

Wallace, Chris

From: Wallace, Chris
Sent: Friday, August 4, 2017 3:30 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: The Boss

I have a TV hit before then.
But at 3:45 I will be sitting by my phone.

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Friday, August 04, 2017 3:28 PM
To: Wallace, Chr (b)(6)
Cc: Henning, Alexa A. EOP/WH (b)(6)
Subject: Re: The Boss

I'm going to call you in 15!

On Aug 4, 2017, at 3:27 PM, Wallace, Chr (b)(6) wrote:

Sarah

I have been talking with Sarah Huckabee Sanders and Alexa about getting the AG on Sunday. As I have discussed with them, the focus will be on leaks why there are so many and how he intends to stop them.
I will certainly ask something about the Russia investigation.
But given the recusal the AG can get off that quickly.
And I won't pursue it.
I also want to discuss his agenda immigration drugs and gangs crime.
But the focus will be leaks.
If you want to talk my direct line (b)(6).
We would love an answer soon.
Chris

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Nestande, Francesca

From: Nestande, Francesca
Sent: Thursday, May 11, 2017 9:23 PM
To: Flores, Sarah Isgur (OPA)
Cc: Henning, Alexa A. EOP/WHO
Subject: Re: Hannity Tomorrow?

Copy when you get your schedule please let me know and keep us in mind!

Francesca Nestande

(b)(6)

On May 11, 2017, at 7:10 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Not sure about press schedule next week yet

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Nestande, Francesca [mailto:(b)(6)]
Sent: Thursday, May 11, 2017 6:59 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Cc: Henning, Alexa A. EOP/WH (b)(6)
Subject: Re: Hannity Tomorrow?

Ok- what about early next week? We're taping 440-540 each day. Thank you!

Francesca Nestande

(b)(6)

On May 11, 2017, at 6:40 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

I don't think we're doing any tv tomorrow. Sorry!

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Nestande, Francesca [mailto:(b)(6)]
Sent: Thursday, May 11, 2017 5:32 PM
To: Henning, Alexa A. EOP/WH (b)(6); Flores, Sarah Isgur (OPA) (b)(6)
Subject: Hannity Tomorrow?

Hi all! Sean would really like to get AG Sessions on with us tomorrow night. We are taping 440-540P ET. Do you think we can make this work?

Thank you!

Francesca

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Nestande, Francesca

From: Nestande, Francesca
Sent: Tuesday, May 9, 2017 6:21 PM
To: Flores, Sarah Isgur (OPA); Henning, Alexa A. EOP/WHO
Subject: RE: HANNITY LIVE!

Copy- thank you!

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Tuesday, May 09, 2017 6:19 PM
To: Henning, Alexa A. EOP/WHO
Cc: Nestande, Francesca
Subject: Re: HANNITY LIVE!

No we aren't doing any media. Thanks!

On May 9, 2017, at 6:17 PM, Henning, Alexa A. EOP/WH (b)(6) wrote:

CC'ing Sarah at DOJ for AG Sessions

Sent from my iPhone

On May 9, 2017, at 6:16 PM, Nestande, Francesc (b)(6) wrote:

Hi Alexa! Hannity will be LIVE tonight any chance AG Sessions can join us? IF not Sessions maybe Reince or KAC?

Thank you!!
Francesca

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Nestande, Francesca

From: Nestande, Francesca
Sent: Tuesday, May 9, 2017 6:19 PM
To: Henning, Alexa A. EOP/WHO
Cc: Flores, Sarah Isgur (OPA)
Subject: RE: HANNITY LIVE!

Thank you! Please let me know if the AG can join Sean would love to have him.

From: Henning, Alexa A. EOP/WH (b)(6)
Sent: Tuesday, May 09, 2017 6:17 PM
To: Nestande, Francesca
Cc: (b)(6) - Sarah Flores
Subject: Re: HANNITY LIVE!

Duplicative Material

Spinato, Eric

From: Spinato, Eric
Sent: Wednesday, April 26, 2017 4:42 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Hello, Sarah

Thank you

Sent from my iPhone

On Apr 26, 2017, at 4:41 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

At this point, probably not I promise you are on our list for shows we are interested in doing.

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

From: Spinato, Eric [mailto:(b)(6)]
Sent: Wednesday, April 26, 2017 2:03 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: Re: Hello, Sarah

Sarah-
Does "this week" include this Sunday?
Thank you
Eric

Sent from my iPhone

On Apr 25, 2017, at 10:09 AM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Thanks for the email. I believe you also spoke to folks over here yesterday. We'll be sure to touch base when we have something. Probably nothing this week at this point--but will let you know if that changes.

On Apr 25, 2017, at 10:06 AM, Spinato, Eric (b)(6) wrote:

It's been a while, since you and I have connected.
I hope your new position has been going great for you.

I like to have AG Sessions on with Maria. It can be live on her FBN morning show, between 7a-9a, or on her FNC Sunday program, at 10a.

If you see a date and time this week or next, the AG can join her for an interview, please let me know.

I look forward to hear from you.

Thank you, for your consideration.

Cordially,

Eric

Eric Spinato

Senior Story Editor, Fox Business Network

(b)(6)

C (b)(6)

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Spinato, Eric

From: Spinato, Eric
Sent: Tuesday, April 25, 2017 10:13 AM
To: Flores, Sarah Isgur (OPA)
Cc: Alex Henning (b)(6)
Subject: Re: Hello, Sarah

Thank you, for your quick reply
I asked them, to have you call me
Alexa was kind enough, to pass along your email
I look forward to hear from you, about hanging AG Sessions on with MB.

Thank you
Eric

Sent from my iPhone

On Apr 25, 2017, at 10:09 AM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Duplicative Material

Carr, Peter (OPA)

From: Carr, Peter (OPA)
Sent: Tuesday, April 11, 2017 12:52 PM
To: Nestande, Francesca
Cc: Flores, Sarah Isgur (OPA); Henning, Alexa A. EOP/WHO
Subject: Re: AG Sessions tomorrow

Just sent you in separate emails the embargoed materials from the AG's two event he will have prior to the interview.

On Apr 11, 2017, at 9:44 AM, Nestande, Frances a (b)(6) wrote:

Hi all!

Peter has been very helpful and I believe we have everything set for today.

Just need to make sure we start at 545P ET and if there are any delays please let me know ASAP.

Also- could you please send me over any relevant info about the AG 's trip that I can pass over to Sean?

Thanks!
Francesca

From: Carr, Peter (OPA) [[mailto:\(b\)\(6\)](#)]
Sent: Monday, April 10, 2017 6:46 PM
To: Flores, Sarah Isgur (OPA) (b)(6); Henning, Alexa A. EOP/WHO
(b)(6)
Cc: Nestande, Frances a (b)(6)
Subject: RE: AG Sessions tomorrow

Hi Francesca can you call me a (b)(6) ?

From: Flores, Sarah Isgur (OPA)
Sent: Monday, April 10, 2017 6:43 PM
To: Henning, Alexa A. EOP/WH (b)(6)
Cc: Nestande, Frances a (b)(6); Carr, Peter (OPA)
(b)(6)
Subject: Re: AG Sessions tomorrow

Great. Adding Peter also who is our advance person in AZ who can walk you through location. Timing wise we might run a few minutes late but that's the time we'll aim for.

On Apr 10, 2017, at 6:23 PM, Henning, Alexa A. EOP/WH (b)(6) wrote:

Hey Francesca - I'm connecting you with Sarah Flores at DOJ. She is the best POC to connect with

about having the AG join the show tomorrow from Luke AFB at 330P MT. Let me know what you need from me. Thanks!

Alexa

--

Alexa Henning

White House Director of Broadcast Media

(b)(6)

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Carr, Peter (OPA)

From: Carr, Peter (OPA)
Sent: Monday, April 10, 2017 8:57 PM
To: Nestande, Francesca
Subject: RE: AG Sessions tomorrow

Great, thank you for all the help and accommodating the Attorney General's schedule. To ensure he makes the 2:45 (5:45 EDT) hit, we'll do the interview from The Wigwam hotel rather than the AFB. That will make it easier on the truck as well. The address is below:

The Wigwam
300 East Wigwam Blvd.
Litchfield Park, Arizona 85340

Please provide them with my cell number and email, and I'll guide them to the room where we'll do the interview.

Thx,
Peter

From: Nestande, Francesca [mailto: (b)(6)]
Sent: Monday, April 10, 2017 8:54 PM
To: Carr, Peter (OPA) (b)(6)
Subject: Re: AG Sessions tomorrow

We're good to confirm this tomorrow. Can you please give me the address of the Air Force base asap so I can work on a truck?

Francesca Nestande
(b)(6)

On Apr 10, 2017, at 6:53 PM, Nestande, Frances a (b)(6) wrote:

Tried to call- Please call me back when you can - number is her (b)(6)

Francesca Nestande
(b)(6)

On Apr 10, 2017, at 6:46 PM, Carr, Peter (OPA) (b)(6) wrote:

Duplicative Material

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, June 28, 2018 1:58 PM
To: (b)(6) - Amy Fenton
Subject: Fwd: FBI letter to Chairman Nunes
Attachments: FBI letter to Chairman Nunes - 6.22.2018.pdf

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

June 22, 2018

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nunes:

This letter provides an update in response to the Committee's written and oral requests for information from the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). As described below, the FBI believes that it has substantially complied with a majority of the Committee's requests, and is actively working to identify and produce additional materials on a rolling basis to fulfill the Committee's remaining request under the FBI's purview.

As you are aware, on June 15, 2018, Deputy Attorney General Rosenstein and FBI Director Wray attended a meeting with Speaker Ryan, Chairmen Nunes, Goodlatte, and Gowdy, and a limited number of staff. That meeting concerned information requested by the Committee, including in letters dated March 23 and April 4, 2018, and the Committee's August 24, 2017, subpoena. At the meeting, the Committee identified four items as outstanding requests, and added a fifth item. The first item related to questions about the FBI's use of Foreign Intelligence Surveillance Act (FISA) authorities, and was agreed upon by all meeting participants to have been substantially complied with based upon document reviews facilitated by DOJ.

The FBI believes it has now complied with three additional items identified by the Committee:

1. On June 20, 2018, the "Woods file" was made available for *in camera* review and Committee staff have reviewed the file.
2. An unredacted copy of the current FBI Domestic Investigations and Operations Guide (DIOG) is now available for *in camera* review in a secure reading room. The FBI has offered to provide a briefing on the section(s) of the DIOG related to FISA verification procedures, which the Committee has articulated to be of ongoing interest.
3. On June 22, 2018, the FBI submitted a classified letter to the Committee responding to the Chairman's question regarding whether, in connection with the investigation into Russian activities surrounding the 2016 Presidential election, the FBI utilized confidential human sources prior to the issuance of the Electronic Communication (EC) initiating that investigation.

The Honorable Devin Nunes

Page Two

Accordingly, only the request for FBI documents pertaining to eight (8) potential custodians and relating to Christopher Steele, the “Steele dossier,” and certain FISA applications remains outstanding. The FBI has developed appropriate search terms and date parameters, and is actively searching for and processing responsive materials from two (2) enclaves, Secret and Top Secret. The FBI has built-in search tools on its Secret-level system, but it does not have those tools on its Top Secret-level system. The initial estimated volume of Top Secret emails collected in response to your request for these materials, combined with two requests from Chairmen Goodlatte and Gowdy that required collection of Top Secret communications, is between 50,000 and 65,000 emails. This represents the volume of emails contained in the relevant custodians’ accounts, *without* application of search terms. In recognition of the need to produce any responsive material as quickly as possible, the FBI’s Science and Technology Branch has built and deployed a tool to allow for faster searches within the Top Secret enclave. Once search parameters are applied, this initial estimate is likely to decrease significantly. To accomplish this production, the FBI has shifted resources from other Congressional production projects and is adding staff to further expedite the review and processing. FBI staff will be working throughout the weekend to keep the production moving forward. To the extent that the Committee can further prioritize its requests, the FBI would appreciate the opportunity to engage in a dialogue.

Finally, regarding the Committee’s request for transcripts or summaries of conversations between confidential human source(s) and Trump campaign officials, the FBI understands that this request has been referred to the Director of National Intelligence (DNI) for a response.

The FBI is committed to expeditiously completing production of the requested materials, and looks forward to continuing to work with the Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jill C. Tyson", with a long horizontal flourish extending to the right.

Jill C. Tyson
Acting Assistant Director
Office of Congressional Affairs

cc: The Honorable Adam Schiff
Ranking Member

The Honorable Paul D. Ryan
Speaker, U.S. House of Representatives

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, June 28, 2018 1:57 PM
To: (b)(6) - Amy Fenton
Subject: Fwd: FBI letter to Chairmen Goodlatte and Gowdy
Attachments: FBI letter to Chairmen Goodlatte & Gowdy 6.22.2018.pdf

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

June 22, 2018

Chairman Robert W. Goodlatte
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Chairman Trey Gowdy
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairmen Goodlatte and Gowdy:

This letter provides an update in response to the Committees' written and oral requests for information from the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). As described below, the FBI believes that the majority of the Committees' requests have been substantially complied with, and is actively working to identify and produce additional materials on a rolling basis to fulfill the Committees' remaining requests.

As you are aware, on June 15, 2018, Deputy Attorney General Rosenstein and FBI Director Wray attended a meeting with Speaker Ryan, Chairmen Goodlatte, Gowdy, and Nunes, and a limited number of staff. Based on that meeting, as well as ongoing communications with Committee staff, the FBI and DOJ believe that there has been substantial compliance with the majority of requests arising out of the March 22, 2018, subpoena (the subpoena). Specifically:

- Request No. 2 was complied with, by letter dated April 3, 2018;
- Request No. 3 was complied with, by letter dated May 9, 2018, and a document production on approximately June 20, 2018;
- Request No. 4 was complied with, by the *in camera* review of the materials sought;
- Request No. 5 was complied with, by letter dated June 19, 2018; and
- Request No. 6 was complied with, by letter dated March 9, 2018.

With respect to Request No. 1, seeking documents provided to the DOJ Inspector General, that production remains ongoing under the direction of United States Attorney John Lausch. To date, DOJ and the FBI have made available approximately 800,000 documents for review. With regard to Request No. 8, the FBI has collected and will place additional documents related to defensive briefings in the DOJ reading room.

For Request No. 7, on June 22, 2018, the FBI produced over 1400 pages of responsive materials. Following guidance from Committee staff, the FBI continues to diligently and expeditiously collect, review, and process additional responsive materials related to

The Honorable Robert W. Goodlatte
The Honorable Trey Gowdy
Page Two

communications between Peter Strzok and personnel in former FBI Deputy Director McCabe's office. The FBI has identified the relevant personnel, developed appropriate search terms and date parameters, and is actively searching for and processing responsive materials from three (3) enclaves (Unclassified, Secret, and Top Secret), and Lync and text messages. To do this, the FBI has shifted resources from other Congressional production projects, and is adding staff to further expedite the review and processing. FBI staff will be working throughout the weekend to keep the production moving forward.

The initial estimated volume of Top Secret emails collected in response to Request Nos. 7 and 9 of the subpoena, plus a request from Chairman Nunes that required collection of Top Secret communications, is between 50,000 and 65,000 emails. This represents the volume of emails contained in the relevant custodians' accounts, *without* application of search terms. In recognition of the need to produce any responsive material as quickly as possible, the FBI's Science and Technology Branch has built and deployed a tool to allow for faster searches within the Top Secret enclave. Once search parameters are applied, this initial estimate is likely to decrease significantly.

Regarding Request No. 9 of the subpoena, seeking "[a]ll documents and communications referring or relating to proposed, recommended, or actual FISA coverage on the Clinton Foundation or persons associated or in communication with the Clinton Foundation," the FBI is responding by separate, classified letter. Despite attempting a variety of approaches, Request No. 9 is proving difficult to address and the FBI is seeking to further engage with the Committee to better understand the information sought. Because Committee staff have indicated that Request Nos. 8 and 9 may be related, the FBI believes that some of the defensive briefing materials to be placed in the reading room (*i.e.*, in response to Request No. 8) might relate to information sought in Request No. 9. After reviewing those defensive briefing materials, please let this office know whether those documents will assist in focusing Request No. 9.

The FBI is committed to expeditiously completing production of the requested materials, and looks forward to continuing to work with the Committee. To the extent that the Committee can further prioritize its requests, the FBI would appreciate the opportunity to engage in a dialogue.

Sincerely,



Jill C. Tyson
Acting Assistant Director
Office of Congressional Affairs

The Honorable Robert W. Goodlatte
The Honorable Trey Gowdy
Page Three

cc: The Honorable Jerrold Nadler
Ranking Member

The Honorable Elijah Cummings
Ranking Member

The Honorable Paul D. Ryan
Speaker, U.S. House of Representatives

Pappas, Alex

From: Pappas, Alex
Sent: Monday, June 11, 2018 12:24 PM
To: Flores, Sarah Isgur (OPA)
Subject: FoxNews.com story - Grassley

Sarah,

Working on a story about Sen. Grassley pushing to interview FBI Agent (b)(6), (b)(7)(C) per FBI Michael Flynn, and the DOJ declining to grant that request. We have Stephen Boyd's May 29 letter to Grassley about this, but wanted to reach out in case there is anything you or someone else there wanted to add.

Thanks,

Alex

--

Alex Pappas
Politics Reporter
FoxNews.com

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, June 11, 2018 8:53 AM
To: Herridge, Catherine
Cc: Prior, Ian (OPA); Arroyo, Michael; Berger, Judson; Pappas, Alex; Gibson, Jake; Mears, William
Subject: Re: New HPSCI letter

Note the speaker agreed to the Thursday afternoon briefing earlier.

On Jun 11, 2018, at 8:41 AM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

The Deputy Attorney General is representing the United States in a brief unrelated visit to a foreign nation, one of America's key intelligence partners. He, along with the FBI Director and DNI Coats, look forward to further briefing and again presenting responsive documents to Chairman Nunes and the rest of his colleagues in the Gang of 8 meeting scheduled for Thursday of this week.

On Jun 11, 2018, at 7:29 AM, Herridge, Catherine <(b)(6)> wrote:

We did not obtain the letter until Sunday late evening when we contacted your office.

What earlier reporting are you referring to?
This is a response to DOJ offer last week.

We would welcome a response and will update our reporting as soon as it becomes available.

Thank you

Sent from my iPhone

On Jun 10, 2018, at 10:31 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

My understanding is that fox is already reporting this and this is the first I'm being asked for comment. Any reason why given that the letter is days old?

On Jun 10, 2018, at 10:24 PM, Herridge, Catherine <(b)(6)> wrote:

Sarah and Ian -

Please let us know if there is a DOJ response to the letter and June 12 deadline to provide records.

We will include in our reporting as soon as available. Team and dotcom copied here.

Thank you
Catherine

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<CHM ltr to DAG re 30 April Subpoena Compliance and Access Limitations - 8 June 18.pdf>

Devin Nunes, California, CHAIRMAN

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HVC 304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225 4121

DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

June 8, 2018

The Honorable Rod Rosenstein
Deputy Attorney General
United States Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

Dear Deputy Attorney General Rosenstein:

The House Permanent Select Committee on Intelligence (the "Committee") issued a subpoena to the Department of Justice (DOJ) on April 30, 2018, requesting specific documents related to the Committee's ongoing investigation into the alleged misuse of FISA authorities by DOJ and the Federal Bureau of Investigation. DOJ has failed to comply with this subpoena and is willfully disregarding a lawful demand from Congress to review documents pertinent and relevant to its constitutional oversight of the Executive Branch.

Rather than simply providing the Committee's Members and designated staff the opportunity to review the subpoenaed documents, DOJ continues to obfuscate and delay its production using an array of tactics, such as incorrectly categorizing the requested documents as Gang-of-Eight-level material in order to limit access. Such conduct by DOJ is unacceptable because the Gang-of-Eight is a legal fiction that has no basis outside of the confines of Presidential approval and reporting of covert actions. Your continued refusal to permit Members of Congress and designated staff to review the requested documents is obstruction of a lawful Congressional investigation.

I will not relent in my duties on behalf of the American public to discover all the facts in this matter. Accordingly, I request that DOJ provide all Committee Members and designated staff full, unredacted access to all the documents requested in the April 30, 2018, subpoena by Tuesday, June 12, 2018. Any response falling short of this request will be considered an effort to conceal material information from Congress—a dangerous precedent that threatens the core of our democracy.

Sincerely,



Devin Nunes
Chairman

Boughton, Bryan

From: Boughton, Bryan
Sent: Wednesday, May 23, 2018 1:11 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Potential meeting.

Thank you. See you tomorrow.

> On May 23, 2018, at 13:10, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

>
> No good point--just the other three! Your names will be at security and we'll have someone there to escort you upstairs. Thanks for pulling this together. I definitely appreciate your time on something like this. I think this is a pretty serious accusation they are making where a lot of folks will only see a chyron. Bear in mind the chief ethics person for the department was in the meeting as well...so it would be a pretty big deal to do something that wildly unethical as Kash claims in front of the ethics officer and the fbi director!

>
>
> ***

> Sarah Isgur Flores
> Director of Public Affairs

> (b)(6)

> -----Original Message-----

> From: Boughton, Bryan <(b)(6)>
> Sent: Wednesday, May 23, 2018 12:58 PM
> To: Flores, Sarah Isgur (OPA) <(b)(6)>
> Subject: RE: Potential meeting.

> Yes, we can all do 830am.

> Catherine and Jake have hard passes, do you need their info?

> Bryan Anthony Boughton
> William Daniel Sammon
> Cheryl Grzech McEachern

> -----Original Message-----

> From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]

> Sent: Wednesday, May 23, 2018 12:46 PM

> Sent: Wednesday, May 23, 2018 12:40 PM

> To: Boughton, Bryan <(b)(6)>

> Subject: Re: Potential meeting.

>

> Is 830 ok on your end? And if that works, send me the legal names of the people you're bringing and I'll get those to security.

>

> Also worth noting he won't answer any questions about the Nunes meeting that the WH has been talking about. So this is strictly about the email/questions Catherine sent.

>

>> On May 23, 2018, at 12:29 PM, Boughton, Bryan <(b)(6)> wrote:

>>

>> Any update on timing? Day?

>>

>>> On May 22, 2018, at 21:59, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

>>>

>>> Perfect. And I'll have his calendar in front of me when I get to the office.

>>>

>>>> On May 22, 2018, at 9:54 PM, Boughton, Bryan <(b)(6)> wrote:

>>>>

>>>> Sarah

>>>>

>>>> I will contact you in the morning. We can figure when a time might work for all of us.

>>>>

>>>> Thanks.

>>>>

>>>> Bryan

>>>>

>>>>> On May 22, 2018, at 21:01, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

>>>>>

>>>>> Per Catherine's email, I think the DAG would like to have an off the record conversation with the 3 of you about this. FBI director would probably like to do the same.

>>>>>

>>>>> The issue is that he's out of the office for most of the day tomorrow and isn't back until 6pm or so. Any chance we can set this up for tomorrow night? Or perhaps Thursday?

>>>>>

>>>>> These are serious allegations and he'd like you to hear from other folks in the room who remember a very different version of events.

>>>>>

>>>>> S

>>>>>

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>>>>

>>

>

Boughton, Bryan

From: Boughton, Bryan
Sent: Wednesday, May 23, 2018 12:47 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Potential meeting.

Okay, let me check the time and get right back to you.

-----Original Message-----

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Wednesday, May 23, 2018 12:46 PM
To: Boughton, Bryan <(b)(6)>
Subject: Re: Potential meeting.

Duplicative Material



Boughton, Bryan

From: Boughton, Bryan
Sent: Wednesday, May 23, 2018 12:35 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Potential meeting.

Ok

> On May 23, 2018, at 12:34, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

>

> Trying to nail down tomorrow am w the people you listed at doj--either 830 or 9am--mess w DAGs schedule. important that it is off the record both the content and the existence of the meeting.

>

>> On May 23, 2018, at 12:29 PM, Boughton, Bryan <(b)(6)> wrote:

>>

Duplicative Material



Boughton, Bryan

From: Boughton, Bryan
Sent: Tuesday, May 22, 2018 9:59 PM
To: Flores, Sarah Isgur (OPA)
Cc: Gibson, Jake; Herridge, Catherine
Subject: Re: Email follow up

Thanks.

> On May 22, 2018, at 21:59, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

Duplicative Material



Boughton, Bryan

From: Boughton, Bryan
Sent: Tuesday, May 22, 2018 9:04 PM
To: Flores, Sarah Isgur (OPA)
Cc: Gibson, Jake; Herridge, Catherine
Subject: Re: Email follow up

Let me work with Jake and Catherine and then we will set up a good time for all of us.

> On May 22, 2018, at 21:01, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

Duplicative Material



Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, May 16, 2018 7:39 AM
To: Tenney, Garrett
Cc: (b)(6) - Jake Gibson
Subject: Re: Fox News question on House requests for Richman docs

A hard copy of the letter they were read yesterday is coming over this morning. Beyond that, I'll decline to comment.

On May 15, 2018, at 10:28 PM, Tenney, Garrett <(b)(6)> wrote:

Hi Sarah,

I'm reporting tonight on the House Oversight and Judiciary Committee's request for documents on Daniel Richman's work for the FBI. I understand that DOJ wasn't able to meet today's 5pm deadline for that request, but did inform the committees that it does plan to provide the documents. A couple questions I'm hoping you can help us with: Can you confirm that DOJ does plan to provide the documents and information requested? When does DOJ plan to do that? And what is the cause for the delay?

Thanks, Sarah!
-Garrett

Garrett Tenney
Correspondent
Fox News Channel | Washington D.C. Bureau

(b)(6)
(b)(6)

Twitter: @Garrett_FoxNews

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Herridge, Catherine

From: Herridge, Catherine
Sent: Wednesday, April 25, 2018 3:12 PM
To: (b)(6), (b)(7)(C) per FBI (DO) (FBI); Maguire, Jacqueline (BH) (FBI); (b)(6), (b)(7)(C) per FBI (DO) (FBI); (b)(6), (b)(7)(C) per FBI (DO) (FBI); Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Cc: Gibson, Jake; Browne, Pamela; Upson, Cyd
Subject: RE: Comey memos / (b)(6), (b)(7)(C) per FBI

Thank you for the response, and coming back to us if circumstances change.
Catherine

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Wednesday, April 25, 2018 3:01 PM
To: Herridge, Catherine <(b)(6)>; Maguire, Jacqueline (BH) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6), (b)(7)(C), (b)(7)(E) per FBI; Flores, Sarah Isgur (OPA) (JMD) (b)(6); Prior, Ian (OPA) (JMD)
<(b)(6)>
Cc: Gibson, Jake <(b)(6)> Browne, Pamela (b)(6)>; Upson, Cyd <(b)(6)>
Subject: RE: Comey memos / (b)(6), (b)(7)(C) per FBI

Hello Catherine,

We don't have any comment.

Thanks for reaching out.

(b)(6), (b)(7)(C) per FBI

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Wednesday, April 25, 2018 2:34 PM
To: Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6), (b)(7)(C), (b)(7)(E) per FBI; Flores, Sarah Isgur (OPA) (JMD) (b)(6); Prior, Ian (OPA) (JMD) (b)(6)
Cc: Gibson, Jake <(b)(6)> Browne, Pamela <(b)(6)> Upson, Cyd <(b)(6)> Herridge, Catherine <(b)(6)>
Subject: Comey memos / (b)(6), (b)(7)(C) per FBI

Good afternoon,

We understand from our reporting some or all of the Comey memos were shared with at least one other person, beyond Professor Richman, and (b)(6), (b)(7)(C) per FBI was identified to Fox as the likely recipient. We have already reached out to both Mr. Comey and (b)(6), (b)(7)(C) per FBI for comment.

