

Singman, Brooke

From: Singman, Brooke
Sent: Friday, July 21, 2017 8:37 AM
To: SpecialCounselPress
Cc: Carr, Peter (OPA)
Subject: RE: Releasing names? Fox News request

Good morning Peter,

Hope you're well.

Can you confirm all of the names of the attorneys on the Special Counsel's team? Last we discussed, you mentioned 13 attorneys on board, with more in the pipeline...

Can you help?

Thank you,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Monday, June 19, 2017 8:35 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: Releasing names? Fox News request

Below are the names that have been publicly reported to date.

You probably already have these, but I pulled some bullets out on their backgrounds/experience and some links to public sources that may be helpful.

Thx,
Peter

Robert Mueller:

Appointed to positions by four previous presidents:

- George H.W. Bush: Assistant Attorney General for the Criminal Division
- Bill Clinton: U.S. Attorney for the Northern District of California
- George W. Bush: FBI Director

- Barack Obama: FBI Director (Senate approved the extension by a 100-0 vote)

<https://obamawhitehouse.archives.gov/the-press-office/2011/05/12/president-obama-proposes-extending-term-fbi-director-robert-mueller>

<https://www.wilmerhale.com/pages/publicationsandnewsdetail.aspx?NewsPubID=17179871803>

<https://www.justice.gov/criminal/history/assistant-attorneys-general/robert-s-mueller>

Aaron Zebley:

- Chief of Staff to Mueller
- Senior Counselor in the National Security Division
- FBI Special Agent in the FBI's Counterterrorism Division
- Assistant U.S. Attorney in Eastern District of Virginia prosecuting national security, terrorism and violent crime

<https://www.wilmerhale.com/pages/publicationsandnewsdetail.aspx?NewsPubId=17179871980>

James Quarles:

- Watergate Assistant Special Prosecutor
- WilmerHale (which has changed names several times) since 1975

<https://www.bloomberg.com/profiles/people/3810211-james-l-quarles>

Michael Dreeben

- Deputy Solicitor General, primarily focused on criminal matters before the Supreme Court and federal appellate courts
- Has argued more than 100 cases before the Supreme Court

<https://www.law360.com/articles/789864/100-oral-arguments-how-a-doj-atty-made-high-court-history>

<https://www.justice.gov/sites/default/files/usao/legacy/2013/02/21/usab6101.pdf#page=13>

Andrew Weissmann

- Chief of Criminal Division's Fraud Section
- FBI General Counsel
- Deputy and then Director of the Enron Task Force
- Assistant U.S. Attorney in Eastern District of New York prosecuting organized crime

<https://its.law.nyu.edu/facultyprofiles/index.cfm?fuseaction=profile.biography&personid=39254>

<https://www.justice.gov/opa/pr/andrew-weissmann-selected-chief-criminal-divisions-fraud-section-0>

Jeannie Rhee:

- Deputy Assistant Attorney General in the Office of Legal Counsel, advising the White House and other executive branch officials on constitutional, statutory and regulatory issues
- Assistant U.S. Attorney for the District of Columbia prosecuted fraud and public corruption cases, including as trial counsel in the corruption prosecution of Washington Teacher's Union officials

<https://www.bloomberg.com/profiles/people/18243666-jeannie-s-rhee>

Signed the letter of support for Trump nominee Rachel

Brand:<https://www.judiciary.senate.gov/imo/media/doc/Bipartisan%20Support%20Letter%20Rachel%20Brand>

Lisa Page:

- FBI's Office of the General Counsel
- Former trial attorney in the Criminal Division's Organized Crime and Gang Section

On Jun 19, 2017, at 8:33 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Peter,

Thank you so much. This is very, very helpful.

I know it's been out there, but just want to confirm with you I've seen multiple reports that James Quarles, Jeannie Rhee, Andrew Weissman have been confirmed as part of the team. Is this accurate? If so, are there additional names that have been confirmed publicly? And can you share?

Just want to set the record straight.

Thank you so much,
Brooke

From: Carr, Peter (OPA) [<mailto:Peter.Carr@usdoj.gov>]
Sent: Monday, June 19, 2017 8:23 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: Releasing names? Fox News request

Thanks, Brooke. To date, we have 13 attorneys on board, with several more in the pipeline.

Last week we confirmed the names of some of the attorneys, and I expect additional names will be confirmed in the coming days and weeks.

As guidance but not for attribution, the donation history for any individual is publicly available. But you should know that federal law and department policy prohibits the Special Counsel from taking into consideration political affiliation in its hiring. Please see pages 4-6 of this IG report as an overview of the legal standards we must follow:
<https://oig.justice.gov/special/s0901/final.pdf>

On Jun 19, 2017, at 7:56 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Peter,
Hope you had a good weeken (b) (6) !

Kelly Anne Conway was just on Fox & Friends suggesting the public should know all of the names of the attorneys on the Russia team, and their donation history.. Is the

Special Counsel's office going to release those names & information?

Thank you,

Brooke

Sent from my iPhone

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.

Singman, Brooke

From: Singman, Brooke
Sent: Monday, June 19, 2017 8:37 AM
To: Carr, Peter (OPA)
Subject: RE: Releasing names? Fox News request

Thank you so much, Peter.
This is perfect.

Have a wonderful morning!

Brooke

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Monday, June 19, 2017 8:35 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: Releasing names? Fox News request

Duplicative Material



Alex Pfeiffer

From: Alex Pfeiffer
Sent: Thursday, July 20, 2017 9:31 AM
To: Prior, Ian (OPA)
Subject: Re: EMBARGOED UNTIL 10 AM ET

Thanks

Sent from my iPhone

On Jul 20, 2017, at 9:22 AM, Prior, Ian (OPA) <ian.prior@usdoj.gov> wrote:

You may have already received from Nicole but making sure.

Ian D. Prior
Principal Deputy Director of Public Affairs
Department of Justice
Office: 202.616.0911
Cel (b) (6)

<AlphaBay TOR Fact Sheet for Press.pdf>

<CAZES indictment.pdf>

<AlphaBay-Cazes Forfeiture Complaint.pdf>

ALPHABAY / TOR HIDDEN SERVICES

BACKGROUNDER

- AlphaBay was the largest dark web market. According to one administrator, the site had 200,000 members and 40,000 vendors. Around the time of takedown, there were more than 250,000 listings for drugs and other illicit substances, and over 100,000 listings for stolen and fraudulent identification documents and access devices, counterfeit goods, malware and other computer hacking tools, firearms, and fraudulent services.
- As of early 2017, there were 122 vendors advertising Fentanyl and 238 vendors advertising heroin on AlphaBay, and multiple opioid deaths in the United States have been attributed to purchases made on AlphaBay.
- To purchase illegal goods and services on AlphaBay, users transferred funds into the site's cryptocurrency addresses, where the funds were held in escrow until the transactions were completed. Upon completion, AlphaBay took its commission and released the remaining funds to the vendor, who could send the cryptocurrencies to offline, private addresses.
- The “dark web” refers to the collection of hidden sites and services that are only accessible through the use of specific routing and anonymizing services and software such as Tor.
- AlphaBay operated on the Tor network, which effectively masked the users' identities and the server's location.
 - “Tor,” originally known as “The Onion Router” network, consists of a volunteer network of thousands of relays (*i.e.*, proxy computers) across the world, accessible to users through free software known as a “Tor browser.”
 - Data accessed through a Tor browser is passed through the multiple relays, effectively masking the user's IP address. Similarly, the IP addresses of Tor “hidden services” such as AlphaBay are obscured through a network of relays.
- An academic study published in 2015 found that the largest single category of hidden services on the Tor network are forums for the sale of drugs and contraband, and that 80 percent of traffic to hidden services involved child sexual exploitation material.¹
- U.S. law enforcement is aware of hundreds of Tor hidden services dedicated to the sale and distribution of contraband, to include child exploitation images, illegal drugs, stolen financial information, counterfeit goods, and other illegal goods and services. Many of these sites are the subject of investigations both in the United States and abroad.

¹ Owen, Gareth and Savage, Nick, *The Tor Dark Net*, Global Commission on Internet Governance, Sept. 2015 (available at: https://www.cigionline.org/sites/default/files/no20_0.pdf)

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7 Criminal Division, United States Justice Department
LOUISA K. MARION
8 Trial Attorney
Computer Crime and Intellectual Property Section
9 Washington, DC 20530
Telephone: 202) 514-1026

10 Attorneys for Plaintiff
11 United States of America

12
13 IN THE UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA
15

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 ALEXANDRE CAZES,
a/k/a "Alpha02,"
20 a/k/a "Admin,"

21 Defendant,

22 2013 LAMBORGHINI AVENTADOR LP700-4, VIN:
ZHVEC1476CLA01032, BANGKOK REGISTERED
23 PLATE NUMBER: 4 KOR KAI TOR TUNG – 3620
BANGKOK,

24 PORSCHE PANAMERA S, VIN: WP0ZZZ97ZGL040783,
25 BANGKOK REGISTERED PLATE NUMBER: 5 KOR
KAI TOR TUNG – 1923 BANGKOK,

26 MINI COOPER, BANGKOK REGISTERED PLATE
27 NUMBER: 5 KOR KAI PHOPHAN – 2319 BANGKOK,
28

VERIFIED COMPLAINT FOR
FORFEITURE *IN REM*

1 BMW MOTORCYCLE, LICENSE PLATE NUMBER: 5
2 KOKAI NONEN – 2182 BANGKOK,

3 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
4 AT BANGKOK BANK, HELD IN THE NAME OF
5 ALEXANDRE CAZES, INCLUDING BUT NOT
6 LIMITED TO ACCOUNTS 228-2-15349-9, 228-2-15092-5
7 and 033-0-79683-0,

8 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
9 AT BANGKOK BANK, HELD IN THE NAME OF
10 SUNISA THAPSUWAN, INCLUDING BUT NOT
11 LIMITED TO ACCOUNT 935-7-00049-7,

12 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
13 AT BANK OF AYUDHYA (KRUNGSRI), HELD IN THE
14 NAME OF ALEXANDRE CAZES, INCLUDING BUT
15 NOT LIMITED TO ACCOUNT 7241012818,

16 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
17 AT KASIKORN BANK, HELD IN THE NAME OF
18 BITCOIN COMPANY LTD., INCLUDING BUT NOT
19 LIMITED TO ACCOUNT 797-223495-2,

20 ALL MONIES, FUNDS, AND CREDITS ASSOCIATED
21 WITH ALEXANDRE CAZES AND SUNISA
22 THAPSUWAN'S VIRTUAL CURRENCY EXCHANGE
23 ACCOUNTS WITH BITCOIN COMPANY LTD. IN
24 THAILAND, WHICH ARE ON DEPOSIT WITH
25 BITCOIN COMPANY LTD.,

26 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
27 AT KASIKORN BANK, HELD IN THE NAME OF
28 ALEXANDRE CAZES, INCLUDING BUT NOT
LIMITED TO ACCOUNTS 007-8-49384-4 and 007-3-
86968-4,

ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
AT KASIKORN BANK, HELD IN THE NAME OF
SUNISA THAPSUWAN, INCLUDING BUT NOT
LIMITED TO ACCOUNT 073-2-53870-4,

ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
AT SIAM COMMERCIAL BANK, HELD IN THE NAME
OF ALEXANDRE CAZES, INCLUDING BUT NOT
LIMITED TO ACCOUNTS 156-1-12047-0 and 156-2-
73157-5,

ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
AT SIAM COMMERCIAL BANK, HELD IN THE NAME
OF SUNISA THAPSUWAN, INCLUDING BUT NOT
LIMITED TO ACCOUNT 192-2-06800-9,

1 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
2 AT BANK ALPINUM AG IN LIECHTENSTEIN, HELD
IN THE NAME OF ALEXANDRE CAZES,

3 ALL MONIES, FUNDS, AND CREDITS ON DEPOSIT
4 AT LOYAL BANK LIMITED, HELD IN THE NAME OF
“BRILLIANT LANDMARK CONCEPT LIMITED”
AND/OR ALEXANDRE CAZES,

5 ALL MONIES, FUNDS, AND CREDITS ASSOCIATED
6 WITH ALEXANDRE CAZES’ AND/OR SUNISA
THAPSUWAN’S VIRTUAL CURRENCY EXCHANGE
7 ACCOUNTS WITH BITCOIN SUISSE AG IN BAAR,
SWITZERLAND,

8 REAL PROPERTY LOCATED AT 514, SOI 28 OFF
9 PHUTTA MONTHON SAI 3 ROAD KHWAENG SALA
THAMMASOP, KHET THAWEE WATTHANA,
10 BANGKOK,

11 REAL PROPERTY LOCATED AT 522, SOI 28 OFF
12 PHUTTA MONTHON SAI 3 ROAD KHWAENG SALA
THAMMASOP, KHET THAWEE WATTHANA,
BANGKOK,

13 REAL PROPERTY LOCATED AT VILLA TORCELLO,
14 28/18 MOO 6, KAMALA, KATHU, PHUKET 83150,
THAILAND,

15 REAL PROPERTY LOCATED AT 139918 GRANADA
16 PIN KLAO-PHET KASEM HOUSING ESTATE,
KANCHANA PHISK ROAD, KHWAENG BANG KHAE
17 NUA, KHET BANG KHAE, BANGKOK, THAILAND,

18 REAL PROPERTY LOCATED AT VILLA 1 AT THE
SEA PEARL RESIDENCES, PARALIMNI
19 FAMAGUSTA, CYPRUS,

20 REAL PROPERTY LOCATED AT #302 NONSUCH BAY
CONDOMINIUMS C-200080017, LOT #9), ST.
21 PHILLIPS SOUTH, ANTIGUA AND BARBUDA,

22 APPROXIMATELY 1,605.0503851 BITCOINS SEIZED
23 FROM ALEXANDRE CAZES AND MOVED TO
SECURE GOVERNMENT-CONTROLLED BITCOIN
ADDRESSES:
24 18YWFVDDQNRGE966ZWXTPTYJGYJGR82SVMS
(837.81699505 BTC) and
25 1NXOCQLQQGAQU2CPBGTX TZ8NVM1CGNYD6P
(721.76756789 BTC),
26
27
28

1 APPROXIMATELY 8,309.271639 ETHEREUM SEIZED
2 FROM ALEXANDRE CAZES AND MOVED TO
3 SECURE GOVERNMENT-CONTROLLED ETHER
4 ADDRESS:

5 0X41CC3B9213DE6FF4A8EA85306326B00D18145E65,

6 APPROXIMATELY 3,691.98 ZCASH SEIZED FROM
7 ALEXANDRE CAZES AND MOVED TO SECURE
8 GOVERNMENT-CONTROLLED ADDRESS
9 T1UAR3J9HYT1OCMYGSSLR7S3PLMUKBONGLG,

10 ANY AND ALL MONERO SEIZED FROM
11 ALEXANDRE CAZES' PERSONAL COMPUTER AND
12 WALLET ADDRESSES,

13 APPROXIMATELY 293.79476862 BITCOIN MOVED
14 FROM SERVER 3203 INTO SECURE GOVERNMENT-
15 CONTROLLED BITCOIN ADDRESS
16 1BBTK41STWUFFTFVRRSOVX7X8PUHDPFOFK,

17 APPROXIMATELY 43.05943697 BITCOIN MOVED
18 FROM SERVER 3164 INTO SECURE GOVERNMENT-
19 CONTROLLED BITCOIN ADDRESS
20 1BBTK41STWUFFTFVRRSOVX7X8PUHDPFOFK,

21 APPROXIMATELY 360.384477 ETHEREUM MOVED
22 FROM SERVER 8131 INTO SECURE GOVERNMENT-
23 CONTROLLED ETHER ADDRESS
24 0X356114879F72F4BFFB343B0003DEED7944B4D31D,

25 APPROXIMATELY 11,993.15882 MONERO MOVED
26 FROM SERVER 10073 INTO SECURE GOVERNMENT-
27 CONTROLLED MONERO ADDRESS
28 47GSEO9DJCZFSYRPIJJ1QPLKSEPFJNOBA6MUTQXA
W6XBVZ6GWEKGYAQF2PDBHM5FXUFOZLWYPCX
K2FMYZ29BWMZBKHXQKZO,

ANY AND ALL CRYPTOCURRENCY CONTAINED IN
WALLET FILES RESIDING ON ALPHABAY SERVERS,
INCLUDING THE SERVERS ASSIGNED THE
INTERNET PROTOCOL ADDRESSES:
XX.XXX.XX.146 "Server 11205"), XX.XXX.XXX.163
"Server 6223"), XXX.XXX.XXX.225 "Server 3203a"),
XXX.XXX.XXX.61 "Server 3203b"), XXX.XXX.XXX.77
"Server 3164"), XX.XXX.XXX.130 "Server 8131"),
XX.XXX.XX.168 "Server 10073"), and

ANY AND ALL CRYPTOCURRENCY SEIZED FROM
THE PERSONAL COMPUTER, WALLET ADDRESSES,
AND MEDIA OF ALEXANDRE CAZES,

Defendants-in-rem.

SEALED

FILED

JUN 01 2017

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

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10 Attorneys for Plaintiff
11 United States of America

12 IN THE UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,
15
16 Plaintiff,
17 v.
18 ALEXANDRE CAZES,
aka "ALPHA02,"
19 aka "ADMIN,"
20 Defendant.

21 CASE NO. 1:17 CR - 00144 LJO SKO

22 VIOLATIONS:

23 18 U.S.C. § 1962(d) – Conspiracy to Engage in a
Racketeer Influenced Corrupt Organization;
24 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(A), (b)(1)(C),
841(h), and 843(b) – Narcotics Conspiracy; 21 U.S.C.
25 §§ 841(a)(1), (b)(1)(C), & 846, and 18 U.S.C. § 2 –
Distribution of a Controlled Substance, Attempt, and
26 Aiding and Abetting (5 Counts); 21 U.S.C.
§§ 841(a)(1), (b)(1)(A), & 846, and 18 U.S.C. § 2 –
27 Distribution of a Controlled Substance, Attempt, and
Aiding and Abetting; 18 U.S.C. § 1028(f) –
28 Conspiracy to Commit Identity Theft and Fraud;
18 U.S.C. § 1028(a)(2), (b)(1)(A)(ii), & (f), and
18 U.S.C. § 2 – Unlawful Transfer of a False
Identification Document, Attempt, and Aiding and
Abetting (4 Counts); 18 U.S.C. § 1029(b)(2) –
Conspiracy to Commit Access Device Fraud;
18 U.S.C. § 1029(a)(4), (b)(1), & (c)(1)(A)(ii), and
18 U.S.C. § 2 – Trafficking in Device Making
Equipment, Attempt, and Aiding and Abetting;
18 U.S.C. § 1956(h) – Money Laundering
Conspiracy; and 18 U.S.C. §§ 982(a)(1),
982(a)(2)(B), 1028(b), 1029(c)(1)(C), 1963(a)(1),
(a)(2), (a)(3), and 21 U.S.C. § 853(a) – Criminal
Forfeiture.

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, July 19, 2017 8:04 AM
To: Davis, Patrick
Cc: Joost, Nathalie; Laco, Kelly (OPA (b) (6) - CREW (b) (6) - CREW; Pettit, Mark T. (OPA); Prior, Ian (OPA)
Subject: Re: Pool Spray for Tomorrow 11:30am

Are we still anticipating an 8 am arrival for your crew?

Sent from my iPhone

On Jul 19, 2017, at 7:58 AM, Davis, Patrick <Patrick.Davis@turner.com> wrote:

Please send to Nathalie and me. The full list is on the press release below, correct?

From: "O'Malley, Devin (OPA)" <Devin.O'Malley@usdoj.gov>
Date: Wednesday, July 19, 2017 at 7:50 AM
To: Nathalie Joost <Nathalie.Joost@FOXNEWS.COM>, "Laco, Kelly (OPA)" <Kelly.Laco@usdoj.gov>, "Davis, Patrick" <Patrick.Davis@turner.com> (b) (6) - CREW (b) (6) - CREW
Cc: "Pettit, Mark T. (OPA)" <Mark.T.Pettit@usdoj.gov>, "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Subject: RE: Pool Spray for Tomorrow 11:30am

To whom do I send a list of speakers (in speaking order), so that you can get your chyrons set up?

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353-8763
Cel (b) (6)

From: Joost, Nathalie [<mailto:Nathalie.Joost@FOXNEWS.COM>]
Sent: Tuesday, July 18, 2017 5:49 PM
To: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>; Davis, Patrick <Patrick.Davis@turner.com> (b) (6) - CREW (b) (6) - CREW
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Pettit, Mark T. (OPA) <mtpettit@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Pool Spray for Tomorrow 11:30am
Importance: High

Yes! thanks so much!

Our crew (b) (6) (b) (6) an (b) (6)
I have copied them both on this email really appreciate it!
They'll see you there at 0800.

From: Laco, Kelly (OPA) [<mailto:Kelly.Laco@usdoj.gov>]
Sent: Tuesday, July 18, 2017 5:47 PM
To: Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM>; Davis, Patrick <Patrick.Davis@turner.com>
Cc: O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov>; Pettit, Mark T. (OPA) <Mark.T.Pettit@usdoj.gov>; Jarrett, Laura <Laura.Jarrett@turner.com>; Levitt, Ross <Ross.Levitt@turner.com>; Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Pool Spray for Tomorrow 11:30am

Hi Nathalie,

I just checked that the 8am set up is fine. To confirm, your crew members will be (b) (6) and (b) (6).

Thanks!

Kelly Laco
Office of Public Affairs
Department of Justice
Office: 202-353-0173
Cell (b) (6)

From: Joost, Nathalie [<mailto:Nathalie.Joost@FOXNEWS.COM>]
Sent: Tuesday, July 18, 2017 5:38 PM
To: Davis, Patrick <Patrick.Davis@turner.com>; Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Pettit, Mark T. (OPA) <mtpettit@jmd.usdoj.gov>; Jarrett, Laura <Laura.Jarrett@turner.com>; Levitt, Ross <Ross.Levitt@turner.com>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Pool Spray for Tomorrow 11:30am
Importance: High

Hi Kelly,
Fox would like to request access to DOJ at 0800 tomorrow so we can set up equipment to try to get the event fed live to the network pool.
Can this be arranged?

From: Davis, Patrick [<mailto:Patrick.Davis@turner.com>]
Sent: Tuesday, July 18, 2017 5:06 PM
To: Laco, Kelly (OPA) <Kelly.Laco@usdoj.gov>; Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM>
Cc: O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov>; Pettit, Mark T. (OPA) <Mark.T.Pettit@usdoj.gov>; Jarrett, Laura <Laura.Jarrett@turner.com>; Levitt, Ross <Ross.Levitt@turner.com>; Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: Re: Pool Spray for Tomorrow 11:30am

Hi Kelly. Thanks for getting this to us so quickly. It's greatly appreciated. FOX will be the pool. I've added their planning editor Nathalie Joost here.

Patrick Davis
Field Operations Manager
CNN Washington
(b) (6) (office)
(b) (6) (cell)

From: "Laco, Kelly (OPA)" <Kelly.Laco@usdoj.gov>
Date: Tuesday, July 18, 2017 at 5:02 PM
To: "Davis, Patrick" <Patrick.Davis@turner.com>
Cc: "O'Malley, Devin (OPA)" <Devin.O'Malley@usdoj.gov>, "Pettit, Mark T. (OPA)" <Mark.T.Pettit@usdoj.gov>, "Jarrett, Laura" <Laura.Jarrett@turner.com>, "Levitt, Ross" <Ross.Levitt@turner.com>, "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Subject: Pool Spray for Tomorrow 11:30am

Hi Patrick,

We are doing a pool spray at 11:30am tomorrow morning in the AG's 5th floor conference room. Please let me know which outlet will be assigned once everyone votes. If you could have the outlet send the information for their camera to Devin O'Malley (cc'ed above), that would be great.

There will be a mult box set up in the conference room and lighting will be set beforehand. The camera will just need to bring audio cables/stick if needed. Camera pre-set is 10:45am.

Thanks. The advisory is below for your review.

Kelly Laco
Office of Public Affairs
Department of Justice
Office: 202-353-0173
Cel (b) (6)

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

**ATTORNEY GENERAL TO MEET WITH LAW ENFORCEMENT OFFICIALS TO
DISCUSS CIVIL ASSET FORFEITURE**

WASHINGTON – Attorney General Jeff Sessions will hold a meeting tomorrow, **WEDNESDAY, JULY 19, 2017**, with law enforcement officials to discuss civil asset forfeiture.

WHO: Attorney General Jeff Sessions;
Deputy Attorney General Rod Rosenstein;
Federal Law Enforcement Officers Association;
International Association of Chiefs of Police;
Law Enforcement Legal Defense Fund;
Major Cities Chiefs Association;
Major County Sheriffs Association;
Major County Sheriffs of America;
National Association of Assistant U.S. Attorneys;
National Association of Police Organizations;
National District Attorneys Association;
National Fraternal Order of Police;
National Narcotics Officers Association Coalition;
National Sheriffs' Association;

Sergeants Benevolents Association NYPD.

WHAT: Meeting to discuss the Department of Justice's new policy on civil asset forfeiture

WHEN: 11:30 a.m. EDT

WHERE: Department of Justice
5th Floor Conference Room
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

POOL SPRAY AT THE TOP FOR OPENING REMARKS – CLOSED FOR DISCUSSION

(Camera Preset by: 10:45 a.m. EDT // Final Access: 11:10 a.m. EDT)

NOTE: All media must RSVP and present government-issued photo I.D. (such as a driver's license) as well as valid media credentials. The RSVP and any inquiries regarding logistics should be directed to Devin O'Malley in the Office of Public Affairs at (202) 514-2007 or devin.omalley@usdoj.gov. Please include the email address of the person(s) attending the event, so that we may reach them directly if details change.

#

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, July 19, 2017 7:59 AM
To: Davis, Patrick
Cc: Joost, Nathalie; Laco, Kelly (OPA (b) (6) - CREW (b) (6) - CREW; Pettit, Mark T. (OPA); Prior, Ian (OPA)
Subject: Re: Pool Spray for Tomorrow 11:30am

That's the list of orgs that will be represented at the event

What I'm sending is list of speakers, who they represent, titles, etc., and in the exact speaking order

Will send shortly

Sent from my iPhone

On Jul 19, 2017, at 7:58 AM, Davis, Patrick <Patrick.Davis@turner.com> wrote:

Duplicative Material



Pettit, Mark T. (OPA)

From: Pettit, Mark T. (OPA)
Sent: Tuesday, July 18, 2017 4:00 PM
To: Mears, William
Subject: RE: Briefing with Deputy Attorney General on Civil Asset Forfeiture

Off the record for planning purposes only, AG will begin at 11:30 and it will be a pool.

Mark T. Pettit
Confidential Assistant
Office of Public Affairs
U.S. Department of Justice
Office: 202.514.1449
Cell (b) (6)

From: Mears, William [mailto:William.Mears@FOXNEWS.COM]
Sent: Tuesday, July 18, 2017 3:55 PM
To: Pettit, Mark T. (OPA) <mtpettit@jmd.usdoj.gov>
Subject: RE: Briefing with Deputy Attorney General on Civil Asset Forfeiture

Hi Mark I do have a Justice hard pass.... And for guidance ONLY, do you have a time for the Attorney General's remarks tomorrow.... Assume it will go pool, we are just trying to plan

From: Pettit, Mark T. (OPA) [mailto:Mark.T.Pettit@usdoj.gov]
Sent: Tuesday, July 18, 2017 3:53 PM
To: Mears, William <William.Mears@FOXNEWS.COM>
Subject: RE: Briefing with Deputy Attorney General on Civil Asset Forfeiture

Thanks Bill,
I don't know all of our in house press individuals so I am just checking to make sure you have a press badge here, otherwise I will send your information to the visitors center so you are cleared for tomorrow.
Thanks,
Mark

Mark T. Pettit
Confidential Assistant
Office of Public Affairs
U.S. Department of Justice
Office: 202.514.1449
Cell (b) (6)

From: Mears, William [mailto:William.Mears@FOXNEWS.COM]
Sent: Tuesday, July 18, 2017 11:49 AM

Cc: Pettit, Mark T. (OPA) <mtpettit@jmd.usdoj.gov>

Subject: RE: Briefing with Deputy Attorney General on Civil Asset Forfeiture

Hi Mark I will be attending this briefing on behalf of Fox News. Thank you.

Bill Mears

Fox News Producer

From: Prior, Ian (OPA) [<mailto:ian.Prior@usdoj.gov>]

Sent: Tuesday, July 18, 2017 11:39 AM

To: Prior, Ian (OPA) <ian.Prior@usdoj.gov>

Cc: Pettit, Mark T. (OPA) <Mark.T.Pettit@usdoj.gov>

Subject: Briefing with Deputy Attorney General on Civil Asset Forfeiture

Good morning,

Tomorrow at 10:15 am we will hold an on-the-record briefing with Deputy Attorney General Rosenstein on the subject of civil asset forfeiture and the Department of Justice's planned announcement on it policy. The remarks will be embargoed until the policy is released at 11:30 am tomorrow. As always, we will hold this in the Andretta Room.

Please be advised that due to time constraints, we will only have around 30 minutes so we are limiting questions to one per media outlet. Additionally, this is by invitation only.

Lastly, this email and its contents are for planning purposes only and off the record.

