

CC-2023-002

September 25, 2023

Transmitting Large Files  
Electronically to Government  
**Subject:** Agencies Using Kiteworks

Effective Until Further  
**Cancel Date:** Notice

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## Purpose

This Notice announces new procedures for Chief Counsel attorneys to transmit large files electronically to the Department of Justice (DOJ) and other government agencies, using Kiteworks. This notice supersedes Chief Counsel Notices CC-2019-005, 2020-006, and 2022-005.

## Background

As of October 1, 2023, Kiteworks will replace Justice Enterprise File System (JEFS) for transmitting large files to DOJ. Kiteworks is a secure file upload system that allows Chief Counsel attorneys and other employees to send large amounts of information to and from DOJ for civil cases without having to mail discs or paper files.

Kiteworks may also be used to transmit files that are too large to send by encrypted email to other government agencies with .gov email addresses. Kiteworks may not be used at this time to transmit files between the IRS and non-governmental parties or anyone not using a .gov email address.

## Procedure

Kiteworks should only be used when the files to be electronically transmitted are too large to send using Chief Counsel's regular encrypted email process.

## DOJ Transmittals

Kiteworks may only be used in civil cases in which a DOJ attorney is already assigned to the case. Coordinate the transmittal directly with the assigned DOJ attorney or with other DOJ personnel as directed by the assigned attorney.

The files should be zipped and encrypted before being uploaded to Kiteworks. After the files are uploaded to Kiteworks, the attorney or F&M Point of Contact must send the Kiteworks download link to the DOJ attorney via email. The decryption password must be sent to the DOJ attorney in a separate email from the link.

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As was the case with JEFS, Kiteworks should not be used to send the affirmative suit recommendations or defense letters to the Tax Division of DOJ (Tax Division). Continue to send the suit recommendations and defense letters to the appropriate Tax Division Civil Section mailbox by encrypted email. When large files accompany the letter, identify in the letter that those files will be transmitted via Kiteworks after the case is assigned to a DOJ attorney. Before transferring the files to the Tax Division, the attorney must send a notifying email to the assigned Tax Division attorney, with a copy to the appropriate Tax Division Civil Section email box.

#### Other Government Agencies

Kiteworks may be used to send large files to other government agencies with .gov email addresses, such as the Department of the Treasury. The process for using Kiteworks to transmit large files to other government agencies is similar to the process used with DOJ. If the government recipient has not used Kiteworks previously, confirm that the government recipient can receive Kiteworks files by doing a test transmittal with non-sensitive data. The link that is sent to a new user will require the user to set up a free Kiteworks account, and not all government agencies permit Kiteworks access.

#### Obtaining Kiteworks Access

Kiteworks will be available for use by attorneys, paralegals and other staff who need to exchange documents with DOJ or other government agencies. Employees who do not have a Kiteworks account should work with a designated F&M Kiteworks Point of Contact when they need to transfer large files to DOJ or other government agencies. A current list of the designated Kiteworks Points of Contact is located on the F&M E-Tools SharePoint site. [Kiteworks Info - All Documents \(treas.gov\)](https://www.treas.gov/kiteworks-info)

Chief Counsel employees who have previously been issued Kiteworks accounts may continue to directly send large files to DOJ and other governmental agencies. Other employees should use F&M Points of Contact for Kiteworks transmittals. Procedures for additional employees to obtain individual Kiteworks accounts have not yet been finalized by IRS-IT. If an employee has an urgent business need for an individual Kiteworks account, contact the BSP points of contact listed below.

General Kiteworks instructions are available on the BSP technology help page at [Pages - IT Help \(treas.gov\)](https://www.treas.gov/pages-it-help). Questions about the use of Kiteworks can be directed to John McGregor in F&M at 202-317-5078 or Aziz Khetani in F&M at 202-317-5087.

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/s/  
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(Procedure & Administration)