1. Did the FBI take steps – to include (b)(6), (b)(7)(C) per FBI personal and/or business electronics – to mitigate the spill of classified information?
2. Did the FBI take steps – to include Mr. Richman's personal and/or business electronics – to mitigate the spill of classified information?

3. Has (b)(6), (b)(7)(C) per FBI returned the Comey memos to FBI and/or DOJ?

We are on a tight timeline, and are requesting a response by 430 today.
We will, of course, update our reporting when comment becomes available.

Thank you for the consideration.
Catherine V. Herridge

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Herridge, Catherine

From: Herridge, Catherine
Sent: Tuesday, April 24, 2018 4:00 PM
To: (b)(6), (b)(7)(C) per FBI
Cc: Browne, Pamela; Upson, Cyd; Flores, Sarah Isgur (OPA); Prior, Ian (OPA); Maguire, Jacqueline (BH) (FBI); (b)(6), (b)(7)(C) per FBI; [REDACTED]; Gibson, Jake
Subject: RE: Fox Query -- Professor Richman/SGE new information

It is now 4pm, and we are finalizing our story. This afternoon, we received confirmation from Mr. Richman of his status.

He has referred questions about the scope of his work, and security clearance to FBI public affairs.

We will, of course, add your statement once it becomes available.
Thank you
Catherine

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Tuesday, April 24, 2018 12:24 PM
To: Herridge, Catherine <(b)(6)>
Cc: Browne, Pamela <(b)(6)>; Upson, Cyd <(b)(6)>; Flores, Sarah Isgur (OPA) (JMD) <(b)(6)>; Prior, Ian (OPA) (JMD) <(b)(6)>; Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; [REDACTED]; Gibson, Jake <(b)(6)>
Subject: RE: Fox Query -- Professor Richman/SGE new information

Hello Catherine,

We've noted your 4pm deadline and will work to provide you something by that time.

Thank you,

(b)(6), (b)(7)(C) per FBI
National Press Office
Federal Bureau of Investigation
(b)(6), (b)(7)(C),
(b)(7)(E) per FBI

All correspondence contained in this e-mail, to include all names and associated contact information, may be subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Tuesday, April 24, 2018 12:07 PM
To: (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Herridge, Catherine <(b)(6)>

Cc: Browne, Pamela <(b)(6)> Upson, Cyd <(b)(6)> Flores, Sarah Isgur (OPA) (JMD) <(b)(6)> Prior, Ian (OPA) (JMD) <(b)(6)> Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Gibson, Jake

<(b)(6)>

Subject: Fox Query -- Professor Richman/SGE new information

Hi (b)(6), (b)(7)(C) per FBI -

We have new, detailed information about Professor Richman and his status as an FBI SGE. We are hopeful this will aid/narrow your search.

We are looping back some of the original parties, so there is greatest visibility, in case they can assist you.

We now understand:

- Through a MOU (memorandum of understanding) Director Comey brought Professor Richman on board as an SGE for "special projects"
- That included the "going dark initiative" and, at one point, Richman was emailed talking points about the Clinton case
- As an SGE, Mr. Richman had a clearance and badge access to the building
- He was the only SGE brought on during Comey's tenure
- Mr. Richman is no longer an SGE.

Please let us know if the FBI disputes any of these findings, and on what basis.

Our follow up questions are below:

1. What was Mr. Richman's responsibilities under the "special projects" mandate?
2. Did his responsibilities include the midyear exam/MYE investigation?
3. Did his responsibilities include the Russia counterintelligence probe?
4. Did his responsibilities include working with the media?
5. Have other Directors, to include Mr. Mueller, hired SGEs for similar assignments?
6. Was Mr. Richman paid for his services? If so, at what level?

We sent our original request yesterday before noon, and realize we are now providing more detailed information.

We are requesting a response by 4pm today.
Please advise what will be possible – statement/background.

Thank you for help and the consideration.

Catherine V. Herridge

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Sent: Monday, April 23, 2018 5:59 PM

To: Herridge, Catherine <(b)(6)>

Cc: Browne, Pamela <(b)(6)> Upson, Cyd <(b)(6)>

Subject: RE: Professor Richman - Special Government Employee

Hi Catherine,

Unfortunately, I cannot guarantee I'll have a response by tomorrow morning, but I am working on it. I will get you an answer as soon as I am able.

Thank you,

(b)(6), (b)(7)(C) per FBI

(b)(6), (b)(7)(C) per FBI

National Press Office
Federal Bureau of Investigation

(b)(6), (b)(7)(C).

(b)(7)(E) per FBI

All correspondence contained in this e-mail, to include all names and associated contact information, may be subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Monday, April 23, 2018 5:43 PM
To: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Browne, Pamela <(b)(6)> Upson, Cyd <(b)(6)>
Subject: RE: Professor Richman - Special Government Employee

Thank you (b)(6), (b)(7)(C) per FBI

Could we expect a response by tomorrow morning? Please advise if a call would be helpful.

We appreciate the help and consideration.

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Monday, April 23, 2018 4:49 PM
To: Herridge, Catherine <(b)(6)>
Subject: RE: Professor Richman - Special Government Employee

Good afternoon Catherine,

Thank you for reaching out to the National Press Office.

I wanted to let you know I have your inquiry, and I am looking into a response.

Best,

(b)(6), (b)(7)(C) per FBI

National Press Office
Federal Bureau of Investigation

(b)(6), (b)(7)(C).

(b)(7)(E) per FBI

All correspondence contained in this e-mail, to include all names and associated contact information, may be subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Monday, April 23, 2018 11:35 AM

To: Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Cc: Gibson, Jake <(b)(6)> Browne, Pamela <(b)(6)> Upson,
Cyd <(b)(6)>

Subject: Professor Richman - Special Government Employee

Good morning ---

Trust you can help or get our questions to the right person.

Based on testimony from former chief of staff Jim Rybicki, Congressman Jordan told Fox that professor Richman was credentialed at FBI as a Special Government Employee or SGE with "unfettered access" to the bureau.

1. Was Mr. Richman a Special Government Employee?
2. If so, who authorized his status and when?
3. What was Mr. Richman's portfolio/responsibilities as an SGE?
4. As an SGE, did Mr. Richman have a security clearance?
5. As an SGE, was Mr. Richman paid, and if so, at what salary?
6. As an SGE, did Mr. Richman have unfettered access as the Congressman claims?

Congressman Jordan - "We interviewed, the oversight committee and the judiciary committee interviewed Jim Rybicki. And during that deposition, it was brought out that Daniel Richman, the guy who, information was leaked through to the New York Times, had this special status called special government employee status, where he could sort of come and go in the FBI, which may not mean much, but it seems kind of interesting that the guy who Comey leaks to is a good friend, who had this sort of unfettered access into the FBI."

We will update our reporting as soon as a response is available.

Thank you.

Catherine

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Herridge, Catherine

From: Herridge, Catherine
Sent: Tuesday, April 24, 2018 12:36 PM
To: (b)(6), (b)(7)(C) per FBI
Cc: Browne, Pamela; Upson, Cyd; Flores, Sarah Isgur (OPA); Prior, Ian (OPA);
Maguire, Jacqueline (BH) (FBI); (b)(6), (b)(7)(C) per FBI
(b)(6) Gibson, Jake
Subject: RE: Fox Query -- Professor Richman/SGE new information

Thank you very much.
Catherine

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Tuesday, April 24, 2018 12:24 PM
To: Herridge, Catherine <(b)(6)>
Cc: Browne, Pamela <(b)(6)> Upson, Cyd <(b)(6)> Flores,
Sarah Isgur (OPA) (JMD) <(b)(6)> Prior, Ian (OPA) (JMD) <(b)(6)>;
Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6); Gibson, Jake
(b)(6)
Subject: RE: Fox Query -- Professor Richman/SGE new information

Duplicative Material - See Bates Stamp Page 20200514-0000382

Herridge, Catherine

From: Herridge, Catherine
Sent: Wednesday, April 18, 2018 6:29 PM
To: Flores, Sarah Isgur (OPA)
Cc: Maguire, Jacqueline (BH) (FBI); (b)(6), (b)(7)(C) per FBI [REDACTED]
[REDACTED] Prior, Ian (OPA); Gibson, Jake
Subject: Re: Letter to Sessions, Wray, and Huber

Thank you Sarah for responding

Sent from my iPhone

On Apr 18, 2018, at 6:09 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Decline comment

xxx

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

From: Herridge, Catherine <(b)(6)>
Sent: Wednesday, April 18, 2018 5:34 PM
To: Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
[REDACTED]
[REDACTED]; Flores, Sarah Isgur (OPA) <(b)(6)> Prior, Ian (OPA)
<(b)(6)>
Cc: Gibson, Jake <(b)(6)>
Subject: FW: Letter to Sessions, Wray, and Huber

Good evening ---

This letter was circulated today by 11 house republicans asking AG Sessions, FBI Director Wray and US Attorney Huber to investigate whether federal statutes were violated in the course of the Clinton email, Russia and Uranium One probes.

1. Can your offices confirm receipt of the letter?
2. Are AG Sessions, Director Wray and Mr. Huber considering the request?
3. Does AG Sessions, Director Wray and Mr. Huber consider the allegations - leveled by republican lawmakers – credible?

We would welcome any additional comment.
We will update our reporting as soon as comment becomes available.

Thank you

Catherine

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Congress of the United States
Washington, DC 20515

April 18, 2018

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

The Honorable John Huber
United States Attorney for the District of Utah
The United States Attorney's Office – District of Utah
111 South Main Street
Salt Lake City, UT 84111

Dear Attorney General Sessions, Director Wray, and Mr. Huber:

We write to refer the following individuals for investigation of potential violation(s) of federal statutes. In doing so, we are especially mindful of the dissimilar degrees of zealotry that has marked the investigations into Former Secretary of State Hillary Clinton and the presidential campaign of Donald Trump, respectively. Because we believe that those in positions of high authority should be treated the same as every other American, we want to be sure that the potential violations of law outlined below are vetted appropriately.

1. Former FBI Director James Comey.

On July 5, 2016, Comey made a statement on the investigation of Secretary Hillary Clinton's use of a personal e-mail system, during which he stated: "...there is evidence that they were extremely careless in their handling of very sensitive, highly classified information."¹ He went on to say: "Although there is evidence of potential violations of the statutes regarding the handling of classified information, our judgment is

¹ "Statement by FBI Director James B. Comey on the Investigation of Secretary Hillary Clinton's Use of a Personal E-Mail System." FBI National Press Office, July 5, 2016, <https://www.fbi.gov/news/pressrel/press-releases/statement-by-fbi-director-james-b-comey-on-the-investigation-of-secretary-hillary-clinton2019s-use-of-a-personal-e-mail-system>.

that no reasonable prosecutor would bring such a case.”² Incredibly, this judgment appears to have been made prior to interviewing Secretary Clinton and as many as 17 key witnesses including Clinton’s closest aides.³ Comey’s decision to not seek charges against Clinton’s misconduct suggests improper investigative conduct, potentially motivated by a political agenda. Accordingly, we refer James Comey to DOJ for potential violation(s) of: 18 USC 1505 and 1515b.

In addition to his handling of the Clinton investigation, Comey engaged in questionable conduct vis-à-vis President Donald Trump. As reported by *The New York Times*, Director Comey wrote memoranda detailing alleged conversations between himself and President Trump, creating “a paper trail” for “documenting what he perceived as the president’s improper efforts to influence a continuing investigation.”⁴ The article reports that Comey “created similar memos – including some that are classified – about every phone call and meeting he had with the president.”

As detailed in a January 3, 2018, letter to Deputy Attorney General Rod Rosenstein from the Hon. Charles E. Grassley (Chairman of the Senate Committee on the Judiciary), committee staff reviewed the memoranda created by former Director Comey in a Sensitive Compartmented Information Facility due to the classified nature of the majority of the memos; of the seven memos, four were marked classified at the “SECRET” or “CONFIDENTIAL” levels.⁵

At a June 8, 2017, U.S. Senate Select Committee on Intelligence hearing, Comey stated: “I asked a friend of mine to share the content of the memo with the reporter.”⁶ Chairman Grassley’s aforementioned letter further notes that Professor Daniel Richman of Columbia Law School was the friend and that Mr. Comey provided him with four of the seven memoranda, encouraging him to detail the memos to the press.

In light of the fact that four of the seven memos were classified, it would appear that former Director Comey leaked classified information when sharing these memos with Professor Richman. Accordingly, we refer James Comey to DOJ for potential violation(s) of: 18 USC 641, 18 USC 793, and 18 USC 1924(a).

Furthermore, President Trump has raised concerns with former Director Comey misleading Congress under oath on his decision not to charge former Secretary of State

² Id.

³ <https://www.grassley.senate.gov/news/news-releases/transcripts-comey-drafted-conclusion-clinton-probe-prior-interviewing-key>.

⁴ Michael S. Schmidt, “Comey Memo Says Trump Asked Him to End Flynn Investigation.” *The New York Times*, May 16, 2017, <https://www.nytimes.com/2017/05/16/us/politics/james-comey-trump-flynn-russia-investigation.html>.

⁵ Letter from Sen Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Rod Rosenstein, Deputy Attorney General, DOJ, January 3, 2018, [https://www.judiciary.senate.gov/imo/media/doc/2018-01-03%20CEG%20to%20DOJ%20\(Classification%20of%20Comey%20Memos\).pdf](https://www.judiciary.senate.gov/imo/media/doc/2018-01-03%20CEG%20to%20DOJ%20(Classification%20of%20Comey%20Memos).pdf).

⁶ U.S. Senate Select Committee on Intelligence, “Open Hearing with Former FBI Director James Comey.” June 8, 2017, <https://www.intelligence.senate.gov/hearings/open-hearing-former-fbi-director-james-comey#>.

Hillary Clinton regarding her use of a private email server for official government communications.

As reported by *The Washington Post*, on May 2, 2017, Comey circulated a draft statement on his decision: “Comey sends an email to Andrew McCabe, his deputy, James A. Baker, the FBI general counsel, and James Rybicki, his chief of staff, with a subject heading of ‘Midyear Exam.’ This was internal FBI code for the Clinton investigation. The body of the email was redacted by the FBI, but it appears to have contained a draft of his statement on the conclusion of the Clinton case. At that point, 17 interviews with potential witnesses had not taken place, including with Clinton and her chief of staff, according to the Senate Judiciary Committee.”⁷

Furthermore, on September 28, 2016, during a hearing before the House Judiciary Committee, former Director Comey replied “After,” following Rep. John Ratcliffe (TX-04)’s question on the timing of Comey’s decision: “Director, did you make the decision not to recommend criminal charges relating to classified information before or after Hillary Clinton was interviewed by the FBI on July the 2?”⁸

Finally, in an April 28, 2017, letter to former Director Comey, Chairman Grassley stated that there “appear to be material inconsistencies between the description of the FBI’s relationship with Mr. Steele that you [then FBI Director Comey] did provide in your briefing and information contained in Justice Department documents made available to the Committee only after the briefing.”⁹

Accordingly, we refer James Comey to DOJ for potential violation(s) of: 18 USC 1621 and 18 USC 1001.

2. Former Secretary of State Hillary Clinton.

A lawyer representing the Clinton campaign and the Democratic National Committee paid Washington firm Fusion GPS to conduct research that led to the Steele dossier, according to an October 24, 2017, report in *The Washington Post*.¹⁰

⁷ Glenn Kessler and Meg Kelly, “Timeline: James Comey’s decision-making on the Clinton probe.” *The Washington Post*, October 20, 2017, https://www.washingtonpost.com/news/fact-checker/wp/2017/10/20/timeline-james-comeys-decision-making-on-the-clinton-probe/?utm_term=.fde08bf44528.

⁸ U.S. House of Representatives Committee on the Judiciary Hearing, “Oversight of the Federal Bureau of Investigation.” September 28, 2016, https://judiciary.house.gov/wp-content/uploads/2016/09/114-91_22125.pdf.

⁹ Letter from Sen Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. James Comey, Director, FBI, April 28, 2018, [https://www.judiciary.senate.gov/imo/media/doc/2017-04-28%20CEG%20to%20FBI%20\(follow-up%20to%20Steele%20letter\)%20with%20attachments.pdf](https://www.judiciary.senate.gov/imo/media/doc/2017-04-28%20CEG%20to%20FBI%20(follow-up%20to%20Steele%20letter)%20with%20attachments.pdf).

¹⁰ Adam Entous, Devin Barrett, Rosalind S. Helderman, “Clinton campaign, DNC paid for research that led to Russia dossier.” *The Washington Post*, October 24, 2017, https://www.washingtonpost.com/world/national-security/clinton-campaign-dnc-paid-for-research-that-led-to-russia-dossier/2017/10/24/226fabf0-b8e4-11e7-a908-a3470754bbb9_story.html?utm_term=.0bf8397a749d.

Accordingly, for disguising payments to Fusion GPS on mandatory disclosures to the Federal Election Commission, we refer Hillary Clinton to DOJ for potential violation(s) of: 52 USC 30121 and 52 USC 30101.

3. Former Attorney General Loretta Lynch.

With regard to Former Attorney General Loretta Lynch, we raise concerns regarding her decision to threaten with reprisal the former FBI informant who tried to come forward in 2016 with insight into the Uranium One deal.¹¹

Accordingly, we refer Loretta Lynch to DOJ for potential violation(s) of: 18 USC 1505 and 1515b.

4. Former Acting Director of the FBI Andrew McCabe.

With regard to Former Acting Director of the FBI Andrew McCabe, as reported by *The New York Times*, Attorney General Jeff Sessions has said that, during the internal Hillary Clinton investigation, Mr. McCabe “lacked candor — including under oath — on multiple occasions.”¹² The report went on to say, “That is a fireable offense, and Mr. Sessions said that career, apolitical employees at the F.B.I. and Justice Department agreed that Mr. McCabe should be fired.”¹³

Furthermore, the DOJ Office of the Inspector General recently released a February 2018 misconduct report titled “A Report of Investigation of Certain Allegations Relating to Former FBI Deputy Director Andrew McCabe,” confirming four instances of McCabe’s lack of candor, including three instances under oath, as well as the conclusion that McCabe’s decision to confirm the existence of the Clinton Foundation Investigation through an anonymously sourced quote violated the FBI’s and DOJ’s media policy and constituted misconduct.¹⁴

Accordingly, we refer Andrew McCabe for potential violation(s) of: 18 USC 1001, 18 USC 1621, and 18 USC 1505.

5. FBI Agent Peter Strzok and FBI Counsel Lisa Page.

With regard to top counterintelligence FBI agent, Peter Strzok, and senior FBI lawyer Lisa Page, we raise concerns regarding their interference in the Hillary Clinton investigation regarding her use of a personal email server.

¹¹ “House also probing Obama-era Uranium One deal.” *Fox News*, October 22, 2017, <http://www.foxnews.com/politics/2017/10/22/house-also-probing-obama-era-uranium-one-deal-desantis-says.html>.

¹² Matt Apuzzo, “Andrew McCabe’s Firing: Here’s What We Know.” *The New York Times*, March 19, 2018, <https://www.nytimes.com/2018/03/19/us/politics/andrew-mccabe-fbi-firing-explained.html>.

¹³ *Ibid.*

¹⁴ U.S. Department of Justice Office of the Inspector General Oversight & Review Division, “A Report of Investigation of Certain Allegations Relating to Former FBI Deputy Director Andrew McCabe.” February 2018, <https://oig.justice.gov/reports/2018/o20180413.pdf>.

As *The Wall Street Journal* reported on January 22, 2018, following the Justice Department's second release of text exchanges between Strzok and Page, "the latest texts show the FBI also eliminated evidence that Mrs. Clinton compromised high-level communications."¹⁵ The report provides the following alarming specifics, among others: "Mr. Strzok texts Ms. Page to tell her that, in fact, senior officials had decided to water down the reference to President Obama to 'another senior government official.' By the time Mr. Comey gave his public statement on July 5, both references—to Mr. Obama and to 'another senior government official'—had disappeared."¹⁶

Accordingly, we refer Peter Strzok and Lisa Page for potential violation(s) of: 18 USC 1505 and 1515b.

6. Department of Justice (DOJ) and FBI personnel connected to the compilation of documents on alleged links between Russia and then-presidential candidate Donald Trump known as the "Steele dossier," including but not limited to Former FBI Director James Comey, Former Acting Director of the FBI Andrew McCabe, Former Acting Attorney General Sally Yates, and former Acting Deputy Attorney General Dana Boente.¹⁷

With regard to the Steele dossier, we raise concerns regarding the presentation of false and/or unverified information to the Foreign Intelligence Surveillance Court in connection with the former Trump aide Carter Page warrant application to conduct surveillance through the Foreign Intelligence Surveillance Act (FISA).

As Rep Devin Nunes, Chairman of the House Intelligence Committee, states in a March 1, 2018, letter to Attorney General Jeff Sessions: "Former and current DOJ and FBI leadership have confirmed to the Committee that unverified information from the Steele dossier comprised an essential part of the FISA applications related to Carter Page."¹⁸

Accordingly, we refer to DOJ all DOJ and FBI personnel responsible for signing the Carter Page warrant application that contained unverified and/or false information for possible violation(s) of: 18 USC 242 and 18 USC 1505 and 1515b.

¹⁵ The Editorial Board, "The FBI's Missing Texts." *The Wall Street Journal*, January 22, 2018, <https://www.wsj.com/articles/the-fbis-missing-texts-1516667245>

¹⁶ Ibid.

¹⁷ Due to the possible involvement of Deputy Attorney General Rod Rosenstein in signing an application for continued surveillance on Carter Page, Rosenstein should be recused from any examination of FISA abuse. Accordingly, neither U.S. Attorney John Huber nor a special counsel (if appointed) should report to Rosenstein.

¹⁸ Letter from Rep Devin Nunes, Chairman, U.S. House Intelligence Committee to Hon. Jeff Sessions, Attorney General, FBI, March 1, 2018, https://www.scribd.com/document/372746970/Nunes-to-Sessions-FBI-may-have-violated-criminal-statutes-in-Carter-Page-FISA-application?irgwc=1&content=27795&campaign=VigLink&ad_group=1361144&keyword=ft500noi&source=impactradius&medium=affiliate#from_embed.

Thank you for your attention to these matters.

Sincerely,



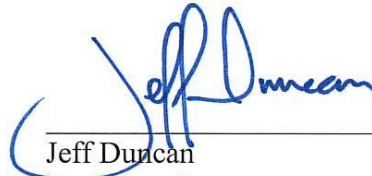
Ron DeSantis
Member of Congress



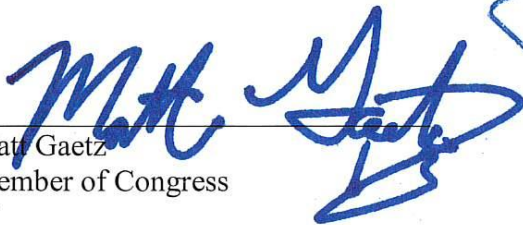
Andy Biggs
Member of Congress



Dave Brat
Member of Congress



Jeff Duncan
Member of Congress



Matt Gaetz
Member of Congress



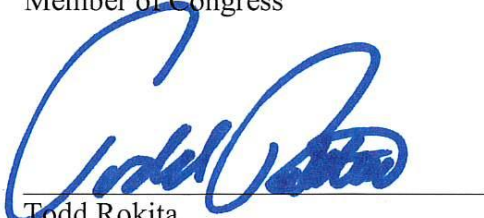
Paul A. Gosar, D.D.S.
Member of Congress



Andy Harris, M.D.
Member of Congress



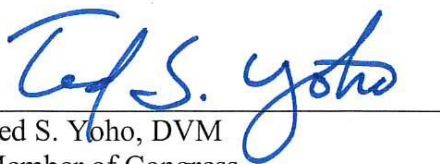
Jody Hice
Member of Congress



Todd Rokita
Member of Congress



Claudia Tenney
Member of Congress



Ted S. Yoho, DVM
Member of Congress

(b)(6), (b)(7)(C) per FBI

From: (b)(6), (b)(7)(C) per FBI
Sent: Tuesday, April 17, 2018 5:07 PM
To: Herridge, Catherine; Maguire, Jacqueline (BH) (FBI); (b)(6), (b)(7)(C) per FBI
Cc: Flores, Sarah Isgur (OPA); Prior, Ian (OPA); Gibson, Jake
Subject: RE: Director Comey - prepublication review

Hi Catherine,

I cannot comment on your specific questions. What I can do is direct you to the FBI' Pre-Publication Review policy guide, which is publicly available on our web site. Section 4.3.1 may provide you with some additional helpful information with regard to the review of submitted materials.

<https://vault.fbi.gov/2015-prepublication-review-policy-guide>

Sincerely,

(b)(6), (b)(7)(C) per FBI
Federal Bureau of Investigation
National Press Office
Desk: (b)(6), (b)(7)(C), (b)(7)
Cell: (E) per FBI

All correspondence contained in this e-mail, to include all names and associated contact information, may be subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Tuesday, April 17, 2018 4:40 PM
To: (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Flores, Sarah Isgur (OPA) (JMD) <(b)(6)>; Prior, Ian (OPA) (JMD) <(b)(6)>; Gibson, Jake <(b)(6)>
Subject: RE: Director Comey - prepublication review

Thank you for the statement, but it does not address the core questions of expedited review.

Can you address?
Catherine

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Tuesday, April 17, 2018 4:27 PM
To: Herridge, Catherine <(b)(6)> Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Flores, Sarah Isgur (OPA) (JMD) <(b)(6)>; Prior, Ian (OPA) (JMD) <(b)(6)> Gibson, Jake <(b)(6)>
Subject: RE: Director Comey - prepublication review

Catherine,

Please see our statement below. You may attribute it as an FBI statement.

"Pursuant to the FBI's Prepublication Review policy, former Director James Comey submitted a draft of his book to the FBI for review. The FBI reviewed the draft and concluded that none of the FBI information presented fell within a restricted area of disclosure."

Sincerely,

(b)(6), (b)(7)(C) per FBI

Federal Bureau of Investigation

National Press Office

Desk: (b)(6), (b)(7)(C),

Cell: (b)(7)(E) per FBI

All correspondence contained in this e-mail, to include all names and associated contact information, may be subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

From: Herridge, Catherine [mailto:(b)(6)]

Sent: Tuesday, April 17, 2018 4:04 PM

To: Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Cc: Flores, Sarah Isgur (OPA) (JMD) (b)(6) Prior, Ian (OPA) (JMD)

(b)(6) Gibson, Jake (b)(6) Herridge, Catherine

(b)(6)

Subject: Director Comey - prepublication review

Good afternoon,

Trust you can help or get our questions to the right person.

1. How long was the FBI pre-publication review for Director Comey's "A Higher Loyalty," and did it follow standard procedures?
2. Given the Director's book deal was signed in August, was the review expedited? If so, under whose authority?
3. On process, did the decision to expedite the review require sign off from acting Director McCabe, current Director Wray or another individual/entity?
4. Did the manuscript contain law enforcement sensitive or classified information?
5. If so, how were adjustments made?

We are copying Justice in the event they had input on the review process.

We would appreciate an answer by 9a Wednesday morning.

Thank you for your consideration and assistance.