Thank you and please let Mark (cc'd) know if you will be there.

Ian D. Prior

Principal Deputy Director of Public Affairs

Office: 202.616.0911

Cel (b) (6)

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Ian Mason

From: Ian Mason
Sent: Tuesday, July 18, 2017 11:49 AM
To: Pettit, Mark T. (OPA)
Subject: Briefing Tomorrow

Mark,

I would like to RSVP for the briefing with DAG Rosenstein tomorrow. Please let me know if you need anything more.

Thank you,
Ian Mason
DOJ/Courts Reporter, Breitbart News
(b) (6)

McKay, Hollie

From: McKay, Hollie
Sent: Monday, July 17, 2017 4:03 PM
To: O'Malley, Devin (OPA)
Cc: Laco, Kelly (OPA)
Subject: RE: Fox News Query

I have, thanks!

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Monday, July 17, 2017 3:45 PM
To: McKay, Hollie <Hollie.McKay@FOXNEWS.COM>
Cc: Laco, Kelly (OPA) <Kelly.Laco@usdoj.gov>
Subject: Re: Fox News Query

Hi Hollie-

Have you reached out to DHS about this?

I'm only aware of DHS grants for CVE, but if you are aware of specific DOJ CVE grants, I'm happy to look into your questions as it pertains to those. Otherwise, I think this is a DHS question.

Sent from my iPhone

On Jul 17, 2017, at 1:03 PM, Press <Press@jmd.usdoj.gov> wrote:

Thanks!

From: McKay, Hollie [<mailto:Hollie.McKay@FOXNEWS.COM>]
Sent: Monday, July 17, 2017 1:49 PM
To: Press <Press@jmd.usdoj.gov>
Subject: Fox News Query
Importance: High

Hello

Hope all is well. I am just seeking a quick comment by end of day regarding CVE programs.

What programs/initiatives does DOJ support in terms of CVE?

What is the future of CVE programs under the Trump administration and will they be any different to the ones put in place by the previous administration?

Thanks,

Hollie

Hollie McKay

Reporter

[FoxNews.com](https://www.foxnews.com)

1211 Avenue of the Americas, 14th Flr

New York, NY 10036

hollie.mckay@foxnews.com

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Monday, July 17, 2017 1:35 PM
To: Kaplan (Levine), Karrah
Subject: Re: 930 am tomorrow here at DOJ?

Yep.

Ian D. Prior
Principal Deputy Director of Public Affairs Office: 202.616.0911 Cel (b) (6)

> On Jul 17, 2017, at 1:33 PM, Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM> wrote:

>
> To air on Wednesday still right?
>
> -----Original Message-----
> From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
> Sent: Monday, July 17, 2017 12:36 PM
> To: Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM>
> Subject: RE: 930 am tomorrow here at DOJ?
>
> 1. Yes
> 2. 950 Penn, but the Constitutional Ave side (still working on room, but probably 7th floor press room) 3.
yes, names, socials, and dob for crew

>
> Ian D. Prior
> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)

>
>
> -----Original Message-----
> From: Kaplan (Levine), Karrah [mailto:Karrah.kaplan@FOXNEWS.COM]
> Sent: Monday, July 17, 2017 12:35 PM
> To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
> Subject: RE: 930 am tomorrow here at DOJ?
>
> Hey Ian! OK let me see if we can pull the crew off for that time. A few questions they will ask:
> 1. With Rosenstein correct?
> 2. Can you send me the entry point at the DOJ and the specific room for the crew?
> 3. Do you need a list of people attending that are NOT credentialed (like myself, Martha, etc) - with
typical security clearance info?
> Checking now, thanks!

>
> -----Original Message-----
> From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
> Sent: Monday, July 17, 2017 12:30 PM

> To: Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM>

> Subject: 930 am tomorrow here at DOJ?

>

>

>

> Ian D. Prior

> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)

>

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>

>

Kaplan (Levine), Karrah

From: Kaplan (Levine), Karrah
Sent: Monday, July 17, 2017 1:03 PM
To: Prior, Ian (OPA)
Subject: RE: 930 am tomorrow here at DOJ?

Martha confirmed she will be there so it is just a matter of us finding a crew
Will be back with more

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

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Monday, July 17, 2017 12:36 PM
To: Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM>
Subject: RE: 930 am tomorrow here at DOJ?

Duplicative Material



Kaplan (Levine), Karrah

From: Kaplan (Levine), Karrah
Sent: Monday, July 17, 2017 12:37 PM
To: Prior, Ian (OPA)
Subject: RE: 930 am tomorrow here at DOJ?

Thanks - working this now

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

From: Prior, Ian (OPA) [mailto:lan.Prior@usdoj.gov]
Sent: Monday, July 17, 2017 12:36 PM
To: Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM>
Subject: RE: 930 am tomorrow here at DOJ?

Duplicative Material



Mansfield, Alyson

From: Mansfield, Alyson
Sent: Monday, July 17, 2017 12:34 PM
To: Prior, Ian (OPA)
Subject: Question from Kilmeade's Producer at Fox News - Re: Immigration Judge Openings

Hi Ian,

I hope you had a lovely weekend.

(b)(6) just applied to several Immigration Judge openings and I wanted to check to see if those positions fall under your purview.

Regards,
Alyson

Sent from my iPhone

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Monday, July 17, 2017 11:29 AM
To: Kaplan (Levine), Karrah
Subject: RE: John Oliver video on Civil Forfeiture: Link & Notes

Give me a few more

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Kaplan (Levine), Karrah [mailto:Karrah.kaplan@FOXNEWS.COM]
Sent: Monday, July 17, 2017 11:21 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

Hi! Any sense of where your head is at? Only reason I am asking is for scheduling a crew and making sure MM gets to dc in time

From: Kaplan (Levine), Karrah
Sent: Monday, July 17, 2017 9:05 AM
To: Prior, Ian (OPA)
Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

We can work within your time frame - so however much time you think you can provide we will work with

From: Prior, Ian (OPA)
Sent: Monday, July 17, 2017 9:01 AM
To: Kaplan (Levine), Karrah
Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

How long do you think you'd need?

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jul 16, 2017, at 3:06 PM, Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM> wrote:

Hello! Just checking in... thank you! (only for crew planning purposes)

From: Kaplan (Levine), Karrah
Sent: Friday, July 14, 2017 4:39 PM
To: Prior, Ian (OPA)

Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

Sounds good, have a great night!

From: Prior, Ian (OPA)
Sent: Friday, July 14, 2017 4:36 PM
To: Kaplan (Levine), Karrah
Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

Hopefully this weekend

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Ce (b) (6)

On Jul 14, 2017, at 4:35 PM, Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM> wrote:

Hello! Any chance of when you might know about this by? Just for arranging travel and crew purposes that's all.

Thank you and have a great weekend!

From: Kaplan (Levine), Karrah
Sent: Friday, July 14, 2017 12:50 PM
To: Prior, Ian (OPA)
Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

Spoke to boss.

Totally fine on this being the focus.

Martha would ask a Q on the probe at the end of the interview after she asked about the new policy stuff.

From: Prior, Ian (OPA)
Sent: Friday, July 14, 2017 12:42 PM
To: Kaplan (Levine), Karrah
Subject: FW: John Oliver video on Civil Forfeiture: Link & Notes

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Clements, Emajae (JMD)
Sent: Tuesday, July 11, 2017 11:15 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>

Subject: John Oliver video on Civil Forfeiture: Link & Notes

Hi,

Below is a link to the video along with notes. The notes include links to the direct articles of the examples mentioned.

[Civil Forfeiture: Last Week Tonight with John Oliver \(HBO\)](#)

October 5, 2014

- **Premise:** Public Trust in the Police is critical but has been undermined civil forfeiture
- **Civil Forfeiture:** where the government can cease people's property without charging them for a crime. Most people can't afford lawyers to fight it.
- **Washington Post Article: Stop & Seize:** Man was driving in a car with \$2400 that his father had lent him. When he is stopped on his way to California, the cop lets a canine surround his car searching for drugs. Once none are found, he determines he will be keeping the money found, because he has concluded that the man must have been driving to California to purchase drugs.
 - Surprisingly common story. Since 9/11 under this program, police have taken 2.5 billion from people who were not charged with a crime.
- **The way its' supposed to work:** If police feel like they have the **preponderance** of the evidence that suggests your cash, etc. was or could be used in a crime, then they can confiscate it. You do not need to be charged because it's not you on trial it's literally your stuff. For example:
 - United States v. Eight Thousand Eight Hundred and Fifty Dollars (\$8,850) in United States Currency
 - United States v. An Article Consisting of 50,000 Cardboard Boxes More or Less, Each Containing One Pair of Clacker Balls...
 - United States v. Approximately 64, 695 Pounds of Shark Fins
- **"Under Civil Forfeiture, your property is guilty, until you prove it innocent.:** [from a clip]
 - How is that even possible?
- **Civil Forfeiture have had some positive consequences:**
 - Crippled powerful drug-trafficking organizations,
 - Thwarted an assortment of criminals
 - And returned billions of dollars to victims
 - The problem: Most Police Departments are able to keep most or all of the money they seize. That changes the motivations of why they are taking the money to begin with.
 - Do you have an amount of large cash? They target a stop around this question because they know about civil forfeiture.
- **EXAMPLE:** Tennessee is a state where the police department is allowed to keep all

of the money confiscated. George Reby who had \$20,000 seized after he was stopped for speeding. Cop determined the money was being used for drugs; however, Reby had active bids on Ebay to buy a vehicle with proof, but the police fixed the affidavit to not include all of the information. When asked why he left it out, the cop says he does not know.

- **EXAMPLE:** DETROIT FREE PRESS June 3, 2008 in Detroit police raided an art gallery during “Funk Night” because of the club not having a liquor license and seized 44 cars. The argument: Driving vehicles to a location of unlawful sale of alcohol is enough to seize a car. They each had to pay \$900 to get the car back.
- **No limitations on how they can spend that money:** Based on a “need”, there are no type of limits or. They base it on something that would be nice to have but they cannot get in the budget. “Pennies from heaven, to get you a toy or something”. What kinds of toys:
 - Massachusetts: Zamboni
 - Texas: Alcohol, (kegs, margarita machines)
 - If police need money for equipment, obviously we support that. However, CF has warped these policeman’s perception

EXAMPLE: Philadelphia: PPD has seized over 1,000 houses, about 3,300 vehicles, and \$44 Million within a 10 year period. That has created over half a billion dollar Civil Forfeiture Revenue.

EXAMPLE: One of those families is the Sourovelis family, whose son was arrested at 22 years old on drug charges and \$40 worth of heroin know the story. Police came ready with a lawsuit against the house itself-completely unrelated from the charge.

- Once the house was seized, they dealt with recourse issues.
 - **Problem:** the people taking the belongings are also the ones in charge in the courtroom. Prosecutor was from the DEA’s office with no judge present. Recourse is so difficult that most people walk away rather than fight.

Two choices: Reform the system or Reform court dramas to make it more similar to what is actually happening.

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Sunday, July 16, 2017 5:50 PM
To: Kaplan (Levine), Karrah
Subject: Re: John Oliver video on Civil Forfeiture: Link & Notes

Let me check in with everyone on this

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
C I (b) (6)

On Jul 16, 2017, at 3:06 PM, Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM> wrote:

Duplicative Material



Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, July 17, 2017 10:58 AM
To: Prior, Ian (OPA)
Subject: RE: ICYMI - Deputy Attorney General Rod Rosenstein's Op-Ed on Department of Justice Charging Policy

Ian, Thanks for sending.

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Monday, July 17, 2017 10:50 AM
To: Prior, Ian (OPA)
Subject: ICYMI Deputy Attorney General Rod Rosenstein's Op Ed on Department of Justice Charging Policy

Attorney General Jeff Sessions is serious about reducing crime

San Francisco Chronicle

By Rod Rosenstein – July 14, 2017

<http://www.sfchronicle.com/opinion/article/Attorney-General-Jeff-Sessions-is-serious-about-11290350.php>

U.S. Attorney General Jeff Sessions recently revised the federal criminal charging policy. When federal prosecutors exercise their discretion to prosecute a case, they generally “should charge and pursue the most serious, readily provable offense” established by the evidence, he wrote in a May 10 memo. Prosecutors must use “good judgment” in determining “whether an exception may be justified” by the particular facts of the case.

The Sessions [memo](#) reinstitutes a policy that existed for more than three decades. It was first implemented by President Jimmy Carter’s attorney general, Benjamin Civiletti.

From 2013 to 2017, however, the U.S. Department of Justice protected some criminals from mandatory minimum sentence laws enacted by Congress. During that time, unless cases satisfied criteria set by the attorney general, prosecutors were required to understate the quantity of drugs distributed by dealers and refrain from seeking sentence enhancements for repeat offenders. Beneficiaries of that policy were not obligated to accept responsibility or cooperate with authorities.

After that policy was adopted, the total number of drug dealers charged annually by federal prosecutors fell from nearly 30,000 — where it had stood for many years — to just 22,000.

Meanwhile, drug-related violence has surged. There has been a significant spike in

murders, including an 11 percent increase in 2015 alone.

Drug overdose deaths also have accelerated at a frightening and unprecedented pace. The annual toll of Americans killed by drug overdoses stood near 36,450 in 2008, with some 20,000 overdose deaths involving prescription drugs, according to the Centers for Disease Control and Prevention. Estimates show that the 2016 total was on the order of 60,000, making drug overdose the leading cause of death of Americans under age 50.

Officials in many cities are calling on federal prosecutors for help, and tough sentences are one of federal law enforcement's most important tools. Used wisely, federal charges with stiff penalties enable U.S. attorneys to secure the cooperation of gang members, remove repeat offenders from the community and deter other criminals from taking their places.

In order to dismantle drug gangs that foment violence, federal authorities often pursue readily provable charges of drug distribution and conspiracy that carry stiff penalties. Lengthy sentences also yield collateral benefits. Many drug defendants have information about other criminals responsible for shootings and killings. The prospect of a substantial sentence reduction persuades many criminals to disregard the "no snitching" culture and help police catch other violent offenders.

Minor drug offenders rarely face federal prosecution, and offenders without serious criminal records usually can avoid mandatory penalties by truthfully identifying their co-conspirators.

The Sessions policy is serious about crime. It does not aim to fill prisons with low-level drug offenders. It empowers prosecutors to help save lives.

Rod Rosenstein is the U.S. deputy attorney general.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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Alex Pfeiffer

From: Alex Pfeiffer
Sent: Sunday, July 16, 2017 10:01 AM
To: Prior, Ian (OPA)
Cc: Flores, Sarah Isgur (OPA)
Subject: Re: Press Inquiry

okat thanks

Sent from my iPhone

On Jul 16, 2017, at 8:26 AM, Prior, Ian (OPA) <ian.prior@usdoj.gov> wrote:

We'll decline comment thx

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jul 15, 2017, at 9:41 PM, Alex Pfeiffer <pfeiffer@dailycaller.com> wrote:

Hi Guys - Will the Department of Justice defend the Deferred Action for Childhood Arrivals (DACA) program if Texas AG Ken Paxton and other Republican state attorneys general go through with the lawsuit they have [threatened](#).

Democratic Illinois Rep. Luis Gutierrez told The Washington Post "Jeff Sessions is going to say, 'Deport them.' If you're going to count on Jeff Sessions to save DACA, then DACA is ended."

Do will the DOJ protect DACA if it gets challenged in the courts by these Republican AGs?

Can you please get back to me by 11 AM EST tomorrow?

Thanks,
Alex Pfeiffer
White House Correspondent
The Daily Caller

Gibson, Jake

From: Gibson, Jake
Sent: Friday, July 14, 2017 1:59 PM
To: Prior, Ian (OPA)
Subject: RE: STATEMENT BY ATTORNEY GENERAL JEFF SESSIONS ON THE HAWAII DISTRICT COURT'S DECISION

Thanks!

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Friday, July 14, 2017 1:56 PM
To: Gibson, Jake
Subject: STATEMENT BY ATTORNEY GENERAL JEFF SESSIONS ON THE HAWAII DISTRICT COURT'S DECISION

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)



Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, JULY 14, 2017
WWW.JUSTICE.GOV

AG
(202) 514-2007
TTY (866) 544-5309

STATEMENT BY ATTORNEY GENERAL JEFF SESSIONS ON THE HAWAII DISTRICT COURT'S DECISION

WASHINGTON Attorney General Jeff Sessions today issued the following statement on the Hawaii District Court's decision:

"Once again, we are faced with a situation in which a single federal district court has undertaken by a nationwide injunction to micromanage decisions of the co-equal Executive Branch related to our national security. By this decision, the district court has improperly substituted its policy preferences for the national security judgments of the Executive branch in a time of grave threats, defying both the lawful prerogatives of the Executive Branch and the directive of the Supreme Court.

"The district court has issued decisions that are entrusted to the Executive Branch, undermined national security, delayed necessary action, created confusion, and violated a proper respect for separation of powers.

The Supreme Court has had to correct this lower court once, and we will now reluctantly return directly to the Supreme Court to again vindicate the rule of law and the Executive Branch's duty to protect the nation.”

###

17-775

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Kaplan (Levine), Karrah

From: Kaplan (Levine), Karrah
Sent: Friday, July 14, 2017 12:16 PM
To: Prior, Ian (OPA)
Subject: Re: AG on Tuesday? Martha is in DC

Thank you!

From: Prior, Ian (OPA)
Sent: Friday, July 14, 2017 12:13 PM
To: Kaplan (Levine), Karrah
Subject: RE: AG on Tuesday? Martha is in DC

yep

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Kaplan (Levine), Karrah [<mailto:Karrah.kaplan@FOXNEWS.COM>]
Sent: Friday, July 14, 2017 12:12 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: AG on Tuesday? Martha is in DC

Great! 10 minutes ok?

From: Prior, Ian (OPA)
Sent: Friday, July 14, 2017 12:11 PM
To: Kaplan (Levine), Karrah
Subject: RE: AG on Tuesday? Martha is in DC

sure

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Kaplan (Levine), Karrah [<mailto:Karrah.kaplan@FOXNEWS.COM>]
Sent: Friday, July 14, 2017 12:10 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: AG on Tuesday? Martha is in DC

Can I call you?

From: Prior, Ian (OPA)

Sent: Friday, July 14, 2017 12:03 PM
To: Kaplan (Levine), Karrah
Subject: RE: AG on Tuesday? Martha is in DC

So we're thinking of having Rod Rosenstein do it. Which, btw, would be his first national interview. But we would want to keep it on topic he's not going to talk about special counsel, investigation, etc.

Strictly the new civil asset forfeiture policy and bread and butter DOJ stuff what are we doing broadly, when are we going to get US attorneys, things of that nature are all fine

Let me know. Still need to confirm but that is what we are thinking

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Kaplan (Levine), Karrah [<mailto:Karrah.kaplan@FOXNEWS.COM>]
Sent: Wednesday, July 12, 2017 7:19 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: AG on Tuesday? Martha is in DC

Sure thing. My cell (b) (6) whenever you have time.

Have a great night!

From: Prior, Ian (OPA)
Sent: Wednesday, July 12, 2017 7:17 PM
To: Kaplan (Levine), Karrah
Subject: Re: AG on Tuesday? Martha is in DC

Let's chat tomorrow. I might have an idea

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Ce (b) (6)

On Jul 12, 2017, at 2:51 PM, Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM> wrote:

Hi Ian!
There is so much we could discuss from immigration and beyond
Martha is in DC on Tuesday and we could do a sit down
Just throwing it out there!
Thanks as always,
Karrah

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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.

Roberts, John

From: Roberts, John
Sent: Thursday, July 13, 2017 6:49 PM
To: Hornbuckle, Wyn (OPA)
Cc: Flores, Sarah Isgur (OPA)
Subject: Re: Fox News request- Veselnitskaya

Many thanks, Wyn

John Roberts
Chief White House Correspondent
Fox News Channel

(b) (6)

> On Jul 13, 2017, at 6:47 PM, Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov> wrote:
>
> John - As promised this court-filed letter from private counsel sheds a little light on where the process
stood in early January 2016
>
> <Prevezon docket, document #520 - Letters re parole.pdf>

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John W. Moscow
direct dial: 212.589.4636
jmoscow@bakerlaw.com

January 7, 2016

VIA EMAIL

John M. McEnany
Associate U.S. Attorney
United States Attorney's Office
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007

Re: *United States v. Prevezon Holdings, Ltd., et al.*, 13 Civ. 6326 (TPG)

Dear Mr. McEnany:

I write following up on our call of January 5, 2016, and your email of that same date. On that call, we discussed the possibility of extending the immigration parole status of my client, Denis Katsyv, and his Russian attorney, Natalia Veselnitskaya, in connection with the Prevezon case. Their parole letters were then set to expire today, January 7, 2016. I had been asking trial counsel about it repeatedly since early December. In your follow-up email, which is attached below as Exhibit A, you stated that you had discussed my extension request but that no extension would be granted "in the absence of deposition and trial dates."

At Defendants' request, Judge Griesa held a hearing on the issue on January 6, 2015, at which Defendants sought assistance from the Court lest Mr. Katsyv and Ms. Veselnitskaya needlessly be forced to leave the country the next day. Assistant United States Attorney Paul M. Monteleoni told the Court that new parole papers would be granted "once there is a trial date." Hr'g Tr. at 6:7 (Jan. 6, 2015), attached as Exhibit B. The Court rejected this idea, observing that "it makes no sense to have that immigration visa or those immigration visas expire tomorrow so that these people would have to go back to Russia. That is totally about as poor an arrangement as I could dream up." Hr'g Tr. at 11:6-10 (Jan. 6, 2015). Judge Griesa went on to "request that the immigration parole ... [be] extended for one week to the 14th. Will the Government agree to that?" *Id.* at 11:11-16.

AUSA Monteleoni responded: "So as I sit here I, Paul Monteleoni, don't have the final say but I will certainly pass the request along to those in the government who do, and I think for an extension of that length I'm optimistic." Hr'g Tr. at 11:17-20 (Jan 6, 2016).

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

John M. McEnany
January 7, 2016
Page 2

That night, at 7:28 PM, AUSA Monteleoni sent me an email (attached as Exhibit C) attaching letters that grant Mr. Katsyv and Ms. Veselnitskaya immigration parole through February 28, 2016. Those letters on their face appear to have been approved more than two weeks prior, on December 17, 2015. In his email, AUSA Monteleoni explained that "HSI had already obtained the necessary approvals to extend the parole of Mr. Katsyv and Counselor Veselnitskaya when the trial date was pushed to January." The papers granting parole were therefore prepared and ready to go during the hearing that day before the Court, a fact that AUSA Monteleoni did not mention to the Court.

When you discussed the extension request with me and subsequently with others, were you aware that the paperwork granting an extension for Mr. Katsyv and Ms. Veselnitskaya had already been prepared and was ready to go? Please let me know by tomorrow, Friday, January 8. Thank you for your courtesy.

Sincerely,



John W. Moscow

Attachments

EXHIBIT A

Rose, Nicholas

From: McEnany, John (USANYS) <John.McEnany@usdoj.gov>
Sent: Monday, January 04, 2016 10:25 PM
To: Moscow, John W.
Subject: Prevezon

Hi, John. Good to hear from you today.

Following your call regarding the current safe passage/parole letters, which expire on January 7, 2016, I discussed your request, for an extension of those letters to April 2016, at length with the Prevezon trial team and supervisors. The current safe passage/parole letters were pegged to specific deposition and trial dates. Safe passage and parole letters are disfavored and I believe that their use and terms should be strictly limited. As we did before, we will again provide safe passage/parole letters for the Prevezon-related individuals you mentioned (Messrs. Katsyv, Litvak, and Krit, and Ms. Veselnitskaya) for their appearances at depositions and at trial (including a reasonable time in advance), once deposition and trial dates are set. But in the absence of deposition and trial dates, I do not think we should issue a general extension of the current letters. Although we cannot agree to your request, I appreciate your call and the opportunity to consider this issue. Once the Court sets dates, you may follow up with AUSA Graham on the details for such letters.

Best regards,

-John

John M. McEnany
Associate U.S. Attorney
United States Attorney's Office
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2571
John.McEnany@usdoj.gov

EXHIBIT B

G169USAC

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
-----X

3 UNITED STATES OF AMERICA,
4 v. 13 CV 6326 (TPG)
5 PREVEZON HOLDINGS, LTD., ET
6 AL.,
7 Defendants.
-----X

New York, N.Y.
January 6, 2016
12:13 p.m.

10 Before:
11 HON. THOMAS P. GRIESA
12 District Judge

13 APPEARANCES

14 PREET BHARARA
15 United States Attorney for the
Southern District of New York
16 PAUL MONTELEONI
MARGARET GRAHAM
17 Assistant United States Attorney
18 BAKER & HOSTETLER, LLP
Attorneys for Prevezon Defendants/Movants
19 MARK CYMROT
JOHN W. MOSCOW
20
21 SUSMAN GODFREY, LLP
Attorneys for Nonparty/Movant Hermitage Capital
Management, Ltd.
22 JACOB BUCHDAHL

23
24
25
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(212) 805-0300

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1 (In open court; case called)

2 THE COURT: I think it would help to have the people
3 present identify themselves for the record.

4 MR. MONTELEONI: Good afternoon, your Honor.

5 THE COURT: We'll start with the government.

6 MR. MONTELEONI: Yes. Good afternoon, your Honor.

7 Paul Monteleoni for the government. With me at counsel table
8 are my colleagues, Margaret Graham, Jaimme Nawaday, and Kristy
9 Phillips.

10 THE COURT: Very good.

11 MR. CYMROT: Your Honor, Mark Cymrot and John Moscow
12 for the defendants.

13 I'd also like to introduce Mr. Katsyv, who owns the
14 defendants, who is here in court with his lawyer. So this is
15 Dennis Katsyv. He owns the defendants. And this is his
16 Russian lawyer who has spoken on the record in the past,
17 Natalia Veselnitskaya.

18 THE COURT: Does the reporter have the spelling?

19 MR. CYMROT: Yes, your Honor. We gave it to your
20 clerk.

21 THE COURT: Very good. There is somebody else here
22 for --

23 THE DEPUTY CLERK: Mr. Buchdahl, your Honor.

24 Mr. Buchdahl.

25 MR. BUCHDAHL: Good afternoon.

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1 Jacob Buchdahl with Susman Godfrey. We represent
2 Hermitage. We remain interested in this case as counsel that
3 the court had previously disqualified is still appearing for
4 defendants.

5 THE COURT: Wait. I didn't understand the last thing
6 you said. Just a little louder, please.

7 MR. BUCHDAHL: Sure. We represent Hermitage. We had
8 submitted a motion to disqualify defense counsel. And that
9 motion remains pending before the court.

10 And since the counsel that we had moved to disqualify
11 is here appearing on behalf of defendants, in case that subject
12 were to come up, I thought it prudent for us to be here today
13 as well, your Honor.

14 THE COURT: I'm glad you're here. Thank you very
15 much.

16 Now, look, what are the issues, if any, that require
17 any ruling by the court today?

18 MR. CYMROT: Yes, your Honor. Mark Cymrot.

19 Mr. Katsyv and Ms. Veselnitskaya must leave the United
20 States on the insistence of the prosecution by tomorrow. And
21 we are here to ask your Honor to make a finding that if the
22 prosecution goes through with its threat that there would be a
23 violation of due process of law.

24 If I may explain, your Honor?

25 THE COURT: Well, let me just interrupt.

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1 Mr. Katsyv and Ms. Veselnitskaya have come here,
2 obviously, because they have an interest in the litigation
3 which is pending now and apparently at some point will require
4 a trial. Mr. Katsyv, I believe, is an executive or may be the
5 chief executive of the defendant Prevezon. Am I right?

6 MR. CYMROT: And the owner, your Honor. He is also a
7 claimant in this proceeding.

8 THE COURT: Wait. Go back. Say that again.

9 MR. CYMROT: He's the owner of the defendants and a
10 claimant in the proceeding. He is a party to the proceeding as
11 a claimant.

12 THE COURT: I should know, but refresh my memory.
13 What is meant by being a claimant?

14 MR. CYMROT: Well, the United States wants to forfeit
15 the companies that are -- the companies and properties that are
16 defendants. And he's saying those are mine and I am an
17 innocent owner of those properties. Therefore, they should go
18 to me.

19 THE COURT: That is the claim of Mr. --

20 MR. CYMROT: -- Katsyv personally.

21 THE COURT: Now as far as the government is concerned,
22 I'll start in that fashion, what is the status of Mr. Katsyv
23 and Ms. Veselnitskaya?

24 MR. CYMROT: They have refused --

25 THE COURT: Wait a minute.

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1 MR. CYMROT: You want from the government?

2 THE COURT: Mr. Monteleoni.

3 MR. MONTELEONI: Thank you, your Honor. I would point
4 out first that we were not privy to any of the communications
5 that set up this conference and defense counsel has refused to
6 tell us what they told the court ex parte that caused this
7 conference to be held. So we object to that. And we are a
8 little confused as to why this is being brought before the
9 court now.

10 But, the immigration status of Mr. Katsyv and
11 Ms. Veselnitskaya is that I've been told by defense counsel
12 that they've applied for visas and those were denied. We, the
13 government, the U.S. Attorney's Office here, have no influence
14 over -- participation in that visa process.

