president. I worked closely with Mary during her years in the Clinton White House and always found her to be fully prepared on complex subject matters and extremely diligent. I am confident that Mary will provide strong leadership for the Division and is a good choice for the position.

Both from her time as a trial attorney at the Department of Justice and from her work on the transition regarding the Tax Division, Mary is familiar with the work and the organization of the Tax Division. Mary has worked to familiarize herself with the issues and the substantive work of the Tax Division. Mary's extensive litigation background in heavily-regulated areas will translate well to the type of cases litigated by the Division. I believe that Mary has the experience and abilities to lead the Tax Division.

President Obama has been extremely supportive of Tribal sovereignty, Treaties and community issues and has worked to appoint several Native Americans to high levels in his

The Honorable Harry Reid  
The Honorable Mitch McConnell  
October 21, 2009

administration, including Mary, who will be the highest-level Native American appointment in the Department of Justice. In fact, there has never been a Native American who has served at the Assistant Attorney General level at the Department. We firmly believe it is time that Mary is confirmed to this position.

On June 15, 2009, President Obama addressed the members of NCAI, and noted that Mary would be joining his Administration in the near future. More than four months have passed since the President's remarks. On November 5, 2009, the President will host a White House Tribal Nations Conference, where leaders from the 564 federally recognized tribes will meet with the President and senior members of his administration. I urge that Mary be confirmed before this conference so that Mary will be able to join other Native American appointees as a member of the administration.

Our Tribe is honored to support Mary L. Smith as Assistant Attorney General for the Tax Division, and I urge a vote on her confirmation promptly.

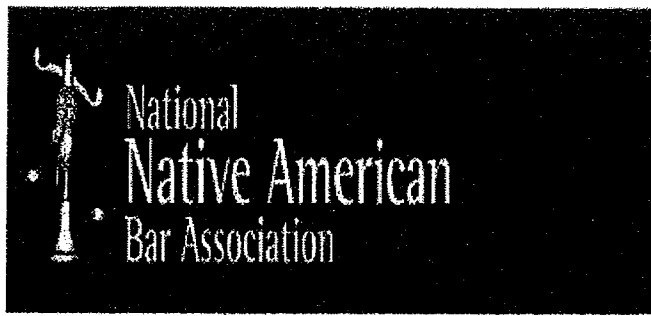
Sincerely,

A handwritten signature in black ink that reads "W. Ron Allen". The signature is fluid and cursive, with the first name "W." and last name "Allen" clearly legible.

W. Ron Allen, Tribal Chairman/CEO

Cc: National Congress of American Indians (NCAI)  
Senator Patty Murray  
Senator Maria Cantwell  
Congressman Norm Dicks





October 27, 2009

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary  
Committee 224 Dirksen Senate Office  
Building  
Washington, DC 20510

**Re: Confirmation of Mary Smith as Assistant Attorney General for the Tax Division of the U.S. Department of Justice.**

Dear Chairman Leahy and Ranking Member Sessions:

This is a follow-up letter to our letter dated April 27, 2009 expressing the National Native American Bar Association's (NNABA) support for the confirmation of Mary Smith as Assistant Attorney General for the Tax Division of the U.S. Department of Justice. We are very concerned with the lack of progress on Mary's nomination.

Mary Smith is not only a highly qualified nominee, she is an historic nominee. Mary is a member of the Cherokee Nation and, if confirmed, she would be the first Native American to hold the rank of Assistant Attorney General in the 140-year history of the Justice Department. She would be the highest ranking Native American in DOJ history.

We think quick movement on her nomination is particularly urgent considering that President Obama is hosting a historic meeting with Tribal leaders on Thursday November 5<sup>th</sup>, and timely considering that November is Native American Heritage month.

In addition to her tax experience, Mary also has numerous leadership qualifications required by the job including being a seasoned litigator, and extensive management and Justice experience.

Mary is a seasoned litigator who has had multiple trials and courtroom experience. The Tax Division is about litigation, enforcing the federal tax laws and defending the United States in court. The head of the Tax Division needs first and foremost to be a person with significant litigation experience, and Mary Smith fits the bill. She has been a litigator in the Justice Department, in two large law firms, and in one of the largest corporations in the country

Mary is also a highly qualified manager. The Tax Division is an office with over 350 attorneys. When she worked on the Tyco litigation, Mary managed over 100 lawyers and a \$50 million budget. She managed large litigation teams while working at the Skadden Arps law firm. And

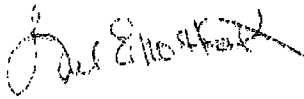
The Honorable Patrick J. Leahy  
The Honorable Jeff Sessions  
October 27, 2009

during her service in the White House Domestic Policy Council, she helped manage and coordinate the work of multiple federal agencies.

Mary also knows the Justice Department. She worked at Main Justice as a trial attorney in the Civil Division, and she was a key member of President Obama's Justice Department review team last winter. She understands the Justice Department as an institution, and the perspective of the DOJ career staff.