Catherine

<https://www.justsecurity.org/54960/comeys-book-prepublication-review/>

"After close review, our understanding is that Section 17.18 requires all FBI employees and contractors granted access to Sensitive

FBI employees and contractors granted access to sensitive
Compartmented Information to sign a nondisclosure agreement that
includes a provision relating to prepublication review. Although Section
17.18 does not identify the nondisclosure agreement, other sources
indicate that it is [Form 4414](#), which imposes a lifetime prepublication-
review obligation. Separately, the FBI Employment Agreement
requires *all* FBI personnel (current and former) to submit to
prepublication review in accordance with the Policy Guide.”

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(b)(6), (b)(7)(C) per FBI

From: (b)(6), (b)(7)(C) per FBI
Sent: Thursday, April 5, 2018 5:54 PM
To: Herridge, Catherine; Maguire, Jacqueline (BH) (FBI); (b)(6), (b)(7)(C) per FBI
(b)(6), (b)(7)(C) per FBI Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Cc: Gibson, Jake; Mears, William
Subject: RE: McCabe termination -- new texts

Hi Catherine,

We don't have any comment.

Thank you.

(b)(6), (b)(7)(C) per FBI

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Thursday, April 05, 2018 5:27 PM
To: Maguire, Jacqueline (BH) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6), (b)(7)(C) per FBI Flores, Sarah
Isgur (OPA) (JMD) <(b)(6)> Prior, Ian (OPA) (JMD) <(b)(6)>
Cc: Gibson, Jake <(b)(6)> Herridge, Catherine
<(b)(6)> Mears, William <(b)(6)>
Subject: McCabe termination -- new texts

Good afternoon –

We are reaching out directly to Andrew McCabe's lawyer for comment, but wanted to also check for comment from the bureau. We are also copying DOJ for situational awareness.

We now understand that former Deputy Director McCabe was terminated for three violations of the FBI ethics directives.

They include lack of candor under oath, lack of candor not under oath as well as the improper disclosure of non-public information. We also understand that Mr. McCabe tasked lawyer Lisa Page and media chief Michael Kortan to speak with the WSJ in October 2016. It was McCabe's lack of candor about the media contact that led to his termination. We also understand that lawyer Lisa Page's statements were critical because they directly conflicted with McCabe's account.

In addition, we also understand that texts between Page and Strzok indicate that Strzok travelled to London in early August 2016 to interview at least one key witness after the FBI Russia probe was officially opened. While the texts are heavily redacted, they suggest Page and Strzok debated how much information to share with DOJ.

We are on a short time line for air this evening, but will include any comment or statement to our reporting when it becomes available.

Thank you.
Catherine

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, April 5, 2018 2:50 PM
To: Herridge, Catherine
Cc: Gibson, Jake
Subject: RE: Letter for DAG Rosenstein and Director Wray

Good to know. I was told they were responding last night.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Herridge, Catherine <(b)(6)>
Sent: Thursday, April 5, 2018 2:27 PM
To: Flores, Sarah Isgur (OPA) <(b)(6)>
Cc: Gibson, Jake <(b)(6)>
Subject: RE: Letter for DAG Rosenstein and Director Wray

Thanks for writing Sarah.
We wrote twice, but no response from FBI.
Our understanding is that the redactions are being made at the FBI level.

Sent from [Mail](#) for Windows 10

From: Flores, Sarah Isgur (OPA) (b)(6)
Sent: Thursday, April 5, 2018 2:21:45 PM
To: Herridge, Catherine
Cc: Gibson, Jake
Subject: Re: Letter for DAG Rosenstein and Director Wray

Did u get a response on this from FBI?

On Apr 5, 2018, at 6:57 AM, Herridge, Catherine <(b)(6)> wrote:

Checking back.
Thank you for confirming receipt.

Sent from my iPhone

On Apr 4, 2018, at 7:22 PM, Herridge, Catherine <(b)(6)> wrote:

Good evening,

Trust you can help or get our questions to the right person.

We understand this letter was sent today from the chairman of the house intelligence committee to Director Wray and DAG Rosenstein.

Please advise if you will be offering comment on the letter, whether the department will meet the April 11 deadline, as well as our questions below.

1. On what basis was the EC redacted?
2. On what basis is the FBI Assistant Director for Legislative Affairs denying a clean copy of the EC to the committee?
3. How is the AD for Legislative Affairs refusal to further un-redact the record document -- consistent with Director Wray and DAG Rosenstein's commitment to cooperate with the committee, and provide records in a timely fashion?

Unfortunately we are on a quick turn around for the prime time shows. We will update our reporting as soon as a response becomes available.

Thank you for the consideration.
Catherine

<2018_04_04_12_39_29.pdf>

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ON INTELLIGENCE

HVC-304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225-4121

DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

April 4, 2018

The Honorable Rod Rosenstein
Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Washington, D.C. 20535

Dear Deputy Attorney General Rosenstein and Director Wray:

During our last in-person meeting to discuss the August 24, 2017, subpoenas issued by this Committee to the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI)—which remain in force—you expressed a desire to restore a constructive working relationship with the Committee, and specifically asked that we seek to proceed on a more informal basis without the need for detailed written communications.

At your request, I have endeavored to execute the Committee's oversight responsibilities more informally. More than a month ago, on February 27, 2018, I requested Director Wray's assistance in gaining access to an unredacted version of an Electronic Communication (EC) related to the opening of an FBI counterintelligence investigation into the Trump campaign and responsive to the August 24 subpoenas, which had been made available to the Committee in heavily redacted form. I made Deputy Attorney General Rosenstein aware of this request in early March. On March 14, 2018, Committee investigators were given access to a still heavily redacted version of the EC, which—as I informed Director Wray the next day via phone—was unsatisfactory.

On March 23, 2018, FBI's Assistant Director for Legislative Affairs informed the Committee that FBI would refuse to further unredact the EC based on its supposed sensitivity. The

document in question is not highly classified, and law enforcement sources have apparently not been shy about leaking to the press information that the Department and Bureau refuse to share with Congress.

Additionally, DOJ has for months restricted Member access to other documents responsive to the August 24 subpoenas, including four Foreign Intelligence Surveillance Act (FISA) applications targeting Carter Page. As I made clear in a November 2, 2017, letter to Deputy Attorney General Rosenstein, my initial designation of Rep. Trey Gowdy to review the documents was “made without prejudice to, and shall not limit or waive the authority of all Members of the House Permanent Select Committee on Intelligence from reviewing the documents at a later date upon request.”

The Committee communicated such a request via email to DOJ’s Office of Legislative Affairs (OLA) on February 7, 2018, and followed up—again via email—on February 8, February 14, and February 26. After nearly three weeks without a meaningful response, OLA finally informed the Committee on February 26, 2018, that “the Department has not agreed to allow further member access.” Particularly given that multiple members of other committees have been the beneficiaries of such access, this arbitrary resistance to legitimate oversight is unacceptable.

Therefore, in accordance with the August 24, 2017 subpoenas, you are hereby directed to produce to the Committee, by Wednesday, April 11, 2018, an unredacted version of the EC, along with any and all responsive documents previously made available for *in camera* review, including but not limited to the Carter Page FISA applications. Be advised that failure to comply in a satisfactory manner will result in the Committee pursuing all appropriate legal remedies, including seeking civil enforcement of the August 24 subpoenas in federal district court.

Best regards,



Devin Nunes
Chairman

Herridge, Catherine

From: Herridge, Catherine
Sent: Thursday, April 5, 2018 6:58 AM
To: (b)(6), (b)(7)(C) per FBI
(FBI); Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Cc: Gibson, Jake
Subject: Re: Letter for DAG Rosenstein and Director Wray

Checking back.
Thank you for confirming receipt.

Sent from my iPhone

On Apr 4, 2018, at 7:22 PM, Herridge, Catherine <(b)(6)> wrote:

Duplicative Material



Herridge, Catherine

From: Herridge, Catherine
Sent: Wednesday, April 4, 2018 7:44 PM
To: (b)(6). (b)(7)(C) per FBI
; Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Cc: Gibson, Jake; 030 -Root (FoxNews.Com)
Subject: RE: Letter for DAG Rosenstein and Director Wray

We are also adding the dotcom night desk if there is comment later this evening. Thank you.

Sent from [Mail](#) for Windows 10

From: Herridge, Catherine
Sent: Wednesday, April 4, 2018 7:22:23 PM
To: (b)(6). (b)(7)(C) per FBI ; Flores, Sarah Isgur
(OPA) (JMD); Prior, Ian (OPA)
Cc: Gibson, Jake
Subject: Letter for DAG Rosenstein and Director Wray

Duplicative Material



Robbins, Christina

From: Robbins, Christina
Sent: Friday, March 16, 2018 11:20 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: 1p Monday?? Re: Statement from the Attorney General

Okay.
Gonna be a crazy weekend!!
Thank you.

On Mar 16, 2018, at 11:14 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

No. I really can't speak about specific personnel issues beyond the statement.

On Mar 16, 2018, at 11:13 PM, Robbins, Christina <(b)(6)> wrote:

Sarah-
Woah.
Can you do an interview on this Monday at 1p??

Christina Robbins
Fox News Channel
Cell (b)(6)

On Mar 16, 2018, at 9:58 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

After an extensive and fair investigation and according to Department of Justice procedure, the Department's Office of the Inspector General (OIG) provided its report on allegations of misconduct by Andrew McCabe to the FBI's Office of Professional Responsibility (OPR).

The FBI's OPR then reviewed the report and underlying documents and issued a disciplinary proposal recommending the dismissal of Mr. McCabe. Both the OIG and FBI OPR reports concluded that Mr. McCabe had made an unauthorized disclosure to the news media and lacked candor – including under oath – on multiple occasions.

The FBI expects every employee to adhere to the highest standards of honesty, integrity, and accountability. As the OPR proposal stated, “all FBI employees know that lacking candor under oath results in dismissal and that our integrity is our brand.”

Pursuant to Department Order 1202, and based on the report of the Inspector General, the findings of the FBI Office of Professional Responsibility, and the recommendation of the Department's senior

responsibility, and the recommendation of the Department's senior career official, I have terminated the employment of Andrew McCabe effective immediately.

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

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(b)(6) Matthew Boyle

From: (b)(6) Matthew Boyle
Sent: Friday, March 16, 2018 10:29 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: Re: Statement from the Attorney General

Nice! Let's all catch up for sure sometime soon!

Sent from my iPhone

On Mar 16, 2018, at 9:57 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

After an extensive and fair investigation and according to Department of Justice procedure, the Department's Office of the Inspector General (OIG) provided its report on allegations of misconduct by Andrew McCabe to the FBI's Office of Professional Responsibility (OPR).

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Pursuant to Department Order 1202, and based on the report of the Inspector General, the findings of the FBI Office of Professional Responsibility, and the recommendation of the Department's senior career official, I have terminated the employment of Andrew McCabe effective immediately.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

Herridge, Catherine

From: Herridge, Catherine
Sent: Friday, March 16, 2018 10:29 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: Re: Statement from the Attorney General

Received and thank you

Sent from my iPhone

On Mar 16, 2018, at 9:58 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

After an extensive and fair investigation and according to Department of Justice procedure, the Department's Office of the Inspector General (OIG) provided its report on allegations of misconduct by Andrew McCabe to the FBI's Office of Professional Responsibility (OPR).

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Pursuant to Department Order 1202, and based on the report of the Inspector General, the findings of the FBI Office of Professional Responsibility, and the recommendation of the Department's senior career official, I have terminated the employment of Andrew McCabe effective immediately.

xxx:

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

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McDonnell, Brigid Mary

From: McDonnell, Brigid Mary
Sent: Friday, March 16, 2018 10:20 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Fox News @ Night Comment?

Thx!

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Friday, March 16, 2018 10:20 PM
To: McDonnell, Brigid Mary <(b)(6)>
Subject: RE: Fox News @ Night Comment?

Nope!

xxxx
Sarah Isgur Flores
Director of Public Affairs
(b)(6)

From: McDonnell, Brigid Mary [mailto:(b)(6)]
Sent: Friday, March 16, 2018 10:03 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: Fox News @ Night Comment?

Hey Sarah – any further comment for us before we go to air at 11pm ET?

From: Gibson, Jake
Sent: Friday, March 16, 2018 9:59 PM
To: Napolitano, Andrew P. <(b)(6)>; 202 -FBN Editorial <FBNEditorial@FOXNEWS.COM>; 194 -FOX DC Assign <foxdc.assign@FOXNEWS.COM>; 164 -NationalDesk <NationalDesk@FOXNEWS.COM>; 108- DC REPORTER BBERRY <108-DCREPORTERBBERRY@FOXNEWS.COM>; 069 -Politics <politics3@FOXNEWS.COM>; 051 -Producers <producers@FOXNEWS.COM>; 050 -Senior Producers <seniorproducers@FOXNEWS.COM>; 041-WHUNIT <41-WHUNIT@FOXNEWS.COM>; 030 -Root (FoxNews.Com) <root@FOXNEWS.COM>
Subject: *** URGENT - Statement from the Attorney General - McCabe TERMINATED

After an extensive and fair investigation and according to Department of Justice procedure, the Department's Office of the Inspector General (OIG) provided its report on allegations of misconduct by Andrew McCabe to the FBI's Office of Professional Responsibility (OPR).

The FBI's OPR then reviewed the report and underlying documents and issued a disciplinary proposal recommending the dismissal of Mr. McCabe. Both the OIG and FBI OPR reports concluded that Mr. McCabe had made an unauthorized disclosure to the news media and lacked

candor – including under oath – on multiple occasions.

The FBI expects every employee to adhere to the highest standards of honesty, integrity, and accountability. As the OPR proposal stated, “all FBI employees know that lacking candor under oath results in dismissal and that our integrity is our brand.”

Pursuant to Department Order 1202, and based on the report of the Inspector General, the findings of the FBI Office of Professional Responsibility, and the recommendation of the Department’s senior career official, I have terminated the employment of Andrew McCabe effective immediately.

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Gibson, Jake

From: Gibson, Jake
Sent: Friday, March 16, 2018 10:00 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Statement from the Attorney General

Got it.
THANKS

On Mar 16, 2018, at 9:58 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

After an extensive and fair investigation and according to Department of Justice procedure, the Department's Office of the Inspector General (OIG) provided its report on allegations of misconduct by Andrew McCabe to the FBI's Office of Professional Responsibility (OPR).

The FBI's OPR then reviewed the report and underlying documents and issued a disciplinary proposal recommending the dismissal of Mr. McCabe. Both the OIG and FBI OPR reports concluded that Mr. McCabe had made an unauthorized disclosure to the news media and lacked candor – including under oath – on multiple occasions.

The FBI expects every employee to adhere to the highest standards of honesty, integrity, and accountability. As the OPR proposal stated, "all FBI employees know that lacking candor under oath results in dismissal and that our integrity is our brand."

Pursuant to Department Order 1202, and based on the report of the Inspector General, the findings of the FBI Office of Professional Responsibility, and the recommendation of the Department's senior career official, I have terminated the employment of Andrew McCabe effective immediately.

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

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Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, March 5, 2018 1:09 PM
To: (b)(6), (b)(7)(C) per FBI
(b)(6) Flores, Sarah Isgur (OPA); Garcia, Yvonne (OIG); Lavinsky, John S. (OIG);
Prior, Ian (OPA)
Cc: Gibson, Jake; Mears, William
Subject: RE: Fox News Query

Looping in Yvonne.

From: Herridge, Catherine
Sent: Monday, March 05, 2018 12:01 PM
To: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6) 'Flores, Sarah Isgur (OPA)' <(b)(6)> 'John S. Lavinsky (OIG)' <(b)(6)>; Prior, Ian (OPA) <(b)(6)>
Cc: Gibson, Jake <(b)(6)> Mears, William <(b)(6)>
Herridge, Catherine <(b)(6)>
Subject: Fox News Query

Good morning,

Trust you are well and can help or get our questions to the right person. The first set of questions pertains to the FBI, and the second for the IG. For the sake of clarity, and transparency, we are including all parties on the email including Main Justice.

A response by 430 would be appreciated.
As always, thank you for the consideration.

Catherine V Herridge
Fox News Channel

We have developed information that during the course of the Clinton email investigation, FBI Agent Strzok was advised of an anomaly in the Clinton server metadata that suggested a possible breach. We were also understand a damage assessment was not done.

1. During the email investigation, was Agent Strzok advised of an anomaly in the Clinton server metadata that suggested a possible breach?
2. What action, if any, was taken by Agent Strzok?
3. Did the Clinton server metadata anomaly, play any role, in Agent Strzok's edits to the July 2016 Director Comey statement?
4. After classified information was confirmed on the Clinton server, did Agent Strzok or the bureau support and participate in a damage assessment?

For the IG:

1. Is the IG aware that Agent Strozok was advised of the metadata irregularity, suggesting a possible breach?
2. Is the IG reviewing Agent Strzok's handling of the matter?
3. Is the IG reviewing the FBI's conduct, as it relates to the damage assessment?

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(b)(6), (b)(7)(C) per FBI

From: (b)(6), (b)(7)(C) per FBI
Sent: Monday, March 5, 2018 12:50 PM
To: Herridge, Catherine; (b)(6); (b)(6), (b)(7)(C) per FBI
Flores, Sarah Isgur (OPA) (JMD); Lavinsky, John S. (OIG); Prior, Ian (OPA) (JMD)
Cc: Gibson, Jake; Mears, William
Subject: RE: Fox News Query

Catherine,

We have no comment.

Sincerely,

(b)(6), (b)(7)(C) per FBI
Federal Bureau of Investigation
National Press Office
Desk: (b)(6), (b)(7)(C), (b)
Cell: (7)(E) per FBI

All correspondence contained in this e-mail, to include all names and associated contact information, may be subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Monday, March 05, 2018 12:01 PM
To: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6) Flores, Sarah Isgur (OPA) (JMD) <(b)(6)>
Lavinsky, John S. (OIG) <(b)(6)>; Prior, Ian (OPA) (JMD) <(b)(6)>
Cc: Gibson, Jake <(b)(6)> Mears, William <(b)(6)>
Herridge, Catherine <(b)(6)>
Subject: Fox News Query

Duplicative Material



Herridge, Catherine

From: Herridge, Catherine
Sent: Thursday, February 22, 2018 6:54 AM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA); (b)(6). (b)(7)(C) per FBI
Subject: Re: house intel records -- Andrew Weissmann media meeting/April 2017

Received and thank you.
We'll come back as we learn more.

Sent from my iPhone

On Feb 21, 2018, at 8:02 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

We'll decline further comment on our conversations with the committee.

On Feb 21, 2018, at 6:33 PM, Herridge, Catherine <(b)(6)> wrote:

Good evening,

Trust you are well and can help.

What is the status of the Andrew Weissmann records requested by the House intelligence committee in December? Based on the attached letter summarizing an agreement with DAG Rosenstein, the records would be provided by January 11. After the deadline was missed, we understand there were assurances that the records would be provided no later than the week of January 19th.

Is there is a reason the records have not been made available in a timely fashion, and under the agreed deadline? I am looping in FBI, as the April 2017 Weissmann meeting, also included the bureau and notes were taken.

We have been in touch with the Special Counsel office about our questions. As a courtesy, please advise if you take the matter up with them directly.

Can we please hear from you by mid-day Thursday? As always, thank for the consideration and assistance.
Catherine

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<CHM ltr to DAG re Memorialization of Call and Subpoena Compliance - 4 Ja....pdf>

U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

HVC 304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225 4121

January 4, 2018

The Honorable Rod Rosenstein
Deputy Attorney General
U.S. Department of Justice
1201 Pennsylvania Ave, NW
Washington, D.C. 20004

Dear Mr. Rosenstein:

Pursuant to our phone call yesterday evening, I write to memorialize the agreement we reached regarding compliance with the subpoenas issued by the House Permanent Select Committee on Intelligence (the Committee) on August 24, 2017, to the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI), as well as several other outstanding requests by the Committee for information and interviews. It is my hope that this agreement will provide the Committee with all outstanding documents and witnesses necessary to complete its investigations into matters involving DOJ and FBI.

As agreed, designated Committee investigators and staff will be provided access to all remaining investigative documents, in unredacted form, for review at DOJ on Friday, January 5, 2018. The documents to be reviewed will include all FBI Form FD-1023s and all remaining FBI Form FD-302s responsive to the Committee's August 24, 2017 subpoenas. The only agreed-upon exception pertains to a single FD-302, which, due to national security interests, will be shown separately by Director Wray to myself and my senior investigators during the week of January 8, 2018.

You further confirmed that there are no other extant investigative documents that relate to the Committee's investigations into (a) Russian involvement in the 2016 Presidential election or (b) DOJ/FBI's related actions during this time period. This includes FD-302s, FD-1023s, and any other investigatory documents germane to the Committee's investigations, regardless of form and/or title. If, somehow, "new" or "other" responsive documents are discovered, as discussed, you will notify me immediately and allow my senior investigators to review them shortly thereafter.

With respect to the witness interviews requested by the Committee, you have agreed that all such witnesses – namely, former DOJ Associate Deputy Attorney General Bruce Ohr; FBI Supervisory Special Agent Peter Strzok; former FBI General Counsel James Baker; FBI Attorney Lisa Page; FBI Attorney Sally Moyer; FBI Assistant Director Greg Brower; FBI Assistant Director Bill Priestap; and FBI Special Agent James Rybicki – will be made available for interviews to be conducted in January.

Lastly, as to the remaining approximately 9,500 text messages between FBI Supervisory Special Agent Peter Strzok and his mistress, FBI Attorney Lisa Page, it is my understanding based on your representations that another search is being conducted and all relevant messages will be provided. Accordingly, the Committee requests production of these messages by no later than close of business, Thursday, January 11, 2018. Similarly, I understand that your office is researching records related to the details of an April 2017 meeting between DOJ Attorney Andrew Weissman (now the senior attorney for Special Counsel Robert Mueller) and the media, which will also be provided to this Committee by close of business on Thursday, January 11, 2018.

It was further agreed that all documents made available to the Committee will also be available for review by the minority Ranking Member and designated staff.

The materials we are requesting are vital to the Committee's investigation of potential abuses into intelligence and law enforcement agencies' handling of the Christopher Steele dossier. The Committee is extremely concerned by indications that top U.S. Government officials who were investigating a presidential campaign relied on unverified information that was funded by the opposing political campaign and was based on Russian sources. Going forward, it's crucial that we memorialize our conversations on this issue, and that we're as transparent as possible with the American people, who deserve answers to the questions the Committee is investigating.

The subpoenas issued August 24, 2017, remain in effect.

Sincerely,



Devin Nunes
Chairman

Copies to:

The Honorable Jeff Sessions, Attorney General

The Honorable Christopher Wray, Director, Federal Bureau of Investigation

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, February 2, 2018 7:28 PM
To: Herridge, Catherine
Cc: Kortan, Michael P. (DO) (FBI); (b)(6). (b)(7)(C) per FBI
(b)(6) Prior, Ian (OPA); Gibson, Jake
Subject: Re: Fox Query

Everything I've said so far is on the record.

On Feb 2, 2018, at 7:11 PM, Herridge, Catherine <(b)(6)> wrote:

We will be back in touch. When you can please send the OTR statement.
Appreciated.

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Friday, February 02, 2018 6:49 PM
To: Herridge, Catherine <(b)(6)>
Cc: Kortan, Michael P. (DO) (FBI) (b)(6). (b)(7)(C). (b)(7)(E) per FBI
(b)(6) Prior, Ian (OPA) <(b)(6)> Gibson, Jake
<(b)(6)>
Subject: Re: Fox Query

Yep. In the strongest terms. Because I have 3 people who were in the meeting. And it didn't happen.

On Feb 2, 2018, at 6:37 PM, Herridge, Catherine <(b)(6)> wrote:

I have two people in the meeting who say it happened.
Can we have an on the record denial?

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Friday, February 02, 2018 6:08 PM
To: Herridge, Catherine <(b)(6)>
Cc: Kortan, Michael P. (DO) (FBI) (b)(6). (b)(7)(C). (b)(7)(E) per FBI
(b)(6) Prior, Ian (OPA)
<(b)(6)> Gibson, Jake <(b)(6)>
Subject: Re: Fox Query

This is just false.

And as Jake knows, I don't say that very often.

On Feb 2, 2018, at 5:45 PM, Herridge, Catherine <(b)(6)> wrote:

Good evening –

We are told that on January 10th there was a meeting with Directory Wray, DAG Rosenstein, Nunes and staffers. During the meeting, the discussion got very heated, and at one point, DAG Rosenstein threatened to subpoena congressional records and emails to investigate them he was so tired/frustrated by the requests.

Thank you for letting us know whether you can provide comment or background on the meeting.

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 31, 2018 7:43 PM
To: Herridge, Catherine
Cc: Kortan, Michael P. (DO) (FBI); (b)(6), (b)(7)(C) per FBI
(b)(6) Prior, Ian (OPA); Gibson, Jake; Roberts, John
Subject: Re: redactions to memo/White House meeting

Decline comment but some of what's below doesn't sound right.

On Jan 31, 2018, at 7:11 PM, Herridge, Catherine <(b)(6)> wrote:

Good evening,

Please let us know whether you can provide comment on the record or on background.

1. Did the meeting satisfy the FBI/DOJ concerns?
2. Were redactions agreed?

Two sources tell us that there was a meeting at the White House with FBI officials late yesterday afternoon, and they came to see Chief of Staff John Kelly, to go over the FISA memo that had gone through a White House review by its national security team to address bureau/DOJ concerns including issues of sources and methods. White House Counsel Don McGahn was involved.

The new version was presented, and designed to address those concerns. Despite those efforts, the FBI released the statement today in opposition to the memo's release which left White House officials scratching their heads.

As always, we appreciate the assistance.

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(b)(6) - Kristina Wong

From: (b)(6) - Kristina Wong
Sent: Wednesday, January 31, 2018 12:59 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA); (b)(6), (b)(7)(C) (DO) (FBI)
Subject: Re: FBI statement

Thank you Sarah!

Hi (b)(6), (b)(7)(C) per FBI would you please send me the FBI statement re: the memo? I would appreciate it!

Kristina

-----Original Message-----

From: "Flores, Sarah Isgur (OPA)" <(b)(6)>
Sent: Wednesday, January 31, 2018 12:55pm
To: (b)(6) - Kristina Wong
Cc: "Prior, Ian (OPA)" <(b)(6)> (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: Re: FBI statement

Adding (b)(6), (b)(7)(C) per FBI from the FBI

On Jan 31, 2018, at 12:55 PM, (b)(6) - Kristina Wong > wrote:

Hi Sarah,

Not sure who does press for FBI specifically...would you be able to send me their latest statement on the memo please?

I would appreciate it.

Kristina

Kristina Wong
Pentagon reporter, Breitbart News
(b)(6), (b)(7)(C) per FBI
[@kristina_wong](#)

Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, January 31, 2018 12:40 PM
To: Flores, Sarah Isgur (OPA)
Subject: Fwd: FBI Statement on HPSCI Memo

Subject: FW: FBI Statement on HPSCI Memo

From: NPO
Sent: Wednesday, January 31, 2018 12:31 PM
To: NPO <NPO@FBI.GOV>
Subject: FBI Statement on HPSCI Memo

FBI Statement on HPSCI Memo to be attributed to the FBI:

The FBI takes seriously its obligations to the FISA Court and its compliance with procedures overseen by career professionals in the Department of Justice and the FBI. We are committed to working with the appropriate oversight entities to ensure the continuing integrity of the FISA process.