15 But, Mr. Katsyv, as a party to this case, was required
16 to come in for a deposition and intends to come in at trial to
17 testify as a witness. So, in October the government bypassed
18 the normal visa process and gave a type of extraordinary
19 permission to enter the country called immigration parole.
20 That's a discretionary act that the statute allows the Attorney
21 General to do in extraordinary circumstances. In this case, we
22 did that so that Mr. Katsyv could testify. And we made the
23 further accommodation of allowing his Russian lawyer into the
24 country to assist. We did that when there was depositions
25 scheduled -- those depositions have happened -- and when trial

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1 is scheduled. The trial was previously scheduled for December.
2 So we granted this extraordinary relief of immigration parole
3 to allow them to come into the country during that time.

4 What we've told defense counsel, when they have asked
5 for it to be extended, is we will reauthorize the immigration
6 parole to allow them to attend for trial and for reasonable
7 pretrial preparation once there is a trial date. But, right
8 now there -- the trial date isn't set yet. And there are
9 various possibilities. The trial date could be soon or could
10 be in quite some time.

11 So, we've offered to give this immigration parole once
12 there is a trial date set and we're willing to do that. We
13 think that that's really the end of the matter and that further
14 proceedings on this should just wait until there's a trial date
15 set. At that point we will quickly turn around their parole
16 and they can reenter the country.

17 THE COURT: Well, there are certain things that have
18 to be taken in a certain order. What Mr. Monteleoni has just
19 said is perfectly reasonable.

20 Now --

21 MR. CYMROT: Your Honor, may I speak to that?

22 THE COURT: Just a minute.

23 What is still pending before me and has great
24 relevance to the course of the proceedings is the motion of
25 Hermitage to disqualify Mr. Moscow. And the record shows what

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1 it shows about the status of that and I'm not going to go into
2 that. But that is a matter that is pending. It is still being
3 briefed. It should be no secret that my intention is to decide
4 that as soon as possible. Now, what that decision will be I'm
5 certainly not going to announce at this conference.

6 Now, what Mr. Monteleoni has described is the
7 government's current view of what is called the immigration
8 parole.

9 Now, Mr. Cymrot, you wanted to speak and I interrupted
10 you. You go ahead now.

11 MR. CYMROT: Yes, your Honor.

12 It is essential that Mr. Katsyv and his lawyer stay in
13 the United States right now. The situation is that you're
14 going to decide promptly, you just said, whether counsel will
15 be disqualified. If counsel is disqualified, if you grant the
16 motion, then they need to be here to find new counsel. They
17 cannot do that from Moscow.

18 If you deny the motion, we were three weeks away from
19 trial and there has been a --

20 THE COURT: If the motion is denied, what did you say?

21 MR. CYMROT: We were previously three weeks away from
22 trial. And as we've previously discussed, there's a \$15
23 million freezing order on the case and that calls for a prompt
24 trial. So they will have to be here for that. So either way
25 they should stay in the United States either to hire new

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1 counsel or to prepare for trial.

2 It is, I can tell you, very difficult over the last
3 two years plus to coordinate with them in Moscow. And the
4 government has denied them entry into the United States
5 repeatedly.

6 It is a very difficult thing to coordinate. And since
7 they have been here and been to some hearings they have a much
8 better understanding of the proceedings. And we have had a
9 much better opportunity to prepare for trial. It is essential
10 that they be here. There is -- any other litigant would be
11 entitled to be here and to be represented. And the law
12 provides a specific visa for persons who are defending lawsuits
13 in the United States.

14 The United States government has frozen their property
15 for more than two years and yet denied them the right to defend
16 this proceeding properly. That is where we stand. And now
17 they are in the United States and things are going to happen
18 over the next several weeks that they have to be here for, and
19 the prosecution is forcing them to leave which will make it
20 difficult if they have to hire new counsel or difficult if they
21 have to prepare for trial.

22 MR. MONTELEONI: May I respond, your Honor?

23 THE COURT: Yes.

24 MR. MONTELEONI: Thank you.

25 So there are several other possibilities of what might

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1 happen in the next few days that would not mean that there
2 would be a trial right away.

3 If the court decides the motion one way or another for
4 disqualification, and the party that loses appeals that, that
5 decision, then there might be a stay while the Second Circuit
6 reviews that decision. That could mean that there is a time
7 period when they don't need to hire new counsel and they don't
8 need to be present for trial. If, of course, there's a time
9 period when they do need to be present for trial, like the
10 government said, we will make those arrangements.

11 Regarding hiring of counsel. There is no due process
12 right to enter the country if you're not admissible for those
13 purposes. And, in fact, the government doesn't believe that
14 they initially entered the country when they hired
15 Baker & Hostetler. So I think that legally and practically it
16 can be done.

17 Regardless, this is all just premature. If
18 proceedings recommence and there is not an appeal so that we're
19 headed right towards trial, we will promptly reissue the
20 parole. They can come and defend that.

21 THE COURT: What did you just say? What did you just
22 say?

23 MR. MONTELEONI: If as a result of the court's ruling
24 proceedings recommence and a trial date is scheduled in the
25 near future and there is no stay of that, then the government

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1 will promptly issue new parole so that they can come back and
2 prepare for trial. But, there are real possibilities that
3 that's not going to be what happens. And so under the
4 regulations the government doesn't issue parole just when it
5 would be in someone's convenience. The government does it when
6 there's a need. So we're just waiting to see if there's a need
7 for parole now. If there is, then we will issue that parole.

8 THE COURT: Look, here is the thing. I think I've
9 said this and I'll repeat it. I intend to decide the issue of
10 disqualification very promptly. It would be my intention,
11 regardless of how that's decided, to have as prompt a trial as
12 possible. The trial has been long delayed to the prejudice of
13 people who have considerable money at stake in that trial. So
14 the trial has to take place. And it's my intention to have it
15 as soon as possible.

16 Now, that's not going to be tomorrow or the next day,
17 but when I "say as soon as possible" I mean it within the plain
18 language of those words.

19 Now, as the government points out and everybody in the
20 room knows, there's some unknowns right now. I want to clear
21 up those unknowns as soon as possible.

22 Mr. Monteleoni, something expires the 7th. What is
23 that?

24 MR. MONTELEONI: The --

25 THE COURT: You've said it but go over it again.

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1 MR. MONTELEONI: Sure. So, the authorization for
2 Mr. Katsyv and Ms. Veselnitskaya to be in the country without
3 visas for a trial. Using the process of immigration parole
4 expires on the 7th.

5 THE COURT: Now, look. The 7th makes no sense now.
6 If everybody acts as fast as possible, including the court, it
7 makes no sense to have that immigration visa or those
8 immigration visas expire tomorrow so that these people would
9 have to go back to Russia. That is totally about as poor an
10 arrangement as I could dream up.

11 Now, what I'm going to request -- and this should not
12 be litigated -- but I'm going to request that the immigration
13 parole or what do you call it be extended past tomorrow and
14 until -- let me get a calendar -- extended for one week to the
15 14th.

16 Will the government agree to that?

17 MR. MONTELEONI: So as I sit here I, Paul Monteleoni,
18 don't have the final say but I will certainly pass the request
19 along to those in the government who do, and I think for an
20 extension of that length I'm optimistic.

21 THE COURT: Well that's a perfectly satisfactory
22 statement. I'll count on that.

23 Now, as far as I know there is nothing more that can
24 be done today here. There's a lot to be done but nothing more
25 in court this morning. And I'll assume that the extension is

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1 granted to the 14th and we all have some work to do. I think
2 that's as far as we can go this morning.

3 MR. CYMROT: Thank you, your Honor.

4 MR. MONTELEONI: Thank you.

5 THE COURT: Thank you all very much.

6 (Adjourned)

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EXHIBIT C

Rose, Nicholas

From: Monteleoni, Paul (USANYS) <Paul.Monteleoni@usdoj.gov>
Sent: Wednesday, January 06, 2016 7:28 PM
To: Moscow, John W.
Cc: Cymrot, Mark; Alaverdi, Loura; Levine, Paul M.; Veselnitskaya Nataliya; Graham, Margaret (USANYS); Nawaday, Jaimie (USANYS); Phillips, Cristine (USANYS) 2
Subject: RE: Parole for Denis Katsyv and Nataliya Veselnitskaya
Attachments: Katsyv renewed parole paperwork.pdf; Veselnitskaya renewed parole paperwork.pdf

Fortunately, HSI had already obtained the necessary approvals to extend the parole of Mr. Katsyv and Counselor Veselnitskaya when the trial date was pushed to January, and so we are able to provide the paperwork today. The attached documents extend their parole until February 28, 2016, which was the period approved in contemplation of a January trial. In order to give you these documents immediately and avoid a lapse in parole, we are providing them to you now with the February 28, 2016 end date. Please note, however, that if trial is delayed substantially, then we will cancel their parole on January 15th, the time period referenced by Court today, and issue new paroles in the future for the necessary periods to cover trial (or deposition) attendance and preparation.

We will leave the originals of the documents downstairs for pickup tomorrow morning.

From: Moscow, John W. [<mailto:jmoscow@bakerlaw.com>]
Sent: Wednesday, January 06, 2016 6:48 PM
To: Monteleoni, Paul (USANYS); Graham, Margaret (USANYS)
Cc: Cymrot, Mark; Alaverdi, Loura; Levine, Paul M.; Veselnitskaya Nataliya
Subject: Parole for Denis Katsyv and Nataliya Veselnitskaya

I wrote to you a few hours ago, and have called since and left a telephone message.

Could you please let me know, so I can let other people know, what the status is of the Judge's request about continuing parole?

I am at 917-693-2265 or you can reply by email to this address.

Thank you

John Moscow

BakerHostetler
EXPERIENCE FOR TOMORROW

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Hornbuckle, Wyn (OPA)

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, July 13, 2017 6:37 PM
To: Flores, Sarah Isgur (OPA); Roberts, John
Subject: RE: Hi Sarah - inquiry from Fox News

John - Just tried to call. If you still need any guidance give me a call on my ce (b) (6)

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

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, July 13, 2017 12:53 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Roberts, John <John.roberts@FOXNEWS.COM>
Subject: RE: Hi Sarah - inquiry from Fox News

Hi John - You should reach out to Jim Margolin in SDNY James.Margolin@usdoj.gov

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

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, July 13, 2017 12:42 PM
To: Roberts, John <John.roberts@FOXNEWS.COM>; Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Subject: Re: Hi Sarah - inquiry from Fox News

Yeah there definitely should be. Wyn can add their PIO to this.

> On Jul 13, 2017, at 12:30 PM, Roberts, John <John.roberts@FOXNEWS.COM> wrote:

>

> No. I figure there were still some folks there who would know what

> happened

>

> John Roberts

> Chief White House Correspondent

> Fox News Channel

(b) (6)

>

>

>> On Jul 13, 2017, at 12:27 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>>

>> Ok--still digging but this is sdny not us (I mean they are us...but you know...). Do you have a contact there?

>>

>>> On Jul 13, 2017, at 12:11 PM, Roberts, John <John.roberts@FOXNEWS.COM> wrote:

>>>

>>> Sarah,

>>>

>>> Looking to confirm - and for more details - that the Obama Administration DOJ allowed Veselnitskaya into the country under some sort of "extraordinary circumstance" waiver.

>>>

>>> Thanks!!

>>>

>>> John Roberts

>>> Chief White House Correspondent

>>> Fox News Channel

>> (b) (6)

>>>

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>>>

>

Wells, Justin

From: Wells, Justin
Sent: Thursday, July 13, 2017 2:04 PM
To: Creighton, Kelly M (OPA)
Cc: Flores, Sarah Isgur (OPA)
Subject: RE: El Salvador Trip / Reimbursement

Thanks very much Kelly. This will help me get the trip approved on Fox's end. Much appreciated.

From: Creighton, Kelly M (OPA) [mailto:Kelly.M.Creighton@usdoj.gov]
Sent: Thursday, July 13, 2017 12:27 PM
To: Wells, Justin <justin.wells@FOXNEWS.COM>
Cc: Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov>
Subject: RE: El Salvador Trip / Reimbursement

Attached is the flight estimate for DCA→SAL via MIA. Cost is \$485/pp, R/T. You will need to reimburse the govt for the flights. Payment is accepted via check only and made out to the US Treasury.

As for a hotel, I am assuming the overnight is in San Salvador. Hotel rooms should not cost more than \$150/ea. For contrast, the govt's max lodging rate for San Salvador is \$128.

Please let me know if you need anything else.

Thanks.

KC

From: Wells, Justin [mailto:justin.wells@FOXNEWS.COM]
Sent: Thursday, July 13, 2017 8:57 AM
To: Creighton, Kelly M (OPA) <kcreighton@jmd.usdoj.gov>
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: El Salvador Trip / Reimbursement

Thanks Kelly. I have a meeting with the President of the network around 1:30pm so if there is anyway to have an idea by then that would be ideal but I understand if that's impossible. Thanks.

On Jul 13, 2017, at 8:43 AM, Creighton, Kelly M (OPA) <Kelly.M.Creighton@usdoj.gov> wrote:

I'll have it for you later today.

KC

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, July 12, 2017 7:37 PM
To: Wells, Justin <justin.wells@FOXNEWS.COM>
Cc: Creighton, Kelly M (OPA) <kcreighton@jmd.usdoj.gov>
Subject: Re: El Salvador Trip / Reimbursement

No eta yet for Friday. But you'd always have the option to fly back commercial too of course.

On Jul 12, 2017, at 4:21 PM, Wells, Justin <justin.wells@FOXNEWS.COM> wrote:

Kelly, please let me know when you have a rough estimate. Also, do we have an ETA of the return to DC on Friday 7/28?
Thank you both!!

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Wednesday, July 12, 2017 4:40 PM
To: Wells, Justin <justin.wells@FOXNEWS.COM>
Cc: Creighton, Kelly M (OPA) <Kelly.M.Creighton@usdoj.gov>
Subject: Re: El Salvador Trip / Reimbursement

Kelly--

Can you help get a ballpark cost for fox if they have 5 people join us on an AG trip to El Salvador at the end of the month? It would be 1 night stay.

On Jul 12, 2017, at 1:36 PM, Wells, Justin <justin.wells@FOXNEWS.COM> wrote:

Hi Sarah,

It was great talking to you earlier. This trip sounds like it could be very newsworthy for our show. We're really looking forward to it.

I wanted to get a sense of what our costs would look like for flight reimbursement / hotels / etc so I can put together a budget on my end.

Many thanks,
Justin

<[image001.png](#)>

Justin Wells


Executive Producer, Tucker Carlson Tonight

(b) (6) | m (b) (6) | e: justin.wells@foxnews.com | w: [Tucker Carlson Tonight](#)

<[image002.png](#)> <[image003.png](#)>

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Review your trip




Nice Job! You picked one of our best value flights.

Book now so you don't miss out on this price!

Thu, Jul 27

From To

Ronald Reagan Washington National (DCA)
El Salvador Intl. (SAL)



American Airlines

Best Value

6:55am
DCA

→

11:21am
SAL


6h 26m, 1 stop
MIA

Show flight and baggage fee details

Fri, Jul 28

From To

El Salvador Intl. (SAL)
Ronald Reagan Washington National (DCA)



American Airlines

Shortest

2:50pm
SAL

→

11:58pm
DCA

7h 8m, 1 stop
MIA

Show flight and baggage fee details

Change flights

Trip Summary

Traveler 1: Adult

\$484.29

Booking Fee

\$0.00

Trip Total:

\$484.29

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Cabin: Mixed

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 Carry On Bag

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Upgrade

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, July 13, 2017 1:34 PM
To: Gibson, Jake; Prior, Ian (OPA); 'Hornbuckle, Wyn (OPA)'
Subject: RE: Exclusive: DOJ let Russian lawyer into US before she met with Trump team | TheHill

Adding Wyn my understanding is this is all in SDNY

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

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

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Thursday, July 13, 2017 12:54 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Fwd: Exclusive: DOJ let Russian lawyer into US before she met with Trump team | TheHill

>
> Any idea why the DOJ gave the lawyer a special waiver into US under Lynch?
>
> https://urldefense.proofpoint.com/v2/url?u=http-3A__thehill.com_homenews_administration_341788-2Dexclusive-2Ddoj-2Dlet-2Drussian-2Dlawyer-2Dinto-2Dus-2Dbefore-2Dshe-2Dmet-2Dwith-2Dtrump&d=DwlFAG&c=cnx1hdOQtepEQkpermZGwQ&r=NbHkVji9gbx7EGi2K6Z49YdzkiK7C-80nmhxJS8HIS4&m=aj13WqLWYd_Xr5wM707oU1uAW4Y4Z5hD1ef7m4WOaAQ&s=vdGqbi1jS_JMkCSp9rHncr0B6l8hvk8Q6lQNGXe mVQ&e=
>
>
> Sent from my iPhone

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Mansfield, Alyson

From: Mansfield, Alyson
Sent: Thursday, July 13, 2017 10:23 AM
To: Prior, Ian (OPA)
Subject: Fox News - Brian Kilmeade Radio

Hi Ian,

I hope this email finds you well. I produce Brian Kilmeade's nationally syndicated radio at Fox. I just left you a voicemail and I was hoping to speak with you for a quick minute at some point this week. Please let me know if you have time for a quick chat, my number is (b) (6).

Regards,
Alyson

Sent from my iPhone

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Thursday, July 13, 2017 10:01 AM
To: kwong@breitbart.com
Subject: Re: Question re: leaks

That doesn't matter. The leak resulted in an investigation

Ian D. Prior

Principal Deputy Director of Public Affairs Office: 202.616.0911 Cel (b) (6)

> On Jul 13, 2017, at 9:58 AM, "kwong@breitbart.com" <kwong@breitbart.com> wrote:

>
> Seems like he was referring to other cases, since Winner was charged:
>
> Sessions:
>
> We have had one successful case very recently in Georgia. That person has been denied bail, I believe, and is being held in custody.
>
> But some of these leaks as you well know, are extraordinarily damaging to the United States' security, and we have got to restore a regular order principle. We cannot have persons in our intelligence agencies, our investigative agencies, or in Congress leaking sensitive matters on staff. So this is -- I'm afraid will result in -
> - is already resulting in investigations, and I fear that some people may find that they wish they hadn't have leaked.

>
>
> -----Original Message-----
> From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
> Sent: Thursday, July 13, 2017 9:47am
> To: "kwong@breitbart.com" <kwong@breitbart.com>
> Subject: Re: Question re: leaks

>
> Off the record, he was referring to the reality winner case.
>
> Otherwise we can't confirm the existence or non-existence of investigations.

>
> Ian D. Prior
> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)

>
>
> On Jul 13, 2017, at 9:46 AM, "kwong@breitbart.com<mailto:kwong@breitbart.com>"
> <kwong@breitbart.com<mailto:kwong@breitbart.com>> wrote:

>
>

> Hi Ian,
>
>
>
> Hope you're well.
>
>
>
> Apparently, in the June 13 hearing with AG Sessions, he appeared to confirm he is investigating leaks. Is that fair to say? I was on a plane that day and missed parts of the hearing. Specifically referring to this:
>
>
>
> SESSIONS: So this is -- I'm afraid will result in -- is already resulting in investigations, and I fear that some people may find that they wish they hadn't have leaked.
>
>
>
> Does this mean that leaks are being investigated? Seems clear to me they are. Full transcript below.
>
>
>
> Cheers!!!
>
> Kristina
>
> (b) (6)
>
>
>
>
>
>
> Senate Intel Hearing on Russian Interference in the U.S. Election > Witnesses: Attorney General Jeff Sessions testifies > Time: 2:30 pm EDT, Date: Tuesday, June 13th, 2017
>
>
>
> COTTON: Let's turn to the potential crimes that we know have happened, leaks of certain information. Here's a short list of what I have. The contents of alleged transcripts of alleged conversations between Mr. Flynn and Mr. Kisselyak, the contents of President Trump's phone calls with Australian and Mexican leaders, the content of Mr. Trump's meetings with the Russian foreign minister and ambassador, the leak of Manchester bombing -- the Manchester bombing suspect's identity and crime scene photos. And last week within 20 minutes of this committee meeting in a classified setting with Jim Comey, the leak of what -- the basis of Mr. Comey's innuendo was.
>
> Are these leaks serious threats to our national security? And is the Department of Justice taking them with the appropriate degree of seriousness in investigating and ultimately going to prosecute them to the fullest extent of the law?
>

> SESSIONS: Thank you, Senator Cotton.

>

> We have had one successful case very recently in Georgia. That person has been denied bail, I believe, and is being held in custody.

>

> But some of these leaks as you well know, are extraordinarily damaging to the United States' security, and we have got to restore a regular order principle. We cannot have persons in our intelligence agencies, our investigative agencies, or in Congress leaking sensitive matters on staff. So this is -- I'm afraid will result in - is already resulting in investigations, and I fear that some people may find that they wish they hadn't have leaked.

>

> COTTON: Thank you. My time has expired.

>

>

>

Singman, Brooke

From: Singman, Brooke
Sent: Thursday, July 13, 2017 9:18 AM
To: Flores, Sarah Isgur (OPA); Hornbuckle, Wyn (OPA); Prior, Ian (OPA)
Subject: RE: Fox News request- Veselnitskaya

Hi again,

I know you're all busy with this presser -- but there are reports that the first parole was granted by AG Loretta Lynch. Can you get a comment or information for me on that?

Thank you,

Brooke

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

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Thursday, July 13, 2017 7:09 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov>; Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: Re: Fox News request- Veselnitskaya

Adding Wyn

> On Jul 13, 2017, at 6:28 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:
>
> Good morning Sarah,
>
> Hope you're well!
> Hoping for a comment on this. The Hill is reporting that it was the Justice Department that initially cleared Russian attorney Natalia Veselnitskaya for entry to the US- even after being denied a visa, under "extraordinary circumstances."
>
> Can you comment as to what those "extraordinary circumstances" could have been? And how she was able to gain entry without a visa? I've been in touch with both State and DHS on this, but curious on this latest Hill report what role to DOJ played in her entry.
>
> She was reportedly granted temporary parole by a judge, which DHS is supposed to get back to me on..
>
> My deadline will be ASAP, but hoping before 10a EST.
>
> Happy to speak on background if you'd prefer.
>
> Let me know,
>
> Brooke Singman

> Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

> Brooke.singman@foxnews.com

>

> Sent from my iPhone

>

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>

Singman, Brooke

From: Singman, Brooke
Sent: Thursday, July 13, 2017 8:24 AM
To: Margolin, James (USANYS)
Cc: Flores, Sarah Isgur (OPA); Hornbuckle, Wyn (OPA); Prior, Ian (OPA)
Subject: RE: Fox News request- Veselnitskaya

Thank you, Ian.

Good morning James,

Looking for a comment and information regarding the parole granted to Russian attorney Natalia Veselnitskaya after she was denied a visa.

The Hill is reporting that the U.S. Attorney's office in New York said they let Veselnitskaya into the country on a grant of immigration parole from October 2015 through early January 2016.

Based on my reporting, Veselnitskaya remained in the country after her parole expired even posting pictures to her Facebook page of New York City through the early months of 2016. We also know that Veselnitskaya was in the country for her meeting with Donald Trump Jr. in June.

Reports and documents show her working on a court case in the U.S. during the window of the parole.

Was Veselnitskaya ever granted a second parole or an extension of her first parole? Can you explain and provide details on this?

Happy to speak on background, or on the record. Want to iron out exactly what happened, and how she managed to remain in the United States without a visa, or apparently, without another parole granted?

Deadline is ASAP, but hoping by 9:45/10a EST.

Thank you,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Thursday, July 13, 2017 8:16 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Cc: Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov>; Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov>
Subject: Re: Fox News request- Veselnitskaya

You should contact SDNY for that

James.Margolin@usdoj.gov

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jul 13, 2017, at 8:02 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi All,

DHS has told me it looks like the parole was granted by DOJ. Can you comment?

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

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]

Sent: Thursday, July 13, 2017 7:09 AM

To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov>; Prior, Ian (OPA) <Ian.Prior@usdoj.gov>

Subject: Re: Fox News request- Veselnitskaya

Duplicative Material



Singman, Brooke

From: Singman, Brooke
Sent: Thursday, July 13, 2017 7:14 AM
To: Flores, Sarah Isgur (OPA)
Cc: Hornbuckle, Wyn (OPA); Prior, Ian (OPA)
Subject: Re: Fox News request- Veselnitskaya

Thank you, Sarah, Wyn and Ian!

Sent from my iPhone

> On Jul 13, 2017, at 7:09 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>
Duplicative Material



Daniel Horowitz

From: Daniel Horowitz
Sent: Wednesday, July 12, 2017 6:00 PM
To: Laco, Kelly (OPA)
Subject: RE: Mailing Address Daniel Horowitz

Hey Kelly,

I want to cover the Michigan case where a crazy judge just violated sovereignty and overturned the deportation of 1400 criminal aliens including rapists and murderers. Do you have time to chat off the record so I can make the case better on why these people deserved to be deported?

From: Laco, Kelly (OPA) [mailto:Kelly.Laco@usdoj.gov]
Sent: Wednesday, May 24, 2017 1:12 PM
To: Daniel Horowitz <dhorowitz@crtv.com>
Subject: RE: Mailing Address Daniel Horowitz

Hi Daniel,

The AG will be sending you a note. What is your mailing address?

Thank you,

Kelly

From: Daniel Horowitz [<mailto:dhorowitz@crtv.com>]
Sent: Wednesday, May 24, 2017 1:08 PM
To: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>
Subject: RE: Mailing Address Daniel Horowitz

Hey Kelly,

Nice to meet you. What's up?

Daniel Horowitz

Senior Editor, [ConservativeReview](#)

Twitter: Daniel Horowitz @ [RMConservative](#)

Subscribe to The Conservative Conscience Podcast: [iTunes](#) | [Stitcher](#) | [Android](#) | [RSS](#)

From: Laco, Kelly (OPA) <Kelly.Laco@usdoj.gov>

Sent: Wednesday, May 24, 2017 12:13:34 PM

To: CR-Press

Subject: Mailing Address Daniel Horowitz

To Whom it May Concern-

I am looking for a snail mail address for Daniel Horowitz to send him a note.

Thank you,

Kelly Laco

Office of Public Affairs

Department of Justice

Office: 202-353-0173

Cel (b) (6)

Daniel Horowitz

From: Daniel Horowitz
Sent: Wednesday, May 24, 2017 1:14 PM
To: Laco, Kelly (OPA)
Subject: RE: Mailing Address Daniel Horowitz

(b) (6)

Please let me know any way I can help. Also, I would love to send the AG a copy of my book on immigration and the courts <https://www.amazon.com/Stolen-Sovereignty-Unelected-Transforming-America/dp/1944229299>

From: Laco, Kelly (OPA) [mailto:Kelly.Laco@usdoj.gov]
Sent: Wednesday, May 24, 2017 1:12 PM
To: Daniel Horowitz <dhorowitz@crtv.com>
Subject: RE: Mailing Address Daniel Horowitz

Duplicative Material



Daniel Horowitz

From: Daniel Horowitz
Sent: Monday, June 19, 2017 1:53 PM
To: Laco, Kelly (OPA)
Subject: RE: Mailing Address Daniel Horowitz

I have received the note. The Attorney General is very kind and I really appreciate him being in this fight. Tell him to let me know of any way I can assist. I understand that you have internal and external battles to try to implement the promised agenda. This, being one of them <https://www.conservativereview.com/articles/earth-to-conservatives-trump-granted-executive-amnesty>

From: Laco, Kelly (OPA) [mailto:Kelly.Laco@usdoj.gov]
Sent: Wednesday, May 24, 2017 1:12 PM
To: Daniel Horowitz <dhorowitz@crtv.com>
Subject: RE: Mailing Address Daniel Horowitz

Duplicative Material



Subject: Mailing Address Daniel Horowitz

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, July 12, 2017 4:15 PM
To: Gibson, Jake; Flores, Sarah Isgur (OPA)
Subject: RE: Any official DOJ Response or Interview?

"Since this matter is currently in trial, the Department declines to comment."

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Wednesday, July 12, 2017 1:30 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Any official DOJ Response or Interview?

I am reaching out to ATF as well...

FYI.

Thanks.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, July 12, 2017 1:28 PM
To: Gibson, Jake; Prior, Ian (OPA)
Subject: Re: Any official DOJ Response or Interview?

Adding Ian.

On Jul 12, 2017, at 10:27 AM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Sarah-

We are turning this piece tomorrow. I just wanted to reach out and see if DOJ wants to include any kind of official response, or even provide someone to talk on camera.

It has taken six years and this week, the trial begins in a DC federal court, for two cartel members charged in the 2011 murder of ICE Special Agent Jaime J. Zapata and the attempted murder of ICE Special Agent Victor Avila. In 2011, the two agents, assigned to the US embassy in Mexico, were ambushed in their SUV by members of Zetas cartel. The shooting was an international incident. In an exclusive interview, Avila goes on the record in his first American TV interview about the harrowing ambush, security warnings ignored by the US government, and what it means to finally testify about his partner's murder.