The National Native American Bar Association is concerned with the delay with Mary Smith's nomination, and respectfully urges her swift confirmation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lael Echohawk", with a stylized flourish at the end.

Lael Echohawk, President  
National Native American Bar Association



# NATIONAL CONGRESS OF AMERICAN INDIAN

October 29, 2009

The Honorable Harry Reid  
United States Senate  
Washington, D.C. 20510

Dear Senator Reid:

On behalf of the National Congress of American Indians, I write to express our strong support for the confirmation of Mary Smith to be the Assistant Attorney General for the Tax Division within the Department of Justice.

NCAI has many years of experience working with Ms. Smith during her service with the federal government and in private practice. She is an experienced professional with a deep understanding of the law and the federal government system. We have every confidence in her capabilities, but this confidence is heightened by our experience with her work ethic. The federal government cannot possibly have enough people like Mary Smith – she gets results that consistently exceed the highest expectations.

In addition, Mary is a member of the Cherokee Nation of Oklahoma and when she is confirmed she will be the highest ranking Native American ever to serve at the Department of Justice. It is widely known among tribal leaders that her nomination has been pending for an overly long period and the frustration is growing. We respectfully request that the Senate move forward as quickly as possible with her confirmation.

Thank you very much for considering our views. As always, we greatly appreciate your support for tribal governments.

Sincerely,

Jefferson Keel  
President

## EXECUTIVE COMMITTEE

### PRESIDENT

**Jefferson Keel**  
*Chickasaw Nation*

### FIRST VICE-PRESIDENT

**Juana Majel Dixon**  
*Pauma Band – Mission Indians*

### RECORDING SECRETARY

**Theresa Two Bulls**  
*Oglala Sioux Tribe*

### TREASURER

**W. Ron Allen**  
*Jamestown S'Klallam Tribe*

## REGIONAL VICE-PRESIDENTS

### ALASKA

**William Martin**  
*Central Council Tlingit & Haida*

### EASTERN OKLAHOMA

**Cara Cowan Watts**  
*Cherokee Nation*

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**Marcus D. Levings**  
*Mandan, Arikara and Hidatsa Nation*

### MIDWEST

**Matthew Wesaw**  
*Pokagon Band of Potawatomie*

### NORTHEAST

**Lance Gumbs**  
*Shinnecock Indian Nation*

### NORTHWEST

**Brian Cladoosby**  
*Swinomish Tribal Community*

### PACIFIC

**Don Arnold**  
*Scotts Valley Band of Porno Indians*

### ROCKY MOUNTAIN

**Scott Russell**  
*Crow Tribe*

### SOUTHEAST

**Archie Lynch**  
*Haliwa-Saponi Indian Tribe*

### SOUTHERN PLAINS

**Darrell Flyingman**  
*Cheyenne & Arapaho Tribes*

### SOUTHWEST

**Joe Garcia**  
*Ohkay Owingeh*

### WESTERN

**Irene Cuch**  
*Ute Indian Tribe*

### EXECUTIVE DIRECTOR

**Jacqueline Johnson Pata**  
*Tlingit*



**UNITED SOUTH AND EASTERN TRIBES, INC.**  
711 Stewarts Ferry Pike • Suite 100 • Nashville, TN 37214  
Telephone: (615) 872-7900 • Fax: (615) 872-7417

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November 1, 2009

Senator Harry Reed  
Senate Majority Leader  
522 Hart Senate Office Building  
Washington, DC 20510

Senator Mitch McConnell  
Senate Minority Leader  
361-A Russell Senate Office Building  
Washington, DC 20510

Senator Patrick J. Leahy  
Chairman, Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Senator Jeff Sessions  
Ranking Member, Senate Judiciary  
Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

**Re: Confirmation of Mary Smith as DOJ Assistant Attorney General**

Dear Senators Reid, McConnell, Leahy and Sessions:

I am writing to urge swift and positive action on a confirmation vote for Mary L. Smith to be Assistant Attorney General for the Tax Division of the United States Department of Justice.

I am the President of the United South and Eastern Tribes Inc. (USET), an inter-tribal organization representing 25 Federally recognized Indian nations from Maine to Texas. USET and its members have had the opportunity to work with Mary many times over the years. In every respect, she has displayed professionalism and intellect of the highest order. It is a point of special pride for us that she is a member of the Cherokee Nation and an outstanding role model to our Native youth.

Mary has excelled in all her undertakings, including her time as a trial attorney at the Department of Justice, working in the White House on difficult policy matters, serving as general counsel for Tyco International, and in private law practice. This background, along with her deep knowledge of the law and her amazing ability to lead and work with people, make her an outstanding prospect for the position of Assistant Attorney General. She is the kind of leader we need in the Federal government.

*"Because there is strength in Unity"*

It is no small matter to us that she would be the highest level Native American appointment to the U.S. Department of Justice in history. Once sworn into office she will not only do Indian country proud, but even more she will serve the United States with distinction and honor.

I urge your action upon Mary's nomination as soon as possible and thank you for your attention to this matter. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Paterson", with a large, sweeping flourish extending to the right.

Brian Paterson, President