

MEMORANDUM OF INTERVIEW OR ACTIVITY

Case Title: JOHNSON, CARL

Case Number: 7-0498-0029

Type of Activity:

- Personal Interview
 Telephone Interview
 Records Review
 Other

Date:

October 13, 1998

Time:

9:50 AM

Conducted by:

Inspectors Laura Byers and Gregory C. Rosen

Activity/Interview of (Include all necessary data):

CHOATE, JAMES F., Jr.
459-31-3648
608 E 48th Street
Austin, TX 78751
(H) 512-451-7087
(W) 512-436-1062

Location of Interview or Activity:

Tivoli Systems, Inc.
9442 Capital of Texas Hwy N.
Austin, TX 78759

Subject Matter/Remarks

James F. CHOATE, Jr. was interviewed regarding his knowledge and relationship with Carl JOHNSON and "CYPHERPUNKS". CHOATE provided the following information:

CHOATE runs a system, which is basically, a service for distributing information to subscribers of mailing lists. He has approximately 7 or 8 different mailing lists, including one for CYPHERPUNKS. He receives information from various subscribers, estimated at about 100 pieces of e-mail a day, which he disseminates to subscribers by running a standard PERL program, or "flat file". A flat file is a one-line list of subscribers e-mail addresses (exhibit 1). His is only one of several nodes which disseminates information to CYPHERPUNKS subscribers in this manner (exhibit 2). His CYPHERPUNK flat files are accessible via majordomo@ssz.com. His involvement as the unofficial system administrator is the operation of CYPHERPUNKS and is limited to running the computer system and ensuring that the system is running properly.

He does not edit or alter any information before he disseminates it to subscribers of the mailing lists. He does not know if any of the other node system operators edit the information prior to distribution.

CHOATE keeps no archives of distributed documents to subscribers or subscribers of the mailing list. The mailing list is kept current daily as subscribers are added or deleted. The possibility exists that a subscriber, or other node system operators keep archives. CHOATE is unaware of any archives available.

Messages posted to the CYPHERPUNK subscriber mailing list appear on the Usenet via an integrated system of multiple postings to various nodes. Each node can possibly route the same message to other nodes, creating duplicate messages on any one node. Each node forwards the message to subscribers, which results in posting to the Usenet (exhibit 3).

CHOATE's system consists of a 1991 or 1992 model 486, 1 gig HD and 20 mg RAM. CHOATE's service provider is "Real Time". Additionally, he has several other computers used for other tasks such as robot programming. These computer systems are stored in the second bedroom of his residence located at 608 E 48th Street, Austin, Texas 78751, home telephone number (512) 451-7087.

The only time CHOTAE ever met with JOHNSON (known to CHOATE as "Toto" which refers to "not in Kansas anymore", was either in June or July of 1998. CHOATE posted a notice to subscribers of the "CYPHERPUNKS" mailing list announcing a regularly scheduled middle-of-the-month Wednesday night meeting. The meeting was held at the HEB (Central Market) Café on North Lamar, in Austin, Texas. JOHNSON arrived at the meeting in a drunken, disheveled state. There were approximately 8 to 10 people in attendance, including CHOATE, as well as: Stu Green; JJ (of EF Texas); Ben Colby; and Navigo communication group members Steve Tonason and Gomez (farmers@navigo.com). At this meeting, discussions revolved around a database project and a civil liberties Webb page. JOHNSON, a country and western singer with a couple of recorded CDs, was in Austin attempting to raise funds to record another CD(compact disc).

CHOATE does not recall any direct threats against the federal government or the Internal Revenue Service made by JOHNSON or any other subscriber of the CYPHERPUNKS mailing list. It is not uncommon for general statements of threats to be made by members of the CYPHERPUNKS, such as "someone ought to blow up that"

Potentially dangerous or radical individuals known to CHOATE include:

Jim MAY of California, who owns many guns and has lots of money;

Jim BELL, known for his assassination politics and arrested for dumping a smelly chemical on an IRS office in California;

and, Greg Boils or Broils, known for his non-violent assassination politics.

Inspector's note: CHOATE stated that he would cooperate with the government agents and would be willing to furnish an affidavit to the IRS Inspection Service. CHOATE was also served with a federal subpoena for information as outlined on the subpoena and advised to contact IRS Inspector Jeff Gordon (503) 326-2787.