The Obama administration promised justice after the 2011 ambush, but retired ICE agent Victor Avila, tells Fox there was one block after another as he and his family searched for the facts. A newly released Inspector General report, as well as ATF ballistics analysis, show the weapon that killed Avila's partner,

Special Agent Jaime J. Zapata, was bought in Dallas Texas by a local man who was under ATF surveillance. Avila suspects, and his position is backed up by ATF whistleblower John Dodson who exposed the Fast and Furious scandal, that the weapons used by the Zetas Cartel maybe linked to the failed ATF gun running operation. Avila is meeting this week with the House and Senate Homeland Security committees asking for public hearings.

Thanks much,

Jake Gibson
Fox News Washington
Field Producer
Cell (b) (6)
Cell (b) (6)
Jake.Gibson@foxnews.com
@JakeBGibson

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Rosenthal, Jessica

From: Rosenthal, Jessica
Sent: Wednesday, July 12, 2017 3:43 PM
To: Laco, Kelly (OPA)
Subject: RE: MEDIA INQUIRY

Thank you!

From: Laco, Kelly (OPA) [mailto:Kelly.Laco@usdoj.gov]
Sent: Wednesday, July 12, 2017 3:42 PM
To: Rosenthal, Jessica; Press
Subject: RE: MEDIA INQUIRY

Hi Jessica,

Please see the below release from July 6 that should address your inquiries.

<https://www.justice.gov/opa/pr/departments-justice-reviewing-letters-ten-potential-sanctuary-jurisdictions>

Thank you!

Kelly Laco
Office of Public Affairs
Department of Justice
Office: 202-353-0173
Cell (b) (6)

From: Rosenthal, Jessica [mailto:jessica.rosenthal@FOXNEWS.COM]
Sent: Wednesday, July 12, 2017 3:18 PM
To: Press <Press@jmd.usdoj.gov>
Subject: MEDIA INQUIRY

Hi there. Writing to follow up on letters sent to sanctuary jurisdictions. I understand Mr. Rosenstein said at the end of June, that DOJ had heard back from three jurisdictions insisting they believed they were in compliance? Have you heard back from all jurisdictions? Deadline was June 30th correct? Where does this stand, and what are next steps?

Thank you,

Jessica Rosenthal
Fox News Network LLC
West Coast Radio Correspondent
(b) (6) (office)
(b) (6) (cell)

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Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, July 12, 2017 10:19 AM
To: Prior, Ian (OPA)
Subject: Re: Wray Statement

Thanks.

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

On Jul 12, 2017, at 9:45 AM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

<https://www.judiciary.senate.gov/imo/media/doc/07-12-17%20Wray%20Testimony.pdf>

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, July 12, 2017 9:04 AM
To: (b) (6) Tucker Carlson Personal Email; Tucker.Carlson@FOXNEWS.COM
Subject: Illegal kills NE man

Flagging

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Begin forwarded message:

<http://www.dailymail.co.uk/news/article-4686714/Illegal-immigrant-drunk-crashed-killing-man.html>

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, July 11, 2017 6:55 PM
To: Gibson, Jake
Subject: Re: Sessions/Sanctuary Cities question

Will do but don't think it's addressing anything new

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jul 11, 2017, at 6:33 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Can you pass along any guidance about the substance of his speech tomorrow?
We will be covering with a reporter.

Thanks

From: Prior, Ian (OPA) [<mailto:Ian.Prior@usdoj.gov>]
Sent: Tuesday, July 11, 2017 6:07 PM
To: Gibson, Jake
Subject: RE: Sessions/Sanctuary Cities question

I don't think so.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]
Sent: Tuesday, July 11, 2017 4:10 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Sessions/Sanctuary Cities question

Is Sessions is expected to comment on this tomorrow in Vegas?
<https://townhall.com/tipsheet/laurettabrown/2017/07/07/doj-reviewing-sanctuary-cities-claims-of-compliance-n2351596>

Or where that review process stands ?

Thanks

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, July 11, 2017 5:57 PM
To: Carr, Peter (OPA)
Subject: Anything on this?

(CNN)Justice Department Special Counsel Robert Mueller's investigators plan to examine the meeting and email exchanges disclosed by Donald Trump Jr. as part of the broader Russian-meddling investigation, according to a US official briefed on the matter.

Jake Gibson
Fox News Washington
Field Producer
Cell (b) (6)
Cell (b) (6)
Jake.Gibson@foxnews.com
@JakeBGibson

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Ross, Lee

From: Ross, Lee
Sent: Tuesday, July 11, 2017 1:39 PM
To: O'Malley, Devin (OPA)
Subject: RE: Hello from Fox News

Excellent. Might you have a further read-out/preview of what AG Sessions will speak to? Many thanks, Lee

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Monday, July 10, 2017 5:19 PM
To: Ross, Lee
Subject: Re: Hello from Fox News

Thanks

Sent from my iPhone

On Jul 10, 2017, at 10:03 AM, Ross, Lee <lee.ross@FOXNEWS.COM> wrote:

If you could please credential the following colleagues from Fox News for the Wednesday morning event in Las Vegas:

(b) (6) (b) (6) Photographer
Andrew Craft Andrew.craft@foxnews.com Reporter

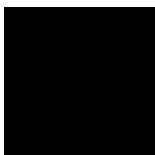
Thank you,

Lee

Lee Ross
Producer
Fox News
Western Bureau

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

From: USDOJ Office of Public Affairs (SMO) [mailto:USDOJ.Office.of.Public.Affairs@usdoj.gov]
Sent: Thursday, July 06, 2017 7:44 PM
To: USDOJ Office of Public Affairs (SMO)
Subject: ATTORNEY GENERAL SESSIONS TO TRAVEL TO LAS VEGAS



FOR PLANNING PURPOSES ONLY

AG

THURSDAY, JULY 6, 2017
WWW.JUSTICE.GOV

(202) 514-2007
TTY (866) 544-5309

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

ATTORNEY GENERAL SESSIONS TO TRAVEL TO LAS VEGAS

WASHINGTON – Attorney General Jeff Sessions will travel to Las Vegas, Nevada, on **WEDNESDAY, JULY 12, 2017**, to speak with federal, state and local law enforcement about sanctuary cities and efforts to combat violent crime.

WHO: Attorney General Jeff Sessions

WHAT: Speech to federal, state and local law enforcement partners about sanctuary cities and efforts to combat violent crime

WHEN: WEDNESDAY, JULY 12, 2017
9:10 a.m. PDT

WHERE: U.S. Attorney's Office
501 Las Vegas Boulevard South
Suite 1100
Las Vegas, Nevada 89101
OPEN PRESS

(Camera preset for K9 Sweep: 8:00 a.m. PDT // Final Access: 8:30 a.m. PDT)

NOTE: All media must RSVP and present government-issued photo I.D. (such as a driver's license) as well as valid media credentials. The RSVP and any inquiries regarding logistics should be directed to Devin O'Malley in the Office of Public Affairs at (202) 514-2007 or devin.omalley@usdoj.gov. Please include the email address of the person(s) attending the event, so that we may reach them directly if details change.

###

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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.

Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, July 10, 2017 1:40 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: HLS/GTMO

Thank you for the quick response, and considering other opportunities. Much appreciated.
Apologies for the basic timing error on my end.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 10, 2017 1:38 PM
To: Herridge, Catherine
Subject: RE: HLS/GTMO

He was in GTMO last week. We put out a statement on it but aren't doing any press about it otherwise. But let's find something else that makes sense.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Herridge, Catherine [mailto:Catherine.Herridge@FOXNEWS.COM]
Sent: Monday, July 10, 2017 1:35 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Herridge, Catherine <Catherine.Herridge@FOXNEWS.COM>
Subject: RE: HLS/GTMO

Hi Sarah,

Thought this might be worth flagging....

Would the upcoming GTMO trip be an opportunity to travel with the AG or do an interview after the trip, on the interrogation/terrorism policy approach?

It's in line with our earlier discussion, and we interviewed Secretary Kelly on the issue earlier this year.

Many thanks, Catherine

<http://www.politico.com/story/2017/07/07/jeff-sessions-visits-guantanamo-bay-240300>

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 03, 2017 4:09 PM
To: Herridge, Catherine
Subject: Re: HLS

Whoa! I had definitely not seen this! And yes let's talk very soon about travel.

On Jul 3, 2017, at 3:04 PM, Herridge, Catherine <Catherine.Herridge@FOXNEWS.COM> wrote:

Sarah,

(b) (6) came across the HLS magazine. I am certain you have seen it, but with wanted to be sure, and congratulate you on the well-deserved public recognition.

Separately, after the holiday, hoped we might reconnect on the earlier request, that could be timed closer to the 9/11 anniversary. As we did with DHS Kelly, wondered if an upcoming travel opportunity might fit into the theme/objectives.

As always, thanks for the consideration.
Catherine

<https://today.law.harvard.edu/regime-change/>

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Wednesday, May 10, 2017 9:05 PM
To: Herridge, Catherine; Prior, Ian (OPA)
Cc: Navas, Nicole (OPA)
Subject: RE: renewing interview request

We're VERY big fans of you here. Including the powers that be. But he isn't doing any interviews right now. You are on the list for down the road though for sure.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Herridge, Catherine [<mailto:Catherine.Herridge@FOXNEWS.COM>]
Sent: Wednesday, May 10, 2017 4:46 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>; Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Navas, Nicole (OPA) <nnavas@jmd.usdoj.gov>
Subject: renewing interview request

I recognize you are flooded with requests, but wanted to renew my interest, as the longest serving TV beat reporter on DOJ/FBI and Intelligence. I did a very fair, direct and newsy interview with Secretary Kelly in the midst of the travel ban and wall reporting.

Including the link

<http://www.foxnews.com/politics/2017/02/02/dhs-secretary-border-wall-should-be-finished-in-two-years.html>

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its attachments are without defect.

Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, July 3, 2017 4:12 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: HLS

I am glad I sent it.

Amazing how many people read the magazine. Congratulations again. Talk soon.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 03, 2017 4:09 PM
To: Herridge, Catherine
Subject: Re: HLS

Duplicative Material



Cc: Navas, Nicole (OPA) <nnavas@jmd.usdoj.gov>
Subject: renewing interview request

Singman, Brooke

From: Singman, Brooke
Sent: Monday, July 10, 2017 10:38 AM
To: Carr, Peter (OPA)
Subject: Comey memo classification level?

Hi Peter,
hope you're well.

Hoping to get a comment on behalf of the Special Counsel's office in regards to the recent reports that leaked memos by Mr. Comey contained classified, secret information?

Also, reports that the memos are being investigated as government records, rather than personal memos as he testified. Can you confirm either of those reports?

Thank you,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Sent from my iPhone

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Nestande, Francesca

From: Nestande, Francesca
Sent: Saturday, July 8, 2017 3:37 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Hannity request

Yes of course... here is Sean's ce (b) (6) Thank you!

> On Jul 7, 2017, at 11:21 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>

> No prob. We're on the road until Wednesday night. If you can send me a number, I can try to have the AG give him a call during one of our breaks. Would that work?

>> On Jul 7, 2017, at 1:41 PM, Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM> wrote:
>>

>> Copy- sean would love to get him on so please let me know if there's another day that works. Most likely taping same time.

>>> On Jul 7, 2017, at 1:27 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>>>

>>> We're on a plane at that point on monday. We could look at another time later in the week potentially.
>>>

>>>> On Jul 7, 2017, at 12:53 PM, Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM> wrote:
>>>>

>>>> Hi Sarah-

>>>> Any chance the AG can join us on Hannity Monday taping 440-6P ET? Sean would really love to get him on with us.

>>>> Thank you!
>>>> Francesca

>>>> Francesca Nestande
>>> (b) (6)
>>>>

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>>>>
>>

Nestande, Francesca

From: Nestande, Francesca
Sent: Friday, July 7, 2017 10:32 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Hannity request

Ok, maybe Tuesday then? He just said an off record catch up on a number of issues.

> On Jul 7, 2017, at 10:28 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>

> The AG is back to back on Monday bc it's a travel day for us. Can Sean say what its regarding?

>

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

> From: Nestande, Francesca [mailto:Francesca.Nestande@FOXNEWS.COM]

> Sent: Friday, July 7, 2017 10:11 PM

> To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>

> Subject: Re: Hannity request

>

> Sean is asking to setup an off the record call with the AG Monday. Think we can arrange this? Sean is usually available 9A-12P or after 6P.

>

>> On Jul 7, 2017, at 1:40 PM, Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM> wrote:

>>

Duplicative Material



Carlson, Tucker

From: Carlson, Tucker
Sent: Friday, July 7, 2017 7:14 PM
To: Prior, Ian (OPA)
Subject: Re: good story right here

That's for sure.

On Jul 7, 2017, at 11:04 AM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

<https://www.wsj.com/articles/some-prosecutors-offer-plea-deals-to-avoid-deportation-of-noncitizens-1499419802>

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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Nestande, Francesca

From: Nestande, Francesca
Sent: Friday, July 7, 2017 1:00 PM
To: Prior, Ian (OPA)
Subject: Hannity request

Hi Ian- Can you please pass me along the press contact for the CIA director?

Thank you!
Francesca

Francesca Nestande

(b) (6)

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Kerkman, Maggie

From: Kerkman, Maggie
Sent: Friday, July 7, 2017 11:27 AM
To: O'Malley, Devin (OPA)
Subject: Re: ATTORNEY GENERAL SESSIONS TO TRAVEL TO DALLAS

Thanks

Maggie Kerkman
Fox News Channel
Field Producer, SW Bureau
(b) (6) cell
(b) (6) bureau

On Jul 7, 2017, at 11:26, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Of course

If he can try to be there for preset that would be great

Sent from my iPhone

On Jul 7, 2017, at 10:25 AM, Kerkman, Maggie <Maggie.Kerkman@FOXNEWS.COM> wrote:

May we please add photographe (b) (6)?
(b) (6)

Thank-you.

Maggie Kerkman
Fox News Channel
Field Producer, SW Bureau
(b) (6) cell
(b) (6) bureau

On Jul 7, 2017, at 09:37, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Thanks, Maggie.

Sent from my iPhone

On Jul 7, 2017, at 8:36 AM, Kerkman, Maggie
<Maggie.Kerkman@FOXNEWS.COM> wrote:

FNC would like to credential four people for Tuesday's event:

Truck o (b) (6) (b) (6)
Correspondent Casey Stegall casey.stegall@foxnews.com
Producer Maggie Kerkman Maggie.kerkman@foxnews.com
Photograph (b) (6) (b) (6)

From: "USDOJ-Office of Public Affairs (SMO)" <USDOJ-Office.of.Public.Affairs@usdoj.gov>
Date: July 6, 2017 at 19:38:51 EDT
To: "USDOJ-Office of Public Affairs (SMO)" <USDOJ-Office.of.Public.Affairs@usdoj.gov>
Subject: ATTORNEY GENERAL SESSIONS TO TRAVEL TO DALLAS

<image001.jpg><image002.png>

FOR PLANNING PURPOSES
ONLY

AG
THURSDAY, JULY 6,
2017
(202) 514-2007
WWW.JUSTICE.GOV

TTY (866) 544-5309

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

**ATTORNEY GENERAL SESSIONS TO
TRAVEL TO DALLAS**

WASHINGTON – Attorney General Jeff Sessions will travel to Dallas, Texas, on **TUESDAY, JULY 11, 2017**, to speak at the 30th D.A.R.E. International Training Conference about the opioid epidemic.

WHO: Attorney General Jeff Sessions

WHAT: Remarks at the 30th D.A.R.E. International Training

Conference about the opioid
epidemic

WHEN: TUESDAY, JULY 11, 2017
1:30 pm CDT

WHERE: Gaylord Texan Resort &
Convention Center

1501 Gaylord Trail
Grapevine, Texas 76051

OPEN PRESS

(Camera preset for K9 Sweep:
12:00 p.m. CDT // Final Access:
12:45 p.m. CDT)

NOTE: All media must RSVP and present government-issued photo I.D. (such as a driver's license) as well as valid media credentials. The RSVP and any inquiries regarding logistics should be directed to Devin O'Malley in the Office of Public Affairs at (202) 514-2007 or devin.omalley@usdoj.gov. Please include the email address of the person(s) attending the event, so that we may reach them directly if details change.

#

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, July 7, 2017 11:16 AM
To: Ian Mason
Subject: RE: Department of Justice Statement on Attorney General Sessions and Deputy Attorney General Rosenstein Visiting Guantanamo Bay

I don't think so

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
C I (b) (6)

From: Ian Mason [mailto:imason@breitbart.com]
Sent: Friday, July 7, 2017 11:16 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Department of Justice Statement on Attorney General Sessions and Deputy Attorney General Rosenstein Visiting Guantanamo Bay

Ian,

Do you know if the AG or DAG are going to make a statement from Cuba later?

Thanks.

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

From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Sent: Friday, July 7, 2017 8:46am
To: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Subject: Department of Justice Statement on Attorney General Sessions and Deputy Attorney General Rosenstein Visiting Guantanamo Bay

Please attribute the following statement to me in your coverage of today's visit to Guantanamo Bay by Attorney General Sessions and Deputy Attorney General Rosenstein:

"Keeping this country safe from terrorists is the highest priority of the Trump administration. Recent attacks in Europe and elsewhere confirm that the threat to our nation is immediate and real, and it remains essential that we use every lawful tool available to prevent as many attacks as possible.

"The Attorney General, along with the Deputy Attorney General, will be traveling to our base in Guantanamo Bay today. In addition to the Department of Justice's role in handling detainee-related litigation, it is important for the Department of Justice to have an up-to-date understanding of current operations. The purpose of the trip is to gain that understanding by meeting with the people on the ground who are leading our government-wide efforts at GTMO."

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Spinato, Eric

From: Spinato, Eric
Sent: Thursday, July 6, 2017 12:33 PM
To: Flores, Sarah Isgur (OPA)
Subject: Hello, Sarah

I hope you had a great 4th of July Holiday weekend.
I'm looking to schedule AG Sessions, for his first visit with Maria since becoming AG.

This story below is very good.
Could he join MB live, this Sunday, between 10a-10:30a?
If not, is there a day next week, he can appear on her FBN morning show, between 7a-9a.

Thank you, for your consideration

Cordially,
Eric

AP-US--Attorney General-Sanctuary Cities,113

Justice Dept questions cities on following immigration law

By **SADIE GURMAN**
Associated Press

WASHINGTON (AP) -- The Justice Department is questioning whether some so-called sanctuary cities are responding honestly when asked whether they follow the law on sharing the immigration status of residents.

Attorney General Jeff Sessions says the department is reviewing responses from 10 jurisdictions that are facing the loss of some federal grant money if they can't prove they cooperate with federal immigration authorities.

The cities include New York, Chicago, New Orleans and Philadelphia -- where Sessions canceled a speaking appearance that was set for Thursday.

Also on the list are two states -- California and Connecticut -- along with Miami-Dade County in Florida; Cook County in Illinois; Milwaukee County in

Wisconsin; and Clark County in Nevada.
AP-WF-07-06-17 1620GMT

Eric Spinato

Senior Story Editor, Fox Business Network

(b) (6)

C

(b) (6)

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Carlson, Tucker

From: Carlson, Tucker
Sent: Thursday, July 6, 2017 10:01 AM
To: Prior, Ian (OPA)
Subject: Re: this might be a good "mainstream media tilts narrative" segment

Awesome. Thanks for this.

On Jul 6, 2017, at 9:29 AM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Hey Tucker, hope all is well. Have something that might be of interest, especially given the whole theme of the week with the media vs. the admin.

So a few weeks ago the AG writes an op-ed in the Washington Post defending his charging and sentencing policy: https://www.washingtonpost.com/opinions/jeff-sessions-being-soft-on-sentencing-means-more-violent-crime-its-time-to-get-tough-again/2017/06/16/618ef1fe-4a19-11e7-9669-250d0b15f83b_story.html?tid=ai&utm_term=.79edf396413d

The Washington Post then prints about five responses to the op-ed (below), including from former Deputy AG Sally Yates perpetuating the Holder myth of low level drug offenders, etc.

Then several law enforcement groups try to counter these by submitting a reply to Wapo. Wapo says they've covered it enough. So the law enforcement groups go to Fox [News.com](http://nation.foxnews.com/2017/07/05/law-enforcement-leaders-how-smart-was-obamas-smart-crime-initiative-not-very) which publishes the op-ed yesterday: <http://nation.foxnews.com/2017/07/05/law-enforcement-leaders-how-smart-was-obamas-smart-crime-initiative-not-very>

Seems to me a pretty blatant example of mainstream media tipping the scales towards the narrative they want.

Let me know if you're interested and I can connect you with someone from the group - probably Ron Hosko who has been on with you guys before

Jeff Sessions wants a new war on drugs. It won't work.

https://www.washingtonpost.com/opinions/the-new-war-on-drugs-wont-be-any-more-effective-than-the-old-one/2017/06/22/669260ee-56c3-11e7-a204-ad706461fa4f_story.html?utm_term=.137abc821bfb

Rebutting Jeff Sessions's assertions on drug use and crime

https://www.washingtonpost.com/opinions/rebutting-jeff-sessions-assertions-on-drug-use-and-crime/2017/06/21/fec5c8cc-5512-11e7-840b-512026319da7_story.html?utm_term=.0910f486d195

Letters to the Editor (Various authors) - [7/21/17](#)

Making America scared again won't make us safer

https://www.washingtonpost.com/opinions/making-america-scared-again-wont-make-us-safer/2017/06/23/f53d238e-578a-11e7-ba90-f5875b7d1876_story.html?utm_term=.cf08f738be57

Jeff Sessions isn't making America safer. He might be making it more dangerous.

https://www.washingtonpost.com/news/posteverything/wp/2017/06/27/jeff-sessions-isnt-making-america-safer-he-might-be-making-it-more-dangerous/?utm_term=.1b4a976b6265

Here are all the ways Jeff Sessions is wrong about drug sentencing

https://www.washingtonpost.com/news/the-watch/wp/2017/06/20/here-are-all-the-ways-jeff-sessions-is-wrong-about-drug-sentencing/?utm_term=.35b21984d914

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, July 5, 2017 8:14 PM
To: taylor.fleming@foxnews.com
Subject: Hey Taylor

See below please. Let me know if F&F is interested.

Thx

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Begin forwarded message:

From: IPrior@jmd.usdoj.gov
Date: July 5, 2017 at 7:08:55 PM EDT
To: Andrew.Murray@FOXNEWS.COM
Subject: you might like this

So the AG writes an op-ed in the Washington Post defending his charging and sentencing policy:
https://www.washingtonpost.com/opinions/jeff-sessions-being-soft-on-sentencing-means-more-violent-crime-its-time-to-get-tough-again/2017/06/16/618ef1fe-4a19-11e7-9669-250d0b15f83b_story.html?tid_a_inl&utm_term_.79edf396413d

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- https://www.washingtonpost.com/news/the-watch/wp/2017/06/20/here-are-all-the-ways-jeff-sessions-is-wrong-about-drug-sentencing/?utm_term=.35b21984d914

Ian D. Prior

Principal Deputy Director of Public Affairs

Office: 202.616.0911

Cel (b) (6)

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, July 5, 2017 7:09 PM
To: Andrew.Murray@FOXNEWS.COM
Subject: you might like this

So the AG writes an op-ed in the Washington Post defending his charging and sentencing policy:

https://www.washingtonpost.com/opinions/jeff-sessions-being-soft-on-sentencing-means-more-violent-crime-its-time-to-get-tough-again/2017/06/16/618ef1fe-4a19-11e7-9669-250d0b15f83b_story.html?tid_a_inl&utm_term=.79edf396413d

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Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Mears, William

From: Mears, William
Sent: Wednesday, July 5, 2017 2:00 PM
To: Prior, Ian (OPA)
Subject: Re: From Fox News - RE: CANCELED: ATTORNEY GENERAL SESSIONS TO TRAVEL TO PHILADELPHIA

Yes hear (b) (6)
Will of course abide by the OTR guidance

Sent from my iPhone

On Jul 5, 2017, at 1:49 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Strictly off the record

Bu (b) (6)

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Mears, William [<mailto:William.Mears@FOXNEWS.COM>]
Sent: Wednesday, July 5, 2017 1:06 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: From Fox News - RE: CANCELED: ATTORNEY GENERAL SESSIONS TO TRAVEL TO PHILADELPHIA

Hi Ian do you have guidance on why this speech in Philly was canceled? Is there another event on the Attorney General's schedule? Anything you can offer appreciated.

Best,
Bill Mears
Fox News Producer

From: USDOJ-Office of Public Affairs (SMO) [<mailto:USDOJ-Office.of.Public.Affairs@usdoj.gov>]
Sent: Wednesday, July 05, 2017 9:54 AM
To: USDOJ-Office of Public Affairs (SMO) <USDOJ-Office.of.Public.Affairs@usdoj.gov>
Subject: CANCELED: ATTORNEY GENERAL SESSIONS TO TRAVEL TO PHILADELPHIA

<image001.jpg><image002.png>

FOR PLANNING PURPOSES ONLY

AG

WEDNESDAY, JULY 5, 2017

WWW.JUSTICE.GOV

(202) 514-2007

TTY (866) 544-5309

-
***** MEDIA ADVISORY *****

CANCELED: ATTORNEY GENERAL SESSIONS TO TRAVEL TO PHILADELPHIA

WASHINGTON – Attorney General Jeff Sessions will no longer travel to Philadelphia, Pennsylvania, on **THURSDAY, JULY 6, 2017**, to speak with federal, state and local law enforcement about sanctuary cities and efforts to combat violent crime.

#

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Monday, July 3, 2017 1:01 PM
To: Kerry Picket
Subject: Re: ATTORNEY GENERAL SESSIONS TO TRAVEL TO PHILADELPHIA

Thank you

Sent from my iPhone

On Jul 3, 2017, at 12:56 PM, Kerry Pickett <kerry@dailycaller.com> wrote:

I'd like to RSVP to this as press.

Kerry Pickett
Daily Caller

On Mon, Jul 3, 2017 at 12:44 PM, USDOJ-Office of Public Affairs (SMO) <USDOJ-Office.of.Public.Affairs@usdoj.gov> wrote:

<image001.jpg>

FOR PLANNING PURPOSES ONLY

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THURSDAY, JULY 6, 2017

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TTY [\(866\) 544-5309](tel:(866)544-5309)

-
***** MEDIA ADVISORY *****

ATTORNEY GENERAL SESSIONS TO TRAVEL TO PHILADELPHIA

WASHINGTON – Attorney General Jeff Sessions will travel to Philadelphia, Pennsylvania, on **THURSDAY, JULY 6, 2017**, to speak with federal, state and local law enforcement about sanctuary cities and efforts to combat violent crime.

WHO: Attorney General Jeff Sessions

WHAT: Speech to federal, state and local law enforcement partners about sanctuary cities and efforts to combat violent crime.

WHEN: THURSDAY, JULY 6, 2017

1:00 p.m. EDT

WHERE: U.S. Attorney's Office

615 Chestnut Street, Suite 1250

Philadelphia, PA 19106

OPEN PRESS

(Camera preset for K9 Sweep: 12:00 p.m. EDT // Final Access: 12:30 p.m. EDT)

NOTE: All media must RSVP and present government-issued photo I.D. (such as a driver's license) as well as valid media credentials. The RSVP and any inquiries regarding logistics should be directed to Devin O'Malley in the Office of Public Affairs at [\(202\) 514-2007](tel:2025142007) or devin.omalley@usdoj.gov. Please include the email address of the person(s) attending the event, so that we may reach them directly if details change.

#

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](tel:2025142007).

--

Kerry Picket

Reporter

Kerry@DailyCaller.com

[@KerryPicket](#)

[<image007.png>](#)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, June 30, 2017 5:55 PM
To: Gibson, Jake
Subject: RE: Brett's email address?

Well, I had a great idea but it just died. So now I'm trying to come up with a second mediocre idea. But its probably less urgent.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

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

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Friday, June 30, 2017 4:06 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: Brett's email address?

You ready to have the AG on Special Report?

Bret.baier@foxnews.com

Jake Gibson
Field Producer
Fox News Washington

(b) (6)

@JakeBGibson

> On Jun 30, 2017, at 4:04 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>

>

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Gibson, Jake

From: Gibson, Jake
Sent: Friday, June 30, 2017 1:56 PM
To: Prior, Ian (OPA)
Subject: Re: **clean copy**ATTORNEY GENERAL JEFF SESSIONS: WE CANNOT ACCEPT THESE LEVELS OF VIOLENCE IN CHICAGO

Copy that.
Thanks!

Sent from my iPhone

On Jun 30, 2017, at 1:55 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Just hold this under emargo until 2 when we release

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

<image001.jpg><image002.png>

FOR IMMEDIATE RELEASE

AG

FRIDAY, JUNE 30, 2017
WWW.JUSTICE.GOV

(202) 514-2007
TTY (866) 544-5309

**ATTORNEY GENERAL JEFF SESSIONS: WE CANNOT ACCEPT THESE LEVELS
OF VIOLENCE IN CHICAGO**

WASHINGTON Today Attorney General Jeff Sessions issued the following statement on the unacceptable violence plaguing the City of Chicago and outlined steps that the Department of Justice is taking to increase public safety:

"No child in America should have to walk the streets of their neighborhood in fear of violent criminals, and yet in Chicago, thousands of children do every day. Last year, more than 4,300 Chicagoans were shot, and more than 700 were killed the deadliest year in two decades."