With regard to the House Intelligence Committee's memorandum, the FBI was provided a limited opportunity to review this memo the day before the committee voted to release it. As expressed during our initial review, we have grave concerns about material omissions of fact that fundamentally impact the memo's accuracy.

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Herridge, Catherine

From: Herridge, Catherine
Sent: Tuesday, January 30, 2018 2:31 PM
To: Kortan, Michael P. (DO) (FBI); (b)(6), (b)(7)(C) per FBI
Cc: Gibson, Jake; Flores, Sarah Isgur (OPA)
Subject: McCabe statement

Follow up:

WH Press Secretary Sarah Sanders said at the podium yesterday that the FBI was expected to issue a statement on Deputy Director McCabe.

Can you help? Where does it stand.
Thank you

From: Herridge, Catherine
Sent: Monday, January 29, 2018 12:32 PM
To: Kortan, Michael P. (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Gibson, Jake <(b)(6)> 'Flores, Sarah Isgur (OPA)' <(b)(6)>
Subject: McCabe stepping down

Following up – Have tried folks cells but no answer.

Is McCabe stepping down?
Is it effective immediately?
Was the release of the house memo a factor?
Will McCabe stay on the payroll as reported?

Thank you.

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Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, January 29, 2018 9:28 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: WH Counsel

Thanks for quick response Sarah.

Sent from my iPhone

On Jan 29, 2018, at 9:17 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Decline here too. Gracias!

On Jan 29, 2018, at 9:17 PM, Herridge, Catherine <(b)(6)> wrote:

Thank you for the quick response.

Sent from my iPhone

On Jan 29, 2018, at 9:16 PM, (b)(6), (b)(7)(C), (b)(7)(E) per FBI wrote:

Hi Catherine,
We do not have any comment.

Best,
(b)(6), (b)(7)(C) per

----- Original message -----

From: "Herridge, Catherine"
<(b)(6)>
Date: 1/29/18 9:11 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI
, "Flores, Sarah Isgur (OPA) (JMD)"
<(b)(6)> "Prior, Ian (OPA) (JMD)"
(b)(6)
Cc: "Gibson, Jake" <(b)(6)>
Subject: WH Counsel

Subject: WH Counsel

Good evening -

We got information late today that FBI Director Wray and Deputy AG Rosenstein were in contact with WH counsel Fin McGahn to make the argument against house intel memo's public release.

Please let us know if you can provide comment or guidance.

Thank you

Catherine

Sent from my iPhone

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Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, January 29, 2018 11:03 AM
To: Flores, Sarah Isgur (OPA)
Cc: Kortan, Michael P. (DO) (FBI); (b)(6), (b)(7)(C) per FBI (FBI); Gibson, Jake
Subject: RE: FBI director Wray

Appreciate the quick response Sarah.
We are posting, and will include FBI response if one becomes available.
Thank you.

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Monday, January 29, 2018 10:38 AM
To: Herridge, Catherine <(b)(6)>
Cc: Kortan, Michael P. (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6); Gibson, Jake (b)(6)
Subject: Re: FBI director Wray

DOJ will decline to comment

On Jan 29, 2018, at 10:34 AM, Herridge, Catherine <(b)(6)> wrote:

Good morning,

Please advise if you can provide comment for our reporting. We will be posting shortly:

A government source tells Fox News that FBI Director Wray went to the Capitol late last night, and viewed the republican drafted four page memo alleging abuse government surveillance programs. Wray was asked to point out inaccuracies, or wording he took issue with. Wray said he would need "his people to take a look at it," and this review is ongoing this morning.

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Herridge, Catherine

From: Herridge, Catherine
Sent: Wednesday, January 24, 2018 11:27 AM
To: Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Cc: Gibson, Jake
Subject: RE: Grassley and Johnson letter

Sarah,

I apologize, only now learned you had an interview on the channel much earlier.

Will review.

We remain interested in the Grassley/Johnson letter and status with IG.

Thank you!

-----Original Message-----

From: Herridge, Catherine
Sent: Wednesday, January 24, 2018 11:06 AM
To: 'Flores, Sarah Isgur (OPA)' <(b)(6)> Prior, Ian (OPA)
<(b)(6)>
Cc: Gibson, Jake <(b)(6)>
Subject: Grassley and Johnson letter

Good morning,

We are following up on the Johnson/Grassley letter. Can we do a quick call, or suggest best contact with IG. We sent the email below to FBI Monday, and would not confirm even most basic steps taken to recover texts.

Many thx
Catherine

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Monday, January 22, 2018 5:08 PM
To: Herridge, Catherine <(b)(6)> Kortan, Michael P. (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI

Cc: (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Browne, Pamela <(b)(6)>

Upson, Cyd <(b)(6)>

Subject: RE: text message follow up

Catherine,

Thanks for your inquiry. We have no comment.

Sincerely,

(b)(6), (b)(7)(C) per FBI

Federal Bureau of Investigation

National Press Office

Desk: (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Cell: (b)(6), (b)(7)(C), (b)(7)(E) per FBI

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From: Herridge, Catherine [mailto:(b)(6)]

Sent: Monday, January 22, 2018 3:51 PM

To: Kortan, Michael P. (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Cc: (b)(6), (b)(7)(C), (b)(7)(E) per FBI

Herridge, Catherine <(b)(6)>

>; Browne, Pamela <(b)(6)>

Upson, Cyd

<(b)(6)>

Subject: text message follow up

Mike and team,

Trust you are well and can help.

- 1) In an effort to recover the text messages, has the bureau contacted the service provider? What can you share in that regard?
- 2) In an effort to recover the text messages, has the bureau taken physical custody of the Strzok and Page cell phones? If so, what is the status of a forensic review?
- 3) Are the Strzok/Page texts available to IG Horowitz, or does no government entity possess the records?
- 4) Can you clarify whether other FBI employees/who and how many were affected by the same technical issues as the Strzok/Page texts?

Thank you for the help and assistance.

Catherine

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United States Senate
WASHINGTON, DC 20510

January 23, 2018

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dear Inspector General Horowitz:

The Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary are conducting oversight of the Federal Bureau of Investigation (FBI) and the FBI's investigation of classified information on former Secretary of State Hillary Clinton's private email server. We write to request information about the loss of FBI records connected to this investigation.

On January 12, 2017, the Department of Justice Office of Inspector General (DOJ OIG) announced an investigation of "allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016 and that certain underlying investigative decisions were based on improper considerations."¹

On December 6, 2017, we wrote to you concerning the DOJ OIG discovery of text messages between FBI employees Lisa Page and Peter Strzok.² Your response, dated December 13, 2017, suggested that DOJ OIG received all text messages between Ms. Page and Mr. Strzok from November 30, 2016 to July 28, 2017. You wrote:

In gathering evidence for the OIG's ongoing 2016 election review, we requested, consistent with standard practice, that the FBI produce text messages from the FBI-issued phones of certain FBI employees involved in the Clinton email investigation based on search terms we provided. After finding a number of politically-oriented text messages between Page and Strzok, the OIG sought from the FBI all text messages between Strzok and Page from their FBI-issued phones through November 30, 2016, which covered the entire period of the Clinton e-mail server investigation. The FBI produced these text messages on July 20, 2017. Following our review of those text messages, **the OIG expanded our request to the FBI to include all text messages between Strzok and Page from November 30, 2016, through the date of the document request, which was**

¹ DOJ OIG Announces Initiation of Review, Jan. 12, 2017, available at <https://oig.justice.gov/press/2017/2017-01-12.pdf>.

² Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Security and Gov't Affairs, and Sen. Charles Grassley, Chairman, S. Comm. on Judiciary, to Michael E. Horowitz, Inspector Gen., Dep't of Justice (Dec. 6, 2017).

July 28, 2017. The OIG received these additional messages on August 10, 2017.³

On January 19, 2018, the Department of Justice produced to Congress 384 pages of text messages exchanged between Ms. Page and Mr. Strzok.⁴ According to a cover letter accompanying the documents, the FBI did not preserve text messages between Ms. Page and Mr. Strzok between approximately December 14, 2016 and May 17, 2017.⁵ The cover letter explained:

The Department wants to bring to your attention that the FBI’s technical system for retaining text messages sent and received on FBI mobile devices failed to preserve text messages for Mr. Strzok and Ms. Page from December 14, 2016 to approximately to May 17, 2017. The FBI has informed [the Department of Justice] that many FBI-provided Samsung 5 mobile devices did not capture or store text messages due to misconfiguration issues related to rollouts, provisioning, and software upgrades that conflicted with the FBI’s collection capabilities. The result was that data that should have been automatically collected and retained for long-term storage and retrieval was not collected.⁶

These statements—that DOJ OIG requested “all text messages between Strzok and Page from November 30, 2016, [to] July 28, 2017,”⁷ received them on August 10, 2017, and that the FBI “failed to preserve text messages from Mr. Strzok and Ms. Page from December 14, 2016, to approximately May 17, 2017”⁸—need to be reconciled. During a phone call on January 22, 2018, DOJ OIG staff indicated that the FBI did not produce text messages between Mr. Strzok and Ms. Page from December 14, 2016, to May 17, 2017.⁹

Accordingly, to understand fully the scope of text messages in the possession of the DOJ OIG, we respectfully request that you please provide the following information and material:

1. Is it accurate that the FBI failed to provide to DOJ OIG text messages between Mr. Strzok and Ms. Page from December 14, 2016, to May 17, 2017 due to technical errors that prevented the texts from being archived in the FBI’s records preservation system?

³ Letter from Michael E. Horowitz, Inspector Gen., Dep’t of Justice, to Sen. Ron Johnson, Chairman S. Comm. on Homeland Security and Gov’t Affairs, and Sen. Charles Grassley, Chairman, S. Comm. on Judiciary (Dec. 13, 2017).

⁴ Letter from Stephen Boyd, Assistant Attorney Gen. for Legislative Affairs, Dep’t of Justice, to Sen. Ron Johnson, Chairman, S. Comm. on Homeland Security and Gov’t Affairs (Jan. 19, 2018). The letter also included 384 pages of text messages between Mr. Strzok and Ms. Page.

⁵ *Id.*

⁶ *Id.*

⁷ Letter from Michael E. Horowitz, *supra* note 3.

⁸ Letter from Stephen Boyd, *supra* note 4.

⁹ Phone call with Dep’t of Justice Off. of Inspector Gen. staff (Jan. 22, 2018).

- a. Has the FBI also been unable to provide the texts from any other source, such as the physical phones, carrier records, or any other source?
 - b. Has the OIG requested texts of other FBI personnel during the same time period? If so, has the FBI also been unable to produce texts of others as well or is the missing text problem limited to these two employees?
 - c. On what date did the OIG request access to messages for that time period from the FBI?
 - d. Did the FBI notify the OIG of the missing text messages between Mr. Strzok and Ms. Page? If so, on what date? If not, how and on what date did the OIG discover that messages were missing?
 - e. Did the DOJ OIG notify the office of the Deputy Attorney General of the missing text messages between Mr. Strzok and Ms. Page? If so, on what date?
 - f. Please explain why the DOJ OIG did not notify Congress of the missing text messages.
2. Please produce all communications between DOJ OIG, DOJ, and the FBI referring or relating to the missing text messages.
 3. The Attorney General said in a statement yesterday that your office was already undertaking a review of the circumstances that led to the FBI's failure to preserve and provide texts to the OIG. On what date did that review begin, and what is the scope and methodology of that OIG review?
 4. Has the DOJ OIG been successful in retrieving any of the missing text messages from any other source?
 5. Does the OIG have the necessary authorities, resources, and capabilities to obtain the missing texts from another source? If not, please identify any gaps in your office's ability to do so.
 6. In the most recent batch of texts, Mr. Strzok and Ms. Page frequently indicate that they are also communicating about work-related matters via apparently personal accounts on Apple's encrypted iMessage texting system, as well as through Gmail. Does the OIG have the necessary authorities, resources, and capabilities to obtain any federal records that may reside in those personal accounts? If not, please explain any gaps in your ability to do so.
 7. Has the OIG asked Mr. Strzok or Ms. Page to voluntarily provide any information from their personal accounts? If so, have they been cooperative? If the OIG has not asked, please explain why not.

The Honorable Michael E. Horowitz
January 23, 2018
Page 4

8. Has the DOJ OIG interviewed Mr. Strzok or Ms. Page?
9. Has the DOJ OIG interviewed employees of the FBI's Information Technology office regarding the loss of text messages?


Please respond to this letter as soon as possible but no later than January 29, 2018.

Thank you for your attention to this matter. If you have any questions about this request, please contact Kyle Brosnan or Brian Downey of the Senate Homeland Security and Governmental Affairs Committee staff at (202) 224-4751 or Josh Flynn-Brown of the Senate Judiciary Committee staff at (202) 224-5225.

Sincerely,



Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs



Charles E. Grassley
Chairman
Committee on the Judiciary

cc: The Honorable Claire McCaskill
Ranking Member
Committee on Homeland Security and Governmental Affairs

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary

Gibson, Jake

From: Gibson, Jake
Sent: Monday, January 29, 2018 1:18 PM
To: Flores, Sarah Isgur (OPA)
Subject: Um....?

From another Fox reporter to me...

—

Agents are telling me Terminal Leave is actually illegal for the FBI to do...Only military are allowed to do that and FBI employees are civilian.

Press conference coming

They sent me the article below and said it is made clear during Fedweek

They sent me this:

Q. I have the maximum hours of annual leave I can carry over: 240. Should I cash these hours in when I retire or use them, which would make my years of service a little longer and thus maybe make my retirement check a little larger?

A. You are assuming your employer would approve your using six weeks of leave before you retire. That's not a safe assumption. The government's civilian employees don't have the right to take terminal leave.

This is a Q and A with Reg Jones, who was head of retirement and insurance policy at the Office of Personnel Management.

<http://retirement.federaltimes.com/2013/03/19/using-annual-leave-before-retirement/>

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Saturday, December 2, 2017 3:22 PM
To: (b)(6) - James Rosen
Subject: Fwd: Clearance to Interview McCabe, Strzok, etc.

From: Boyd, Stephen E. (OLA)
Sent: Saturday, December 2, 2017 2:39 PM
To: 'Epley, Mark'; Patel, Kash
Cc: Glabe, Scott; Lasseter, David F. (OLA); Schools, Scott (ODAG)
Subject: Clearance to Interview McCabe, Strzok, etc.

All:

As you know, the Department and FBI have agreed to make DD McCabe available for an interview w/ HPSCI, as stipulated in a recent conversation between Deputy Attorney General Rosenstein and Chairman Nunes.

I can report that we are now in a position to make both FBI SSA Strzok and the agent that has been referred to in prior communications as "the handler" available to HPSCI for interviews in the next couple of weeks.

My understanding is that McCabe is unfortunately unavailable on the initial date suggested by HPSCI. That said, we would like to see each of these three interviews take place prior to Congress leaving for Christmas break. The Department and FBI stand ready to make that happen. I am turning this over to FBI congressional affairs to work out the logistics.

Thanks,

Stephen

Rosen, James

From: Rosen, James
Sent: Saturday, December 2, 2017 2:01 PM
To: Flores, Sarah Isgur (OPA)
Cc: Gibson, Jake
Subject: Re:

Two hours?

James Rosen
Chief Washington Correspondent
Twitter: @JamesRosenTV
(b)(6) (office)
(b)(6) (mobile)
(b)(6)
Editor, *A Torch Kept Lit: Great Lives
of the Twentieth Century*
by William F. Buckley, Jr.

On Dec 2, 2017, at 1:57 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

Sorry didn't read it before I responded. What's your deadline? I'll have a response shortly.

On Dec 2, 2017, at 1:52 PM, Rosen, James <(b)(6)> wrote:

I know I've got a few things to fix in there, mainly time references (eg, because October is no longer "last month").

Chiefly I seek your reax to our disclosure that HPSCI and DOJ/FBI have been clashing over access to Strzok for some time.

We also understand Strzok was some of those who participated in the FBI interview of Hillary Clinton near the end of the investigation into her private server.

James Rosen
Chief Washington Correspondent
Twitter: @JamesRosenTV
(b)(6) (office)
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Editor, *A Torch Kept Lit: Great Lives*

of the Twentieth Century
by William F. Buckley, Jr.

On Dec 2, 2017, at 1:32 PM, Flores, Sarah Isgur (OPA)

(b)(6) wrote:

We need to time to review this. Jake assured me we would have that opportunity.

On Dec 2, 2017, at 1:30 PM, Rosen, James

(b)(6) wrote:

And here is the, um, content:

Investigators from the House Intelligence Committee have been seeking to interview Peter Strzok, the FBI counterintelligence official banished from the Russia probe for sending anti-Trump text messages, for months, sources tell Fox News.

Strzok himself briefed the committee on December 5, the sources said, but within months of that session committee chairman Devin Nunes and his staff received information from an informant suggesting that there was "documentary evidence" that Strzok and Deputy Director McCabe were working to obstruct the House probe.

That triggered HPSCI's demands for access to Strzok, and McCabe, which the Justice Department and FBI have steadfastly refused. The intelligence committee was not made aware of the text messages, and the refusal to provide access to Strzok was predicted on "personnel" grounds.

The Justice Department maintains that it has been very responsive to HPSCI's demands for documents, including private briefings by senior DOJ and FBI personnel, making more than 500 pages of classified materials available to House staff in a secure room at Main Justice last month, and last week reaching agreement with HPSCI on broad ground rules for McCabe to be questioned by the panel. No date has been set for that yet.

Best,
James Rosen

Deputy Attorney General Rod Rosenstein, who oversees the entire Russia matter since Attorney General Jeff Sessions recused himself from the case, is set to testify before the House Judiciary Committee in open session on December 13.

Sources said Nunes has made repeated requests for access to Strzok directly to Deputy Attorney General Rosenstein, the most recent being this past Wednesday.

House Speaker Paul Ryan has worked quietly behind the scenes to try to resolve the impasse, which extends to highly classified documents as well, some of which belong to categories of documents that have never been shared with the intelligence committees before.

Ryan's hope has been to avoid a contempt citation against DOJ and FBI, which HPSCI investigators formally recommended three weeks ago. Last month Ryan took the unusual step of saying publicly that the two agencies were "stonewalling" Congress.

A statement from HPSCI on the *Washington Post* report is coming soon.

James Rosen
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On Dec 2, 2017, at 1:29 PM, Rosen, James
<(b)(6)> wrote:

(b)(6), (b)(7)
(C) per FBI
Going to be filing this shortly. Let me know if you want anything added or — inconceivably — corrected. Great seeing you yesterday, if only briefly.
Yours, James

James Rosen

Chief Washington Correspondent

Twitter: @JamesRosenTV

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(b)(6)

Editor, *A Torch Kept Lit: Great Lives
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Rosen, James

From: Rosen, James
Sent: Saturday, December 2, 2017 1:43 PM
To: Flores, Sarah Isgur (OPA)
Cc: Gibson, Jake
Subject: Re:

This is separate (kinda sorta). We are not reporting on Steele handler being made available to SSCI or the importunings from foreign intelligence agencies — the subject of our agreements on Thursday. We were planning to go with those items on Monday.

The Strzok revelation is new and being reported on in its own context (kinda sorta — we all see how all of this is interrelated) and what I sent you is legitimately following up on that.

I'll give you some time to get back to me. If you haven't I'll say DOJ requested more time to respond to our reporting (or whatever you'd prefer). And we can always supplement later.

But what I sent you isn't murky stuff; it's an aggregate of facts, any discrete one of which should be confirmable or refutable within a reasonable time frame (given that we all work 24/7 nowadays; as Hyman Roth says in *Godfather II*: "This is the life we've chosen.").

James Rosen
Chief Washington Correspondent
Twitter: @JamesRosenTV

(b)(6) (office)

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(b)(6)

Editor, *A Torch Kept Lit: Great Lives
of the Twentieth Century*
by William F. Buckley, Jr.

On Dec 2, 2017, at 1:32 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

Duplicative Material



Gibson, Jake

From: Gibson, Jake
Sent: Thursday, November 30, 2017 3:41 PM
To: Flores, Sarah Isgur (OPA)
Subject: Language

A source familiar with the matter tells Fox News that the Christopher Steele's FBI handler met with Senate intell cmte months ago, some time over the summer. Additionally logistics are being worked out for the same individual to meet with the House Judiciary Committee soon.

As far as the release of highly sensitive raw intelligence the committee has demanded from DOJ, government officials tell Fox News those documents are so sensitive that when a foreign intelligence organization learned of the request representatives traveled to the US to emphasize the potential danger and chilling effect it could place on intelligence sources from both countries.

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Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, November 29, 2017 4:54 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: EXCLUSIVE: HOUSE INVESTIGATORS SEEK CONTEMPT CITATION AGAINST DOJ AND FBI IN "DOSSIER" PROBE

Well... they're going to do SOMETHING... on TV at 6... I assume the web piece would drop not long after that.

Sorry... this is the first I heard of this story... about 10 minutes ago.

On Nov 29, 2017, at 4:50 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

How long do I have?

On Nov 29, 2017, at 4:44 PM, Gibson, Jake <(b)(6)> wrote:

So....

Read this and let me know if you can give a comment on the record or on background or guidance or a no comment... or what.

Thanks much.

From: "Rosen, James" <(b)(6)>
Date: November 29, 2017 at 4:37:13 PM EST
To: "Gibson, Jake" <(b)(6)>
Subject: EXCLUSIVE: HOUSE INVESTIGATORS SEEK CONTEMPT CITATION AGAINST DOJ AND FBI IN "DOSSIER" PROBE

EXCLUSIVE: HOUSE INVESTIGATORS SEEK CONTEMPT CITATION AGAINST DOJ AND FBI IN "DOSSIER" PROBE

By James Rosen

Investigators on the House Intelligence Committee urged Chairman Devin Nunes (R-CA) almost three weeks ago to pursue contempt of Congress citations against the Justice Department and the FBI, according to an internal memo obtained by Fox News.

The staff compiled is a memorandum to the chairman dated

The staff complained in a memorandum to the chairman dated November 11 that over the last eight months, the two agencies have been nonresponsive to requests – and three subpoenas – for access to documents and a key FBI witness that the staffers believe are relevant to their investigation into the agencies' work with the infamous anti-Trump "dossier."

The "dossier" was the compendium of salacious and mostly unverified allegations against then-candidate Donald Trump, and some members of his campaign, that was compiled by the opposition research firm Fusion GPS with funding from the Clinton campaign and the Democratic National Committee and input from Russian sources.

Its contents were quietly circulated to lawmakers and the FBI last year, and were eventually published *en toto* by BuzzFeed.

Nunes and the majority staff on the intelligence committee – unaided by panel Democrats, led by Rep. Adam Schiff (D-CA), who have dismissed the need for such efforts – have been investigating whether Democratic-funded opposition research was used by DOJ and FBI as the basis for FISA surveillance on anyone associated with the Trump campaign.

"We're not there yet," Nunes told Fox News on Wednesday, adding that he expected another round of discussions with the agencies later in the day. "We hope that they will comply but if they don't the leave us very little option, very few options." Panel staff said that in some cases, such as making a senior FBI official, Andrew McCabe, available for interviews with the staff, the FBI has declined except under the narrowest frame for questioning; in others, investigators say the agencies have not even confirmed whether the subpoenaed materials exist.

The panel has sought to gain access to FBI 1023s, which are source contact reports, and 302s, investigative reports compiled by the bureau, as well as unredacted copies of applications for FISA surveillance and transcripts of selected proceedings before the Foreign Intelligence Surveillance Court, which processes, and almost always approves, the government's requests for surveillance.

"After eight months of ongoing verbal, written, and subpoenaed requests -- and engagement by Committee and House leadership at the highest levels -- DOJ/FBI continues to impede the Committee's legitimate investigative efforts and hinders the Committee's ability to conduct effective oversight," wrote Kash Patel, a senior counsel to Nunes, in the previously undisclosed memo. "Staff therefore recommends further congressional compliance actions," a phrase sources said was code for contempt citations.

House Speaker Paul Ryan (R-WI) has been briefed on the preliminary findings of the Nunes team and has sought to advance the investigation. Last month, Ryan took the unusual step of accusing “the administration, with the FBI in particular,” of “stonewalling.”

Justice Department officials TK.

—Fox News’ Chad Pergram contributed to this report.

James Rosen
Chief Washington Correspondent
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Bowman, Jennifer

From: Bowman, Jennifer
Sent: Saturday, December 2, 2017 12:07 PM
To: Flores, Sarah Isgur (OPA)
Cc: (b)(6), (b)(7)(C)
Subject: RE: FOX Q -- FBI AGENT REMOVED FROM RUSSIA INVESTIGATION?

Copy thank you – and sorry, (b)(6), your email was a mistake add on this email string!

Jennifer Bowman, White House Producer | Fox News Channel

C: (b)(6) | C2: (b)(6)

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Saturday, December 02, 2017 12:06 PM
To: Bowman, Jennifer <(b)(6)>
Cc: (b)(6), (b)(7)(C)
Subject: Re: FOX Q -- FBI AGENT REMOVED FROM RUSSIA INVESTIGATION?

Call John at the DOJ inspector general: (b)(6)

On Dec 2, 2017, at 11:52 AM, Bowman, Jennifer <(b)(6)> wrote:

Sarah and (b)(6),

I am seeking any confirmation or statement about this NYT Article – if you cannot give me anything, can you forward me to someone who will be able to?

Thanks!

Jennifer Bowman, White House Producer | Fox News Channel

C: (b)(6) | C2: (b)(6)

WASHINGTON — The special counsel, Robert S. Mueller III, removed a top F.B.I. agent from his investigation into Russian election meddling after the Justice Department’s inspector general began examining whether the agent sent text messages that expressed anti-Trump political views, according to three people briefed on the matter.

The agent, Peter Strzok, is considered one of the most experienced and trusted F.B.I. counterintelligence investigators. He helped lead the investigation into whether Hillary Clinton mishandled classified information on her private email account, and then played a major role in the investigation into links between President Trump’s campaign and Russia.

But Mr. Strzok was reassigned this summer from Mr. Mueller’s investigation to the F.B.I.’s human resources department, where he has been stationed since. The people briefed on the case said the transfer followed the discovery of text messages in which Mr. Strzok and a colleague reacted to news events, like presidential debates, in ways that could appear anti-Trump.

A lawyer for Mr. Strzok declined to comment. A spokeswoman for the Justice Department said that **“we are aware of the allegation and are taking any and all appropriate steps.”**

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, November 8, 2017 3:15 PM
Bcc: Perez, Evan; Brown, Pamela; Laura Jarrett; Horwitz, Sari; Gibson, Jake; Reid, Paula; Shah, Raj S. EOP/WHO; (b)(6) - Jeff Mason
Subject: background as DOJ source

For background according to DOJ sources: The parties offered to divest CNN and the DOJ Antitrust Division flatly rejected it.

xxxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 4, 2018 6:15 PM
To: Herridge, Catherine; Prior, Ian (OPA); (b)(6), (b)(7)(C) (DO) (FBI)
Cc: Gibson, Jake
Subject: RE: House intelligence committee letter

Yes weve got it. But I don't have a copy yet.

xxxx

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Thursday, January 4, 2018 5:57 PM
To: Flores, Sarah Isgur (OPA) <(b)(6)> Prior, Ian (OPA) <(b)(6)>
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Gibson, Jake <(b)(6)>
Subject: RE: House intelligence committee letter

Thank you for checking.