"The Trump Administration will not let the bloodshed go on; we cannot accept these levels of violence. That's why, under President Trump's strong leadership, we have created the Chicago Gun Strike Force and are sending 20 more permanent ATF agents to Chicago, reallocating federal

prosecutors and prioritizing prosecutions to reduce gun violence, and working with our law enforcement partners to stop the lawlessness.”

“The Trump administration will also continue to pursue every avenue available to ensure that states and cities comply with federal immigration law and protect our citizens rather protecting the criminal illegal aliens who prey upon them. So-called "sanctuary" policies tie the hands of law enforcement by rejecting common sense and undermining federal laws that would remove criminal, illegal aliens from the streets and remove them from this country. These policies are opposed by some 80 percent of the American people because they endanger us all by letting dangerous criminals stay in this country that are due to be removed.”

“I want to commend the President for his commitment to enforcing our laws and keeping our communities safe.”

“The most critical factor to our success is the strength, training, and morale of the Chicago Police Department and all of our law enforcement partners. This administration is anxious to work toward this goal.”

“And I am confident in Celinez Nunez, the new Special Agent in Charge of the Chicago office of ATF, who has experienced the tragic consequences of gang violence firsthand. With these new resources, she will help us make Chicago safe again.”

BACKGROUND INFORMATION ON CRIME GUN STRIKE FORCE

The Crime Gun Strike Force, a permanent team of special agents, task force officers, intelligence research specialists, and ATF Industry Operations investigators who are focused on the most violent offenders, in the areas of the city with the highest concentration of firearm violence.

The Strike Force became operational June 1, 2017, and consists of 20 additional permanent ATF special agents, 6 intelligence research specialists, 12 task force officers from the Chicago Police Department (CPD), 2 task force officers from the Illinois State Police, and 4 NIBIN specialists (National Integrated Ballistics Information Network).

###

17-

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representation is made that this email or its attachments are without defect.

Nicoletti, Christofer

From: Nicoletti, Christofer
Sent: Friday, June 30, 2017 8:23 AM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA); Murray, Andrew
Subject: RE: Fox & Friends Topics

Hello Sarah,

It's not our intention by any means to do a "bait and switch." We were just hoping to hear his take on the news of the day.

Sincerely,
Christofer

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Friday, June 30, 2017 8:03 AM
To: Nicoletti, Christofer
Cc: Prior, Ian (OPA); Murray, Andrew
Subject: Re: Fox & Friends Topics

This is not what we agree to yesterday. We specially said the only topics would be travel ban and the EO. I don't appreciate the bait and switch at the last minute and you can expect we will not take you at your word next time--if there is one.

On Jun 30, 2017, at 7:39 AM, Nicoletti, Christofer <Christofer.Nicoletti@FOXNEWS.COM> wrote:

Good Morning Sarah,

We're looking forward to having the Attorney General on this morning. Below are the topics we'll be discussing. Please feel free to send any thoughts the Attorney General has on them. Happy to be working with you!

1) OVERNIGHT PRESIDENT TRUMP'S REVISED TRAVEL BAN GOES INTO EFFECT WITH MINIMAL DISRUPTION BUT HAWAII HAS ALREADY FILED SUIT

2) HOUSE GOP PASSES 2 BILLS THAT CRACKDOWN ON ILLEGAL IMMIGRATION - BUT WILL IT GET THROUGH THE SENATE?

2A) REPUBLICAN LED STATES THREATEN TO SUE TRUMP ADMINISTRATION OVER DREAMERS' POLICY

3) LATEST ON RUSSIA PROBE: PRESIDENT TRUMP TOLD AINSLEY LAST WEEK THAT RELATIONSHIP BETWEEN COMEY & MUELLER WAS BOTHERSOME - DOES HE AGREE?

Thank you,
Christofer

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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.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, June 30, 2017 8:04 AM
To: Nicoletti, Christofer
Cc: Prior, Ian (OPA)
Subject: Re: Fox & Friends Topics

To clarify I meant travel ban and sanctuary cities.

On Jun 30, 2017, at 7:39 AM, Nicoletti, Christofer <Christofer.Nicoletti@FOXNEWS.COM> wrote:

Duplicative Material



Murray, Andrew

From: Murray, Andrew
Sent: Thursday, June 29, 2017 8:58 PM
To: Creighton, Kelly M (OPA)
Cc: (b) (6) - Camera Operator ; McGowan, Ashley L. (OPA); Prior, Ian (OPA); Flores, Sarah Isgur (OPA); Nicoletti, Christofer
Subject: Details for "Fox & Friends" Interview with Attorney General Sessions Tomorrow (Friday) LIVE at 8am ET

Hi Kelly,

Here are the details for tomorrow. I am copying overnight producer Christopher Nicoletti who will be in at 11pm to work on the segment and will update you on any additional topics. He can be reached (b) (6) email: christofer.nicoletti@foxnews.com, please let us know when our cameraman (b) (6) (also copied) can arrive tomorrow and who will be AM POC meeting him at the visitor's entrance on your end (b) (6) can be reached on his cell (b) (6) and email (b) (6) additional details are below.

"Fox & Friends"

DATE: Friday, June 30th

CREW ARRIVAL TIME: 6:30am ET 7am ET

GUEST ARRIVAL TIME: 7:45 am ET

LIVE INTERVIEW: 8:00 am ET 8:14am ET with Steve Doocy, Ainsley Earhardt and Pete Hegseth (filling in for Brian Kilmeade)

TOPICS:

1) ATTORNEY GENERAL SESSIONS: CONGRESS MUST PASS KATE'S LAW AND MAKE AMERICA SAFER
<http://www.foxnews.com/opinion/2017/06/28/attorney-general-sessions-congress-must-pass-kates-law-and-make-america-safer.html>

2) U.S. HOUSE PASSES TWO BILLS CRACKING DOWN ON ILLEGAL IMMIGRATION

3) FORMER ACTING ATTORNEY GENERAL SALLY YATES SAID THAT SHE INSTRUCTED THE DOJ NOT TO ENFORCE THE TRAVEL BAN BECAUSE NO REASONABLE ATTORNEY COULD BELIEVE IT WAS CONSTITUTIONAL. 9 JUSTICES ON THE SUPREME COURT DISAGREE AND THEY SEEM LIKE REASONABLE ATTORNEYS

LOCATION: Department of Justice (7th Floor)

AM ON-SITE FNC CONTACT (b) (6) cell (b) (6) EMAIL (b) (6)

AM EMERGENCY CONTACT: Kelly May: CELL (b) (6) Greenroom (b) (6) email: (b) (6)

AM TOPICS CONTACT: Christofer Nicoletti Phone (b) (6) email: christofer.nicoletti@foxnews.com

Thanks in advance,

Andrew Murray
Producer, Politics
"Fox & Friends"
Fox News Channel
1211 Avenue of the Americas, 2nd Floor
New York, NY 10036
Offic (b) (6)
Cell # (b) (6)
Cell # (b) (6)
FAX: (212) 301-3421
Email: andrew.murray@foxnews.com
@andrewmurray1

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Murray, Andrew

From: Murray, Andrew
Sent: Thursday, June 29, 2017 1:58 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: RE: Interview with AG Sessions

Yes, booking a crew and I'll send you all the information as soon as I get it.

Andrew

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, June 29, 2017 1:19 PM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Interview with AG Sessions

Good point can we set up over here on our 7th floor? I can have a team here early to let everyone in and get set up.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Murray, Andrew [<mailto:Andrew.Murray@FOXNEWS.COM>]
Sent: Thursday, June 29, 2017 1:16 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Interview with AG Sessions

Do you want to do this from our DC bureau or another location.

Andrew

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, June 29, 2017 1:12 PM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Interview with AG Sessions

Yep we can add that for sure. In fact, you should ask him about this: Sally Yates, if you remember, said that she instructed the DOJ not to enforce the travel ban because no reasonable attorney could believe it was constitutional. Well, 9 justices on the Supreme Court disagree and they seem like reasonable attorneys. I haven't heard anyone make this point yet so would be fun to do it on your show!

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Murray, Andrew [<mailto:Andrew.Murray@FOXNEWS.COM>]
Sent: Thursday, June 29, 2017 1:08 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Interview with AG Sessions

Would it be possible to ask about the executive order on enhanced vetting that goes back into effect tonight?

Andrew

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, June 29, 2017 1:03 PM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Interview with AG Sessions

If we can stick to the oped, sanctuary cities, and the two house bills as the topic, then we're good. That work for you?

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, June 29, 2017 12:50 PM
To: 'Murray, Andrew' <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Interview with AG Sessions

Should be soon just waiting for white house to tell me theyre aware. We're all good over here.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Murray, Andrew [<mailto:Andrew.Murray@FOXNEWS.COM>]
Sent: Thursday, June 29, 2017 12:44 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Interview with AG Sessions

Great, we are holding! Please let me know when we can confirm.

Andrew

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, June 29, 2017 11:10 AM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>

Subject: Re: Interview with AG Sessions

Sounds good. Let's hold that.

On Jun 29, 2017, at 10:49 AM, Murray, Andrew <Andrew.Murray@FOXNEWS.COM> wrote:

Thanks, how about LIVE from 8:00am ET 8:14am ET?

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, June 29, 2017 10:24 AM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Interview with AG Sessions

Anything in the 730-815 time zone available? Should be able to get you a firm commitment in about 2 hours.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Murray, Andrew [<mailto:Andrew.Murray@FOXNEWS.COM>]
Sent: Thursday, June 29, 2017 10:13 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Interview with AG Sessions

Thank you! For planning purposes only, what time are you thinking? We are happy to hold the spot.

Andrew

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, June 29, 2017 10:11 AM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Interview with AG Sessions

Hold this for us I'm 90% sure we're going to say yes

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Murray, Andrew [<mailto:Andrew.Murray@FOXNEWS.COM>]
Sent: Thursday, June 29, 2017 6:42 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: Interview with AG Sessions

Good morning Sarah,

Please let us know if Attorney General Sessions is available to appear on "Fox and Friends" tomorrow (Friday) for a live interview about his op-ed.
<http://www.foxnews.com/opinion/2017/06/28/attorney-general-sessions-congress-must-pass-kates-law-and-make-america-safer.html>

Thanks in advance,

Andrew Murray
Producer, Politics
"Fox & Friends"
Fox News Channel
[1211 Avenue of the Americas, 2nd Floor](#)
[New York, NY 10036](#)
Office: (b) (6)
Cell #: (b) (6)
Cell #: (b) (6)
FAX: (212) 301-3421
Email: andrew.murray@foxnews.com
@andrewmurray1

On Jun 12, 2017, at 12:31 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Roger that

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

From: Murray, Andrew [<mailto:Andrew.Murray@FOXNEWS.COM>]
Sent: Monday, June 12, 2017 12:23 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Interview with AG Sessions

Hi Sarah,

If you decide to set up interviews with Attorney General Sessions this week, LIVE or taped, just let us know.

Thanks in advance,

Andrew Murray
Producer, Politics
"Fox & Friends"
Fox News Channel

[1211 Avenue of the Americas, 2nd Floor](#)
[New York, NY 10036](#)

Offic (b) (6)

Cell # (b) (6)

Cell # (b) (6)

FAX: [\(212\) 301-3421](#)

Email: andrew.murray@foxnews.com
@andrewmurray1

On May 24, 2017, at 8:26 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Awesome possum;)

On May 24, 2017, at 7:16 PM, Murray, Andrew
<Andrew.Murray@FOXNEWS.COM> wrote:

Thanks, we probably won't do anything on it other than we read the statement and laugh at CNN...we figured as much.

Andrew

From: Flores, Sarah Isgur (OPA)
[<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Wednesday, May 24, 2017 8:13 PM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: Fwd: STATEMENT ON CNN STORY

Here's our statement. Ian can fill you in whenever you want.
Such a nothing burger. CNN click bait fake news at its finest.

Begin forwarded message:

From: "USDOJ-Office of Public Affairs (SMO)"
<Ex_PAOMailbox@jmd.usdoj.gov>
Date: May 24, 2017 at 6:45:52 PM CDT
To: "USDOJ-Office of Public Affairs (SMO)"
<Ex_PAOMailbox@jmd.usdoj.gov>
Subject: STATEMENT ON CNN STORY

<image001.jpg><image002.png>

FOR IMMEDIATE RELEASE

AG
WEDNESDAY, MAY 24, 2017 (202)

514-2007
WWW.JUSTICE.GOV TTY (866) 544-
5309

STATEMENT ON CNN STORY

WASHINGTON Deputy Director of
Public Affairs Ian Prior issued the following
statement in response to this evening's CNN
story:

“As a United States Senator, the
Attorney General met hundreds if not
thousands of foreign dignitaries and their staff.
In filling out the SF-86 form, the Attorney
General's staff consulted with those familiar
with the process, as well as the FBI investigator
handling the background check, and was
instructed not to list meetings with foreign
dignitaries and their staff connected with his
Senate activities.”

#

DO NOT REPLY TO THIS MESSAGE. IF
YOU HAVE QUESTIONS, PLEASE USE
THE CONTACTS IN THE MESSAGE OR
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AT 202-514-2007.

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taken to have been sent or endorsed by either of them. No
representation is made that this email or its attachments are

without defect.

Murray, Andrew

From: Murray, Andrew
Sent: Thursday, June 29, 2017 1:14 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: RE: Interview with AG Sessions

That sounds great!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Thursday, June 29, 2017 1:12 PM
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Interview with AG Sessions

Duplicative Material



Sent:
To: Murray, Andrew <Andrew.Murray@FOXNEWS.COM>

Laco, Kelly (OPA)

From: Laco, Kelly (OPA)
Sent: Thursday, June 29, 2017 12:52 PM
To: Gibson, Jake
Cc: Sutton, Sarah E. (OPA)
Subject: RE: RSVP

Thanks.

Kelly Laco
Office of Public Affairs
Department of Justice
Office: 202-353-0173
Cell (b) (6)

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Thursday, June 29, 2017 12:39 PM
To: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: RSVP

I'd like to attend both of these events please.

WHAT: Attorney General Jeff Sessions will meet with family members of victims killed by illegal immigrants followed by an opportunity for families of victims to share their stories with members of the press.

WHEN: THURSDAY, JUNE 29, 2017
1:45 p.m. EDT Media arrives; a DOJ representative will meet photographers at the Visitor's Center to escort them to the Attorney General's office.
1:55 p.m. EDT Photographers stage in Attorney General's office.
2:00 p.m. EDT Photo-op with families and the Attorney General; Photographers will be escorted to the conference room at this time.
2:00-2:45 p.m. EDT Media set up; Media positions will be first-come, first-served.
3:15 p.m. EDT Panel discussion with the families of victims; open to press that RSVP.

WHERE: Department of Justice Main Building
7th Floor Attorney General Conference Room
950 Pennsylvania Avenue NW
Washington, D.C. 20530

NOTE: All media must RSVP in order to attend and present government-issued photo I.D. (such as a driver's license) as well as valid media credentials. The RSVP and any inquiries regarding logistics should be directed to Kelly Laco in the Office of Public Affairs (b) (6) or kelly.laco@usdoj.gov.

Jake Gibson
Fox News Washington
Field Producer
Cell (b) (6)
Cell (b) (6)
Jake.Gibson@foxnews.com
@JakeBGibson

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Laco, Kelly (OPA)

From: Laco, Kelly (OPA)
Sent: Thursday, June 29, 2017 12:16 PM
To: Ian Mason
Cc: Sutton, Sarah E. (OPA)
Subject: RE: RSVP for Victims of Illegal Aliens Event

Thanks.

Kelly Laco
Office of Public Affairs
Department of Justice
Office: 202-353-0173
Cell (b) (6)

From: Ian Mason [mailto:imason@breitbart.com]
Sent: Thursday, June 29, 2017 12:11 PM
To: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>
Subject: RSVP for Victims of Illegal Aliens Event

Ms. Laco,

I'd like to RSVP for this afternoon's event at DOJ. Let me know if need to provide anything more.

Thanks,
Ian Mason
DOJ/Courts Reporter, Breitbart News
(b) (6)

Michelle D Moons

From: Michelle D Moons
Sent: Thursday, June 29, 2017 12:08 PM
To: Laco, Kelly (OPA)
Subject: Sessions Meeting with Families of Victims of Illegal Alien Crime Today
Importance: High

Hi Kelly,

This is Michelle Moons with Breitbart News. I was directed to send you an email regarding an event with AG Sessions today. I'm aware that the AG is meeting with families that are victims of illegal alien crime today around 2pm and from what I understand there will be a media availability afterward. Could you please provide me with any details about exactly where this is and what time someone would need to be there to cover? I don't anticipate us having any camera equipment, at most maybe phone photos, if allowed. I am covering the WH briefing today so I am trying to get someone to cover this event for us, but need more information to get someone over there — time, location, any other details.

Thank you sincerely for your time in responding to my questions for today's event.

Michelle

Michelle D Moons
Journalist
Breitbart News
mmoons@breitbart.com

(b) (6)

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, June 28, 2017 10:08 PM
To: Gibson, Jake
Subject: Re: FROM LYNNE, FOX NEWS OPINION EDITOR - Attorney General's oped is LIVE

Thanks, Jake.

Sent from my iPhone

On Jun 28, 2017, at 9:56 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Excellent.
Thanks so much Lynne!

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

On Jun 28, 2017, at 9:53 PM, Martin, Lynne Jordal <Lynne.JordalMartin@FOXNEWS.COM> wrote:

Good evening to all,

Ian and Devin, thanks again for sending this our way. Jake, thanks for making sure the piece found its way to me. I've shared this with our PM crew at FoxNews.com and have asked them to tweet it out. Details below:

ILLEGAL IMMIGRATION
@TheJusticeDept
Jeff Sessions
Attorney General Sessions: Congress must pass Kate's Law and make America safer

<http://www.foxnews.com/opinion/2017/06/28/attorney-general-sessions-congress-must-pass-kates-law-and-make-america-safer.html>

From: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Sent: Wednesday, June 28, 2017 8:30 PM

To: Gibson, Jake; Martin, Lynne Jordal; O'Malley, Devin (OPA)

Subject: RE: Fox News Op-Ed contact

Hi Lynne,

I would like to submit this op-ed on behalf of the Attorney General. We are hoping to get it published ASAP - as it relates to the two pieces of legislation being voted on tomorrow.

Please let me know if and when you can use.

THX!

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]

Sent: Wednesday, June 28, 2017 7:14 PM

To: Martin, Lynne Jordal <Lynne.JordalMartin@FOXNEWS.COM>; Prior, Ian (OPA)

<IPrior@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>

Subject: Fox News Op-Ed contact

Ian and Devin-

Meet Lynne, our senior op-ed editor.

Lynne- Ian and Devin are with the DOJ Office of Public Affairs and I think they have something good for you.

Thanks,

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

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Two years ago this week, a young woman named Kate Steinle was murdered in cold blood shot in the back as she walked with her father on a tourist pier in San Francisco.

The man charged with her murder, Juan Francisco Lopez-Sanchez, was a seven-time felon and an illegal alien who had been deported five times. And yet he walked the streets of an American city freely.

Lopez-Sanchez should never have been on that pier with Kate. He should have been in the custody of U.S. Immigration and Customs Enforcement (ICE). And he would have been if San Francisco had only notified ICE of his release from the city's custody, as ICE had requested.

But San Francisco refused to do so. The city continues to refuse to cooperate with federal immigration authorities. In fact, it's city policy.

That's because San Francisco is one of about 300 cities which openly refuse to turn over criminal illegal aliens to federal law enforcement.

These cities protect illegal aliens who have committed crimes, rather than their law-abiding residents. These jurisdictions refuse to provide ICE with information about removable illegal aliens who are in their custody and have committed a crime or are suspected of having committed a crime.

It's hard to believe, but some even refuse to hold known MS-13 gang members so that ICE can take them into custody. This gang terrorizes communities from Los Angeles to Long Island, killing, robbing, and pushing dangerous drugs on our streets. Members of this gang have murdered and gang-raped innocent children as part of their initiation into the group. Some 10,000 of these gang members are estimated to be in 40 states today and they tend to be concentrated in places that do not cooperate with federal immigration authorities. It's easy to see why.

Consider the case of Ever Valles, an illegal alien who was charged with robbing and murdering 32-year-old Tim Cruz at a Denver light rail station. ICE notified Denver authorities that it wanted to take custody of Valles, who had previously been charged with car theft and weapon possession and was a known gang member. But Denver authorities released him anyway. Cruz would not have died at the hands of Ever Valles had Valles been in ICE custody that day.

Cities like Denver also continue to shelter illegal aliens that are charged with driving under the influence or hit-and-run, despite the countless instances of illegal aliens, like Norlan Estrada-Reyes, driving carelessly and killing innocent Americans. In October, Estrada-Reyes hit and killed a young lawyer, Karina Pulec, and then fled from the scene. Estrada-Reyes had previously been arrested, but ICE was never notified.

The practices of these jurisdictions are not only contrary to sound policy; they're contrary to the law enforcement cooperation that is carried out every day in our country and is essential to public safety. Federal law enforcement is not asking too much of these cities and states. We are

simply asking them to do what *most* cities and states do, and something supported by the vast majority of the American people.

Congress can do its part to help end these policies by passing the *No Sanctuary for Criminals Act* and *Kate's Law*, two bills that would make all Americans safer.

The *No Sanctuary for Criminals Act* would withhold certain federal grant money from jurisdictions that prohibit their officers from cooperating with ICE. Under this bill, American taxpayers will no longer be forced to subsidize jurisdictions whose policies effectively work to make us less safe.

The bill also contains a provision known as Sarah and Grant's law which would ensure that illegal aliens are detained pending their removal proceedings. This provision was named after Sarah Root, a recent college graduate, who was killed by an illegal alien charged with driving under the influence of alcohol, and Grant Ronnebeck, who was killed by an illegal alien a self-proclaimed member of the Sinaloa cartel who had been released on bail pending his removal proceeding.

Congress can also make it harder for criminal aliens to repeatedly reenter the United States. *Kate's Law* would do that by increasing the penalties for deported aliens who return to the United States. We must send a clear message that re-entering after having been previously deported will cease to be a minor matter, but will result in prison and deportation.

These policies make all of us less safe by giving shelter to dangerous criminals. Congress can take a major step for public safety by passing these two critical pieces of legislation.

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 28, 2017 9:55 PM
To: Martin, Lynne Jordal
Cc: Gibson, Jake; O'Malley, Devin (OPA)
Subject: Re: FROM LYNNE, FOX NEWS OPINION EDITOR - Attorney General's oped is LIVE

Thank you so much Lynne!

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 28, 2017, at 9:53 PM, Martin, Lynne Jordal <Lynne.JordalMartin@FOXNEWS.COM> wrote:

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 28, 2017 9:30 PM
To: Martin, Lynne Jordal
Cc: Gibson, Jake; O'Malley, Devin (OPA)
Subject: Re: Fox News Op-Ed contact

Sorry @TheJusticeDept

Ian D. Prior
Principal Deputy Director of Public Affairs Office: 202.616.0911 Cel (b) (6)

> On Jun 28, 2017, at 9:03 PM, Martin, Lynne Jordal <Lynne.JordalMartin@FOXNEWS.COM> wrote:

>
> Ian,
> This looks good. I will produce and publish this right now. I can be reached a (b) (6) if you need to call.

>
> Kind regards,
> Lynne Jordal Martin
> Opinion Editor, FoxNews.com

>
>> On Jun 28, 2017, at 8:33 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 28, 2017 9:30 PM
To: Martin, Lynne Jordal
Cc: Gibson, Jake; O'Malley, Devin (OPA)
Subject: Re: Fox News Op-Ed contact

@TheJusticeDepartment

Ian D. Prior
Principal Deputy Director of Public Affairs Office: 202.616.0911 Cel (b) (6)

> On Jun 28, 2017, at 9:03 PM, Martin, Lynne Jordal <Lynne.JordalMartin@FOXNEWS.COM> wrote:
>

Duplicative Material



Martin, Lynne Jordal

From: Martin, Lynne Jordal
Sent: Wednesday, June 28, 2017 8:37 PM
To: Prior, Ian (OPA)
Cc: Gibson, Jake; O'Malley, Devin (OPA); Dooley, Peggy; Debelle Duplan, Morgan
Subject: ATTORNEY GENERAL'S Submission - Fox News Op-Ed contact

Good evening to all!
Thanks so much for this piece. I will look it over right away.

Sent from my iPhone

> On Jun 28, 2017, at 8:33 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:
>

Duplicative Material



Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, June 28, 2017 6:57 PM
To: O'Malley, Devin (OPA)
Subject: Re: Who is best op-ed POC at Fox/

Working on it now.

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

On Jun 28, 2017, at 6:18 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353 8763
Cel (b) (6)

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, June 28, 2017 5:40 PM
To: Gibson, Jake
Subject: Re: Hate Crimes Summit?

You are good

Sent from my iPhone

On Jun 28, 2017, at 5:18 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Do I need to RSVP?

Sent from my iPhone

On Jun 28, 2017, at 5:11 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Yes, trying to get out the door, but FYI CBS is pooling

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353-8763
Cel (b) (6)

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]
Sent: Wednesday, June 28, 2017 5:10 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Hate Crimes Summit?

Hey there-
Do you have logistics for this?

Thursday, June 29, 2017

-

9:30 a.m. EDT Attorney General Jeff Sessions will be making the opening remarks at the 2017 Hate Crimes Summit. Washington, DC
OPEN PRESS (For Opening Remarks Only)

NOTE: Press inquiries regarding logistics should be directed to Devin O'Malley at devin.omalley@usdoj.gov

Jake Gibson
Field Producer
Fox News Washington

(b) (6)
@JakeBGibson

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Maltas, Mike

From: Maltas, Mike
Sent: Wednesday, June 28, 2017 9:35 AM
To: O'Malley, Devin (OPA)
Subject: Fox News RSVP: AG Session Hate Crimes remarks, June 29

Attn: Devin O'Malley

Fox News would like to RSVP for Attorney General Sessions remarks at Hate Crimes Subcommittee Summit, Thursday at DOJ. At this time we have not assigned specific personnel(Photog &/or Producer), but will forward as soon as possible. Logistical/timeline details (or changes) ahead or our sending personnel specific info can be sent to me mike.maltas@foxnews.com . Please let me know if you need anything g else at this time.

Mike Maltas
Fox News
400 N. Capitol St., NW
Washington, DC 20002
Offic (b) (6)
Cel (b) (6)
Mike.maltas@foxnews.com

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, June 26, 2017 7:45 PM
To: Samuel, Robert
Subject: Re: Fox News question

We don't comment on the existence or non existence of investigations.

On Jun 26, 2017, at 7:42 PM, Samuel, Robert <Robert.Samuel@FOXNEWS.COM> wrote:

Hi Sarah,

I'm a producer with Fox News.

Does DOJ have any comment on whether or not Senator Bernie Sanders is personally under investigation?

<http://www.politico.com/magazine/story/2017/06/22/bernie-sanders-jane-sanders-lawyer-bank-fraud-investigation-burlington-college-215297>

Thanks,

Robert

(b) (6)

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Gibson, Jake

From: Gibson, Jake
Sent: Monday, June 26, 2017 4:48 PM
To: O'Malley, Devin (OPA)
Subject: RE: SCOTUS decision

Copy that... and thanks.

DHS people are saying "refer to our statement..."

And this seems to be the applicable part.

"The Department will provide additional details on implementation after consultation with the Departments of Justice and State. The implementation of the Executive Order will be done professionally, with clear and sufficient public notice, particularly to potentially affected travelers, and in coordination with partners in the travel industry."

Which I assume means, 'we'll let you know when we decide we're ready to implement this.'

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

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Monday, June 26, 2017 4:47 PM
To: Gibson, Jake
Subject: SCOTUS decision

Goes into effect whenever it was stamped

The decision I see on SCOTUS website doesn't appear to be stamped, but that doesn't mean the clerks haven't done that

I called SCOTUS to get answer but everyone was tied up

Sent from my iPhone

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Spinato, Eric

From: Spinato, Eric
Sent: Monday, June 26, 2017 1:53 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: If AG Sessions is making the rounds tomorrow

Oaky, thank you

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, June 26, 2017 1:51 PM
To: Spinato, Eric <eric.spinato@FOXNEWS.COM>
Subject: Re: If AG Sessions is making the rounds tomorrow

a pass for now thanks!

On Jun 26, 2017, at 1:35 PM, Spinato, Eric <eric.spinato@FOXNEWS.COM> wrote:

Can you think of him joining please, Dagen McDowell, in for Maria Bartiromo
On her FBN morning show.
Focus: Supreme Court decision on the travel ban

Thank you, Sarah !

Eric

Eric Spinato

Senior Story Editor, Fox Business Network

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

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Saturday, June 24, 2017 9:20 AM
To: Kerry Pickett
Subject: Re: fyi

Better clip here

<http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=d5c2c573-7ab7-4f2f-9181-4ccfc8e71bc7>

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 23, 2017, at 10:09 PM, Kerry Pickett <kerry@dailycaller.com> wrote:

thanks. I'll check it out.