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Thursday, January 04, 2018 5:53 PM
To: Herridge, Catherine <(b)(6)> Prior, Ian (OPA) <(b)(6)>
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Gibson, Jake <(b)(6)>
Subject: RE: House intelligence committee letter

I haven't seen it. Will check.

xxxx

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Thursday, January 4, 2018 5:50 PM
To: Flores, Sarah Isgur (OPA) <(b)(6)> Prior, Ian (OPA) <(b)(6)>
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Gibson, Jake <(b)(6)>
Subject: House intelligence committee letter

Good evening -

We understand the house intelligence committee chairman Devin Nunes has sent a letter to DAG Rosenstein later today, memorializing the agreement, to provide access to all outstanding records by Friday this week. and outstanding witnesses later this month.

If there is additional comment or context to provide from the Justice Department or FBI, we will add it to our reporting.

Many thanks,
Catherine

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Fanning, Elizabeth

From: Fanning, Elizabeth
Sent: Wednesday, February 7, 2018 12:58 PM
To: O'Malley, Devin (OPA)
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

(b)(6)

From: O'Malley, Devin (OPA) [mailto:(b)(6)]
Sent: Tuesday, February 06, 2018 9:02 PM
To: Fanning, Elizabeth <(b)(6)>
Subject: Re: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

(b)(6)

Sent from my iPhone

On Feb 6, 2018, at 8:38 PM, Fanning, Elizabeth <(b)(6)> wrote:

(b)(6)

From: O'Malley, Devin (OPA) [mailto:(b)(6)]
Sent: Tuesday, February 6, 2018 8:35 PM
To: Fanning, Elizabeth <(b)(6)>
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

(b)(6)

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)

From: Fanning, Elizabeth [mailto:(b)(6)]
Sent: Tuesday, February 6, 2018 8:33 PM
To: O'Malley, Devin (OPA) <(b)(6)>
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL

ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

(b)(6)

How are you??

From: O'Malley, Devin (OPA) [mailto:(b)(6)]
Sent: Tuesday, February 6, 2018 8:31 PM
To: Fanning, Elizabeth <(b)(6)>
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

I'll have our tech people look at my email. Bummer. (b)(6)

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)

From: Fanning, Elizabeth [mailto:(b)(6)]
Sent: Tuesday, February 6, 2018 8:29 PM
To: O'Malley, Devin (OPA) <(b)(6)>
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

So strange. I looked and its not in spam or clutter. Im sorry! My cell is (b)(6) text is always good!

From: O'Malley, Devin (OPA) [mailto:(b)(6)]
Sent: Tuesday, February 6, 2018 8:28 PM
To: Fanning, Elizabeth <(b)(6)>
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

Ugh, I am so sorry. Send me your cell so I have it and can follow up next time. Y'all have this exclusive until 9:00 pm btw. Maybe it ended up in spam?

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)

From: Fanning, Elizabeth [mailto:(b)(6)]
Sent: Tuesday, February 6, 2018 8:24 PM
To: O'Malley, Devin (OPA) <(b)(6)>
Subject: FW: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

This is really weird. I never got the email you sent below. Its my email address but it never came through to me.

From: Wells, Justin
Sent: Tuesday, February 6, 2018 8:20 PM
To: Fanning, Elizabeth <(b)(6)>
Subject: FW: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

From: Gibson, Jake
Sent: Tuesday, February 6, 2018 8:19 PM
To: Wells, Justin (b)(6)
Subject: Fwd: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

Sent from my iPhone

Begin forwarded message:

From: "O'Malley, Devin (OPA)" <(b)(6)>
Date: February 6, 2018 at 8:06:32 PM EST
To: (b)(6) - Jake Gibson <(b)(6)>
Subject: Fwd: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

Sent from my iPhone

Begin forwarded message:

From: "O'Malley, Devin (OPA)" <(b)(6)>
Date: February 6, 2018 at 7:40:03 PM EST
To: "Fanning, Elizabeth" <(b)(6)>
Cc: "Gibson, Jake" <(b)(6)>
Subject: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

Hi Liz-

Please see below. I'm giving this (and the attached) to you all exclusively. While it's been filed, it has not yet shown up in the court document system and no one has reported on this. We will send the press release after you begin the segment and mention this. Because the US Attorney's Office in Indiana is the one sending it though, I did want to give him a timeframe on when that may happen. Could you give me a call on that when you get a second? It's not typical that he's at the office this late, so I wanted to manage his expectations since he's doing us a favor. Thanks!

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, February 6, 2018 7:56 PM
To: Fanning, Elizabeth
Cc: Gibson, Jake
Subject: RE: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

Updated quote:

"The defendant in this case allegedly re-entered the country illegally for the second time before he put the public safety of Indianapolis at risk and took the lives of two innocent men early Sunday morning," said Minkler. "In April, Attorney General Sessions directed all federal prosecutor to prioritize charging aliens that illegally re-enter the country, especially if they are a risk to public safety or there is a criminal history present. Following the rule of law is the foundation of our American democracy, and my office is committed to fulfilling the Attorney General's directive."

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)

From: O'Malley, Devin (OPA)
Sent: Tuesday, February 6, 2018 7:40 PM
To: 'Fanning, Elizabeth' <(b)(6)>
Cc: 'Gibson, Jake' <(b)(6)>
Subject: EXCLUSIVE: DOJ ANNOUNCES FEDERAL IMMIGRATION CHARGES AGAINST ILLEGAL ALIEN INVOLVED IN I-70 MOTOR VEHICLE ACCIDENT

Duplicative Material

Vittert, Leland

From: Vittert, Leland
Sent: Thursday, June 1, 2017 6:00 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Weekend Shows

Yes--I am off the air at 2p
On train at 3 so anytime after that is great
Cell i (b) (6)

Sent from my iPhone

On Jun 1, 2017, at 17:56, Flores, Sarah Isgur (OPA) (b)(6) wrote:

You bet let's chat tomorrow afternoon?

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Vittert, Leland [[mailto:\(b\)\(6\)](#)]
Sent: Thursday, June 1, 2017 3:31 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Cc: Love, Kelly A. EOP/WH (b)(6); Freire, JP (b)(6); Hurley, Carolina L. EOP/WH (b)(6); Henning, Alexa A. EOP/WHO (b)(6)
Subject: Re: Weekend Shows

Hi Sarah,

good time to chat about this?

From: Flores, Sarah Isgur (OPA) (b)(6)
Sent: Thursday, May 25, 2017 8:01:05 PM
To: Vittert, Leland
Cc: Love, Kelly A. EOP/WHO; Freire, JP; Hurley, Carolina L. EOP/WHO; Henning, Alexa A. EOP/WHO
Subject: Re: Weekend Shows

We don't have anything very soon but we do these trips to cities with violent crime problems like today in Memphis every few weeks. Would that be interesting?

> On May 25, 2017, at 4:26 PM, Vittert, Leland (b)(6) > wrote:
>
> Thanks, Kelly!
>
> Open to other ideas as well!
>
> Sent from my iPhone

>

>> On May 25, 2017, at 16:16, Love, Kelly A. EOP/WH (b)(6) wrote:

>>

>> Thanks, Leland....looping in EPA and DOJ to see if something is possible soon. Alexa and Carolina are copied as well.

>>

>>

>> Original Message

>> From: Vittert, Leland [[mailto:](#)(b)(6)]

>> Sent: Thursday, May 25, 2017 3:52 PM

>> To: Love, Kelly A. EOP/WH (b)(6)

>> Subject: Weekend Shows

>>

>> Hi Kelly,

>>

>> In case you have better things to do on the weekend than watch my show, we often "take the show on the road" to various newsy locations or to highlight a certain story.

>>

>> In the past few months

>> I have anchored from

>> Jerusalem previewing the President's trip to the ME

>> Harrisburg PA on the day of the president's first 100 day speech

>> Mar a Largo after the Syria strike and Chinese summit

>>

>> Among others.....

>>

>> We have been looking at few stories that focus on the President's policies effect on real people including

>>

>> EPA Deregulation in the energy sector and the oil/gas boom in CO/WY/SD/OK. Could we perhaps time our show from one of these states with a visit by Pruitt and interview him on site?

>>

>> DOJ/AG A show from the border. Could we time with visit/interview with AG Sessions about the admin's policy and building the wall?

>>

>> If you, or any of your colleagues, have other ideas that tie in with a cabinet sec visit (on a weekend) that highlights a certain policy and its effect on everyday Americans, pls let me know.

>>

>> Thanks and all the best,

>> Leland

>>

>> Sent from my iPad

>>

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>

Vittert, Leland

From: Vittert, Leland
Sent: Friday, May 26, 2017 8:40 AM
To: Flores, Sarah Isgur (OPA)
Cc: Love, Kelly A. EOP/WHO; Freire, JP; Hurley, Carolina L. EOP/WHO; Henning, Alexa A. EOP/WHO
Subject: Re: Weekend Shows

Actually yes, that could be really interesting. Dunno if its a whole show but certainly could be worth going to the city and doing a story/interview there.

When/where is the next one?

The energy boom in America's West is currently a big focus so if there is a Pruitt trip we could time a show with it would be most interesting.

Thanks!

From: Flores, Sarah Isgur (OPA) (b)(6)
Sent: Thursday, May 25, 2017 8:01:05 PM
To: Vittert, Leland
Cc: Love, Kelly A. EOP/WHO; Freire, JP; Hurley, Carolina L. EOP/WHO; Henning, Alexa A. EOP/WHO
Subject: Re: Weekend Shows

Duplicative Material



Emanuel, Mike

From: Emanuel, Mike
Sent: Thursday, June 1, 2017 2:04 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: LEAHY & FRANKEN: Senators Release Their Earlier Letters Requesting FBI Inquiry Into AG Sessions Contacts With Russian Officials

Thanks so much, Sarah.
Take care.

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Thursday, June 01, 2017 1:57 PM
To: Emanuel, Mike (b)(6)
Subject: RE: LEAHY & FRANKEN: Senators Release Their Earlier Letters Requesting FBI Inquiry Into AG Sessions Contacts With Russian Officials

Statement from yesterday/today:

The Department of Justice appointed special counsel to assume responsibility for this matter.

We will allow him to do his job. It is unfortunate that anonymous sources whose credibility will never face public scrutiny are continuously trying to hinder that process by peddling false stories to the mainstream media. The facts haven't changed; the then-Senator did not have any private or side conversations with any Russian officials at the Mayflower Hotel.

Here's my statement from March:

Flores said that the aide who was with Sessions at the event "remembered many other people who were there and specific conversations with them" but that the aide "can't even confirm that ambassador was in the room."

"But if he was, he didn't meet the Senator as far as she knows and she was with him throughout the hold room time," Flores said.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Emanuel, Mike [mailto: (b)(6)]
Sent: Thursday, June 1, 2017 1:49 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: LEAHY & FRANKEN: Senators Release Their Earlier Letters Requesting FBI Inquiry Into AG Sessions Contacts With Russian Officials
Importance: High

Hello, Sarah. Let me know if you guys are saying anything about this stuff from Leahy and Franken. I'm being asked to do a 3:30pm LIVE, and want to include your side, obviously.
Thanks.

Mike
++++

From: Tilton, Jay (Appropriation (b)(6))
Sent: Thursday, June 01, 2017 11:42 AM
To: Tilton, Jay (Appropriation (b)(6))
Subject: BREAKING -- NEWS FROM LEAHY & FRANKEN: Senators Release Their Earlier Letters Requesting FBI Inquiry Into AG Sessions Contacts With Russian Officials
Importance: High

Leahy And Franken Release Their Earlier Letters To The FBI Requesting An Inquiry Into Attorney General Sessions' Contacts With Russian Officials

[(THURSDAY, June 1, 2017) -- Following is the joint statement of Senator Patrick Leahy (D-Vt.) and Senator Al Franken (D-Minn.) about their request to FBI Director Comey (and later to Acting Director McCabe) for an FBI inquiry into Attorney General Sessions' testimony before the Senate Judiciary Committee and his contacts with Russian officials. Leahy and Franken, members of the Senate Judiciary Committee, had queried Sessions under oath about his Russian contacts during Sessions' confirmation hearings. When it was revealed that Sessions misled both Leahy and Franken in his testimony, Sessions recused himself from involvement in the Justice Department's investigation into Russian interference and related issues. The three Leahy-Franken letters are available [HERE](#), [HERE](#), and [HERE](#)].

“Earlier this year, Attorney General Sessions provided false testimony before the Senate Judiciary Committee in response to our questions regarding his contacts with Russian officials. He made no attempt to correct his misleading testimony until the Washington Post revealed that, in fact, he had at least two meetings with the Russian ambassador during the 2016 presidential campaign. Yet the Attorney General never fully explained or even acknowledged the misrepresentations in his testimony, and we remained concerned that he had still not been forthcoming about the extent of his contacts with Russian officials.

“On March 20, we asked then-FBI Director Comey to investigate Attorney General Sessions' false testimony and any additional contacts he may have had with Russian officials, including reports that he may have met with the Russian ambassador at a small, private Trump campaign event at the Mayflower Hotel in April 2016. We anticipated that Director Comey would respond to our letter by May 12. Director Comey was abruptly dismissed on May 9. Since then we have been in communication with the FBI concerning a response to our letter, and we expect to be briefed on this matter in the near future.

“We served with the Attorney General in the Senate and on the Judiciary Committee for many years. We know he would not tolerate dishonesty if he were in our shoes. If it is determined that the Attorney General still has not been truthful with Congress and the American people about his contacts with Russian officials during the campaign, he needs to resign.”

#####

Leahy Press Contact

David Carle: (202) 224-3693

Franken Press Contact

Michael Dale-Stein: (202) 224-2916

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Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, May 31, 2017 1:46 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Can't wait! Have a great rest of the day.

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:45 PM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Anytime! Let's do it again soon!

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Singman, Brooke [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:43 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

You're the best! Okay- I'm done bothering you...for now 😊 thank you for all of your help today.

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:42 PM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Yes! Of course Peter Carr Carr, Peter (OPA) (JMD) (b)(6)

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Singman, Brooke [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:03 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Awesome. Thank you, Sarah.

Also- do you have a contact that you can give me for Mr. Mueller's team?

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]

Sent: Wednesday, May 31, 2017 1:02 PM

To: Singman, Brooke (b)(6)

Subject: Re: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

On the record:

This request came in before the Deputy Attorney General appointed Robert Mueller as special counsel and before he had briefed all 100 members of the US Senate. Since that appointment, briefings related to that ongoing investigation from the Department would be now coordinated with Special Counsel Mueller's office.

On May 31, 2017, at 12:57 PM, Singman, Brooke (b)(6) wrote:

Copy that thank you! You're the best!

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]

Sent: Wednesday, May 31, 2017 12:56 PM

To: Singman, Brooke (b)(6)

Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

The AG is in AL today and tomorrow at least. So he could have phone calls (and I'm not aware of any) but definitely no meetings here.

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Singman, Brooke [mailto:(b)(6)]

Sent: Wednesday, May 31, 2017 12:53 PM

To: Flores, Sarah Isgur (OPA) (b)(6)

Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Haha! For sure ☺ and I can push it for you.. How about as soon as you can? By 2:30p EST? or 3p?

Also sorry to flood your email today I know I asked about Jana Monroe last week.. the Attorney General doesn't happen to have a meeting with former FBI Director Freeh this week, does he?

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]

Sent: Wednesday, May 31, 2017 12:47 PM

To: Singman, Brooke (b)(6)

Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Lol...Senate's gonna senate, amirite;)

Your deadline still 1?

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Singman, Brooke [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 12:04 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

FYI- judiciary's request came before Rosenstein's full Senate briefing, so not sure why they're bringing up a lack of response to request now..

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:57 AM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

I can try to get you something on the record in just a few minutes. My guess is that I'll have to refer you to the special counsel's team which is Peter Carr as their press person.

Below I was just trying to figure out what the really question was bc it seems odd to me that they're talking about something from pre-special counsel.

Sarah Isgur Flores
Director of Public Affairs
(b) (6)

From: Singman, Brooke [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:53 AM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Copy that. Thank you...have just been in touch with committee's press team.

Also- are your responses background, on record, or off the record? Just double-checking.

Thanks again,

Brooke

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:50 AM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Not sure who you're talking to but I know our OLA team has been in consistent contact with grassleys staff and Sen Grassley himself about all of this in the last several weeks. So maybe they just mean there hasn't been a formal letter in response? At this point, I'd imagine anything related to the Russia investigation would have to run through Mueller's team anyway.

Sarah Isgur Flores
Director of Public Affairs
(b) (6)

From: Singman, Brooke [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:44 AM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

That was my thinking. Waiting to hear from Judiciary as to when they requested. I think Mr. Rosenstein met with Senate Intel on May 11, so it could have been before or after that meeting- either way, both would have been before the full Senate briefing.

Judiciary told me today that they are still waiting, however, for a response, to that request even despite their members' attendance to the full Senate briefing.

Thank you, Sarah.

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:38 AM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Yeah but I guess I'm asking whether the request was before the larger 100 briefing the DAG gave and before the special counsel was named? Which would sort of change it since they were all in that 100 person briefing. And the special counsel obviously changes who is briefing on the Russia investigation to begin with.

Sarah Isgur Flores
Director of Public Affairs
(b) (6)

From: Singman, Brooke [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:31 AM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Yes Judiciary said they requested a briefing before their committee, but have yet to receive a response... Same for Acting FBI Director McCabe

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:29 AM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Are you talking about since he briefed all 100 members of the senate?

Sarah Isgur Flores
Director of Public Affairs
(b) (6)

From: Singman, Brooke [mailto:(b)(6)]
Sent: Wednesday, May 31, 2017 11:10 AM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Hi Sarah,

Hope you're well.

Wondering if you can provide me with a comment on whether Deputy Attorney General Rosenstein will brief the Senate Judiciary Committee? If reports are accurate, Mr. Rosenstein met with the Senate Intelligence Committee, but Judiciary tells me they have yet to get a response to whether the Deputy Attorney General will comply with their request.

If this is accurate, why would Mr. Rosenstein comply with Intel's request and not Judiciary's?

I'm on deadline for 1p EST.

Thank you,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

(b)(6)

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Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, May 31, 2017 1:44 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Ah- you made my day! Thank you

Talk soon,

Brooke

(b) (6)

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:43 PM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Never a pain! You're one of my favorites bc you actually understand things!

We wouldn't have anything on this though. Mueller's team would know more.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Singman, Brooke [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:20 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Ps. Not sure if you're the one who can answer this, but CNN is reporting that former Director Comey will testify as early as next week. Do you have any info on that?

Thank you! (sorry I'm such a pain today)

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 1:02 PM
To: Singman, Brooke (b)(6)
Subject: Re: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Duplicative Material



Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, May 31, 2017 11:59 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Agreed- thank you so much, Sarah. Really appreciate it.

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Wednesday, May 31, 2017 11:57 AM
To: Singman, Brooke (b)(6)
Subject: RE: Fox News request- Re: Deputy AG Rosenstein at Senate Judiciary

Duplicative Material



Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, May 31, 2017 1:31 PM
To: Carr, Peter (OPA)
Subject: Fox News comment request

Hi Peter,

Hope you're well.

Wondering if you have any information as to whether former FBI Director Comey is testifying next week?

Also- the Senate has two committees investigating the Russia case, obviously separate from Special Counsel Mueller. But it seems Judiciary isn't having as much success as the Senate Intelligence Committee as Comey declined to testify before Judiciary, but is said to testify before Intel; and McCabe & Rosenstein have not responded to requests from Judiciary, but are have complied with Intel requests...Wondered if you had any insight as to why Senate Intelligence Cmte is the place to go?

A former FBI source told me that It could be because the investigation has more to do with intelligence, than criminal which is what judiciary cmtte would oversee... Any truth to that?

And finally has former FBI Director Comey met with Special Counsel Mueller yet?

Deadline will be 3:30p EST.

Thank you so much.

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

(b)(6)

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Alex Pfeiffer

From: Alex Pfeiffer
Sent: Monday, May 29, 2017 10:31 PM
To: Prior, Ian (OPA)
Subject: Re: Press Inquiry

<http://dailycaller.com/2017/05/28/trump-admin-tailors-grant-to-encourage-local-law-enforcement-to-enforce-immigration-laws/>

Sent from my iPhone

On May 29, 2017, at 10:28 PM, Prior, Ian (OPA) (b)(6) wrote:

Nah it's fine. Could you send link?

Ian D. Prior
Principal Deputy Director of Public Affairs
Offic (b)(6)
Cel (b)(6)

On May 29, 2017, at 8:57 PM, Alex Pfeiffer (b)(6) wrote:

Well I already wrote the piece. But if there is room for a follow up sure.

Sent from my iPhone

On May 29, 2017, at 7:56 PM, Prior, Ian (OPA) (b)(6) wrote:

Can we chat on this tomorrow? It is new grant language and it is related to grant tailoring.

Not sure much more I have to add, but can still talk in am

Ian D. Prior
Principal Deputy Director of Public Affairs
Offic (b)(6)
Cel (b)(6)

On May 28, 2017, at 3:21 PM, Alex Pfeiffer (b)(6) wrote:

That would be great. I found this "Federal law enforcement enforce our nation's laws each and every day, including our immigration laws. State, county, and local law enforcement play a critical role in coordinating with federal law enforcement, particularly in ensuring that the illegal immigrants they encounter who are engaged in violent behavior are removed from the streets of this nation. The applicant will work with as many state, county, or local law enforcement agencies as possible that are successfully coordinating with Immigration and Customs Enforcement (ICE) through task forces, section 287(g) partnerships, information sharing, and responding to detainer requests. The purpose of this work is to provide assistance in implementing or advancing innovative programs, and documenting the experiences and success stories so that other agencies can learn from these efforts and replicate as appropriate."

And have yet to find any references to this in the Obama admin grants. I just want to make sure this is in relation to the grant tailoring.

On Sun, May 28, 2017 at 3:16 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Wow someone needs to get you a beer and a beach chair somewhere! But let me look into this--I think this is probably preexisting at this point.

On May 28, 2017, at 1:48 PM, Alex Pfeiffer (b)(6) wrote:

Hi - Hope you're having a good Memorial Day weekend. I'm spending my time looking at federal grants, so of course I'm having a blast. I noticed in this research that the COPS grant for 2017 includes "Cooperative Partnerships with Federal Law Enforcement to Combat Illegal Immigration."

This to me sounds related to Attorney General Sessions' remark about tailoring grants "to promote a lawful system of immigration."

Is it? And you can you give me some details on what these cooperative partnerships would consist of?

Gibson, Jake

From: Gibson, Jake
Sent: Thursday, May 25, 2017 12:27 PM
To: Flores, Sarah Isgur (OPA)
Subject: FW: Fox News Interview/Statement Request

Maybe Sessions or Coates would like to get out in front of this?

From: Gibson, Jake
Sent: Thursday, May 25, 2017 12:25 PM
To: 'MediaRelations@nsa.gov'
Subject: Fox News Interview/Statement Request

Hello Vanee and Mike-

Might you want to make anyone available on camera for a follow up piece on the story James Rosen did on "Special Report with Bret Baier" yesterday?

It was a story about a FISA court document first reported by 'Circa.'

Or maybe just a statement?

The document in question

https://www.dni.gov/files/documents/icotr/51117/2016_Cert_FISC_Memo_Opin_Order_Apr_2017.pdf

One might be able to see how some in government might want a narrative about how there could be new procedures under new leadership in the WH and DOJ, which the FISA Court may not see as possibly violating the 4th amendment...

Here is yesterday's piece. FYI- There will probably be a follow-up today.

[Natsound as POTUS deplanes/Los Angeles/October 24]

ON THE DAY PRESIDENT OBAMA VISITED LOS ANGELES LAST OCTOBER TO YUK IT UP WITH JIMMY KIMMEL...

LAWYERS FOR THE NATIONAL SECURITY AGENCY WERE QUIETLY INFORMING THE FOREIGN INTELLIGENCE SURVEILLANCE COURT...

THAT N-S-A HAD SYSTEMATICALLY VIOLATED THE RIGHTS OF COUNTLESS AMERICANS...

A SUBJECT COVERED , IRONICALLY, ON KIMMEL'S PROGRAM.

Pres. Obama: ["Jimmy Kimmel Live!"/ABC/October 24] People expect the government to monitor this enough to protect them from bad guys, but they worry that if government is in there too much, then who's gonna protect them from government?

DECLASSIFIED DOCUMENTS FIRST OBTAINED BY THE NEWS OUTLET "CIRCA" SHOW THE FISA COURT SHARPLY REBUKED THE ADMINISTRATION.

"[W]ith greater frequency than previously disclosed to the Court, NSA analysts had used U.S. person identifiers to

query the results of Internet 'upstream' collection, even though NSA's Section 702 minimization procedures prohibited such queries."

"MINIMIZATION" REFERS TO THE PRECAUTIONS THE GOVERNMENT IS *SUPPOSED* TO TAKE TO ENSURE ITS INFRINGEMENTS ON AMERICANS' RIGHTS ARE KEPT TO A MINIMUM.

THE JUDGES BLASTED N-S-A'S "institutional 'lack of candor'" AND ADDED: "[T]his is a very serious Fourth Amendment issue."

John Solomon/Circa COO: "Hannity"/May 23] And tonight for the first time, we can say confidently that there has been a finding that some of that espionage, that spying on Americans, actually violated the law.

THE DOCUMENTS SHOW IT WAS BACK IN 20-11 THAT THE FISA COURT FIRST DETERMINED N-S-A'S PROCEDURES TO BE, QUOTE, "statutorily and constitutionally deficient with respect to their protection of U.S. person information..."

FIVE YEARS LATER, TWO WEEKS BEFORE ELECTION DAY, THE JUDGES LEARNED THAT N-S-A HAD NEVER ADEQUATELY ENACTED THE CHANGES IT HAD PROMISED TO MAKE.

"[T]he NSA [INSPECTOR GENERAL] and [ITS OFFICE OF COMPLIANCE FOR OPERATIONS] [have been] conducting other reviews covering different time periods [THE JUDGES NOTED], with preliminary results suggesting that the problem was widespread during all periods of review."

Judge Andrew Napolitano/Senior Judicial Analyst: There's a linear connection between excessive acquisition of data by the intelligence community; distribution of that raw data to people who do not need to know it; availability of unmasking that is producing the real, true names of the human beings whose emails, texts, and phone calls were the subject of all this; and then, ultimately, the selective revelation of those names...

Stand-up: Senator Rand Paul called this "an amazing abuse of power." A spokesman for former President Obama did not return a request for comment. These disclosures are timely, though, as Section 702 of the FISA Amendments Act, one of the primary means by which U-S citizens are caught up in "incidental" surveillance, is up for reauthorization by Congress at year's end.

Thanks,

Jake Gibson
Fox News Washington

Cell (b) (6)

Cell (b) (6)

(b)(6)

@JakeBGibson

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Matthew Boyle Breitbart

From: Matthew Boyle Breitbart
Sent: Tuesday, May 23, 2017 3:47 PM
To: Prior, Ian (OPA)
Cc: Laco, Kelly (OPA); Simotes, Jenna A. (OPA)
Subject: Re: Interview with Attorney General Sessions?

That works perfectly! And sounds good!!!