On Fri, Jun 23, 2017 at 9:55 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Good stuff on something you've covered

<http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=7f6782b4-d501-4913-9e7e-e857aedad812>

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: [202.616.0911](tel:202.616.0911)
Cel (b) (6)

--

Kerry Picket

Reporter

Kerry@DailyCaller.com

[@KerryPicket](#)

[<image007.png>](#)

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, June 23, 2017 9:55 PM
To: imason@breitbart.com
Subject: check this out

http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID_7f6782b4-d501-4913-9e7e-e857aedad812

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Gibson, Jake

From: Gibson, Jake
Sent: Friday, June 23, 2017 5:22 PM
To: O'Malley, Devin (OPA)
Subject: RE: Hate crimes summit?

Great, thanks.

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Friday, June 23, 2017 5:21 PM
To: Gibson, Jake
Subject: RE: Hate crimes summit?

Here in DC at the OJP building. I'll have the exact address for you next week.

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353 8763
Cel (b) (6)

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Friday, June 23, 2017 5:21 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Hate crimes summit?

Hi there-

Where will this event be?

Thursday, June 29, 2017

-
9:30 a.m. EDT Attorney General Jeff Sessions will be making the opening remarks at the 2017 Hate Crimes Summit.
Washington, DC
OPEN PRESS (For Opening Remarks Only)

NOTE: Press inquiries regarding logistics should be directed to Devin O'Malley at devin.omalley@usdoj.gov

Jake Gibson
Fox News Washington
Field Producer
Cell (b) (6)

Cell (b) (6)
Jake.Gibson@foxnews.com
@JakeBGibson

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Matthew Boyle Breitbart

From: Matthew Boyle Breitbart
Sent: Friday, June 23, 2017 4:51 PM
To: Carr, Peter (OPA)
Cc: SpecialCounselPress
Subject: Re: New contact info for Special Counsel inquiries

Thanks as always feel free to reach out to me/Breitbart any time with news tips or anything

Forgot to add other email
Sent from my iPhone

On Jun 23, 2017, at 4:36 PM, Carr, Peter (OPA) <Peter.Carr@usdoj.gov> wrote:

Hi everyone,

Starting Monday, please email me at specialcounselpress@usdoj.gov and call me at 202 514-2172.

During work hours, I will NOT have access to my peter.carr@usdoj.gov email address, nor text and calls to my cell phone (b) (6). I am in the process of getting a new cell phone for this position, and once I have that I'll pass it along for after-hours calls.

Best,
Peter Carr
Spokesman
Special Counsel's Office

Gibson, Jake

From: Gibson, Jake
Sent: Friday, June 23, 2017 4:40 PM
To: Carr, Peter (OPA)
Subject: RE: New contact info for Special Counsel inquiries

Thanks much.

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Friday, June 23, 2017 4:36 PM
To: Carr, Peter (OPA)
Cc: SpecialCounselPress
Subject: New contact info for Special Counsel inquiries

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, June 23, 2017 3:41 PM
To: ed.henry@foxnews.com
Subject: Sessions WAPO oped

https://www.washingtonpost.com/opinions/jeff-sessions-being-soft-on-sentencing-means-more-violent-crime-its-time-to-get-tough-again/2017/06/16/618ef1fe-4a19-11e7-9669-250d0b15f83b_story.html?tid_a_inl&utm_term=.a954c6afd849

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, June 23, 2017 3:28 PM
To: Fox, Thomas
Subject: RE: tucker's show

yep

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Fox, Thomas [mailto:Thomas.Fox@FOXNEWS.COM]
Sent: Friday, June 23, 2017 3:24 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: tucker's show

Thanks! I think I have a good handle on it but may have Ed give you a quick call later if that's cool

From: Prior, Ian (OPA) [mailto:ian.Prior@usdoj.gov]
Sent: Friday, June 23, 2017 3:22 PM
To: Fox, Thomas <Thomas.Fox@FOXNEWS.COM>
Subject: RE: tucker's show

Yep

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Fox, Thomas [mailto:Thomas.Fox@FOXNEWS.COM]
Sent: Friday, June 23, 2017 2:46 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: tucker's show

I think we'll also pivot to the angle that sessions wants to get real tough on drug offenders so the days of early release may be over for now

From: Prior, Ian (OPA) [mailto:ian.Prior@usdoj.gov]
Sent: Thursday, June 22, 2017 5:07 PM
To: Fox, Thomas <Thomas.Fox@FOXNEWS.COM>
Subject: Re: tucker's show

Yep whenever time works for you.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 22, 2017, at 5:06 PM, Fox, Thomas <Thomas.Fox@FOXNEWS.COM> wrote:

Hey Ian

Tom Fox here with Tucker's show. Looks like we may cover this Tennessee story tomorrow. Thanks for the info. Any chance we can talk in the AM? Just want to make sure we've nailed down all the details

Thanks

(b) (6)

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, June 23, 2017 3:24 PM
To: Fox, Thomas
Subject: RE: tucker's show

Sort of. When the sentencing commission changed the rule, they made it retroactive so a bunch of people got out at once. Now its just lighter sentencing on the front end because the retro piece has already happened.

But it definitely goes to the Obama soft of crime era one that Trump/Sessions has shown will no longer be acceptable

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Fox, Thomas [mailto:Thomas.Fox@FOXNEWS.COM]
Sent: Friday, June 23, 2017 3:20 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: tucker's show

Is this program still going on?

From: Prior, Ian (OPA) [<mailto:Ian.Prior@usdoj.gov>]
Sent: Thursday, June 22, 2017 5:07 PM
To: Fox, Thomas <Thomas.Fox@FOXNEWS.COM>
Subject: Re: tucker's show

Duplicative Material



Fox, Thomas

From: Fox, Thomas
Sent: Thursday, June 22, 2017 5:08 PM
To: Prior, Ian (OPA)
Subject: RE: tucker's show

Great

Thanks so much for the quick reply. This is an interesting story. Thanks for the tip

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Thursday, June 22, 2017 5:07 PM
To: Fox, Thomas <Thomas.Fox@FOXNEWS.COM>
Subject: Re: tucker's show

Duplicative Material



Prior, Ian (OPA)

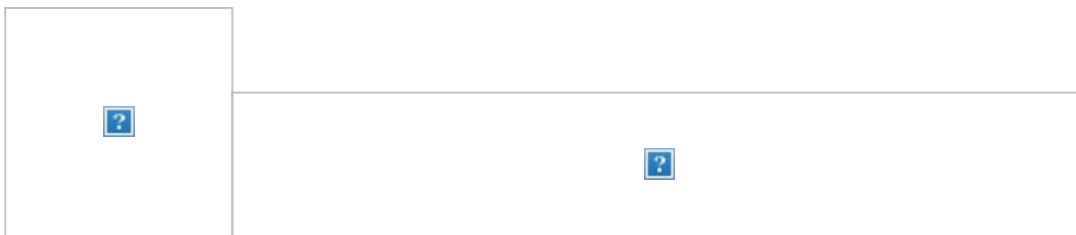
From: Prior, Ian (OPA)
Sent: Friday, June 23, 2017 11:08 AM
To: Jake.Gibson@FOXNEWS.COM
Subject: Fwd: DEPARTMENT OF JUSTICE FILES STATEMENT OF INTEREST SIDING WITH TEXAS IN SB4 LITIGATION
Attachments: SB 4 Statement of Interest FINAL AS FILED ECF stamped.pdf; ATT00001.htm

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Begin forwarded message:

From: "USDOJ-Office of Public Affairs (SMO)" <Ex_PAOMailbox@jmd.usdoj.gov>
To: "USDOJ-Office of Public Affairs (SMO)" <Ex_PAOMailbox@jmd.usdoj.gov>
Subject: DEPARTMENT OF JUSTICE FILES STATEMENT OF INTEREST SIDING WITH TEXAS IN SB4 LITIGATION

Note: The SB 4 Statement of Interest is attached as a PDF.



FOR IMMEDIATE RELEASE

AG

FRIDAY, JUNE 23, 2017
WWW.JUSTICE.GOV

(202) 514-2007
TTY (866) 544-5309

**DEPARTMENT OF JUSTICE FILES STATEMENT OF INTEREST SIDING WITH
TEXAS IN SB4 LITIGATION**

WASHINGTON Today the Department of Justice filed a Statement of Interest in City of El Cenizo, Texas, et. al vs. Texas, et. al, commonly known as the SB4 litigation.

The lawsuit was filed by several cities trying to block Texas's SB4 law, which prohibits localities in Texas from implementing or maintaining policies that prevent local officials from sharing immigration-related information with the federal government. Additionally, SB4 directs local officials in Texas to cooperate with immigration detainer requests issued by the federal government under federal law.

The Department primarily argues that SB4 is not preempted by the Supremacy Clause, it is not inconsistent with the Tenth Amendment, and it does not violate the Fourth Amendment.

In filing the Statement of Interest, Attorney General Sessions provided the following statement:

“President Trump has made a commitment to keep America safe and to ensure cooperation with federal immigration laws. Texas has admirably followed his lead by mandating state-wide cooperation with federal immigration laws that require the removal of illegal aliens who have committed crimes.

“The Department of Justice fully supports Texas's effort and is participating in this lawsuit because of the strong federal interest in facilitating the state and local cooperation that is critical in enforcing our nation's immigration laws.”

###

17-696

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.

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

| | | |
|---|---|----------------------------------|
| City of El Cenizo, Texas, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 5:17-cv-404-OLG |
| |) | |
| Texas, <i>et al.</i> , |) | |
| |) | |
| Respondents. |) | |

**STATEMENT OF INTEREST ON BEHALF OF
THE UNITED STATES**

CHAD A. READLER
Acting Asst. Attorney Gen.

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

EREZ REUVENI
Senior Litigation Counsel
U.S. Dept. of Justice
Civil Division,
450 5th St. NW
Washington D.C. 20530
Tel: 202-307-4293
Email: Erez.r.reuveni@usdoj.gov

VINITA ANDRAPALLIYAL
JOSEPH DARROW
JOSHUA PRESS
Trial Attorneys

Dated June 23, 2017

Counsel for the United States

Gibson, Jake

From: Gibson, Jake
Sent: Thursday, June 22, 2017 6:42 PM
To: Prior, Ian (OPA)
Subject: Re: Can you send this over Fox and Friends tomorrow?

On it.
Thanks!

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

On Jun 22, 2017, at 6:29 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

You guys will have it first

From a Department of Justice official:

Later this morning, the Department of Justice plans to file a statement of interest in the Texas SB4 litigation, arguing that Texas's law mandating that jurisdictions honor ICE detainers is not preempted by federal law and does not violate the Constitution.

More on the SB4 lawsuit here from Brooke: <http://www.foxnews.com/politics/2017/05/29/sanctuary-cities-protests-interrupt-texas-house-session.html>

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Thursday, June 22, 2017 6:04 PM
To: Andrew.Murray@FOXNEWS.COM
Subject: Feel free to report this on F&F tomorrow am

From a Department of Justice official:

Later this morning, the Department of Justice plans to file a statement of interest in the Texas SB4 litigation, arguing that Texas's law mandating that jurisdictions honor ICE detainers is not only constitutional, but also a measure that will enhance public safety in Texas.

More on the SB4 lawsuit here from Brooke: <http://www.foxnews.com/politics/2017/05/29/sanctuary-cities-protests-interrupt-texas-house-session.html>

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Hornbuckle, Wyn (OPA)

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, June 22, 2017 9:35 AM
To: kwong@breitbart.com
Cc: Prior, Ian (OPA)
Subject: Re: Question re: Comey IG investigation -- Breitbart

Sure thing

Sent from my iPhone

On Jun 22, 2017, at 9:22 AM, "kwong@breitbart.com" <kwong@breitbart.com> wrote:

Thank you!

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

From: "Hornbuckle, Wyn (OPA)" <Wyn.Hornbuckle@usdoj.gov>
Sent: Thursday, June 22, 2017 9:04am
To: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>, "kwong@breitbart.com" <kwong@breitbart.com>
Subject: RE: Question re: Comey IG investigation -- Breitbart

John.S.Lavinsky@usdoj.gov

From: Prior, Ian (OPA)
Sent: Thursday, June 22, 2017 9:03 AM
To: kwong@breitbart.com
Cc: Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Subject: RE: Question re: Comey IG investigation -- Breitbart

That's actually a question for the IG looping in Wyn who can connect you to the appropriate person in the IG's office

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: kwong@breitbart.com [<mailto:kwong@breitbart.com>]
Sent: Thursday, June 22, 2017 9:01 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Question re: Comey IG investigation -- Breitbart

Hi Ian,

Hope you're well!

Working on a story on Comey, and wanted to know if the DOJ IG's investigation of Comey's handling of the Clinton investigation will expand to include whether Comey leaked any information on President Trump?

I hope you can comment on that, since the IG publicly announced the investigation into Comey in January.

Thank you!

Kristina

Kristina Wong
Pentagon reporter, Breitbart News

(b) (6)

@kristina wong

kwong@breitbart.com

From: kwong@breitbart.com
Sent: Thursday, June 22, 2017 9:06 AM
To: Prior, Ian (OPA)
Cc: Hornbuckle, Wyn (OPA)
Subject: RE: Question re: Comey IG investigation -- Breitbart

Great, thank you Ian.

Hi Wyn, nice to meet you digitally. Hoping you can help me with this question.

Cheers,
Kristina

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

From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Sent: Thursday, June 22, 2017 9:03am
To: "kwong@breitbart.com" <kwong@breitbart.com>
Cc: "Hornbuckle, Wyn (OPA)" <Wyn.Hornbuckle@usdoj.gov>
Subject: RE: Question re: Comey IG investigation -- Breitbart

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 21, 2017 8:01 PM
To: Carlson, Tucker
Subject: Re: Story

Cool

Ian D. Prior
Principal Deputy Director of Public Affairs Office: 202.616.0911 Cel (b) (6)

> On Jun 21, 2017, at 7:52 PM, Carlson, Tucker <Tucker.Carlson@FOXNEWS.COM> wrote:

>

> We are blown out by a Trump speech tonight so we're doing a reporter on it tomorrow.

>

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>

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 21, 2017 11:21 AM
To: 'Carlson, Tucker'
Cc: Pettit, Mark T. (OPA)
Subject: RE: Police Shooting in TN

Just want to check in and see if you're going to use. Haven't sent anyone else's way and can hold off if you're planning on use.

Thanks as always!

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

From: Carlson, Tucker [mailto:Tucker.Carlson@FOXNEWS.COM]
Sent: Tuesday, June 20, 2017 3:57 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: Pettit, Mark T. (OPA) <mtpettit@jmd.usdoj.gov>
Subject: Re: Police Shooting in TN

Awesome. Thanks a lot.

> On Jun 20, 2017, at 11:26 AM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

>

> Here is the story about the Tennessee shooting of two deputies:

> <http://www.timesfreepress.com/news/breakingnews/story/2017/jun/20/suspect-kills-himself-after-shooting-injured-two-coffee-county-deputies/43> > 4162/<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.timesfreepress.com_news_breakingnews_story_2017_jun_20_suspect-2Dkills-2Dhimself-2Dafter-2Dshooting-2Dinjured-2Dtwo-2Dcoffee-2Dcounty-2Ddeputies_434_162_&d=DwMFAG&c=cnx1hdOQtepEQkpermZGwQ&r=UV25f5jD-y45EX-Hd5UsFbbtZk8xq > rDB4wn9lap0mDk&m=EnvcOXeDRU7kLsVzOtGePqtYiCa41uO4D8nzg2RGNo&s=rFAGpR8 > 4V-BTFve3XpwFY8_tA6tloYzjND_-NWfBYyE&e=>>

>

> "Court records obtained by the Times Free Press show Bell was convicted of methamphetamine-related charges in November 2003, in an Iowa U.S. District Court."

>

> Attached are documents from that Iowa Court (2003 judgment, indictment, 2015 order reducing sentence pursuant to Amendment 782). So his sentence was reduced by 43 months and he was released in November of 2015.

>

> Forgive me if you know, but Amendment 782 is known as "drugs minus 2"

> and was a policy amendment adopted by the US Sentencing Commission.

> Daily Caller covered Amendment 782 here:

> <http://dailycaller.com/2015/07/22/thousands-of-violent-felons-to-be-released-in-november-under-new-sentencing-guidelines/><https://urldefense.proofpoint.com/v2/url?u=http-3A__dailycaller.com_2015_07_22_thousands-2Dof-2Dviolent-2Dfelons-2Dto-2Dbe-2Dreleased-2Din-2Dnovember-2Dunder-2Dnew-2Dsntencing-2Dguidelines_&d=DwMFAG&c=cnx1hdOQtepEQkpermZGwQ&r=UV25f5jD-y45EX-

Hd5UsFbbtZk8xqrDB4wn9lap0mDk&m=EnvjcOXeDRU7kLsVz0tGePqtY > iCa41uO4D8nzg2RGNo&s=EklJ6WbP
jG4g3hx5XYNfS2BRrdfWf5uxjWJlmfVPVEQ&e=>

>
> Good Breitbart story on who made up the sentencing commission:
> <http://www.breitbart.com/big-government/2015/10/06/obamas-allies-relea-se-6000-criminals-into-america-streets/><https://urldefense.proofpoint.com/v2/url?u=http-3A__www.breitbart.com_big-2Dgovernment_2015_10_06_o-bamas-2Dallies-2Drelease-2D6000-2Dcriminals-2Dinto-2Damerica-2Dstreet-s_&d=DwMFAG&c=cnx1hdOQtepEQkpermZGwQ&r=UV25f5jD-y45EX-Hd5UsFbbtZk8xqrD-B4wn9lap0mDk&m=EnvjcOXeDRU7kLsVz0tGePqtYiCa41uO4D8nzg2RGNo&s=aPRtTUx_i-v8dZB31gvBT3-xU7sN7dgH6FFnhePdhU3Q&e=>>

>
> So upshot - Obama era soft-on-crime policy sets free man who just shot two cops.

>
> Only issue is the math - can't figure out when his sentence actually started.

>
> Also, Im hearing that Tom Cotton might address this on the floor tomorrow so might be worth a call in to him?

>
> Ian D. Prior

> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)

>
> <Coffee county_lowa shooter judgment.pdf> <Indictment.pdf> <order
> reducing sentence.pdf>

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UNITED STATES DISTRICT COURT

Southern

District of

2003 NOV 13 PM 3:06

UNITED STATES OF AMERICA

V.

MICHAEL EUGENE BELL

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number:

03-051

Jack Dusthimer

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) One and Five☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

| <u>Title & Section</u> | <u>Nature of Offense</u> | <u>Date Offense Concluded</u> | <u>Count Number(s)</u> |
|----------------------------|---|-------------------------------|------------------------|
| T.21.846 | Conspiracy to Manufacture and Distribute Methamphetamine | 1-24-03 | One |
| T.21:858 | Creating a Substantial Risk of Harm to Human Life while Manufacturing Methamphetamine | 12-23-02 | Five |

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☒ Count(s) Four ☒ is ☐ are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: _____

Defendant's Date of Birth: _____

Defendant's USM No.: 11836-030

Defendant's Residence Address: _____

USM custody _____

Defendant's Mailing Address: _____

USM custody _____

November 13, 2003

Date of Imposition of Judgment

Signature of Judicial Officer

James E. Gritzner, U.S. District Judge

Name and Title of Judicial Officer

Date

11/13/03

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

FILED

FEB 12 2003

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY KLON TADE,
DWAYNE HENRY HICKS,
MICHAEL EUGENE BELL,
BRUCE ERIN TOWNSEND,
MARY EILLEN DOOLEY,
ASHLEY LYNN THARP, and
FRANKIE LEE BALLARD,

Defendants.

Criminal No. 03-51

INDICTMENT

T. 21 U.S.C. §846,
T. 21 U.S.C. §841(a)(1),
T. 21 U.S.C. §841(b)(1)(A)(viii),
T. 21 U.S.C. §858,
T. 18 U.S.C. §2

- Sealed @ Returns -

THE GRAND JURY CHARGES:

COUNT 1

(Conspiracy to Manufacture and Distribute Drugs)

That from a date unknown to the grand jury, but beginning by on or about May of 2002, and continuing to on or about January 24, 2003, in and about Scott County in the Southern District of Iowa, and elsewhere, the defendants, JEFFREY KLON TADE, DWAYNE HENRY HICKS, MICHAEL EUGENE BELL, BRUCE ERIN TOWNSEND, MARY EILLEN DOOLEY, ASHLEY LYNN THARP and FRANKIE LEE BALLARD, did knowingly and intentionally conspire with each other and other persons known and unknown to the Grand Jury to knowingly manufacture and distribute at least 50 grams of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

This is a violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A)(viii).

8.

UNITED STATES DISTRICT COURT

for the

Southern District of Iowa

United States of America

v.

MICHAEL EUGENE BELL

Date of Original Judgment: 11/13/2003

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 3:03-cr-00051-003

USM No: 11836-030

Joseph Herrold

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 219 months as to Count One and _____ months is reduced to 176 months.
~~120 months as to Count Five~~

(Complete Parts I and II of Page 2 when motion is granted)

THIS REDUCTION IS PURSUANT TO AMENDMENT 782.

Except as otherwise provided, all provisions of the judgment dated 11/13/2003 shall remain in effect.

IT IS SO ORDERED.

Order Date: 06/15/2015

Effective Date: 11/02/2015
(if different from order date)


Judge's signature

James E. Gritzner, Senior U.S. District Judge

Printed name and title

Conti, Andrew

From: Conti, Andrew
Sent: Wednesday, June 21, 2017 11:10 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: please respond RE: FOX NEWS SPECIALISTS: REQUEST

Thank you!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, June 21, 2017 11:10 AM
To: Conti, Andrew
Subject: RE: please respond RE: FOX NEWS SPECIALISTS: REQUEST

(b) (6) works for he (b) (6)

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Conti, Andrew [mailto:Andrew.conti@FOXNEWS.COM]
Sent: Wednesday, June 21, 2017 11:06 AM
T (b) (6) Sarah Flores
Subject: please respond RE: FOX NEWS SPECIALISTS: REQUEST

Hi Sarah,
I don't mean to be a bother. We are trying to get a request to Carly Fiorina for our show and wasn't sure if you could help us. Thanks very much.
andrew

From: Conti, Andrew
Sent: Tuesday, June 13, 2017 12:57 PM
To (b) (6) Sarah Flores
Subject: FOX NEWS SPECIALISTS: REQUEST

Hello,
we just launched a new one hour live program on Fox called The Fox News Specialists. We air Monday-Friday from 5p-6p et on the Fox News Channel. We have three main hosts: Eboni Williams, Kat Timpf and Eric Bolling. Each show consists of two different "specialists" who sit in for the full hour and discuss news of the day. We would be happy to promote any project (book, movies, etc) that Carly Fiorina is currently working on. We would need Carly here in studio for the show and can pick up business class flights, hotel and ground transport. I am available if you have any questions. Hoping to schedule something in the near future.
Thanks much for your consideration.
Best,
Andrew Conti

<http://www.foxnews.com/on-air/the-fox-news-specialists/index.html#/v/5455154142001>

Andrew P. Conti
Fox News Channel

(b) (6) - direct

(b) (6) - cell

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, June 20, 2017 4:28 PM
To: LeCroy, Lillian; Maltas, Mike; Rego, Alexandra (b) (6)
Subject: RE: Following up: Fox News Channel would like to send an additional photographer to cover Sec.Sessions and Vice President Pence tomorrow.

Per the advisory, we expect remarks to start around 9:15 am.

I would arrive NLT 8:30 am because there will be heightened security with the VP here.

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353-8763
Cel (b) (6)

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

From: LeCroy, Lillian [mailto:Lillian.LeCroy@FOXNEWS.COM]
Sent: Tuesday, June 20, 2017 2:38 PM
To: LeCroy, Lillian <Lillian.LeCroy@FOXNEWS.COM>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Maltas, Mike <Mike.Maltas@FOXNEWS.COM>; Rego, Alexandra <Alexandra.Rego@FOXNEWS.COM>; (b) (6)
Subject: Following up: Fox News Channel would like to send an additional photographer to cover Sec.Sessions and Vice President Pence tomorrow.

Hello Devin,

The photographer will be (b) (6) His email (b) (6) and I have copied him on this mail.

Can you please tell us what time he needs to be back tomorrow morning and any other logistical details he may need. I understand he needs to pre-set tonight between 8pm and 10pm. Is there a schedule for when Sessions and Pence speak?

Thanks so much.

Lillian

(b) (6)

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

From: LeCroy, Lillian [mailto:Lillian.LeCroy@FOXNEWS.COM]
Sent: Tuesday, June 20, 2017 11:50 AM
To: kelly.laco@usdoj.gov; devin.omalley@usdoj.gov; Maltas, Mike; Rego, Alexandra
Subject: Good morning. Fox News Channel would like to send an additional photographer to cover Sec.Sessions and Vice President Pence tomorrow.

Good morning,

Fox News Channel would like to credential an additional photographer to cover the Sessions/Pence remarks tomorrow at the National Summit on Crime and Public Safety. We understand that the new pre-set time is between 8pm and 10pm tonight. We have already credentialed (b) (6) but we would like to add photographer (b) (6).

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

(b) (6)

(b) (6)

Can you also tell us the order of the program and who will speak first?

Please reply all to this mail to confirm that this is okay. Thanks so much.

Lillian LeCroy

(b) (6)

Sent from my iPhone

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, June 20, 2017 11:56 AM
To: LeCroy, Lillian; Laco, Kelly (OPA); Maltas, Mike; Rego, Alexandra
Subject: RE: Good morning. Fox News Channel would like to send an additional photographer to cover Sec.Sessions and Vice President Pence tomorrow.

Thanks...please send emails for all the people that will actually be here. There are times when we need to change logistical information, and recently this has not been relayed to the people actually covering the events. Because the VP is speaking tomorrow, security will be even tighter, so communicating with the actual reporters attending will be critical.

AG will intro VP.

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353-8763
Cel (b) (6)

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

From: LeCroy, Lillian [mailto:Lillian.LeCroy@FOXNEWS.COM]
Sent: Tuesday, June 20, 2017 11:50 AM
To: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Maltas, Mike <Mike.Maltas@FOXNEWS.COM>; Rego, Alexandra <Alexandra.Rego@FOXNEWS.COM>
Subject: Good morning. Fox News Channel would like to send an additional photographer to cover Sec.Sessions and Vice President Pence tomorrow.

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 20, 2017 2:21 PM
To: tucker.carlson@foxnews.com
Subject: More on shooter in TN

He was original detained on Feb 14, 2003
Released on November 2, 2015

I believe that is 153 months, which is different than the 179 months in the final sentence modification doc.

But apparently it is standard to get 15% bumped off for good behavior, which is likely how we got to 153.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Ce (b) (6)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, June 20, 2017 10:30 AM
To: Spinato, Eric
Subject: Re: Can AG Sessions join Maria this week, to discuss this story

Thanks--will let you know but nothing for now

On Jun 20, 2017, at 10:23 AM, Spinato, Eric <eric.spinato@FOXNEWS.COM> wrote:

And other news of the day
I would take him live, on Sunday as well.

Thank you
Eric

AP-US--Attorney General-Violent Crime,128
12 cities to receive Justice Department aid to fight crime

BETHESDA, Maryland (AP) -- The Justice Department says it will offer its resources to help 12 U.S. cities fight violent crime.

The department said Tuesday it will help local authorities study crime patterns and come up with plans to reduce violence. Attorney General Jeff Sessions says officials will come up with "data-driven, evidence-based strategies" that can be measured over time.

The cities are: Birmingham, Alabama; Indianapolis, Indiana; Memphis, Tennessee; Toledo, Ohio; Baton Rouge, Louisiana; Buffalo, New York; Cincinnati, Ohio; Houston, Texas; Jackson, Tennessee; Kansas City, Missouri; Lansing, Michigan; and Springfield, Illinois.

The department did not immediately explain how they were selected.

The announcement came at a gathering of federal and state law enforcement officials in Bethesda, Maryland. Sessions has said helping cities combat violence is a top priority for the Justice Department.

AP-WF-06-20-17 1314GMT

Eric Spinato

Senior Story Editor, Fox Business Network

(b) (6)

C (b) (6)

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imason@breitbart.com

From: imason@breitbart.com
Sent: Tuesday, June 20, 2017 9:56 AM
To: Prior, Ian (OPA)
Subject: RE: Selection criteria for Partnership cities

Thanks again.

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

From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Sent: Tuesday, June 20, 2017 9:51am
To: "imason@breitbart.com" <imason@breitbart.com>
Subject: RE: Selection criteria for Partnership cities

"Partner sites are selected through a process that considers both quantitative and qualitative measures, in consultation with United States Attorneys and DOJ law enforcement partners. To be considered for selection, a site must have levels of violence that far exceed the national average. PSP sites must also demonstrate a commitment to reducing violent crime and be ready to receive the intensive training and technical assistance available."

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: imason@breitbart.com [mailto:imason@breitbart.com]
Sent: Tuesday, June 20, 2017 9:50 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Selection criteria for Partnership cities

Hey Ian,

Can you shed any light on why those 12 cities were chosen to launch the National Public Safety Partnership? Was it simply their willingness and enthusiasm to work with DOJ on these issues? Were there conditions attached for participation?

Thanks,
Ian Mason
DOJ/Courts Reporter, Breitbart News
(b) (6)

Roberts, John

From: Roberts, John
Sent: Monday, June 19, 2017 2:09 PM
To: Carr, Peter (OPA)
Subject: Re: Hi Peter...quick question

Saw both of those items about Dreeben and Weissman.

Thanks for the Page confirmation.

John Roberts
Chief White House Correspondent
Fox News Channel

(b) (6)

On Jun 19, 2017, at 2:00 PM, Carr, Peter (OPA) <Peter.Carr@usdoj.gov> wrote:

That is correct.

Two other notes on contributions. There were reports that Michael R. Dreeben contributed to Democratic candidates but that was not true. This story interviews the real Michael W.

Dreeben that made those contributions:

<http://www.nationallawjournal.com/id=1202789865110/Dreeben-No-Not-That-One-Says-Case-of-Mistaken-Identity-Riled-Mueller-Critics?slreturn=20170519135602>

Also, Andrew Weissmann's 2008 contributions appear to be double-counted in the FEC reports. It shows the same amounts for both Obama Victory Fund and Obama for America. It appears one transferred the contributions to the other.

Best,
Peter

On Jun 19, 2017, at 1:11 PM, Roberts, John <John.roberts@FOXNEWS.COM> wrote:

I don't see any political contributions from Lisa Page on the FEC or Open Secrets sites. Can you confirm that she has not made any political contributions?

Many thanks,

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com

(b) (6)

@JohnRobertsFox

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Singman, Brooke

From: Singman, Brooke
Sent: Monday, June 19, 2017 11:29 AM
To: Carr, Peter (OPA); McKelway, Doug
Subject: RE: Special Counsel inquiry

Thank you, Peter!

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Monday, June 19, 2017 11:28 AM
To: McKelway, Doug <Doug.mckelway@FOXNEWS.COM>
Cc: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Special Counsel inquiry

Hi Doug,

Thank you for reaching out to me. I'm copying Brooke as well, since she asked similar questions earlier this morning.

We have 13 attorneys on board, with several more in the pipeline.

Last week we confirmed the names of some of the attorneys, and I expect additional names will be confirmed in the coming days and weeks.

You probably already have these, but I pulled some bullets out on their backgrounds/experience and some links to public sources that may be helpful.

As guidance but not for attribution, you should know that federal law and department policy prohibits the Special Counsel from taking into consideration political affiliation in its hiring. Please see pages 4-6 of this IG report as an overview of the legal standards we must follow:

<https://oig.justice.gov/special/s0901/final.pdf>

Thx,
Peter

Robert Mueller:

Appointed to positions by four previous presidents:

- George H.W. Bush: Assistant Attorney General for the Criminal Division
- Bill Clinton: U.S. Attorney for the Northern District of California

- George W. Bush: FBI Director
- Barack Obama: FBI Director (Senate approved the extension by a 100-0 vote)

<https://obamawhitehouse.archives.gov/the-press-office/2011/05/12/president-obama-proposes-extending-term-fbi-director-robert-mueller>

https://www.wilmerhale.com/pages/publicationsandnewsdetail.aspx?NewsPubID_17179871803

<https://www.justice.gov/criminal/history/assistant-attorneys-general/robert-s-mueller>

Aaron Zebley:

- Chief of Staff to Mueller
- Senior Counselor in the National Security Division
- FBI Special Agent in the FBI's Counterterrorism Division
- Assistant U.S. Attorney in Eastern District of Virginia prosecuting national security, terrorism and violent crime

https://www.wilmerhale.com/pages/publicationsandnewsdetail.aspx?NewsPubId_17179871980

James Quarles:

- Watergate Assistant Special Prosecutor
- WilmerHale (which has changed names several times) since 1975

<https://www.bloomberg.com/profiles/people/3810211-james-l-quarles>

Michael Dreeben

- Deputy Solicitor General, primarily focused on criminal matters before the Supreme Court and federal appellate courts
- Has argued more than 100 cases before the Supreme Court

<https://www.law360.com/articles/789864/100-oral-arguments-how-a-doj-atty-made-high-court-history>

https://www.justice.gov/sites/default/files/usao/legacy/2013/02/21/usab6101.pdf#page_13

Andrew Weissmann

- Chief of Criminal Division's Fraud Section
- FBI General Counsel
- Deputy and then Director of the Enron Task Force
- Assistant U.S. Attorney in Eastern District of New York prosecuting organized crime

https://its.law.nyu.edu/facultyprofiles/index.cfm?fuseaction_profile.biography&personid_39254

<https://www.justice.gov/opa/pr/andrew-weissmann-selected-chief-criminal-divisions-fraud-section-0>

Jeannie Rhee:

- Deputy Assistant Attorney General in the Office of Legal Counsel, advising the White House and other executive branch officials on constitutional, statutory and regulatory issues
- Assistant U.S. Attorney for the District of Columbia prosecuted fraud and public corruption cases, including as trial counsel in the corruption prosecution of Washington Teacher's Union officials

<https://www.bloomberg.com/profiles/people/18243666-jeannie-s-rhee>

Signed the letter of support for Trump nominee Rachel

Brand:<https://www.judiciary.senate.gov/imo/media/doc/Bipartisan%20Support%20Letter%20Rachel%20Brand%20Final%203-3-17.pdf>

Lisa Page:

- FBI's Office of the General Counsel
 - Former trial attorney in the Criminal Division's Organized Crime and Gang Section
- (As guidance, note that there is a lot of inaccurate reporting about Lisa stating that she is a Russian oligarch expert that investigated Semion Mogilevich and Dmitry Firtash. Neither is true.)

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Laco, Kelly (OPA)

From: Laco, Kelly (OPA)
Sent: Monday, June 19, 2017 11:14 AM
To: Maltas, Mike
Cc: Gibson, Jake; Mears, William
Subject: RE: Fox News crew RSVP: Sessions/Rothenstein at National Summit on Crime Reduction and Public Safety

Got it, thanks.

Kelly Laco

Office of Public Affairs
Department of Justice
Office: 202-353-0173
Cel (b) (6)

From: Maltas, Mike [mailto:Mike.Maltas@FOXNEWS.COM]
Sent: Monday, June 19, 2017 11:12 AM
To: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>
Cc: Gibson, Jake <Jake.Gibson@FOXNEWS.COM>; Mears, William <William.Mears@FOXNEWS.COM>
Subject: RE: Fox News crew RSVP: Sessions/Rothenstein at National Summit on Crime Reduction and Public Safety
Importance: High

Kelley we had a bit of late re-scheduling regarding our Producer for Tuesday: Bill Mear (b) (6) will be there instead of Jake Gibson. Our photog remains the sam (b) (6).
Thanks

From: Maltas, Mike
Sent: Monday, June 19, 2017 10:46 AM
To: 'Kelly.Laco@usdoj.gov'
Cc: Gibson, Jake
Subject: Fox News crew RSVP: Sessions/Rothenstein at National Summit on Crime Reduction and Public Safety
Importance: High

Fox News would like to RSVP for both days. We have assigned photo (b) (6) for both days. Fox Producer Jake Gibson RSPV'd for himself over the weekend. Please advise is you need anything else. With the relatively short setup time, is there a specific or check in area for us to look for at the hotel?
Thanks

Tuesday, June 20, 2017

9:00 a.m. 9:45 a.m. EDT

Attorney General Jeff Sessions and **Deputy Attorney General Rod Rosenstein** will offer remarks at the National Summit on Crime Reduction and Public Safety. The Summit gathers representatives from federal, state and local law enforcement; community advocacy groups; organizations for victims of violent

crime; and academia to discuss how to best support and replicate successful local violent crime reduction efforts.

Hyatt Regency Bethesda
One Bethesda Metro Center
7400 Wisconsin Avenue
Bethesda, MD 20814
OPEN PRESS

NOTE: Camera pre-set time is 8:00 a.m. EDT. All cameras must be in place by 8:45 a.m. EDT. Press interested in attending must RSVP by noon Monday, June 19. All RSVPs and any press inquiries regarding logistics should be directed to Kelly Laco at the Office of Public Affairs at Kelly.Laco@usdoj.gov or (b) (6).

Wednesday, June 21, 2017

9:00 a.m. 10:00 a.m. EDT

Attorney General Jeff Sessions will introduce the keynote speaker at the National Summit on Crime Reduction and Public Safety.

Hyatt Regency Bethesda
One Bethesda Metro Center
7400 Wisconsin Avenue
Bethesda, MD 20814
OPEN PRESS

NOTE: Camera pre-set time is 8:00 a.m. EDT. All cameras must be in place by 8:45 a.m. EDT. Press interested in attending must RSVP by noon Monday, June 19. All RSVPs and any press inquiries regarding logistics should be directed to Kelly Laco at the Office of Public Affairs at Kelly.Laco@usdoj.gov or (b) (6).

Mike Maltas
Fox News
400 N. Capitol St., NW
Washington, DC 20002
Offic (b) (6)
Cel (b) (6)
Mike.maltas@foxnews.com

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Herridge, Catherine

From: Herridge, Catherine
Sent: Monday, June 19, 2017 10:39 AM
To: Prior, Ian (OPA)
Subject: RE: ICYMI: Attorney General Sessions' Sunday Op-Ed in the Washington Post

Received and thank you

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Monday, June 19, 2017 10:33 AM
To: Prior, Ian (OPA)
Subject: ICYMI: Attorney General Sessions' Sunday Op Ed in the Washington Post

Good morning,

As we prepare for this week's National Summit on Crime Reduction, please take a minute to read Attorney General Sessions' op-ed that appeared in yesterday's Washington Post.

Jeff Sessions: Being soft on sentencing means more violent crime. It's time to get tough again.

By Jeff Sessions Washington Post Editorial

https://www.washingtonpost.com/opinions/jeff-sessions-being-soft-on-sentencing-means-more-violent-crime-its-time-to-get-tough-again/2017/06/16/618ef1fe-4a19-11e7-9669-250d0b15f83b_story.html

Drug trafficking is an inherently violent business. If you want to collect a drug debt, you can't, and don't, file a lawsuit in court. You collect it by the barrel of a gun. For the approximately 52,000 Americans who died of a drug overdose in 2015, drug trafficking was a deadly business.

Yet in 2013, subject to limited exceptions, the Justice Department ordered federal prosecutors not to include in charging documents the amount of drugs being dealt when the actual amount was large enough to trigger a mandatory minimum sentence. Prosecutors were required to leave out objective facts in order to achieve sentences lighter than required by law. This was billed as an effort to curb mass incarceration of low-level offenders, but in reality it covered offenders apprehended with large quantities of dangerous drugs. The result was that federal drug prosecutions went down dramatically from 2011 to 2016, federal prosecutions fell by 23 percent. Meanwhile, the average sentence length for a convicted federal drug offender decreased 18 percent from 2009 to 2016.

Before that policy change, the violent crime rate in the United States had fallen steadily for two decades, reaching half of what it was in 1991. Within one year after the Justice Department softened its approach to drug offenders, the trend of decreasing violent crime reversed. In 2015, the United States suffered the largest single-year increase in the overall violent crime rate since 1991.

And while defenders of the 2013 policy change point out that crime rates remain low compared with where they were 30 years ago, they neglect to recognize a disturbing trend that could reverse decades of progress: Violent crime is rising across the country. According to data from the FBI, there were more than 15,000 murders in the United States in 2015, representing a single-year increase of nearly 11 percent across the country. That was the largest increase since 1971.

The increase in murders continued in 2016. Preliminary data from the first half of 2016 shows that large cities in the

United States suffered an average increase in murders of nearly 22 percent compared with the same period from a year earlier.

As U.S. attorney general, I have a duty to protect all Americans and fulfill the president's promise to make America safe again. Last month, after weeks of study and discussion with a host of criminal-justice participants, I issued a memorandum to all federal prosecutors regarding charging and sentencing policy that once again authorizes prosecutors to charge offenses as Congress intended. This two-page guidance instructs prosecutors to apply the laws on the books to the facts of the case in most cases, and allows them to exercise discretion where a strict application of the law would result in an injustice. Instead of barring prosecutors from faithfully enforcing the law, this policy empowers trusted professionals to apply the law fairly and exercise discretion when appropriate. That is the way good law enforcement has always worked.

Defenders of the status quo perpetuate the false story that federal prisons are filled with low-level, nonviolent drug offenders. The truth is less than 3 percent of federal offenders sentenced to imprisonment in 2016 were convicted of simple possession, and in most of those cases the defendants were drug dealers who accepted plea bargains in return for reduced sentences.

Federal drug offenders include major drug traffickers, gang members, importers, manufacturers and international drug cartel members. To be subject to a five-year mandatory sentence, a criminal would have to be arrested with 100 grams or more of heroin with the intent to distribute it—that is 1,000 doses of heroin.

The truth is that while the federal government softened its approach to drug enforcement, drug abuse and violent crime surged. The availability of dangerous drugs is up, the price has dropped and the purity is at dangerously high levels. Overdose deaths from opioids have nearly tripled since 2002. Overdose deaths involving synthetic opioids rose an astonishing 73 percent in 2015.

My fear is that this surge in violent crime is not a "blip," but the start of a dangerous new trend—one that puts at risk the hard-won gains that have made our country a safer place.

Some skeptics prefer to sit on the sidelines and criticize federal efforts to combat crime. But it's not our privileged communities that suffer the most from crime and violence. Minority communities are disproportionately impacted by violent drug trafficking. Poor neighborhoods are too often ignored in these conversations. Regardless of wealth or race, every American has the right to demand a safe neighborhood. Those of us who are responsible for promoting public safety cannot sit back while any American communities are ravaged by crime and violence.

There are those who are concerned about the fate of drug traffickers, but the law demands I protect the lives of victims that are ruined by drug trafficking and violent crime infecting their communities. Our new, time-tested policy empowers police and prosecutors to save lives.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

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Kaitlan Collins

From: Kaitlan Collins
Sent: Monday, June 19, 2017 10:35 AM
To: Prior, Ian (OPA)
Subject: Thanks for reaching out! Re: ICYMI: Attorney General Sessions' Sunday Op-Ed in the Washington Post

As of Monday, I am now covering the White House for CNN. You can reach me at

(b) (6).

--

Kaitlan Collins
White House Correspondent
The Daily Caller

Gibson, Jake

From: Gibson, Jake
Sent: Saturday, June 17, 2017 9:55 AM
To: Laco, Kelly (OPA)
Subject: RSVP

I will attend the event below as the producer for Fox News.

Our assignment desk will reach out and let you know who our camera crew will be.

Thanks very much,

Jake Gibson
Fox News Washington

(b) (6)

Tuesday, June 20, 2017

9:00 a.m. 9:45 a.m. EDT

Attorney General Jeff Sessions and Deputy Attorney General Rod Rosenstein will offer remarks at the National Summit on Crime Reduction and Public Safety. The Summit gathers representatives from federal, state and local law enforcement; community advocacy groups; organizations for victims of violent crime; and academia to discuss how to best support and replicate successful local violent crime reduction efforts.

Hyatt Regency Bethesda
One Bethesda Metro Center
7400 Wisconsin Avenue
Bethesda, MD 20814
OPEN PRESS

NOTE: Camera pre-set time is 8:00 a.m. EDT. All cameras must be in place by 8:45 a.m. EDT. Press interested in attending must RSVP by noon Monday, June 19. All RSVPs and any press inquiries regarding logistics should be directed to Kelly Laco at the Office of Public Affairs at Kelly.Laco@usdoj.gov or (b) (6).

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representation is made that this email or its attachments are without defect.

imason@breitbart.com

From: imason@breitbart.com
Sent: Friday, June 16, 2017 6:14 PM
To: Prior, Ian (OPA)
Subject: RE: DAG Recusal

Thanks again.

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

From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>

Sent: Friday, June 16, 2017 6:07pm

To: "imason@breitbart.com" <imason@breitbart.com>, "Flores, Sarah Isgur (OPA)" <Sarah.Isgur.Flores@usdoj.gov>

Subject: RE: DAG Recusal

"As the Deputy Attorney General has said numerous times, if there comes a point when he needs to recuse, he will. However, nothing has changed."

Ian D. Prior

Principal Deputy Director of Public Affairs

Office: 202.616.0911

Cel (b) (6)

From: imason@breitbart.com [mailto:imason@breitbart.com]

Sent: Friday, June 16, 2017 5:48 PM

To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>

Subject: DAG Recusal

Any comment on the ABC report of the DAG considering recusal?

<http://abcnews.go.com/Politics/deputy-attorney-general-privately-acknowledges-recuse-russia-probe/story?id=48080253>

Thanks,

Ian Mason

DOJ/Courts Reporter, Breitbart News

(b) (6)

Singman, Brooke

From: Singman, Brooke
Sent: Friday, June 16, 2017 2:34 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: RE: Rosenstein recusal?-- ABC report?

All set. We got Ian's comment.

Thank you!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Friday, June 16, 2017 2:33 PM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: Re: Rosenstein recusal?-- ABC report?

Adding Ian

On Jun 16, 2017, at 3:25 PM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Sarah,

Sorry to keep flooding your inbox.

ABC is reporting that Deputy Attorney General Rosenstein has said, privately, that he may need to recuse himself from the investigation. They are saying that Mr. Rosenstein told Associate Attirbet General Rachel Brand that she would need to step in and take over responsibilities, if he, in fact, recused himself.

Is there any truth to this report?

Thanks,
Brooke

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Kaplan (Levine), Karrah

From: Kaplan (Levine), Karrah
Sent: Friday, June 16, 2017 2:29 PM
To: Prior, Ian (OPA)
Cc: Flores, Sarah Isgur (OPA)
Subject: Re: Martha MacCallum tonight re: DACA and DAPA?

Ok thank you!

From: Prior, Ian (OPA)
Sent: Friday, June 16, 2017 2:28 PM
To: Kaplan (Levine), Karrah
Cc: Flores, Sarah Isgur (OPA)
Subject: Re: Martha MacCallum tonight re: DACA and DAPA?

Hey thanks for reaching out. Ag is traveling, but this is really more DHS

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 16, 2017, at 2:21 PM, Kaplan (Levine), Karrah <Karrah.kaplan@FOXNEWS.COM> wrote:

Hey all!
Martha would really love to cover the DACA/DAPA issue tonight on the program with somebody from the White House.
Was wondering if anybody (the AG?) would be available?
Thank you so much!
Karrah

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Roberts, John

From: Roberts, John
Sent: Friday, June 16, 2017 11:58 AM
To: Prior, Ian (OPA)
Subject: RE: Ian...URGENT

thanks

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com
(b) (6)
@JohnRobertsFox

From: Prior, Ian (OPA) [<mailto:ian.Prior@usdoj.gov>]
Sent: Friday, June 16, 2017 11:57 AM
To: Roberts, John <John.roberts@FOXNEWS.COM>
Subject: Re: Ian...URGENT

Me

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 16, 2017, at 11:19 AM, Roberts, John <John.roberts@FOXNEWS.COM> wrote:

I'll wait for his note....

What's a good cell# for you?

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com
(b) (6)
@JohnRobertsFox

From: Prior, Ian (OPA) [<mailto:ian.Prior@usdoj.gov>]
Sent: Friday, June 16, 2017 11:04 AM
To: Roberts, John <John.roberts@FOXNEWS.COM>
Subject: RE: Ian...URGENT

Just talked to jake

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Roberts, John [<mailto:John.roberts@FOXNEWS.COM>]
Sent: Friday, June 16, 2017 10:31 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Ian...URGENT

Rosenstein considering recusing himself from Russia investigation?

Thanks,

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com
(b) (6)
@JohnRobertsFox

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Roberts, John

From: Roberts, John
Sent: Friday, June 16, 2017 11:57 AM
To: Prior, Ian (OPA)
Subject: RE: Ian...URGENT

Thanks...appreciate it. Should I attribute that to you, or "DOJ official"?

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com
(b) (6)
@JohnRobertsFox

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Friday, June 16, 2017 11:51 AM
To: Roberts, John <John.roberts@FOXNEWS.COM>
Subject: RE: Ian...URGENT

FYI

"As the Deputy Attorney General has said numerous times, if there comes a point when he needs to recuse, he will. However, nothing has changed."

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Roberts, John [mailto:John.roberts@FOXNEWS.COM]
Sent: Friday, June 16, 2017 11:06 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Ian...URGENT

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, June 16, 2017 11:28 AM
To: Roberts, John
Subject: Re: Ian...URGENT

It's below

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 16, 2017, at 11:19 AM, Roberts, John <John.roberts@FOXNEWS.COM> wrote:

Duplicative Material



Singman, Brooke

From: Singman, Brooke
Sent: Friday, June 16, 2017 11:16 AM
To: Carr, Peter (OPA)
Subject: RE: request (re: our phone call)

Thank you, Peter.
Talk soon

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Friday, June 16, 2017 11:03 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: request (re: our phone call)

He did not.

On Jun 16, 2017, at 9:49 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Peter,

As I mentioned, President Trump tweeted this morning:

 **Donald J. Trump** **Verified account** @realDonaldTrump

Following
More

I am being investigated for firing the FBI Director
by the man who told me to fire the FBI Director!
Witch Hunt

Unclear if he is referring to Special Counsel Mueller or Deputy Attorney General Rod Rosenstein here in this tweet, but wondered if you had any information as to whether Mr. Mueller advised on the firing of Comey in any way?

Thank you,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Roberts, John

From: Roberts, John
Sent: Friday, June 16, 2017 11:06 AM
To: Carr, Peter (OPA)
Subject: RE: Hi Peter....John Roberts at Fox News here

thx

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com
(b) (6)
@JohnRobertsFox

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Friday, June 16, 2017 11:05 AM
To: Roberts, John <John.roberts@FOXNEWS.COM>
Subject: Re: Hi Peter....John Roberts at Fox News here

Sure, thanks John.

On Jun 16, 2017, at 10:52 AM, Roberts, John <John.roberts@FOXNEWS.COM> wrote:

Peter,

Just wanted to reach out to make initial contact with you. Please add my email address john.roberts@foxnews.com to your mail list for any and all information regarding the Special Counsel investigation.

Thanks very much!

John Roberts
Chief White House Correspondent
Fox News Channel
john.roberts@foxnews.com
(b) (6)
@JohnRobertsFox

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its attachments are without defect.

Singman, Brooke

From: Singman, Brooke
Sent: Friday, June 16, 2017 9:42 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: POTUS tweet- quick Q for you

I also reached out to Peter Carr on this FYI. I know he handles Mueller comms. But wondered if you could comment on behalf of Deputy AG Rosenstein?

(sorry to flood your inbox!!)

From: Singman, Brooke
Sent: Friday, June 16, 2017 9:41 AM
To: 'Flores, Sarah Isgur (OPA)' <Sarah.Isgur.Flores@usdoj.gov>
Subject: POTUS tweet- quick Q for you

Hi Sarah,

The President just tweeted that he is being investigated by the man who told him to fire the FBI Director. Is the President referring to Deputy Attorney General Rosenstein here? Or do you know of Special Counsel Mueller advised, in any way, on the decision to fire Mr. Comey?

Again waiting on a comment as to what the President meant, and whether he was “confirming” reports that he is being investigated, or simply pointing them out...

Thank you!

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

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(b) (6)

Brooke.singman@foxnews.com

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Gibson, Jake

From: Gibson, Jake
Sent: Thursday, June 15, 2017 12:21 PM
To: wyn.hornbuckle@usdoj.com
Cc: Prior, Ian (OPA)
Subject: FW: JUSTICE DEPARTMENT ANNOUNCES MAJOR ACTION TO RECOVER ASSETS FROM CORRUPTION INVOLVING MALAYSIAN SOVEREIGN WEALTH FUND

Can you please pass along the complaint associated with this?

From: USDOJ Office of Public Affairs (SMO) [mailto:USDOJ.Office.of.Public.Affairs@usdoj.gov]
Sent: Thursday, June 15, 2017 11:24 AM
To: USDOJ Office of Public Affairs (SMO)
Subject: JUSTICE DEPARTMENT ANNOUNCES MAJOR ACTION TO RECOVER ASSETS FROM CORRUPTION INVOLVING MALAYSIAN SOVEREIGN WEALTH FUND



Department of Justice

FOR PLANNING PURPOSES NLY
THURSDAY, JUNE 15, 2017
WWW.JUSTICE.GOV

CRM
(202) 514-2007
TTY (866) 544-5309

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

**JUSTICE DEPARTMENT ANNOUNCES MAJOR ACTION TO RECOVER ASSETS FROM
CORRUPTION INVOLVING MALAYSIAN SOVEREIGN WEALTH FUND**

WASHINGTON Today, **THURSDAY, JUNE 15 AT 11:45 A.M. EDT**, the U.S. Department of Justice's Criminal Division will host a press call with the U.S. Attorney's Office for the Central District of California to discuss the Department's announcement of a major action to recover assets from corruption involving a Malaysian sovereign wealth fund. The press call is on-the-record.

WHO: Acting Deputy Assistant Attorney General Kendall Day for the Criminal Division
Acting U.S. Attorney Sandra R. Brown for the Central District of California

WHAT: On-the-record press call

WHEN: TODAY, THURSDAY, JUNE 15
11:45 a.m. EDT

WHERE: Participants in the U.S. please di (b) (6) to attend.
Participants outside of the U.S. please di (b) (6) to attend.

###

17-656

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.

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Gibson, Jake

From: Gibson, Jake
Sent: Thursday, June 15, 2017 11:04 AM
To: Carr, Peter (OPA)
Subject: RE: How about this?

Well somebody in that orbit seems to be...

Thanks anyhow.

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Thursday, June 15, 2017 11:03 AM
To: Gibson, Jake
Subject: Re: How about this?

Sorry, but we aren't commenting on an ongoing investigation.

On Jun 15, 2017, at 11:01 AM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Can you confirm this bit?

The special counsel, Robert S. Mueller III, wants to question Dan Coats, the director of national intelligence; Adm. Michael S. Rogers, the head of the National Security Agency; and Richard Ledgett, the former N.S.A. deputy director.

Jake Gibson
Fox News Washington
Field Producer
Cell (b) (6)
Cell (b) (6)
Jake.Gibson@foxnews.com
@JakeBGibson

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Singman, Brooke

From: Singman, Brooke
Sent: Thursday, June 15, 2017 8:14 AM
To: Carr, Peter (OPA)
Subject: RE: obstruction of justice

Copy that. Thank you!

Talk soon,
Brooke

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Thursday, June 15, 2017 8:13 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: obstruction of justice

Thanks, Brooke. We will decline to comment.

On Jun 15, 2017, at 6:59 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Good Morning Peter,

Seeing the media reports that Special Counsel Mueller is investigating President Trump for obstruction of justice. I know you don't comment on the substance of ongoing investigations, but hoping you can give me some sort of comment regarding this report.

Thanks,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, June 14, 2017 6:38 PM
To: Carr, Peter (OPA)
Subject: RE: So...

[Copy that.](#)

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Wednesday, June 14, 2017 6:37 PM
To: Gibson, Jake
Subject: Re: So...

We'll decline to comment, thanks.

On Jun 14, 2017, at 6:32 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Special counsel is investigating Trump for possible obstruction of justice, officials say

The special counsel overseeing the investigation into Russia's role in the 2016 election is interviewing senior intelligence officials as part of a widening probe that now includes an examination of whether President Trump attempted to obstruct justice, officials said.

The move by Special Counsel [Robert S. Mueller III](#) to investigate Trump's own conduct marks a major turning point in the nearly year-old FBI investigation, which until recently focused on Russian meddling during the presidential campaign and on whether there was any coordination between the Trump campaign and the Kremlin. Investigators have also been looking for any evidence of possible financial crimes among Trump associates, officials said. Trump had received private assurances from former FBI Director James B. Comey starting in January that he was not personally under investigation.

Officials say that changed shortly after Comey's firing.

Five people briefed on the requests, who spoke on condition of anonymity because they were not authorized to discuss the matter publicly, said Daniel Coats, the current director of national intelligence, Adm. Mike Rogers, head of the National Security Agency, and Rogers' recently departed deputy, Richard Ledgett, agreed to be interviewed by Mueller's investigators as early as this week. The investigation has been cloaked in secrecy and it's unclear how many others have been questioned by the FBI.

https://www.washingtonpost.com/world/national-security/special-counsel-is-investigating-trump-for-possible-obstruction-of-justice/2017/06/14/9ce02506-5131-11e7-b064-828ba60fbb98_story.html?utm_term=.fc3f58eacbdd

Jake Gibson
Fox News Washington
Field Producer
Cell (b) (6)
Cell (b) (6)
Jake.Gibson@foxnews.com
@JakeBGibson

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Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, June 14, 2017 3:07 PM
To: Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Subject: RE: additional security for members?

Thank you!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, June 14, 2017 3:05 PM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: Re: additional security for members?

Adding Ian but I don't think this is a doj call.

On Jun 14, 2017, at 8:48 PM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Sarah,

I'm not sure if you can comment on this, but figured it was worth a shot!

Only Congressional members with leadership rank get security detail, but many Congressional members today, who are not part of the leadership, said that without Majority Whip Scalise's security detail at the baseball practice, they would have been "sitting ducks" and the incident would have turned into "a massacre."

Can you comment on any potential increase in law enforcement presence for members this summer? Is that something that is being discussed or can we expect any additional security measures to be implemented for congressional lawmakers?

My deadline is 6pm EST.

Thank you,

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 14, 2017 3:06 PM
To: Flores, Sarah Isgur (OPA); Singman, Brooke
Subject: RE: additional security for members?

You should reach out to Capitol Police on that

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Ce (b) (6)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, June 14, 2017 3:05 PM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: additional security for members?