Sent from my iPhone

> On May 23, 2017, at 3:43 PM, Prior, Ian (OPA) (b)(6) wrote:
>
> Hey Matt,
>
> So we are currently in the process of trying to navigate a few different press things with the AG - mainly he hasn't given any press interviews beyond television and that was weeks ago. We definitely want to do something with you and have talked about it with the AG, but let's circle back on this in a few weeks for sure and see where we are and how/when we want to do it.
>
> That work? And well definitely add you to press list
>
> Ian D. Prior
> Principal Deputy Director of Public Affairs > Office (b)(6) > Cell (b) (6)
>
>
> -----Original Message-----
> From: Matthew Boyle Breitbart [mailto:(b)(6)]
> Sent: Tuesday, May 23, 2017 3:20 PM
> To: Prior, Ian (OPA) (b)(6)
> Subject: Interview with Attorney General Sessions?
>
> Ian,
>
> Was talking w the WH and they recommended I email you to try to set up an interview sometime soon with Attorney General Sessions. He knows me well, as I interviewed him many many times when he was in the Senate and talked with him on election night in NYC as well as the Trump event. Let me know if there's any possibility of doing something this week or sometime in mid June (I'm traveling next Wednesday for a week). Also, can you add me to all your press lists!
>
> Thanks,
> Matthew Boyle
> Washington Political Editor, Breitbart News
>
> Sent from my iPhone
>

Nestande, Francesca

From: Nestande, Francesca
Sent: Monday, May 15, 2017 12:01 PM
To: Flores, Sarah Isgur (OPA)
Cc: Henning, Alexa A. EOP/WHO
Subject: RE: Hannity-Sessions?

Copy – thank you!!

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Monday, May 15, 2017 12:00 PM
To: Nestande, Francesca (b)(6)
Cc: Henning, Alexa A. EOP/WH (b)(6)
Subject: Re: Hannity-Sessions?

At this point, we aren't booking anything. Will let you know if that changes.

On May 15, 2017, at 11:59 AM, Nestande, Francesca (b)(6) wrote:

Hey all! Checking in to see if AG Sessions can join us on Hannity today or another day this week. We will be taping 440-540P ET each day.

Thank you!!
Francesca

[Francesca Nestande •Hannity • Fox News Channel](#)

1211 AVENUE OF THE AMERICAS | 18th FL • NEW YORK, NY 10036 • (W (b) (6)) • (C (b) (6))

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Gibson, Jake

From: Gibson, Jake
Sent: Friday, May 12, 2017 10:49 AM
To: Flores, Sarah Isgur (OPA)
Cc: Gomez, Serafin
Subject: Re: Emailing: Federal Prison Population Through 2017 (002)

Will do.
Thanks.

Sent from my iPhone

On May 12, 2017, at 10:40 AM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Can y'all get this chart to the producers today as they cover this issue. Heard someone talk about prison over crowding just now.

Begin forwarded message:

From: "Cutrona, Danielle (OAG)" (b)(6)
Date: May 12, 2017 at 10:38:41 AM EDT
To: "Prior, Ian (OPA)" (b)(6) "Flores, Sarah Isgur (OPA)"
(b)(6)
Cc: "Hudson, Drew (Judiciary-Rep)" (b) (6)
Subject: **Emailing: Federal Prison Population Through 2017 (002)**

Your message is ready to be sent with the following file or link attachments:

Federal Prison Population Through 2017 (002)

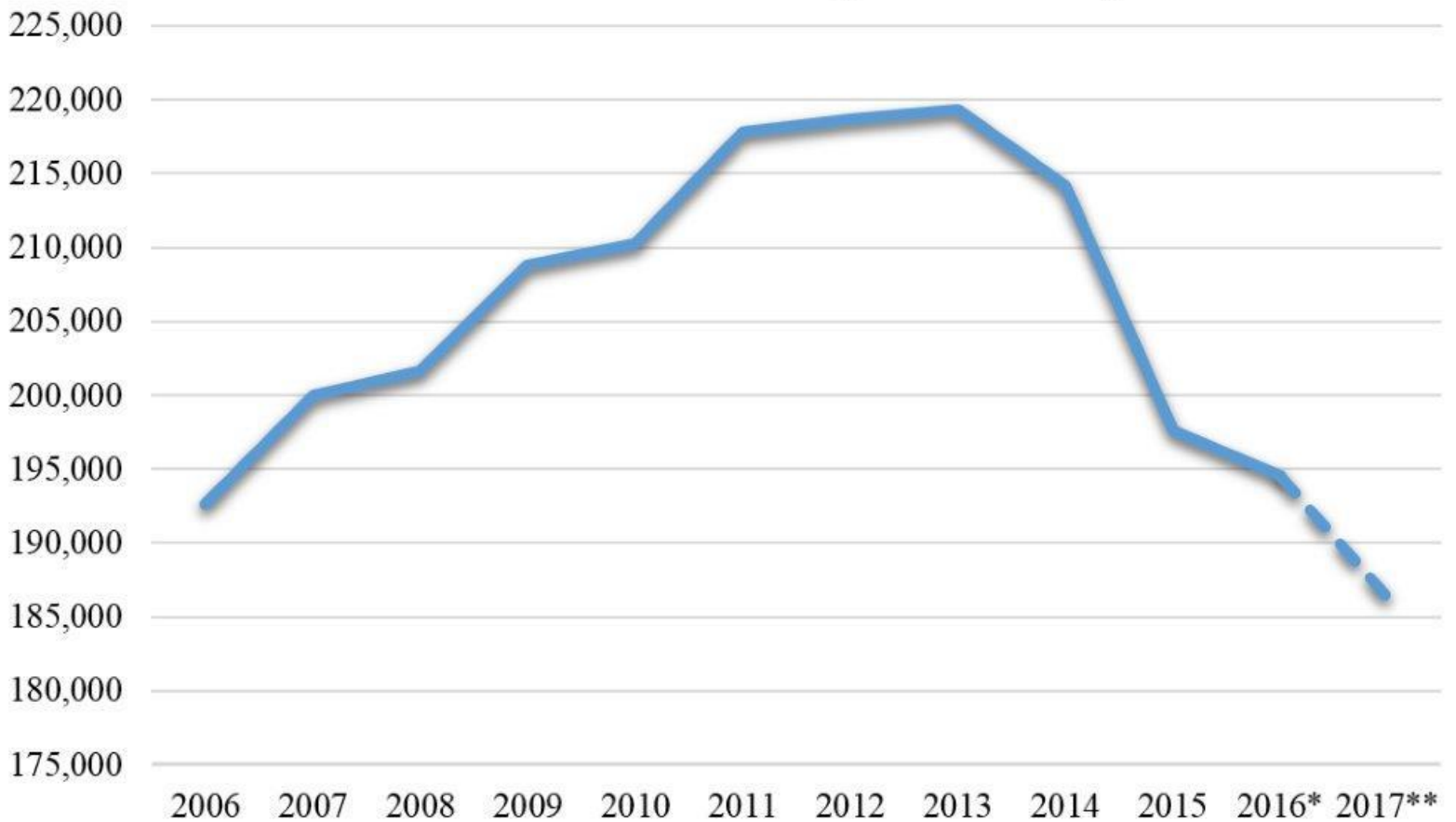
Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

<Federal Prison Population Through 2017 (002).jpg>

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the

sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

Total Federal Prison Population by Year



Source: United States Federal Bureau of Prisons

*2016 population as of July 7, 2016

**Projected by United States Federal Bureau of Prisons

Koerber, Ashley

From: Koerber, Ashley
Sent: Tuesday, May 9, 2017 6:45 PM
To: Flores, Sarah Isgur (OPA)
Cc: Alexa Hennin (b)(6); Carolina Hurley
(b)(6)
Subject: RE: We now have an 11pm show tonight

Understood.

Please let us know if anyone from the White House would be available thanks!

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Tuesday, May 09, 2017 6:35 PM
To: Koerber, Ashley (b)(6)
Cc: Alexa Hennin (b)(6); Carolina Hurley
(b)(6)
Subject: Re: We now have an 11pm show tonight

Nothing from DOJ. Sorry!

On May 9, 2017, at 6:21 PM, Koerber, Ashley (b)(6) wrote:

If we can't get anyone at 6pm, can we get someone from WH or DOJ at 11pm?

Ashley Koerber
Booking Producer
Special Report w/ Bret Baier
Fox News Channel DC Bureau
(b)(6) (cell)

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, May 9, 2017 6:42 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: The Rosenstein memo

You have a moment to talk?

What number can I reach you at?

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Tuesday, May 09, 2017 6:20 PM
To: Gibson, Jake
Subject: Re: The Rosenstein memo

Nope. No media for us.

On May 9, 2017, at 6:18 PM, Gibson, Jake (b)(6) wrote:

Fine.
Understood.
Will we be hearing from Sessions at all?
All the shows want him on asap... obviously.

Jake Gibson
Field Producer
Fox News Washington
(b)(6)
@JakeBGibson

On May 9, 2017, at 6:17 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

Just for background: DAG reports to AG. AG reports to president.

On May 9, 2017, at 6:03 PM, Gibson, Jake (b)(6) wrote:

Who did he send that to?
Just the AG?
Or the AG and the President... or?

Jake Gibson
Fox News Washington
Field Producer

Cell (b)(6)

Cell (b)(6)

(b)(6)

@JakeBGibson

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, May 9, 2017 6:35 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: The Rosesnstein memo

Any statement to the media?

When was this memo delivered to the AG? Today?

Can you tell me anything on background about the development... when this started taking shape?

From: Flores, Sarah Isgur (OPA) [mailto:(b)(6)]
Sent: Tuesday, May 09, 2017 6:20 PM
To: Gibson, Jake
Subject: Re: The Rosesnstein memo

Duplicative Material

(b)(6) - Ian Mason

From: (b)(6) - Ian Mason
Sent: Tuesday, May 9, 2017 6:39 PM
To: Prior, Ian (OPA)
Subject: RE: Comey

Gotcha. Thanks so much.

-----Original Message-----

From: "Prior, Ian (OPA)" (b)(6)
Sent: Tuesday, May 9, 2017 6:34pm
To: (b)(6) - Ian Mason (b)(6)
Subject: RE: Comey

No.

But here is what Wh put out

[https://www.nytimes.com/interactive/2017/05/09/us/politics/document-White-House-Fires-James-Comey.html?
_r=0](https://www.nytimes.com/interactive/2017/05/09/us/politics/document-White-House-Fires-James-Comey.html?_r=0)

Ian D. Prior
Principal Deputy Director of Public Affairs
Offic (b)(6)
Cel (b)(6)

From: (b)(6) - Ian Mason [mailto:(b)(6)]
Sent: Tuesday, May 9, 2017 5:54 PM
To: Prior, Ian (OPA) (b)(6)
Subject: Comey

Ian,

Anything from your office on Comey?

Thanks so much,
Ian

Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, May 3, 2017 1:45 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Revised Media Advisory: MDLA, U.S. Attorney's Office

Thanks!

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Wednesday, May 03, 2017 1:44 PM
To: Gibson, Jake
Subject: FW: Revised Media Advisory: MDLA, U.S. Attorney's Office

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

Department of Justice

Acting United States Attorney Corey Amundson
Middle District of Louisiana

FOR IMMEDIATE RELEASE
WEDNESDAY, MAY 3, 2017
www.usdoj.gov/usao/lam

CONTACT: DANETTE WILLIS
TELEPHONE: 225-389-0443
FACSIMILE: 225-389-0561

***** MEDIA ADVISORY *****

PRESS CONFERENCE REGARDING FEDERAL CRIMINAL INVESTIGATION INTO DEATH OF ALTON STERLING

BATON ROUGE, LA Acting United States Attorney Corey Amundson announced today that his office, together with the United States Department of Justice-Civil Rights Division and the Federal Bureau of Investigation-New Orleans Field Office, will hold a press conference in the Jury Assembly Room in the United States Federal Courthouse located at 777 Florida Street, Baton Rouge, Louisiana at 1:00 p.m. CST.

Press should plan to arrive at the Courthouse and be in place by 12:30 p.m. Broadcast Media: Pool only. WAFB will be the pool. Any questions on pool should be directed to WAFB @ (225) 215-4801 or rhays@wafb.com.

CNN Coords (Mpeg4 HD)

1230p 200p Central

12009.75 V

Symbol: 4.0

FEC: 3/4

LBand 1259.75



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, April 21, 2017 2:06 PM
To: (b)(6) - Jessica Rosenthal
Subject: DEPARTMENT OF JUSTICE SENDS LETTER TO NINE JURISDICTIONS REQUIRING PROOF OF COMPLIANCE WITH 8 U.S.C. § 1373
Attachments: Proof of Compliance with 8 U.S.C. § 1373 Letters.pdf

Here you go!

Ian D. Prior
Principal Deputy Director of Public Affairs
Office (b)(6)
Cel (b)(6)

NOTE: The letters are attached as a PDF.



Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, APRIL 21, 2017
WWW.JUSTICE.GOV

AG
(202) 514-2007
TTY (866) 544-5309

DEPARTMENT OF JUSTICE SENDS LETTER TO NINE JURISDICTIONS REQUIRING PROOF OF COMPLIANCE WITH 8 U.S.C. § 1373

WASHINGTON Today, the Department of Justice sent the attached letters to nine jurisdictions which were identified in a May 2016 report by the Department of Justice's Inspector General as having laws that potentially violate 8 U.S.C. § 1373.

Additionally, many of these jurisdictions are also crumbling under the weight of illegal immigration and violent crime. The number of murders in Chicago has skyrocketed, rising more than 50 percent from the 2015 levels. New York City continues to see gang murder after gang murder, the predictable consequence of the city's "soft on crime" stance. And just several weeks ago in California's Bay Area, after a raid captured 11 MS-13 members on charges including murder, extortion and drug trafficking, city officials seemed more concerned with reassuring illegal immigrants that the raid was unrelated to immigration than with warning other MS-13 members that they were next.

The letters remind the recipient jurisdictions that, as a condition for receiving certain financial year 2016 funding from the Department of Justice, each of these jurisdictions agreed to provide documentation and an

opinion from legal counsel validating that they are in compliance with Section 1373. The Department of Justice expects each of these jurisdictions to comply with this grant condition and to submit all documentation to the Office of Justice Programs by June 30, 2017, the deadline imposed by the grant agreement.

#

17-436

DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS, PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF PUBLIC AFFAIRS AT 202-514-2007.



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Kathleen Howard
Executive Director
California Board of State and Community Corrections
2590 Venture Oaks Way, Ste. 200
Sacramento, CA 95833

Dear Executive Director Howard,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0446 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Alan R. Hanson".

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Eddie T. Johnson
Chicago Superintendent of Police
3510 S Michigan Avenue
Chicago, IL 60653-1020

Dear Superintendent Johnson,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0106 from the Office of Justice Programs (“OJP”), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that “a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.” As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Mayor Mitchell Landrieu
City of New Orleans
Criminal Justice Coordination
1300 Perdido Street, Room 8E15
New Orleans, LA 70112-2112

Dear Mayor Landrieu,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0251 from the Office of Justice Programs (“OJP”), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that “a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.” As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Mayor Jim Kenney
City of Philadelphia
1401 JFK Blvd., Room 1430
Philadelphia, PA 19102-1687

Dear Mayor Kenney,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0949 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Alan R. Hanson".

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Yolanda King
County Manager
Finance-Community Resource Management
500 S. Grand Central Parkway
5th Floor
Las Vegas, NV 89155-1212

Dear County Manager King,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0412 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Alan R. Hanson".

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Mayor Carlos A. Gimenez
Miami Dade County
Miami Dade Police Department
9105 N.W. 25th Street
Miami, FL 33172-1500

Dear Mayor Gimenez,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0578 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Alan R. Hanson".

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Christopher Abele
County Executive
Milwaukee County
901 N. 9th Street
Milwaukee, WI 53233-1427

Dear County Executive Abele,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-1013 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Alan R. Hanson".

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Elizabeth Glazer
Director
New York City Mayor's Office of Criminal Justice
1 Centre Street, Room 1012N
New York, NY 10007-1602

Dear Director Glazer,

I write to alert you that under the terms of your FY 2016 Byrne JAG grant, award 2016-DJ-BX-0178 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As your grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

April 21, 2017

Toni Preckwinkle
President
Cook County Board of Commissioners
118 N. Clark St.
Room 537
Chicago, IL 60602

Dear President Preckwinkle,

I write to reiterate for you that under the terms of the FY 2016 Byrne JAG grant of which Cook County is a subrecipient, award 2016-DJ-BX-0106 from the Office of Justice Programs ("OJP"), your jurisdiction is required to submit documentation to OJP that validates that your jurisdiction is in compliance with 8 U.S.C. § 1373, which states that "a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." As the grant agreement makes clear, this documentation must be accompanied by an official legal opinion from counsel that adequately supports the validation and must be submitted to OJP no later than June 30, 2017. Failure to comply with this condition could result in the withholding of grant funds, suspension or termination of the grant, ineligibility for future OJP grants or subgrants, or other action, as appropriate. If you have any questions regarding this requirement, please contact your grant manager as soon as possible.

Sincerely,

Alan R. Hanson
Acting Assistant Attorney General
Office of Justice Programs

Dean, Matthew

From: Dean, Matthew
Sent: Friday, April 21, 2017 11:09 AM
To: Prior, Ian (OPA)
Subject: Re: *** Embargoed until 11:30 am***DEPARTMENT OF JUSTICE SENDS LETTER TO NINE JURISDICTIONS REQUIRING PROOF OF COMPLIANCE WITH 8 U.S.C. § 1373

Thanks Ian

Matt Dean
Department of Justice & Federal Law Enforcement Producer
Fox News Channel
(b)(6) (Mobile)
(b)(6) (DOJ)
(b)(6)
@MattFirewall

On Apr 21, 2017, at 11:05 AM, Prior, Ian (OPA) (b)(6) wrote:

FYI

Ian D. Prior
Principal Deputy Director of Public Affairs
Offic (b)(6)
Cel (b)(6)

-

<Proof of Compliance with 8 U.S.C. § 1373 Letters.pdf>

<436.AG.DOCX>

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Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, APRIL 21, 2017
WWW.JUSTICE.GOV

AG
(202) 514-2007
TTY (866) 544-5309

DEPARTMENT OF JUSTICE SENDS LETTER TO NINE JURISDICTIONS REQUIRING PROOF OF COMPLIANCE WITH 8 U.S.C. § 1373

WASHINGTON Today, the Department of Justice sent the attached letters to nine jurisdictions which were identified in a May 2016 report by the Department of Justice's Inspector General as having laws that potentially violate 8 U.S.C. § 1373.

Additionally, many of these jurisdictions are also crumbling under the weight of illegal immigration and violent crime. The number of murders in Chicago has skyrocketed, rising more than 50 percent from the 2015 levels. New York City continues to see gang murder after gang murder, the predictable consequence of the city's "soft on crime" stance. And just several weeks ago in California's Bay Area, after a raid captured 11 MS-13 members on charges including murder, extortion and drug trafficking, city officials seemed more concerned with reassuring illegal immigrants that the raid was unrelated to immigration than with warning other MS-13 members that they were next.

The letters remind the recipient jurisdictions that, as a condition for receiving certain financial year 2016 funding from the Department of Justice, each of these jurisdictions agreed to provide documentation and an opinion from legal counsel validating that they are in compliance with Section 1373. The Department of Justice expects each of these jurisdictions to comply with this grant condition and to submit all documentation to the Office of Justice Programs by June 30, 2017, the deadline imposed by the grant agreement.

###

17-436

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, April 21, 2017 10:41 AM
To: (b)(6) - Ian Mason
Subject: *** Embargoed until 11:30 am***DEPARTMENT OF JUSTICE SENDS LETTER TO NINE JURISDICTIONS REQUIRING PROOF OF COMPLIANCE WITH 8 U.S.C. § 1373
Attachments: Proof of Compliance with 8 U.S.C. § 1373 Letters.pdf; 436.AG.DOCX

FYI

Ian D. Prior
Principal Deputy Director of Public Affairs
Office (b)(6)
Cel (b)(6)

-

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, March 27, 2017 7:01 PM
To: Samuel, Robert
Subject: RE: O'Reilly this week

Sorry for delay! On #2, I think that's fine. Of course, it may not be limited to those 3 but those were flagged by past admin as it says.

On #1, that's the total amount

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Samuel, Robert [mailto: (b)(6)]
Sent: Monday, March 27, 2017 4:28 PM
T (b)(6) - Sarah Flores
Subject: FW: O'Reilly this week

Hi,

I'm a producer at The O'Reilly Factor. I got your contact from my colleague Andrew Conti.

Two questions

- 1) The \$4.1 billion in OJP and COPS grants mention by AG Sessions today is that the total amount of grant money issued by those offices or is that the amount that is slated for sanctuary jurisdictions?
- 2) [The Washington Times](#) mentioned three specific programs that are at risk after AG Sessions' announcement (below). Is this correct, or should we stick to just the text of what AG Sessions said today?

"He said he's carrying out a policy laid out by the Obama administration last year, which identified three grant programs **the COPS grants, Byrne grants and State Criminal Alien Assistance Program money** that already require sanctuary certification."

Thanks,

Robert

(b)(6)

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Monday, March 27, 2017 2:26 PM
To: Conti, Andrew
Subject: RE: O'Reilly this week

Also making sure you have text:



Department of Justice

FOR IMMEDIATE RELEASE
MONDAY, MARCH 27, 2017
WWW.JUSTICE.GOV

AG
(202) 514-2007
TTY (866) 544-5309

ATTORNEY GENERAL JEFF SESSIONS DELIVERS REMARKS ANNOUNCING SANCTUARY JURISDICTIONS

Remarks as prepared for delivery

WASHINGTON, D.C.

Good afternoon. The Department of Justice has a duty to enforce our nation's laws, including our immigration laws. Those laws require us to promptly remove aliens when they are convicted of certain crimes.

The vast majority of the American people support this common-sense requirement. According to one recent poll, 80 percent of Americans believe that cities that arrest illegal immigrants for crimes should be required to turn them over to immigration authorities.

Unfortunately, some states and cities have adopted policies designed to frustrate the enforcement of our immigration laws. This includes refusing to detain known felons under federal detainer requests, or otherwise failing to comply with these laws. For example, the Department of Homeland Security recently issued a report showing that in a single week, there were more than 200 instances of jurisdictions refusing to honor Immigration and Customs Enforcement (ICE) detainer requests with respect to individuals charged or convicted of a serious crime. The charges and convictions against these aliens include drug trafficking, hit and run, rape, sex offenses against a child and even murder.

Such policies cannot continue. They make our nation less safe by putting dangerous criminals back on our streets.

We all remember the tragic case of Kate Steinle, the 32-year-old woman who was shot and killed two years ago in San Francisco as she walked along a pier with her father. The shooter, Francisco Sanchez, was an illegal immigrant who had already been deported five times and had seven felony convictions.

Just eleven weeks before the shooting, San Francisco had released Sanchez from its custody, even though ICE had filed a detainer requesting that he be kept in custody until immigration authorities could pick him up for removal. Even worse, Sanchez admitted that the only reason he came to San Francisco was because of its sanctuary policies.

A similar story unfolded just last week, when Ever Valles, an illegal immigrant and Mexican national, was charged with murder and robbery of a man at a light rail station. Valles was released from a Denver jail in late December, despite the fact that ICE had lodged a detainer for his removal.

The American people are justifiably angry. They know that when cities and states refuse to help enforce immigration laws, our nation is less safe. Failure to deport aliens who are convicted for criminal offenses puts whole communities at risk—especially immigrant communities in the very sanctuary jurisdictions that seek to protect the perpetrators.

DUIs, assaults, burglaries, drug crimes, gang crimes, rapes, crimes against children and murders. Countless Americans would be alive today and countless loved ones would not be grieving today if the policies of these sanctuary jurisdictions were ended.

Not only do these policies endanger the lives of every American; just last May, the Department of Justice Inspector General found that these policies also violate federal law.

The President has rightly said that this disregard for the law must end. In his executive order, he stated that it is the policy of the executive branch to ensure that states and cities comply with all federal laws, including our immigration laws.

The order also states that “the Attorney General and the Secretary [of Homeland Security] . . . shall ensure that jurisdictions that willfully refuse to comply” with the law “are not eligible to receive Federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary.”

Today I am urging all states and local jurisdictions to comply with all federal laws, including 8 U.S.C. Section 1373. Moreover, the Department of Justice will require jurisdictions seeking or applying for Department grants to certify compliance with Section 1373 as a condition for receiving these awards.

This policy is entirely consistent with the Department of Justice’s Office of Justice Programs (OJP) guidance issued last July under the previous administration. This guidance requires state and local jurisdictions to comply and certify compliance with Section 1373 in order to be eligible for OJP grants. It also made clear that failure to remedy violations could result in withholding of grants, termination of grants, and disbarment or ineligibility for future grants.

The Department of Justice will also take all lawful steps to claw-back any funds awarded to a jurisdiction that willfully violates Section 1373.

In the current fiscal year, department’s OJP and Community Oriented Policing Services anticipate awarding more than \$4.1 billion dollars in grants.

I urge our nation’s states and cities to consider carefully the harm they are doing to their citizens by refusing to enforce our immigration laws, and to re-think these policies. Such policies make their cities and states less safe, and put them at risk of losing valuable federal dollars.

The American people want and deserve a lawful immigration system that keeps us safe and serves our national interest. This expectation is reasonable, and our government has a duty to meet it. And we will meet it.

###

DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS, PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF PUBLIC AFFAIRS AT 202-514-2007.

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

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Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

Joel B. Pollak

From: Joel B. Pollak
Sent: Monday, March 27, 2017 4:51 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Request for comment on HVI-CC case

Thanks anyway!

Sent from my iPhone

On Mar 27, 2017, at 4:17 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:

They've all declined. Sorry☹

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

Fro (b)(6) - Joel Pollak [mailto:(b)(6)]
Sent: Thursday, March 23, 2017 5:18 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: RE: Request for comment on HVI-CC case

Hi Sarah

The DOJ attorneys on the case are Richard Gladstein and Mark Sabath in DC, and Angela Mo and Davis Forsythe in Denver. I'd be happy to talk to them off the record to get a sense of why this is still going forward.

J

-----Original Message-----

From: "Flores, Sarah Isgur (OPA)" (b)(6)
Sent: Wednesday, March 22, 2017 5:20pm
To: (b)(6) - Joel Pollak (b)(6)
Subject: RE: Request for comment on HVI-CC case

Ah. Interesting. Why don't we touch base tomorrow and see where you are and I'll reach out to Jeff Wood and see what his schedule is?

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

Fro (b)(6) - Joel Pollak [mailto:(b)(6)]

Sent: Wednesday, March 22, 2017 5:18 PM

To: Flores, Sarah Isgur (OPA) (b)(6)

Subject: RE: Request for comment on HVI-CC case

No rush. At all... as long as it's by, say, Friday?

I may also have to refine the questions. I'm learning that it might be EPA attorneys who are the bigger issue.

Joel

-----Original Message-----

From: "Flores, Sarah Isgur (OPA)" (b)(6)

Sent: Wednesday, March 22, 2017 4:46pm

To: (b)(6) - Joel Pollak (b)(6)

Subject: RE: Request for comment on HVI-CC case

What's your deadline here? I may want you to talk to the head of ENRD just on background to get a better sense of where the case is. He is a political and disagrees with the description below.

Sarah Isgur Flores

Director of Public Affairs

(b)(6)

Fro (b)(6) - Joel Pollak [mailto:(b)(6)]

Sent: Wednesday, March 22, 2017 12:46 PM

To: Flores, Sarah Isgur (OPA) (b)(6)

Subject: Request for comment on HVI-CC case

Dear Sarah,

I'm working on a story about a company, HVI-CC, that was sued under the Obama administration, and whose attorneys wrote Mar. 21 to the Attorney General to ask that the case be dropped because the basis for the lawsuit has been eliminated by President Trump's Executive Order suspending and reversing the EPA's waters (WOTUS) rule.

The company is alleging, effectively, that rogue DOJ attorneys are continuing the case and undermining President Trump's authority -- perhaps as part of an ongoing "deep state" effort by former Obama administration officials to undermine Trump's agenda.

Does DOJ have any comment?

The case is *U.S. v. HVI Cat Canyon, Inc. f/k/a Greka Oil & Gas, Inc.* in the Central California district court.

Many thanks,

Joel

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, March 24, 2017 2:56 PM
To: (b)(6) - Joel Pollak
Subject: Re: Request for comment on HVI-CC case

Ok. Let me check on that today.

On Mar 23, 2017, at 5:18 PM, (b)(6) - Joel Pollak (b)(6) wrote:

Duplicative Material



(b)(6) - Joel Pollak

From: (b)(6) - Joel Pollak
Sent: Wednesday, March 22, 2017 5:40 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Request for comment on HVI-CC case

Great, will do.

J

-----Original Message-----

From: "Flores, Sarah Isgur (OPA)" (b)(6)
Sent: Wednesday, March 22, 2017 5:20pm
To: (b)(6) - Joel Pollak (b)(6)
Subject: RE: Request for comment on HVI-CC case

Duplicative Material

Dean, Matthew

From: Dean, Matthew
Sent: Friday, March 17, 2017 3:15 PM
To: Carr, Peter (OPA)
Cc: Sarah Isgur Flores
Subject: Re: Intel Committee Docs Deadline

Thanks, Peter

Matt Dean
Department of Justice & Federal Law Enforcement Producer
Fox News Channel
(b)(6) (Mobile)
(b)(6) (DOJ)
(b)(6)
@MattFirewall

From: Carr, Peter (OPA) (b)(6)
Sent: Friday, March 17, 2017 3:14:13 PM
To: Dean, Matthew
Cc: Sarah Isgur Flores
Subject: Re: Intel Committee Docs Deadline

Yes, here you go:

The Department of Justice has complied with the request from leaders of the House and Senate Intelligence Committees and Judiciary Committees seeking information related to surveillance during the 2016 election.

On Mar 17, 2017, at 3:11 PM, Dean, Matthew (b)(6) wrote:

Hi Sarah and Peter -

Could you confirm this report by Reuters?

Thanks,

Matt

The U.S. Justice Department on Friday said it delivered documents to congressional committees responding to their request for information that could shed light on President Donald Trump's claims that former President Barack Obama ordered U.S. agencies to spy on him.

"The Department of Justice has complied with the request from leaders of the House and Senate Intelligence Committees and Judiciary Committees seeking information related to surveillance during the 2016 election " a department spokeswoman said via email.

A congressional official, who spoke on condition of anonymity, said the House Intelligence Committee was examining the documents and might issue a public statement about them later on Friday.

Leaders of both the House and Senate intelligence committees, including from Trump's Republican party, have said they have found no evidence to substantiate Trump's claims that Obama ordered U.S. agencies to spy on Trump or his entourage. The White House has publicly offered no proof of the allegation.

On Monday, the House panel sent the Justice Department a letter asking for copies of any court orders related to Trump or his associates which might have been issued last year under an electronic surveillance law or a wide-ranging anti-crime statute.

Matt Dean
Department of Justice & Federal Law Enforcement Producer
Fox News Channel

(b)(6) (Mobile)

(b)(6) (DOJ)

(b)(6)

@MattFirewall

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, March 13, 2017 6:28 PM
To: (b)(6) - Kerry Pickett
Subject: FW: Statement on Letter to Department of Justice from United States House Permanent Select Committee on Intelligence

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

-----Original Message-----

From: Flores, Sarah Isgur (OPA) On Behalf Of (b)(6)
Sent: Monday, March 13, 2017 6:28 PM
To: (b)(6) - Chuck Ross (b)(6)
Subject: FW: Statement on Letter to Department of Justice from United States House Permanent Select Committee on Intelligence

Not sure why this didn't go through--see weird error message below:

This afternoon, the Department of Justice placed calls to representatives of the Chairman and Ranking Member of the United States House Permanent Select Committee on Intelligence to ask for additional time to review the request in compliance with the governing legal authorities and to determine what if any responsive documents may exist.

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

-----Original Message-----

From: Mail Delivery Subsystem [mailto:MAILER-DAEMON@mailsc38.usdoj.gov]
Sent: Monday, March 13, 2017 6:24 PM
To: (b)(6) - Sarah Flores
Subject: Undeliverable: Statement on Letter to Department of Justice from United States House Permanent Select Committee on Intelligence

The original message was received at Mon, 13 Mar 2017 18:18:56 -0400 from pp-jdcw-5.doj.gov [10.222.1.80]

----- The following addresses had permanent fatal errors ----- (b)(6) >
(reason: 552-5.2.2 The email account that you tried to reach is over quota. Please direct)

----- Transcript of session follows ----- ... while talking to aspmx.l.google.com.:

>>> DATA

<<< 451-4.3.0 Multiple destination domains per transaction is unsupported. Please <<< 451 4.3.0 try again.
x64si1531345qkd.80 - gsmt (b)(6) Deferred: 451-4.3.0 Multiple destination domains
per transaction is unsupported. Please <<< 451-4.3.0 Multiple destination domains per transaction is
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per transaction is unsupported. Please <<< 451-4.3.0 Multiple destination domains per transaction is
unsupported. Please <<< 451 4.3.0 try again. x64si1531345qkd.80 - gsmt (b)(6) ...
Deferred: 451-4.3.0 Multiple destination domains per transaction is unsupported. Please ... while talking to
alt1.aspmx.l.google.com.:

>>> DATA

<<< 552-5.2.2 The email account that you tried to reach is over quota. Please direct <<< 552-5.2.2 the
recipient to <<< 552 5.2.2 <https://support.google.com/mail/?p=OverQuotaPerm> c50si1524731qtc.208 -
gsmt 554 5.0.0 Service unavailable

Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, March 13, 2017 11:55 AM
To: Carr, Peter (OPA)
Cc: Flores, Sarah Isgur (OPA) (JMD)
Subject: Re: House intell -- wiretap request Acting AG Boente

Thanks Peter.
And let us know if there is anything to share on the china story.

We've had strong congressional interest.

<https://www.google.com/amp/www.foxnews.com/politics/2017/02/24/fox-news-investigation-dod-funded-school-at-center-federal-probes-over-suspected-chinese-military-ties.amp.html>

Sent from my iPhone

On Mar 13, 2017, at 11:50 AM, Carr, Peter (OPA) (b)(6) wrote:

Hi Catherine,

Nicole and Mark asked me to get back to you. We received the letter and are reviewing it, but we don't have any further comment at this time. Should that change, we'll let you know.

Thx,
Peter

From: Herridge, Catherine [mailto:(b)(6)]
Sent: Monday, March 13, 2017 11:44 AM
T (b)(6) - Nicole Navas (b)(6) - Mark Abueg
Subject: House intell -- wiretap request Acting AG Boente

Hi Nicole and Mark

Trust you can help or get our questions to the right person.

House intelligence sent a letter last Wednesday to Mr. Boente requesting all documentation associated with the reported wiretaps of then candidate Trump and his team by March 13.

Will a response/associated information be provided by COB today, or will the department request an extension?

Thanks in advance for the help.

Catherine V Herridge

Chief Intelligence Correspondent

(b)(6)

(b)(6) c

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Roberts, John

From: Roberts, John
Sent: Friday, March 10, 2017 6:27 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Question

I'm just curious, because Trump had asked Preet to stay on..

-----Original Message-----

From: Flores, Sarah Isgur (OPA) [mailto: (b)(6)]
Sent: Friday, March 10, 2017 6:21 PM
To: Roberts, John (b)(6) >
Subject: RE: Question

Decline to comment. Sorry friend.

Off the record: Until it has actually been accepted, I don't feel like I can get ahead of it.

Sarah Isgur Flores
Director of Public Affairs
(b)(6)

-----Original Message-----

From: Roberts, John [mailto: (b)(6)]
Sent: Friday, March 10, 2017 5:56 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: Re: Question

So let me clarify...will his be accepted?

John Roberts
Chief White House Correspondent
Fox News Channel
(b)(6)

> On Mar 10, 2017, at 5:54 PM, Flores, Sarah Isgur (OPA) (b)(6) wrote:
>

> The request for U.S. Attorneys to tender their resignation applies to all Senate-confirmed U.S. Attorneys,
which includes Bharara > *** > Sarah Isgur Flores > Director of Public Affairs (b)(6)

>

>

> -----Original Message-----

> From: Roberts, John [mailto: (b)(6)]

> Sent: Friday, March 10, 2017 5:52 PM

> T (b)(6) - Sarah Flores

> Subject: Question

>

>

> Was Preet Bharara asked to resign??

>

> John Roberts

> Chief White House Correspondent

> Fox News Channel

(b)(6)

>

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>

Lajeunesse, William

From: Lajeunesse, William
Sent: Wednesday, March 8, 2017 2:17 PM
To: (b)(6) - Sarah Flores
Cc: Lajeunesse, William
Subject: FW: letter from Sen. Johnson
Attachments: 2017-03-06 RHJ to DOJ.pdf

Sarah,

I reached out to you a little earlier. Can you take a look at this? It went to AG Sessions last night from Sen. Johnson. From your point of view, accurate? Any statement as to the contents or the push back they allegedly got from Main Justice, I'm to (b)(6) and/or Mary McCord.

Know you are busy but LMK asap. I also let Matt Dean know.

Thx

William La Jeunesse
Fox News Channel
Correspondent
Los Angeles Bureau

(b)(6)

(b)(6)

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

March 6, 2017

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Sessions:

I write concerning an allegation that the Department of Justice (DOJ) declined to move forward with a case involving an Iraqi refugee in the United States in the fall of 2016 for improper reasons. Although this event occurred prior to your tenure as Attorney General, I respectfully request your assistance in learning more about this matter to ensure that the DOJ is properly enforcing immigration law.

According to the limited information provided to the Committee by concerned individuals, members of the Joint Terrorism Task Force located in San Antonio, Texas (JTTF-San Antonio) sought to arrest an individual, in the fall of 2016. This individual allegedly fought against American troops as an insurgent in Iraq and at some point entered the country as a refugee under a false alias. When JTTF-San Antonio and the U.S. Attorney's Office for the Western District of Texas sought to prosecute this refugee, the local law enforcement and prosecutors allegedly met "resistance" from officials within the National Security Division's Counterterrorism Section in Washington. The "resistance" from the National Security Division's Counterterrorism Section allegedly occurred a few weeks before the 2016 election, and local authorities believed the lack of progress in this case was handled inadequately. This individual's current whereabouts are apparently unknown.

During a recent hearing, the Committee heard accounts of the real-world consequences of our nation's failure to enforce border security and immigration laws.¹ As the Administration works to improve enforcement of our immigration laws and border security, I respectfully request that DOJ review the circumstances surrounding this case to determine if this matter has been handled correctly and, if not, take prompt corrective action. At the appropriate time, I ask that your staff please brief Committee staff on the results of your review.

¹ *"The Effects of Border Insecurity and Lax Immigration Enforcement on American Communities": Hearing before the S. Comm. on Homeland Security & Governmental Affairs, 115th Cong. (2017).*

The Honorable Jeff Sessions
March 6, 2017
Page 2

If your office has any questions about this letter, please have your staff contact Brian Downey of the Committee staff at (202) 224-5571. Thank you for your assistance in this matter.

Sincerely,



Ron Johnson
Chairman

cc: The Honorable Claire McCaskill
Ranking Member

The Honorable Michael Horowitz
Inspector General

mboyle

From: mboyle
Sent: Tuesday, January 2, 2018 7:50 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Trasngender in military issue?
Attachments: 171221 Final Presidential Directive Memorandum.docx; 171221 Final Transgender Letter to the President.pdf

yes -- pretty much. Also I understand there's other ideas floating out there that could help move the ball forward even more, including one put forward by Ed Meese (among others) which I hear the president is at least considering taking...

See two attached documents (which includes letter from Meese et al to POTUS and their attachment w suggested language)...

From: Flores, Sarah Isgur (OPA) <(b)(6)>
Sent: Tuesday, January 2, 2018 7:42 PM
To: mboyle
Subject: RE: Trasngender in military issue?

Hey there! Yeah, of course. off the record: we are the lawyers—and the client ultimately decides what to do, in this case DOD and the WH. But I think its important for your readers to understand this stage was all about an interlocutory appeal (denial of a stay over a preliminary injunction) and that we are still litigating the merits of the case and defending POTUS actions here. So not to get into the weeds, but this is in no way abandoning the case, its all about how to win through the courts and with judges who have shown hostility toward everything this president does.

On the record here's my comment: "The Department of Defense has announced that it will be releasing an independent study of these issues in the coming weeks. So rather than litigate this interim appeal before that occurs, the administration has decided to wait for DOD's study and will continue to defend the President's and Secretary of Defense's lawful authority in district court in the meantime."
Does that get to what you're writing about?

xxx

Sarah Isgur Flores
Director of Public Affairs
(b) (6)

From: mboyle [mailto:(b)(6)]
Sent: Tuesday, January 2, 2018 6:49 PM
To: Flores, Sarah Isgur (OPA) <(b)(6)>
Subject: Trasngender in military issue?

Sarah,

Writing about the whole transgenders in military thing -- and the DOJ not seeking the stay yet (I think

you will see my piece will be different than a lot of other people). Anyway, if you have any comment or are up to chat about it off record or on background let me know.

Thanks,
Matthew Boyle
Washington Political Editor, Breitbart News

Memorandum to: Secretary of Defense
Secretary of Homeland Security

Subject: **Accession of Individuals Who Identify as Transgender in the Military**

References: [Memorandum](#) for the Secretary of Defense & the Security of Homeland Security, “Military Service by Transgender Individuals,” August 25, 2017

Secretary of Defense [Memorandum](#) for Secretaries of the Military Departments, “Military Service by Transgender Individuals Interim Guidance,” Sept. 14, 2017

In my August 25, 2017, Memorandum, I expressed concerns about the previous Administration’s failure to identify a sufficient basis to conclude that terminating the Departments’ longstanding policy and practice regarding individuals who identify as transgender in the military would not hinder military effectiveness and lethality, disrupt unit cohesion, or tax military resources. As I stated then, further study would be needed to ensure that continued implementation of policy changes ordered in 2016 would not have those negative effects.

My Memorandum further cited the authority vested in me as President and as Commander in Chief of the Armed Forces of the United States under Article II of the U.S. Constitution and the laws of the United States of America. Among other things, I directed the Secretary of Defense and the Secretary of Homeland Security with respect to the U.S. Coast Guard to maintain beyond January 1, 2018, the currently effective policy regarding accession of individuals who identify as transgender into military service.

In the Interim Guidance issued by the Secretary of Defense in response to my Memorandum, you directed that Instructions setting forth medical standards for appointment, enlistment, or induction in the military, which generally prohibit the accession of individuals who identify as transgender into the Military Services, would remain in effect because a “*current or history of gender dysphoria or gender transition does not meet medical standards . . .*”

You also initiated efforts to determine future policies regarding individuals who identify as transgender currently serving under policies announced by the previous administration on June 30, 2016, effective October 1, 2016. Recommendations are due by February 29, 2018, and I intend to review those recommendations and determine policy by March 23, 2018.

Starting on October 30, 2017, several district judges have issued preliminary injunctions ordering the Department of Defense to access individuals who identify as transgender in the military by January 1, 2018. These orders disregard the orderly process of review that is underway, and attempt to usurp authority vested in the President of the United States under Article II, Section II, of the U.S. Constitution.

Following clarification of the scope of these orders, the Department of Justice filed immediate motions for stays and appeals of denials to Courts of Appeals. These motions will continue, as

needed, to the Supreme Court, if necessary. As with all judicial matters, motions such as this take time, so the outcome of appeals may not be known prior to January 1, 2018.

Implementation of district court orders to access applicants who identify as transgender by that date, before the process of review has run its course, would force a significant change to military accession standards before I have had the opportunity to receive, review, and evaluate resulting recommendations.

As the Department of Justice stated in its request for a stay in the *Jane Doe 1 et. al.*, case, “*Forcing the military to take some applicants it might have rejected had it been given more time to complete its study and implement its final policy is a significant injury in itself.*”

Short-circuiting the deliberative process threatens the military with two burdensome implementation processes – one to comply with the district courts’ orders and another to execute new policy changes that I may choose to make in the future.

The best interests of the military would not be served by court-ordered actions that create uncertainty and confusion in the ranks, while imposing needless costs and potential harmful effects on mission readiness and combat lethality.

More importantly, compliance with premature court orders that run contrary to presidential directives would undermine the authority invested in me as Commander-in-Chief. A precedent of this kind would undermine presidential prerogatives and authority on this and all matters involving military policy.

In order to preserve the constitutional responsibilities vested in the President and to discharge my solemn obligation to defend this nation, in the event that the order of the lower court has not been stayed before Jan. 1, 2018, you are hereby directed to include in every accession and reenlistment contract involving a person who identifies as transgender, or has a diagnosis of gender dysphoria language that clearly notifies the person that the accession or reenlistment is being processed solely because of the preliminary injunction. Accession and reenlistment contracts also should state that should the government prevail in the litigation the accession and reenlistment will be voided, the person will be immediately released from active duty, and any subsequent applications for accession or reenlistment will be processed in accordance with duly promulgated accession standards. Furthermore, every accession or reenlistment contract involving a person who identifies as transgender, or has a diagnosis of gender dysphoria, who is conditionally enlisted after January 1, 2018 will advise the individual that no government-funded medical procedures will be performed nor medication that is unique to their condition will be provided until all litigation is adjudicated.

I trust that the process of review that you have initiated will produce results that are useful in this important policy-making process.

Hon. Donald J. Trump
President
The White House
Washington, D.C. 20500

Dear Mr. President:

As you know, several district judges have recently ordered the Department of Defense to begin enlisting individuals who identify as transgender into the military on January 2, 2018. These orders are not only at odds with your directive of August 25, 2017 to the Secretary of Defense and, with respect to the Coast Guard, to the Secretary of Homeland Security precluding such a change in policy. It is also a judicial intrusion upon your exclusive authority as Commander-in-Chief pursuant to Article II of the Constitution and a dangerous affront to your responsibility to determine the make-up and disposition of the nation's armed forces.

Unfortunately, this is not the only example of unacceptable infringements on your presidential powers. Courts have been eager to strike down your immigration-related executive orders with politically-motivated rulings. Moreover, as *Bloomberg* reported yesterday in a [news report](#) headlined, "Washington Bureaucrats Are Quietly Working to Undermine Trump's Agenda," others in the government have been emboldened to subvert your administration and policies.

We believe strongly that your decision to prevent additional enlistments of individuals who identify as transgender in the U.S. armed forces is fully justified in light of the grave harm such a policy change would portend for the readiness, morale, unit cohesion and funding challenges facing our military. In addition, it would be a most dangerous precedent to have the judiciary interjecting itself into your exclusive, constitutional command authority and responsibility to create a *right* to serve where there is none – let alone extending that right to people whose medical condition and requirements are, as a practical matter, incompatible with military service and a burden on an already stressed military budget.

To allow this court order to stand, moreover, would be to invite the judiciary to trespass further on your executive authority and the chain of command. Predictably, it would also empower government employees to ignore presidential direction – with profound and adverse implications for the Republic.

In the interest of avoiding such intolerable consequences and preventing avoidable harm from being inflicted on the armed forces with the initiation of enlistments of individuals who identify as transgender, we recommend that you immediately issue a new directive to the Secretaries of Defense and Homeland Security along the lines of the attached. It simply preserves your authority and responsibility to establish accession standards for military service, pending the outcome of ongoing litigation.

We stand ready to support you in such a necessary assertion of your constitutional authorities.

Sincerely,

Edwin Meese, III, Former U.S. Attorney General

Lt. Gen. William G. Boykin, USA, Ret.

Elaine Donnelly, Center for Military Readiness

Frank J. Gaffney, Jr., Center for Security Policy

Admiral James A. Lyons, USN, Ret.

Lt. Gen. Thomas G. McInerney, USAF, Ret.

Kristina Wong

From: Kristina Wong
Sent: Friday, December 15, 2017 8:57 AM
To: Flores, Sarah Isgur (OPA)
Cc: (b)(6), (b)(7)(C) (DO) (FBI)
Subject: Re: Question re: Strzok & Page

Great, thank you Sarah!

--
Kristina Wong
Pentagon reporter, Breitbart News
(b) (6)
@kristina_wong

On Dec 15, 2017, at 8:48 AM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

Your email was forwarded to me. The FBI has their own press shop--so I'll have to refer you to them on personnel and policy questions. Adding (b)(6), (b)(7)(C) per FBI here!

Begin forwarded message:

From: "(b)(6) - Kristina Wong" <(b)(6)>
Date: December 15, 2017 at 7:09:31 AM EST
To: Prior, Ian (OPA) <(b)(6)>
Subject: Question re: Strzok & Page

Hi Ian,

Morning! Hope you are well.

On background, why Peter Strzok is still employed at the FBI, given the revelation of an extramarital affair with fellow FBI employee Lisa Page?

Is he just temporarily assigned to human resources? Does he still have his security clearance?

Where is Page serving now? Has she also been reassigned from her normal duties?

Thank you,
Kristina

Kristina Wong
Pentagon reporter, Breitbart News
(b) (6)
@kristina_wong

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, December 12, 2017 11:49 AM
To: Kristina Wong
Subject: RE: Question re: HPSCI interviews today -- Breitbart

This is what Sarah said on Fox and Friends:

DOOCY: sarah, let me ask you a question regarding andrew mccabe, is he a top guys at the department of justifiable. he was supposed to appear on capitol hill today. he canceled at the last minute. there are a number of people who say he was worried about being asked about bruce ohr and bruce ohr's tweeted that out and added something more sinister. why did he cancel?

ISGUR FLORES: i have seen the emails myself. this turns out to be, you know, why email is the best/worst form of communication. what happened was the fbi had planned to have two witnesses testify. one on the 12th and one on the 19th. when they sent the email to the committee, they flipped the two witnesses. and so mccabe was supposed to testify on the 19th. they told the committee the 12th the alleged handler was supposed to testify on the 12th but they told the committee the 19th. we are trying to sort that out right now. the fbi sincerely regrets the error, obviously.

Ian D. Prior
Principal Deputy Director of Public Affairs
Department of Justice
Office: (b)(6)
Cell: (b)(6)

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: Kristina Wong [mailto:(b)(6)]
Sent: Tuesday, December 12, 2017 11:47 AM
To: Prior, Ian (OPA) <(b)(6)>
Subject: Re: Question re: HPSCI interviews today -- Breitbart

Thanks! Does that mean there was a mixup as to who was supposed to come today?

--
Kristina Wong
Pentagon reporter, Breitbart News
(b)(6)
@kristina_wong

On Dec 12, 2017, at 9:05 AM, Prior, Ian (OPA) <(b)(6)> wrote:

This was a routine scheduling error after the dates were switched on an internal email that we are

... was a routine scheduling error and the dates were switched on an internal calendar and we are happy to provide the committee. The FBI regrets the error, and we look forward to making both witnesses available prior to the Christmas recess.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: (b)(6)
Cell: (b)(6)

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

On Dec 12, 2017, at 8:40 AM, (b)(6) - Kristina Wong <(b)(6)> wrote:

Hi Ian,

Hope you're well. Was there any DOJ witness scheduled to testify in front of the House intel committee today?

I see via tweets from Fox News that McCabe was supposed to testify today, but DOJ says that rather, FBI's handler for the Steele dossier was supposed to testify and there was a mix up?

Can you please confirm what happened? I am writing about this shortly, and want to get the facts right.

Thank you,
Kristina

Kristina Wong
Pentagon reporter, Breitbart News
(b)(6)
@kristina_wong

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, December 12, 2017 6:00 AM
To: Gibson, Jake
Subject: Re: Statement from us to use after HPSCI goes public

Thanks!

On Dec 11, 2017, at 11:11 PM, Gibson, Jake <(b)(6)> wrote:

I'm thinking you're asleep.

I'm going to put your statement in there... because after seeing what Chad filed about congressional sources saying McCabe has an "Ohr problem," ... I'm assuming Fox n Friends will do something on it.

On Dec 11, 2017, at 11:00 PM, Gibson, Jake <(b)(6)> wrote:

Chad just tweeted this:

Congressional sources tell Fox they believe FBI DepDir McCabe not coming to Hse Intel Cmte tomorrow because he'd be asked about Bruce Ohr & Ohr's wife Nellie who worked for Fusion GPS. something far more sinister.

On Dec 11, 2017, at 10:57 PM, Gibson, Jake <(b)(6)> wrote:

"Hill sources" leaked some stuff to Chad...he called me after they spoke, and I said I had been told it was a "scheduling snafu..." and that McCabe was originally scheduled for next week and the handler for tomorrow but there was a mistake.

I assume dotcom will file something in the next few hours on Chad's reporting.

I'm also assuming you want your statement in there? Or do you want to wait for an official release from HPSCI?

"Congressional source" telling Chad that McCabe has an "Ohr problem," and that's why he's not showing tomorrow.

—

On Dec 11, 2017, at 9:07 PM, Flores, Sarah Isgur (OPA)

<(b)(6)> wrote:

This was a routine scheduling error after the dates were switched on an internal email that we are happy to provide the committee. The FBI regrets the error, and we look forward to making both witnesses available prior to the Christmas recess.

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Gibson, Jake

From: Gibson, Jake
Sent: Monday, December 11, 2017 9:42 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: Re: Statement from us to use after HPSCI goes public

Got it.
Thanks much.

On Dec 11, 2017, at 9:07 PM, Flores, Sarah Isgur (OPA) <(b)(6)> wrote:

Duplicative Material

Ehrsam, Lauren (OPA)

From: Ehrsam, Lauren (OPA)
Sent: Tuesday, December 12, 2017 9:57 AM
To: O'Malley, Devin (OPA); Neil Munro
Subject: RE: Re. the AG Sessions event on Friday...
Attachments: attachment 1.pdf

Hi Neil,

Attributable to spokeswoman Lauren Ehrsam:

"We disagree with the Court's ruling and are seeking to stay the Defense Department's obligations under that ruling as we evaluate next steps. Plaintiffs' lawsuit challenging military service requirements is premature for many reasons, including that the Defense Department is actively reviewing such service requirements, as the President ordered, and because none of the Plaintiffs have established that they will be impacted by current policies on military service."

Thank you,
Lauren

Lauren Ehrsam
Spokeswoman and Media Affairs Specialist
O: (b)(6) C: (b)(6)

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: O'Malley, Devin (OPA)
Sent: Tuesday, December 12, 2017 9:52 AM
To: Neil Munro <(b)(6)>
Cc: Ehrsam, Lauren (OPA) (b)(6)
Subject: RE: Re. the AG Sessions event on Friday...

+Lauren has a statement for you

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)

From: Neil Munro [mailto:(b)(6)]
Sent: Tuesday, December 12, 2017 12:08 AM
To: O'Malley, Devin (OPA) <(b)(6)>
Subject: Re: Re. the AG Sessions event on Friday...

Can I talk to someone at the DoJ re. the Pentagon/transgender court case?

The Pentagon says they are getting on track to admit people who want to live as members of the other sex by Jan. 1 because of the court's directions.

<http://abc7ny.com/news/court-ruling-transgender-individuals-can-enlist-in-the-military-beginning-jan-1/2770183/>

How does the DoJ plan to win this one for President Trump?

Yours,

Neil Munro,
Breitbart News

On Dec 6, 2017, at 9:53 PM, O'Malley, Devin (OPA) (b)(6) wrote:

Thanks, Neil. I appreciate the heads up.

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)

From: Neil Munro [mailto:(b)(6)]
Sent: Wednesday, December 6, 2017 9:51 PM
To: O'Malley, Devin (OPA) <(b)(6)>
Subject: Re: the AG Sessions event on Friday...

Devin,

No doubt AG Sessions will create some background news when he talks at the WH on Friday.

While I trust other reporters will generate some news for me, I intend to ask him about some other policy questions, such as the department's success in combating anti-American discrimination, and in protecting women's rights to exclude men from their bathrooms and showers, AKA, the transgender push. I'm notifying you so that he is better prepared to give a clear and full policy answer to these less prominent but important policy questions.

The department has said that existing law does not establish “gender identity” as a court-protected status. Sure, but will the department intervene in a case when a woman files to protect her sexual privacy once a legislature or court denies her the right to exclude men from her bathroom or shower?

What will the department do in 2018 to deter companies from discriminating against Americans — by discriminating in favor of legal immigrants or temporary foreign workers -- in hiring or in the workplace?

Is the DHS’ “Optional Practical Training” program justified by current law or or by regulatory due process?

Yours,

Neil Munro
Breitbart News

[NOT YET SCHEDULED FOR ORAL ARGUMENT]

No. 17-5267

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

JANE DOE 1 et al.,
Plaintiffs-Appellees,

v.

DONALD J. TRUMP, President of the United States, et al.
Defendants-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

**APPELLANTS' EMERGENCY MOTION FOR ADMINISTRATIVE
STAY AND PARTIAL STAY PENDING APPEAL**

CHAD A. READLER

Principal Deputy Assistant Attorney General

HASHIM M. MOOPPAN

Deputy Assistant Attorney General

BRINTON LUCAS

Counsel to the Assistant Attorney General

MARLEIGH D. DOVER

CATHERINE H. DORSEY

TARA S. MORRISSEY

Attorneys, Appellate Staff

Civil Division

U.S. Department of Justice, Room 7236

950 Pennsylvania Ave., NW

Washington, DC 20530

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, November 28, 2017 6:47 PM
To: Gibson, Jake
Subject: RE: Khatallah: Additional information on penalties

Jk—they revised it.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, November 28, 2017 6:42 PM
To: 'Gibson, Jake' (b)(6)
Subject: RE: Khatallah: Additional information on penalties

Weird—this is what DOJ is saying... who is saying life?

Ahmed Abu Khatallah was found guilty this afternoon of one count of conspiracy to provide material support or resources to terrorists, one count of providing material support or resources to terrorists, one count of maliciously destroying and injuring dwellings and property, and placing lives in jeopardy within the special maritime and territorial jurisdiction of the United States, and one count of using and carrying a semiautomatic weapon during a crime of violence. He was acquitted of federal murder and other charges. Khatallah faces statutory maximums of 15 years in prison on each of the two terrorism offenses, 20 years for maliciously damaging and destroying dwellings and property, and 10 years for the firearms offense. A sentencing date has not yet been set.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Gibson, Jake [[mailto:\(b\)\(6\)](#)]
Sent: Tuesday, November 28, 2017 6:15 PM
To: Flores, Sarah Isgur (OPA) (b)(6)
Subject: Fwd: Khatallah: Additional information on penalties

Maybe Khatallah gets life...

This adds the statutory maximum for the firearms offense, which is life.

Khatallah faces statutory maximums of 15 years in prison on each of the two terrorism offenses, 20 years for maliciously damaging and destroying dwellings and property, and life imprisonment for the firearms offense. The firearms offense also carries a mandatory minimum consecutive term of 10 years. A sentencing date has not yet been set.

From: Miller, William (USADC)
Sent: Tuesday, November 28, 2017 5:02 PM
Subject: Khatallah: Clarifying terrorism charges

Please note the clarification below of the specific terrorism offenses. We will issue a press release later today.

Ahmed Abu Khatallah was found guilty this afternoon of one count of conspiracy to provide material support or resources to terrorists, one count of providing material support or resources to terrorists, one count of maliciously destroying and injuring dwellings and property, and placing lives in jeopardy within the special maritime and territorial jurisdiction of the United States, and one count of using and carrying a semiautomatic weapon during a crime of violence. He was acquitted of federal murder and other charges. Khatallah faces statutory maximums of 15 years in prison on each of the two terrorism offenses, 20 years for maliciously damaging and destroying dwellings and property, and 10 years for the firearms offense. A sentencing date has not yet been set.

We will provide additional information later this afternoon.

Bill Miller
Public Information Officer
U.S. Attorney's Office for the District of Columbia
(b)(6) (Direct)
(b)(6) (Main)
(b)(6)

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Thursday, November 2, 2017 10:01 PM
To: (b)(6) - Alex Pfeiffer
Subject: Additional Background Info
Attachments: Exec Sec Package.pdf

Everything is embargoed until your briefing is done. Memos attached here are not to be republished, and can be referred to as "documents obtained by Daily Caller." Any other information in this email can be attributed to EOIR official.

-Two weeks ago, EOIR updated their practice manual by reducing the number of days to respond to a motion to reopen or reconsider from 15 days to 10 days.

- all other motion response times are already 10 days
- this will primarily affect DHS

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b)(6)
Cell: (b)(6)



U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

April 4, 2017

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Dana J. Boente
Acting Deputy Attorney General

djb
4-4-17

SUBJECT: Immigration Judge Hiring Process

DISCUSSION:

Attached for your review and approval is a memorandum proposing a new process for hiring Immigration Judges (see Tab A). If approved, this proposal would revise the current policy implemented by then-Attorney General Gonzales on April 2, 2007 (Tab B).

The Justice Management Division ("JMD"), the Executive Office for Immigration Review ("EOIR"), and the Office of Attorney Recruitment and Management ("OARM") have each concurred with the proposal.

The Office of Legal Counsel has also reviewed and approved the revised process for Form and Legality (*see* OLC Action Memorandum ahead of Tab A).

APPROVE:

DATE: April 6, 2017

DISAPPROVE: _____

OTHER: _____

**U.S. Department of Justice**

Office of Legal Counsel

Office of the Assistant Attorney General

Washington, D.C. 20530

April 3, 2017

MEMORANDUM FOR JEFFERSON B. SESSIONS III
Attorney General*Re: Immigration Judge Hiring Process***ACTION MEMORANDUM**

The attached proposed memorandum was prepared by the Office of the Deputy Attorney General and submitted to this Office for review with respect to form and legality.

The proposed memorandum would make several changes to the multi-step process, largely established by then-Attorney General Gonzales on April 2, 2007, to select and appoint Immigration Judges ("IJs"). The changes would generally streamline and shorten the current process. At the first step of the process, the practice of re-reviewing certain applications would be discontinued, since it has never affected a final hiring decision. At the third step, the Executive Office of Immigration Review ("EOIR") would have a new one-month deadline to conduct interviews and would now run multiple interview panels at the same time. At the fourth step, the Director of EOIR (or his designee) would select five, rather than three, candidates, and would no longer need to put them in rank order, which would give more discretion to the panels at the next stage. At the fifth step, the panel that interviews and recommends a finalist from among the five candidates would now include two, rather than three, members; the panel would have a two-week deadline; and separate panels for separate IJ positions could operate concurrently. At the seventh step, after the Attorney General selects a candidate, the Attorney General would be permitted to give a temporary appointment to an applicant who has not yet received a full background check. That option is already available for current federal employees; the revision would extend it to those who are nonfederal employees.

The memorandum also proposes a change to the way in which IJ vacancies are advertised. Rather than requiring a separate announcement for each city in which an IJ position is available (and requiring applicants to submit multiple applications if they are willing to be considered for positions in multiple places), the new process would permit EOIR to advertise multiple vacancies at once and permit an applicant to indicate interest in multiple positions.

The proposed changes to the hiring process are legally permissible. The Attorney General has authority under 5 U.S.C. § 301, the Department's "housekeeping" statute, to regulate

the conduct of Department employees by establishing internal processes and procedures. None of the proposed changes will alter the practice of having the Attorney General approve the ultimate choice of each IJ, which satisfies the constitutional requirement that an inferior officer be appointed by the President, a head of a department, or a court of law. U.S. Const. art. II, § 2, cl. 2; see *Assignment of Certain Functions Related to Military Appointments*, 29 Op. O.L.C. 132, 135 (2005) (“[S]o long as each nomination is submitted to the Secretary of Defense for approval (whether individually or in groups) and each appointment is made in the name of the Secretary of Defense (whether the document evidencing the appointment be signed by the Secretary or an authorized subordinate officer), the Constitution would permit much of the legwork of the appointment process to be delegated to a subordinate.”).

The proposed memorandum is approved with respect to form and legality.



Curtis E. Gannon

Acting Assistant Attorney General

TAB A

Recommended Immigration Judge Hiring Process

April 2017

Former Attorney General Gonzales implemented the current hiring process for Immigration Judges (“IJs”) on April 2, 2007 (“2007 Policy”; *see* Tab B). The Office of the Deputy Attorney General (“ODAG”) recommends revising this hiring process to make it more efficient and prevent unnecessary delays and redundant levels of review. This memorandum details the newly proposed process, with an explanation for how it would change from the 2007 Policy. ODAG has consulted with the Executive Office of Immigration Review (“EOIR”), Justice Management Division (“JMD”), and Office of Attorney Recruitment and Management (“OARM”), who have each confirmed their approval of the proposal.

PRELIMINARY STAGE

Before reviewing applications, EOIR will post a generic vacancy announcement seeking applications for IJ positions, noting the cities in which judgeships are available and directing applicants to identify the cities where they would be willing to serve.

Change: Currently, EOIR must run a separate vacancy announcement for each city where a position is available. In EOIR’s experience, most applicants apply to multiple cities. A single advertisement would substantially reduce the amount of time that EOIR employees spend reviewing applications, as the same application would not need to be re-reviewed multiple times. JMD agrees that this approach is reasonable and would increase efficiency in the hiring process.

STEP ONE

Upon receipt of initial application materials, Supervisory Immigration Judges will evaluate incoming applications and separate them into three tiers: (1) “Highly Recommend,” (2) “Recommend,” and (3) “Do Not Recommend.”

Change: EOIR currently re-reviews applications categorized in the “Recommend” and “Do Not Recommend” tiers to determine whether they should be classified into higher tiers. Per EOIR, we recommend elimination of this re-review as unnecessary because it has never affected the final hiring decision.

STEP TWO

EOIR will contact all first-tier applicants for a writing sample and reference. EOIR will then execute a reference check.

Change: We do not recommend any changes to this step.

STEP THREE

Three-member panels, composed of EOIR judges and supervisors, will interview all first-tier candidates and complete written interview summaries, which will be included in each candidate's application materials. These interviews will be completed within one month. To help meet this timeframe, EOIR should form multiple panels, running concurrently.

Change: Currently, there is no time limitation to this step. The revised procedure would require the completion of this step within one month. Towards this end, the revised process would clarify that EOIR should run concurrent panels to help meet the target timeframe.

STEP FOUR

Based on review of the application packet, the EOIR Director (or his designee) will select five unranked candidates to be forwarded for consideration in Step Five for a particular court location.

Change: Currently, the Chief Immigration Judge and EOIR Director (or his designee) ranks three candidates. The change to having the EOIR Director select five unranked candidates would not only provide more options for eventual selection, but also give the Finalist Panel in the next step the discretion regarding which candidate to interview first.

STEP FIVE

This is the last step before the Attorney General makes a selection. A two-member panel ("Finalist Panel"), comprising the Assistant Attorney General for Administration ("AAG/A") (or a career-SES employee designated by him) and a non-career SES employee selected by the DAG, will interview as many of the five candidates as appropriate. The Finalist Panel will recommend a single candidate to the DAG. The DAG will then determine whether he agrees with that recommendation and will forward any approved recommendation to the Attorney General.

This step will be completed within two weeks. To help meet this timeframe, the AAG/A and the DAG should designate multiple individuals so that separate IJ positions can have separate Finalist Panels and the separate Panels can sit concurrently to make recommendations for multiple vacancies.

Change: Currently, the panel is composed of three members. This revision would shrink the size of the panel from three to two members and permit the AAG/A to designate a career-SES employee and the DAG to designate a non-career-SES employee to serve on this panel. The revised process would also require this step to be completed within two weeks. Towards this end, we would make clear that the DAG and AAG/A should establish a separate Finalist Panel for each IJ position to help meet the target timeframe where appropriate.

STEP SIX

The Attorney General will make the initial selection. The Attorney General may request additional candidates from the DAG if he does not want to select the recommended candidate.

Change: We do not recommend any changes to this step.

STEP SEVEN

The applicant will go through a preliminary background check and then a full background investigation. While the full background check is pending, the Attorney General may choose to give a temporary appointment to the candidate, regardless of whether the candidate is a current federal employee or from outside the federal government. Once the candidate completes a full background investigation, the candidate's application package will go before the DAG and then the Attorney General for final approval.

Change: Currently, federal employees are able to receive Temporary Appointments for 14 months while they are pending full background, but applicants who are not federal employees do not have that option. This change would permit us to bring non-federal employees on board more quickly. Given the importance and sensitivity of the IJ position, ODAG will work with JMD and OARM to ensure that the IJ background investigations are handled as expeditiously as possible, consistent with other obligations.

TAB B



TAB B

BW

U.S. Department of Justice
Office of the Deputy Attorney General

Associate Deputy Attorney General

Washington, D.C. 20530

March 29, 2007

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL *BM 3/30/07*

FROM: *Lee Liberman Otis*
Associate Deputy Attorney General

SUBJECT: Immigration Judge Hiring Process

Attached for your review and approval are two memoranda regarding the process the Department will use going forward to fill immigration judge positions. The first is a short executive summary of the process, the second a longer document laying out the process in greater detail. These memoranda were drafted in close consultation with the Office of Attorney General and the Executive Office of Immigration Review. They have been reviewed and concurred in by the Office of Legal Counsel, Justice Management Division, and Office of Attorney Recruitment and Management. A set of the messages memorializing these offices' concurrences is attached. I also attach an opinion from the Office of Legal Counsel providing various advice with respect to legal issues relating to these appointments.

Approve: *[Signature]* Date: April 2, 2007

Disapprove: _____ Date: _____

Other: _____ Date: _____

LJ Hiring Process - Summary

This short memo is an executive summary of a more comprehensive hiring process laid out in the attached memorandum. This process is subject to revision at any time should the DAG or AG identify deficiencies in operation or possible improvements that could be made.

STEP ONE

A group of Immigration Judges (usually between 7-9 individuals, from among the Chief Immigration Judge, Deputy Chief Immigration Judges and Assistant Chief Immigration Judges in Headquarters) will initially evaluate and recommend applications, categorizing them as:

- Highly Recommend
- Recommend
- Do Not Recommend

Based on these recommendations, OCU will separate the applications into three preliminary tiers:

- First tier: applicants whom at least half the members of the screening panel voted "highly recommend"
- Second tier: applicants for whom at least one member of the screening group voted "highly recommend"
- Third tier: applicants who received only "recommend" or "do not recommend" ratings

The Director of EOIR (or his designee) and the Chief IJ will review the applications preliminarily placed in the second and third tier to determine whether any should be included in the first tier.

STEP TWO

OCU contacts all first tier applicants to get a writing sample and references. *[In the case of the existing vacancy announcement, OCU will also confirm first tier candidates' continued interest in an IJ position and have them identify up to 5 cities they are interested in]*

OCU hiring committee will check references (creating written summaries of discussions), consistent with obligations under federal law.

STEP THREE

Three-member EOIR panels (made up of two Deputy CIJs or ACIJs and a senior EOIR manager) at EOIR will interview all first tier candidates *[In the case of the existing announcement, they will interview all first tier candidates who expressed an interest in a city with a vacancy, done in the order of priority of city based on EOIR's judgment]*.

They will each create written interview summaries to complete the packets of information, which will include:

- cover letters, resumes and application materials
- writing sample(s)
- interview summaries
- reference summaries
- documentation of veterans' preference eligibility

STEP FOUR

Based on this packet, the CU and EOIR Director (or his designee) will select at least three candidates to recommend for final consideration. Any relevant veteran's preference will apply here to decide between two otherwise substantially equivalent candidates.

STEP FIVE

A second three member panel, consisting of the EOIR Director (or his designee), a career member of the SES designated by the DAG, and a non-career member of the SES designated by the DAG, will interview as many of the three candidates as they think appropriate.

The panel will recommend one candidate to the DAG for recommendation to the AG for final approval. Again, any relevant veteran's preference will be considered.

STEP SIX

The AG makes his selection. The AG can request additional candidates from the DAG if he does not want to select the candidate recommended by the DAG. Likewise, the DAG can request additional candidates if he does not want to recommend the panel's recommended candidate to the AG.

STEP SEVEN

After the AG makes his selection, upon completion of a preliminary background check, the candidate will receive an initial appointment and complete initial training, including the immigration law exam, after which completion he or she can begin hearing cases.

MODIFIED
LATER; NO
temp appointments
any more; PERM
APPS after
E.I. A.F.

Concurrence: 3/22/07 EOIR (see attached e-mail message)
3/23/07 OARM (see attached e-mail message)
3/26/07 JMD (see attached e-mail message)
3/23/07 OLC (see attached e-mail message)
_____ ODAG
_____ OAG

Immigration Judge Appointment Process

There are presently 33 existing and 3 imminent immigration court vacancies. Funding for 20 of these was provided originally in the 2006 War Supplemental and the Chief Immigration Judge and the Director of EOIR have reached a final determination as to where these should be allocated. It is important to fill these 36 vacancies by the end of the fiscal year. Funds for an additional twenty immigration judge positions were included in the FY 2007 appropriation and EOIR anticipates filling those next fiscal year. This document sets out a process for filling these and future immigration court vacancies.

This hiring process is subject to revision if the Deputy Attorney General or the Attorney General determines that there are improvements that can or should be made.

A. Current Vacancies

1. Current Vacancy Announcement

- In September 2005, EOIR posted a generic vacancy announcement seeking applications for immigration judge positions, noting the cities in which there are immigration courts, and directing applicants to indicate up to 5 cities where they would be willing to serve. This announcement was posted on two DOJ websites, one available to the general public and one available to DOJ employees, as well as on USAJOBS, an OPM website announcing jobs available throughout the government.
- The announcement specifies as qualifications for the position: a law degree, active bar membership, U.S. citizenship, and a minimum of seven years relevant legal experience. It also asks applicants to address in narrative form at least three of five factors: 1) knowledge of immigration laws and procedures; 2) substantial litigation experience, preferably in a high volume context; 3) experience handling complex legal issues; 4) experience conducting administrative hearings; and 5) knowledge of judicial practices and procedures. It also specifies as a quality ranking factor that a candidate demonstrate the appropriate temperament to serve as a judge.
- The announcement also invites applicants to provide information in support of veterans' preference eligibility in their cover letter or resume and to attach supporting documentation. It notes that the Department of Justice considers veterans' preference eligibility as a positive factor in hiring.
 - As applications responding to this posting have been received, EOIR's human resources office has been screening out the applications that do not meet the qualifications. It has a database of slightly over 1,000 qualified applicants.
 - The posting has remained in place and active since that time.
 - On March 14, EOIR revised this posting to state that it expires on March 30.
- Department officials and others who have indicated that they may know of potential candidates have been informed that this posting will close on March 30 and that anyone

who wishes to be considered for one of the current vacancies should submit an application in the manner specified by the vacancy announcement. Such candidates will be considered on the same footing as other applicants.

2. Screening and Updating of Applications Received in Response to Current Announcement and Prioritization of Vacancies

- The Department will seek to fill the current vacancies from the pool of applicants who have filed or file an application in response to this announcement. If it determines that it has an insufficient number of top tier candidates from this pool to make a selection, the Department will readvertise the particular vacancy.
- The Chief Immigration Judge will prioritize the vacancies for purposes of the order in which they should be filled and will prepare a schedule on which the Department will endeavor to fill them.
- After the current announcement has closed, the Executive Office for Immigration Review will separate the applications into three preliminary tiers.
- The first step in this process will consist of a screening panel composed of the Chief Immigration Judge and the Assistant Chief Immigration Judges assigned to Headquarters reviewing all qualified applications. The members of this screening panel will indicate in the file whether they "highly recommend," "recommend," or "do not recommend" each candidate. Applications received to date have already been screened in this manner. On average, some nine Assistant Chief Immigration Judges and Deputy Chief Immigration Judges have been voting on each application, but that number has varied based on duty assignments, leave, and the number of Assistant Chief Immigration Judges and Deputy Chief Immigration Judges assigned to Headquarters at any given time.
 - After the votes of the screening panel have been tabulated, the applications will be separated into three preliminary tiers.
 - Applicants will be preliminarily placed in the first tier if at least half of the members of the screening panel voted to "highly recommend" them. It is estimated that approximately 20% of the more than 1000 applicants will fall into this category.
 - Applicants will be preliminarily placed in the second tier if at least one member of the screening panel voted to "highly recommend" them, but a majority of the screening panel did not. It is estimated that approximately 10% of the applicants will fall into this category.
 - And finally, applicants will be preliminarily placed in the third tier if they only received "recommend" or "do not recommend" votes. It is estimated that approximately 70% of the applicants will fall into this category.

- The next step in this process will consist of the Director of EOIR (or his designee) and the Chief Immigration Judge reviewing the applications, preliminarily grouped in the second and third tiers to determine whether some should be included in the first tier.
- After the triaging process is completed, OCU will contact all applicants in the first tier, inquiring if they remain interested in being appointed as an immigration judge, and if so, directing them to provide writing samples and, if necessary, updates to their applications and to choose from a list of vacancies as many as five locations where they would be willing to be assigned.
- For all first tier applicants who indicate an interest in a particular vacancy the Department is trying to fill, members of the OCU Hiring Committee next will examine the writing samples of the applicants, check their references and, if appropriate, talk to any additional individuals who may have relevant information or experience with the applicant. The members will provide written summaries of these conversations. Based on this additional information, the Director (or his designee) and the Chief Immigration Judge may determine that some of the candidates should be removed from the first tier because of concerns about the appropriateness of having those individuals serve as immigration judges.
 - All references and recommendations will be considered as permitted in 5 U.S.C. § 2302(b). Specifically, the "recommendation or statement" shall not be considered unless it "is based on the personal knowledge or records of the person furnishing it and consists of— (A) an evaluation of the work performance, ability, aptitude, or general qualifications of such individual; or (B) an evaluation of the character, loyalty, or suitability of such individual."

3. Candidate Interviews

- Three-member panels at the Executive Office for Immigration Review will interview all the candidates who have been assigned to the first tier.
 - These panels will consist of two Deputy or Assistant Chief Immigration Judges designated by the Chief Immigration Judge and a senior manager at EOIR designated to serve by the Director. These senior managers may include any member of the Senior Executive Service, any employee in a Senior Level position, any EOIR Assistant Director, or an EOIR employee at a GS-15 level who has at least 10 years of management experience.
 - After this process has been in place for six months, the Director of EOIR and the Chief Immigration Judge, in consultation with the Deputy Attorney General's office, will review this process and determine whether it is practical and useful to expand the panels to four or more members.

- The panels will place written interview summaries into the full file for each candidate and will forward the full file to the Chief Immigration Judge and the Director (or his designee). The file will include:
 - cover letters, resumes and application materials
 - writing sample(s)
 - interview summaries
 - reference summaries
 - any documentation of eligibility for veterans' preference.
- The Chief Immigration Judge and the Director (or his designee) will select at least three candidates they recommend for the vacancy.
 - At this stage, any relevant veteran's preference will be used as a potentially positive factor, breaking a tie in favor of the veteran if there are two substantially equivalent candidates.
- A three member panel consisting of the Director of EOIR or his designee, a career appointee in the Senior Executive Service designated by the Deputy Attorney General, and a non-career appointee in the Senior Executive Service designated by the Deputy Attorney General will interview as many of these candidates as they determine appropriate.
- If the Chief Immigration Judge and the Director or his designee cannot identify three candidates to recommend, the Director or his designee will consult the Deputy Attorney General's designees on the three member panel as to whether to send forward fewer than three candidates or readvertise the vacancy.

4. Selection

- The three member panel composed of the EOIR Director or his designee and the career and non-career designees of the Deputy Attorney General will determine which candidate to recommend to the Deputy Attorney General, taking into account any relevant veteran's preference in the same manner described above.
- The Deputy Attorney General will determine whether to forward the candidate recommended by the three member panel to the Attorney General.
- The Attorney General will make the final selection.* If the Attorney General does not want to select the candidate recommended by the Deputy Attorney General, he will request that the Deputy Attorney General send forward an additional or alternative candidate.

* OLC will review existing personnel authority delegations to ensure that they are consistent with the process envisioned in this memorandum and recommend any revisions they believe appropriate.

- If the Attorney General makes such a request, or if the Deputy Attorney General determines that he does not want to recommend to the Attorney General the candidate initially recommended to him by the three member panel, the Deputy Attorney General will request the three member panel to send forward an additional or alternative candidate. Upon receiving such a request, the three member panel may revisit the applicants it previously reviewed or request additional candidates from the Director of EOIR and the Chief Immigration Judge.

5. Initial Appointment

- Upon approval of the tentative selection by the Attorney General, EOIR, the Office of Attorney Recruitment and Management, and the Security and Emergency Planning Staff of the Justice Management Division will work together to complete the ordinary administrative processes for making initial appointments of individuals to Schedule A positions within the Department, such as an initial background check.
- The selected candidate will then receive an initial appointment but will not hear cases until the candidate successfully completes initial training, including the immigration law exam.

B. Future Vacancies

- The process for filling future vacancies will be the same as the process for filling the current vacancies, except that rather than using a generic vacancy announcement, EOIR will post individual vacancy announcements.
- The Chief Immigration Judge, Director of EOIR, Civil Division's Federal Programs Branch, Office of Legal Counsel, Justice Management Division, and ODAG will also consider whether there are ways in which the announcement should be refined.
- In addition to the posted vacancy announcement, EOIR will consider, as appropriate, other measures to make potential candidates aware of the vacancy, such as classified advertisements in local legal newspapers (for example, in the D.C. area, the *Legal Times*), and electronic recruitment notices to appropriate lawyers groups, including lawyers with immigration law expertise, such as the Department of Homeland Security and the American Immigration Lawyers Association.
- If the Director of EOIR (or his designee) and the Chief Immigration Judge, or the three-member panel consisting of the EOIR Director and the Deputy Attorney General's designees, conclude that one or more of the current vacancies should not be filled from an existing pool of candidates because of inadequacies in the available pool of top-tier candidates, the vacancy or vacancies will be re-announced consistent with the process described in this paragraph.

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- In filling future vacancies, EOIR and the Department may also consider first-tier candidates who responded to the current or prior vacancy announcements.
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Concurrence:

3/22/07 EOIR (see attached e-mail message)
3/23/07 OARM (see attached e-mail message)
3/26/07 JMD (see attached e-mail message)
3/22/07 OLC (see attached e-mail message)
_____ ODAG
_____ OAG