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 14, 2017 2:22 PM
To: Chuck Ross; Flores, Sarah Isgur (OPA)
Cc: Hornbuckle, Wyn (OPA)
Subject: RE: Turkish embassy

Looping in Wyn

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Chuck Ross [mailto:chuck@dailycaller.com]
Sent: Wednesday, June 14, 2017 2:21 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Turkish embassy

Hi,
State Dept is referring me to DOJ about details on arrests of two involved in embassy beating. I reported that US Marshals have arrested two. Are y'all able to provide any details on this or direct me to the people who can?

Thanks for any help

Nestande, Francesca

From: Nestande, Francesca
Sent: Wednesday, June 14, 2017 9:08 AM
To: Flores, Sarah Isgur (OPA)
Cc: Katherine.A.Henning@who.eop.gov
Subject: Re: Hannity tomorrow?

Works for us please just keep me posted on timing that works best!

Francesca Nestande

(b) (6)

On Jun 14, 2017, at 8:22 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

We are in Malta for a counter terrorism conference until Friday. Can it wait until we get back stateside?

On Jun 14, 2017, at 2:08 PM, Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM> wrote:

Copy! Sean is hoping to set up a call with the AG. Is there a time today or tomorrow that would work for him?

Francesca Nestande

(b) (6)

On Jun 14, 2017, at 4:17 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Sorry--he's traveling this week

On Jun 14, 2017, at 2:10 AM, Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM> wrote:

Hi all—

Sean will be taping our show from D.C. tomorrow and he is hoping AG Session can join us.

Taping will be 445-6P ET- please let me know if we can make something work!

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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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 13, 2017 6:54 PM
To: Alex Pfeiffer
Cc: Flores, Sarah Isgur (OPA)
Subject: RE: Press Inquiry

bingo

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Ce (b) (6)

From: Alex Pfeiffer [mailto:pfeiffer@dailycaller.com]
Sent: Tuesday, June 13, 2017 6:53 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: Press Inquiry

So it is basically that Trump didn't invoke executive privilege but he could have and Sessions thus should protect that right. Got it. Thanks.

On Tue, Jun 13, 2017 at 6:46 PM, Alex Pfeiffer <pfeiffer@dailycaller.com> wrote:

I read the Olson document earlier today, and unless I'm missing something the conversations in are kept confident through the president exerting executive privilege. The other parts in the memo pertain to FOIAs.

On Tue, Jun 13, 2017 at 6:42 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Please find attached a 1982 Memo from President Reagan and a 1982 Memo from Former Assistant Attorney General for the Office of Legal Counsel Theodore Olson.

From a DOJ official: "Declining to answer questions at a congressional hearing about confidential conversations with the President is long-standing executive-branch-wide practice. The basis for this historical practice is laid out in the 1982 memos from President Reagan and then-Assistant Attorney General Olson."

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: [202.616.0911](tel:202.616.0911)
Cel (b) (6)

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

From: Alex Pfeiffer [mailto:pfeiffer@dailycaller.com]

Sent: Tuesday, June 13, 2017 6:14 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: Press Inquiry

So?

Sent from my iPhone

> On Jun 13, 2017, at 4:21 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>

> Adding Ian
>

>> On Jun 13, 2017, at 4:17 PM, Alex Pfeiffer <pfeiffer@dailycaller.com> wrote:
>>

>> Hi Sarah - Could you point me to someone at DOJ or some DOJ documents regarding what Attorney General Sessions is saying right now about the confidentiality of conversations between him and the president?
>>

>> Thanks,
>> Alex Pfeiffer
>> Reporter
>> The Daily Caller

Alex Pfeiffer

From: Alex Pfeiffer
Sent: Tuesday, June 13, 2017 6:54 PM
To: Prior, Ian (OPA)
Cc: Flores, Sarah Isgur (OPA)
Subject: Re: Press Inquiry

Gotcha. Thanks.

On Tue, Jun 13, 2017 at 6:51 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Deep background, but from the Reagan memo

“executive privilege shall not be invoked without specific Presidential authorization,”

“[l]egitimate and appropriate claims of privilege should not thoughtlessly be waived.”

When potentially privileged information is requested, “[t]he Department Head shall request the Congressional body to hold its request for the information in abeyance” and “expressly indicate that the purpose of this request is to protect the privilege pending a Presidential decision, and that the request itself does not constitute a claim of privilege.”

It is important to note that we are not at the point of invoking the multi-step process described in the Reagan memo, because the Committee has not formally demanded this information or issued a subpoena about it.

Ian D. Prior

Principal Deputy Director of Public Affairs

Office: [202.616.0911](tel:202.616.0911)

Cel (b) (6)

From: Alex Pfeiffer [mailto:pfeiffer@dailycaller.com]
Sent: Tuesday, June 13, 2017 6:46 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>

Subject: Re: Press Inquiry

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 13, 2017 6:25 PM
To: Alex Pfeiffer; Flores, Sarah Isgur (OPA)
Subject: RE: Press Inquiry

Stand by

Ian D. Prior
Principal Deputy Director of Public Affairs Office: 202.616.0911 Cel (b) (6)

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

From: Alex Pfeiffer [mailto:pfeiffer@dailycaller.com]
Sent: Tuesday, June 13, 2017 6:14 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: Press Inquiry

Duplicative Material



Confidentiality of the Attorney General's Communications in Counseling the President

[The following memorandum examines the scope of confidentiality accorded the Attorney General's communications with the President, and the extent to which those communications may be shielded from compulsory disclosure to Members of Congress, the courts, and members of the public. It considers the dual nature of the Attorney General's role as Cabinet member and as principal legal adviser to the President, and extends to the broader question of the confidentiality of the deliberative materials generated by the Attorney General and those who assist him. The memorandum discusses the applicability of the doctrine of executive privilege, and the appropriate circumstances for its invocation. It also analyzes the scope of the deliberative process and attorney-client privileges under the Freedom of Information Act, and of the traditional governmental evidentiary privileges and their statutory counterparts.]

August 2, 1982

MEMORANDUM FOR THE ATTORNEY GENERAL

You have asked this Office to advise you regarding the scope of confidentiality accorded your communications with the President in your role as Attorney General. Your inquiry focused particularly on the extent to which legal advice rendered by you to the President may be shielded from compulsory disclosure to Members of Congress, the courts, and members of the public. Our analysis of these issues includes the broader subject of the confidentiality of the deliberative materials generated by you, and those who assist you, in the performance of your responsibilities as adviser to the President. We also discuss briefly certain privileges which protect other communications generated by the Department of Justice in the course of performing its duties.

Any discussion of the confidential nature of the Attorney General's communications with the President must begin with a recognition of the dual counseling functions performed by the Attorney General. The Attorney General serves as both a Cabinet adviser and the principal legal adviser to the President.¹ As a member of the President's Cabinet, the Attorney General maintains a close and confidential advisory relationship with the President over a broad range of policy issues, including the highest and most delicate affairs of state. *See, e.g., Rankin,*

¹ In 1828 Attorney General Wirt described the Attorney General as "confidential law adviser to the Executive branch of the government." *See* H. Cummings and C. McFarland, *Federal Justice* 91 (1937). In two lengthy essays analyzing the executive departments and the Attorney General in particular, former Attorney General Cushing described the department heads as the President's "constitutional counsellors," his "political or confidential ministers," and his "constitutional advisers." 7 Op. Att'y Gen. 453 (1855), 6 Op. Att'y Gen. 326 (1854).

Assistant Attorney General, Office of Legal Counsel, "Memorandum for the Attorney General re: Secrecy of Cabinet Proceedings and Papers" (Oct. 15, 1954). This advisory relationship to the President, a relationship shared by all members of the President's Cabinet, is constitutionally based. Article II, § 2, of the Constitution provides that the President

may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices. . . .

With respect to the Attorney General, this constitutional duty was carried over into statute by § 35 of the Judiciary Act of 1789, 1 Stat. 93, which required the Attorney General "to give his advice and opinions upon questions of law when required by the President of the United States." This provision is now codified in 28 U.S.C. § 511.²

We note, as a preliminary matter, that the confidentiality of the communications discussed herein cannot be analyzed without consideration of the contents of the communications, including the identities of the persons generating the communications and the persons to whom they are addressed, as well as the identities of the persons seeking disclosure. Generally speaking, however, the conclusions reached in this memorandum, and discussed in detail below, are as follows:

1. The President may assert an arguably absolute executive privilege against the Legislative Branch and in the courts to protect from disclosure communications involving military, diplomatic, or national security secrets;³ a qualified

² The original language of § 35 of the 1789 Judiciary Act has remained virtually intact through subsequent codifications of the provision. See 28 U.S.C. § 511 (1976), which provides:

The Attorney General shall give his advice and opinion on questions of law when required by the President.

³ See *Halkin v. Helms*, 598 F.2d 1 (D.C. Cir. 1978), holding that "[t]he state secrets privilege is absolute[.]" *id.* at 7, but permitting the district court to examine a classified affidavit *in camera*, in order to satisfy itself of the validity of the claim of privilege with respect to the underlying classified information.

Although the Supreme Court has not stated expressly that the privilege for military, diplomatic, and national security secrets is absolute, it has used very strong language to this effect. See, e.g., the Court's suggestion in *United States v. Nixon*, 418 U.S. 683, 711 (1974), that even *in camera* examination of documents may be inappropriate when a court is satisfied, "from all the circumstances of the case," that there exists a reasonable danger of disclosure of military, diplomatic, or national security secrets:

As to the areas of Art. II duties [involving military or diplomatic secrets,] the courts have traditionally shown the utmost deference to Presidential responsibilities. In *C. & S. Air Lines v. Waterman S. S. Corp.*, 333 U.S. 103, 111 (1948) [(emphasis added)], dealing with Presidential authority involving foreign policy considerations, the Court said:

"The President, both as Commander-in-Chief and as the Nation's organ for foreign affairs, has available intelligence services whose reports are not and ought not to be published to the world. *It would be intolerable that courts, without the relevant information, should review and perhaps nullify actions of the Executive taken on information properly held secret.*"

In *United States v. Reynolds*, 345 U.S. 1 [10] (1953), . . . the Court said:

"It may be possible to satisfy the court, from all the circumstances of the case, that there is a reasonable danger that compulsion of the evidence will expose military matters which, in the interest of national security, should not be divulged. When this is the case, the occasion for the privilege is appropriate, and the court should not jeopardize the security which the privilege is meant to protect by insisting upon an examination of the evidence, even by the judge alone, in chambers."

418 U.S. at 710-11 (emphasis added). See also *United States v. Reynolds*, 345 U.S. 1 (1953):

In each case, the showing of necessity [for access to the documents] which is made will determine

executive privilege may be claimed to protect law enforcement investigatory files and sensitive deliberative communications between the Office of the President and the Attorney General's Office, as well as staff communications within the two offices which are reflective of the deliberative process. The President customarily reserves exclusively to himself the power to assert the claim of executive privilege against Congress.⁴ However, the Attorney General, as "head of [an executive] department which has control over the matter," may, after personal consideration of the matter, invoke the privilege against others in court. *United States v. Reynolds*, 345 U.S. 1, 8 (1953).⁵

2. The Attorney General may assert a "deliberative process" privilege pursuant to exemption 5 of the Freedom of Information Act, 5 U.S.C. § 552(b)(5), to withhold from the public nonfactual deliberative communications; absent a breach of the confidentiality of the privileged communication, the President, or the Attorney General on his behalf, may assert the attorney-client privilege pursuant to exemption 5 of the Freedom of Information Act, 5 U.S.C. § 552(b)(5). Similarly, absent a waiver of the privilege, the Attorney General may assert the common-law privilege for attorney-client communications, which has been codified in Rule 501 of the Federal Rules of Evidence, and Rule 26 of the Federal Rules of Civil Procedure, to protect from disclosure in litigation certain confidential communications of a legal advisory nature which were prepared for the Office of the President.

3. Finally, this memorandum addresses the traditional "governmental" evidentiary privileges which, although available to the Attorney General, only

how far the court should probe in satisfying itself that the occasion for invoking the privilege is appropriate. Where there is a strong showing of necessity, the claim of privilege should not be lightly accepted, but even the most compelling necessity cannot overcome the claim of privilege if the court is ultimately satisfied that military secrets are at stake.

345 U.S. at 11 (footnote omitted) (emphasis added). See generally Daniel, Assistant Attorney General, Civil Division, "Memorandum to All Civil Division Attorneys re: Asserting Claims of Official Governmental Privilege in Litigation" (Nov. 1980); Rehnquist, Assistant Attorney General, Office of Legal Counsel, "Testimony on Executive Privilege before the Senate Judiciary Subcommittee on Separation of Powers" (Aug. 4, 1971). Cf. *American Civil Liberties Union v. Brown*, 619 F.2d 1170 (7th Cir. 1980) (*en banc*), and *Halkin v. Helms*, *supra*, both construing *Reynolds*, *supra*, and *Nixon*, *supra*, to permit *in camera* examinations of documents for which the state secrets privilege was claimed in certain exceptional circumstances. *American Civil Liberties Union*, *supra*, held that a litigant's strong showing of need, e.g., that withheld documents were critical to substantiate a claim of constitutional violation, may compel the district court to conduct *in camera* review of documents allegedly covered by state secrets privilege in order to determine whether they are properly classified.

⁴ This limitation on the exercise of the privilege against Congress stems from a practice instituted by Presidents Kennedy and Johnson, that "Executive privilege can be invoked only by the President and will not be used without specific Presidential approval," letter from President Kennedy to Congressman Moss (Mar. 7, 1962), and formalized in President Nixon's "Memorandum for the Heads of Executive Departments and Agencies" (Mar. 24, 1969). To date, subsequent administrations have followed this practice. See Olson, Assistant Attorney General, Office of Legal Counsel, "Memorandum to the Attorney General re: Executive Privilege" (Oct. 9, 1981); Harmon, Assistant Attorney General, Office of Legal Counsel, "Memorandum to All Heads of Offices, Divisions, Bureaus and Boards of the Department of Justice" (May 23, 1977). See generally *Common Cause v. NRC*, 674 F.2d 921, 935 (D.C. Cir. 1982) (dictum to the effect that only the President may assert executive privilege).

⁵ Although assertion of the state secrets privilege clearly requires that the claim be made by the head of an agency, the case law governing other claims of executive privilege in litigation is not settled with respect to who must assert the privilege. Compare *Union Oil v. Morton*, 56 F.R.D. 643 (C.D. Cal. 1972); *FTC v. Bramman*, 54 F.R.D. 364 (W.D. Mo. 1972); (recognizing claims made by persons other than agency heads), with *Anchem Products v. GAF Corp.*, 64 F.R.D. 550 (N.D. Ga. 1974); *Carter v. Carlson*, 56 F.R.D. 9 (D.D.C. 1972). See also Daniel, "Asserting Claims of Official Governmental Privilege in Litigation," *supra* note 3 (recommending that all claims of governmental privilege in litigation, other than those relating to the informant's privilege, be formally asserted by the heads of agencies).

rarely would be applicable to his communications with the President. These privileges, which have analogues in the Freedom of Information Act, protect (a) confidential information which certain employees or members of the public are required to report on government records, (b) the identity of government informants, and (c) certain law enforcement investigatory files.⁶

I. Executive Privilege

The doctrine of executive privilege defines the constitutional authority of the Executive Branch to protect documents or information in its possession from public disclosure and from the compulsory process of the Legislative and Judicial Branches. *See* Rehnquist, Assistant Attorney General, Office of Legal Counsel, Testimony on Executive Privilege Before Senate Judiciary Subcommittee on Separation of Powers (Aug. 4, 1971). Executive privilege protects material the disclosure of which would significantly impair the conduct of foreign relations, the national security, or the performance of the Executive's lawful duties.⁷ It also shields confidential deliberative communications which have been generated within the Executive Branch from compulsory disclosure, in the absence of a strong showing of need by the branch seeking disclosure that access to the privileged communications is critical to the responsible fulfillment of its constitutional functions. *Nixon v. Administrator of General Services*, 433 U.S. 425, 441–55 (1977); *United States v. Nixon*, 418 U.S. 683, 711–12 (1974); *Senate Select Committee on Presidential Campaign Activities v. Nixon*, 498 F.2d 725, 730–31 (D.C. Cir. 1974) (*en banc*). This privilege is based on the need for confidentiality of communications among high-level government officials, as well as the constitutional doctrine of separation of powers, which provides that each branch of government is “suprem[e] . . . within its own assigned area of constitutional duties.” *United States v. Nixon*, *supra* at 705.

A. Constitutional and Practical Bases of the Privilege

The necessity for confidentiality in the advisory relationships between Cabinet advisers and the President, and their respective aides, is of both constitutional and practical significance. *See United States v. Nixon, supra; Senate Select Committee on Presidential Campaign Activities v. Nixon, supra. See also* Opinion of the Attorney General for the President, “Assertion of Executive Privilege in Response to a Congressional Subpoena,” 43 Op. Att’y Gen. —, 5 Op. O.L.C. 27 (Oct. 13, 1981) (hereafter 1981 Attorney General Opinion); Harmon, Assistant Attorney General, Office of Legal Counsel, “Memorandum for the

⁶ *See* Daniel, “Asserting Claims of Official Governmental Privilege in Litigation,” *supra* note 3. *See also* FOIA exemption 6, which protects “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy,” § 552(b)(6); and exemption 7, which shields certain law enforcement investigatory records, § 552(b)(7).

⁷ Because the types of communications discussed in this memorandum are less likely to implicate military, diplomatic, or national security interests, the qualified privilege for law enforcement files, *see* n 33 *infra*, and for sensitive advisory or deliberative communications, provides a more appropriate focus for our analysis.

Attorney General re: The Constitutional Privilege for Executive Branch Deliberations: The Dispute with a House Subcommittee over Documents Concerning Gasoline Conservation Fee” (Jan. 18, 1981) (hereafter Harmon Memorandum); Rehnquist Testimony, *supra*.⁸ It is premised on the need to discuss confidential matters which arise within the Executive Branch and to assist the President in the discharge of his constitutional powers and duties, by ensuring discussion that is free-flowing and frank, unencumbered by fear of disclosure or intrusion by the public or the other branches of government. The President and those who assist him require candid advice on the wide range of issues which confront the Executive, and such candid advice may not be forthcoming if Cabinet advisers or their aides must anticipate disclosure of the advice rendered by them and the potential public or legislative criticism which might result therefrom.

A unanimous⁹ Supreme Court in *United States v. Nixon*, *supra*, affirmed the constitutional underpinnings of the privilege, recognizing the “protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties” as supported by the doctrine of separation of powers, and by historic practice.¹⁰ The Court described this constitutional and historic basis as “too plain to require further discussion.” *Id.* at 705. *See also Senate Select Committee*, *supra*. The Court went on to state that “human experience teaches that those who expect public dissemination of their remarks may well temper candor with a concern for appearances and for their own interests to the detriment of the decisionmaking process.” *United States v. Nixon*, *supra* at 705. Such “temper[ed] candor” in presidential advisers’ deliberations clearly would impede the President’s performance of his constitutional duty to exercise the executive powers described in Art. II, § 3 of the Constitution. *See Nixon v. Administrator of General Services*, *supra*; *United States v. Nixon*, *supra*.

The Supreme Court and lower federal courts have made clear that the presumption of confidentiality accorded presidential communications is intended to protect not only the substance of sensitive communications between the President

⁸ *See generally* Rankin, Assistant Attorney General, Office of Legal Counsel, “Memorandum for the Attorney General re. Secrecy of Cabinet Proceedings and Papers” at 3 (Oct. 15, 1954):

[T]he special and perhaps most significant aspect of [Cabinet members’] office is that of trusted adviser to the Chief Executive in the affairs of the Nation, a relationship which cannot long be maintained with respect to those feeling themselves at liberty to make unauthorized disclosures of information imparted to them at Cabinet meetings in strict confidence, and accordingly . . . each member, to retain the confidence of the President, must constantly bear in mind the overriding need for scrupulous observance of the secrecy of Cabinet proceedings and papers.

⁹ Justice Rehnquist did not participate in this decision. 418 U.S. at 685.

¹⁰ The Court noted that the 1787 Constitutional Convention had been conducted by the Framers in complete privacy, and that the records of the Convention were sealed for more than 30 years thereafter. 418 U.S. at 705, n. 15. *See* 1 M. Farrand, *The Records of the Federal Convention of 1787*, pp. xi–xxv (1911), 3 Stat. 475, 15th Cong., 1st Sess., Res. 8 (1818). *See also* C. Warren, *The Making of the Constitution* 134–39 (1937).

The need for confidential deliberations is not unique to the Executive Branch. The Framers recognized that some congressional deliberations would of necessity be privileged from publication. Art. I, § 5, cl. 3, or from questioning beyond the House or Senate floor, Art. I, § 6, cl. 1. Similarly, judicial deliberations, as well as discussions between judges and their law clerks, are undoubtedly privileged, although neither the Executive nor the Legislative Branches has ever attempted to challenge the right of courts to withhold such information. *See generally Nixon v. Sirica*, 487 F.2d 700, 717 (D.C. Cir. 1973) (*en banc*); *Soucie v. David*, 448 F.2d 1067, 1080–81 (D.C. Cir. 1971) (Wilkey, J., concurring); Henkin, “The Right to Know and the Duty to Withhold: The Case of the Pentagon Papers,” 120 U. Pa. L. Rev. 271, 274 (1971).

and his advisers but the integrity of the decisionmaking process within the Executive Branch as well.¹¹ See *Nixon v. Administrator of General Services*, *supra*; *Senate Select Committee*, *supra*; *Nixon v. Sirica*, 487 F.2d 700 (D.C. Cir. 1973) (*en banc*). See also 1981 Attorney General Opinion *supra*; Harmon Memorandum, *supra*. It is these concerns which justify the invocation of executive privilege by the President, or, where appropriate, the heads of executive departments, as well as the “deliberative process” privilege, which may be claimed by any federal agency pursuant to exemption 5 of the Freedom of Information Act, 5 U.S.C. § 552(b)(5), to withhold documents requested by members of the public.¹²

B. Limitations on the Scope of the Privilege

Notwithstanding the necessity for confidentiality in executive deliberations, the privilege against their disclosure to Congress and the courts is qualified, in both scope and application. First, the executive privilege for intragovernmental deliberations does not protect materials the disclosure of which would not implicate or hinder the Executive Branch’s decisionmaking processes. *United States v. Nixon*, *supra*. Thus, factual, nonsensitive materials—communications from the Attorney General which do not contain advice, recommendations, tentative legal judgments, drafts of documents, or other material reflecting deliberative or policymaking processes—do not fall within the scope of materials for which executive privilege may be claimed as a basis of nondisclosure. *Cf.*, *e.g.*, *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132 (1975); *Taxation With Representation v. IRS*, 646 F.2d 666 (D.C. Cir. 1981); *Coastal States Gas Corp. v. Department of Energy*, 617 F.2d 854, 866–69 (D.C. Cir. 1980).¹³

Second, even in cases involving sensitive deliberative materials for which a claim of privilege may be appropriate, the executive interest in nondisclosure must be balanced against the needs of the requesting branch before the validity of the claim of privilege can be determined. It is in these cases of potential conflict and competing claims of legitimate need by each branch that the separation of

¹¹ In its analysis of executive privilege in *United States v. Nixon*, *supra*, the Supreme Court discussed the role of confidentiality among presidential advisers and concluded:

The expectation of a President to the confidentiality of his conversations and correspondence . . . is [grounded on] the necessity for protection of the public interest in candid, objective, and even blunt or harsh opinions in Presidential decisionmaking. A President and those who assist him must be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately. These are the considerations justifying a presumptive privilege for Presidential communications. The privilege is fundamental to the operation of Government and inextricably rooted in the separation of powers under the Constitution.

418 U.S. at 708 (footnote omitted).

¹² The deliberative process privilege will be discussed *infra* in part II A.

¹³ The standard for nondisclosure under a claim of executive privilege is analogous to the “deliberative process” privilege codified in the Freedom of Information Act, 5 U.S.C. § 552(b)(5), which exempts predecisional and deliberative documents from the general disclosure mandate of the Act. See generally *McClelland v. Andrus*, 606 F.2d 1278, 1287 n.54 (D.C. Cir. 1979). However, Congress may not expand the public’s statutory right to disclosure under FOIA beyond those limits set, in any given case, by the constitutional doctrine of executive privilege. *Soucie v. David*, 448 F.2d 1067, 1071–72, n.9, 1081–83 (D.C. Cir. 1971); conversely, because of its constitutional basis independent of FOIA, Congress may not limit the scope of executive privilege by altering the standards for disclosure under FOIA. *Id.*

powers principle on occasion must yield to the principles of “a workable government”—“separateness but interdependence, autonomy but reciprocity.” *United States v. Nixon*, *supra* at 707 (quoting *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 635 (1952) (Jackson, J., concurring)). These principles recognize a “spirit of dynamic compromise” among the coordinate branches when a conflict in authority arises—a spirit which requires each branch to “take cognizance of an implicit constitutional mandate to seek optimal accommodation through a realistic evaluation of the needs of the conflicting branches in a particular fact situation.” *United States v. AT&T*, 567 F.2d 121, 127 (D.C. Cir. 1977). This duty to recognize and accommodate the legitimate needs of the other branches was examined in its constitutional context by the D.C. Circuit in *United States v. AT&T*, *id.* at 130 (footnote omitted):

[I]t was a deliberate feature of the constitutional scheme to leave the allocation of powers unclear in certain situations . . . [Thus,] the resolution of conflict between the coordinate branches in these situations must be regarded as an opportunity for a constructive *modus vivendi*, which positively promotes the functioning of our system. The Constitution contemplates such accommodation. Negotiation between the two branches should thus be viewed as a dynamic process affirmatively furthering the constitutional scheme.

See also 1981 Attorney General Opinion, *supra*, 5 Op. O.L.C. at 30 (“The accommodation required is not simply an exchange of concessions or a test of political strength. It is an obligation of each branch to make a principled effort to acknowledge, and if possible to meet, the legitimate needs of the other branch.”).

The more generalized the executive interest in withholding the disputed information, the more likely it is that the claim of privilege will yield to a specific, articulated need related to the effective performance by the coordinate branches of their constitutionally assigned functions. Conversely, the more specific the need for confidentiality, and the less specific the articulated need of the requesting branch for the information, the more likely it is that the Executive’s need for confidentiality will prevail. *Nixon v. Administrator of General Services*, *supra*; *United States v. Nixon*, *supra*. See generally 1981 Attorney General Opinion, *supra*; Harmon Memorandum, *supra*. Thus, in determining whether to assert the privilege, the Executive, in the first instance, must balance the “public” interest¹⁴ inherent in the “general privilege of confidentiality of Presidential communications in performance of the President’s responsibilities” against the national or public interest in disclosure, as determined by the ability

¹⁴ The “public” interest in nondisclosure derives from the recognized value which accrues to the public from an effective executive decisionmaking process, supported by the exchange of “candid, objective, and even blunt or harsh opinions,” *United States v. Nixon*, *supra* at 708, and fostered by ensuring the confidentiality of such opinions. *Nixon v. Sirica*, *supra* at 717. See also *McClelland v. Andrus*, 606 F.2d 1278, 1287 n.55 (D.C. Cir. 1979) (citations omitted) (recognizing the “compelling public [interest in] confidentiality” which is “[n]owhere . . . more vitally involved than in the fidelity of the sovereign’s decision and policymaking resources.”) See generally Rehnquist Testimony, *supra*.

of the requesting branch responsibly to fulfill its constitutional duties without the assistance provided by the requested documents. *United States v. Nixon*, *supra*, 418 U.S. at 706, 711–712. See *Nixon v. Sirica*, *supra*, 487 F.2d at 716–17. In making such a determination, each document—and the role that it plays in the decisionmaking process—must be examined individually. *Playboy Enterprises v. Department of Justice*, 677 F.2d 931, 935 (D.C. Cir. 1982); *Coastal States*, *supra*, 617 F.2d at 867.

In the case of Congress, the grant of legislative power in Article I of the Constitution implies a requirement that Congress have access to pertinent information, as well as the authority to summon witnesses and to compel the production of needed evidence, as a prerequisite to the proper performance of its legislative function. *Jurney v. MacCracken*, 294 U.S. 125 (1935); *McGrain v. Daugherty*, 273 U.S. 135 (1927). See generally Rehnquist Testimony, *supra*. Congress' duty to investigate and inform itself of matters which may involve the Executive is very broad, extending "over the whole range of the national interests concerning which Congress might legislate or decide upon due investigation not to legislate." *Barenblatt v. United States*, 360 U.S. 109, 111 (1959). See also *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 504–07 (1975); *Watkins v. United States*, 354 U.S. 178, 187 (1957). See generally Cox, "Executive Privilege," 122 U. Pa. L. Rev. 1383, 1426 (1974). This broad-based power of inquiry includes matters requiring new or remedial legislation, appropriations of funds, congressional probes into various governmental departments to expose corruption, inefficiency, or waste, as well as the administration of existing laws or proposed statutes. Yet, these very sources of Congress' power to obtain information also outline the limits of that power: Congress may only inquire into those matters on which it may potentially legislate or appropriate—it may not inquire into those matters "which are within the exclusive province" of the Executive or the Judiciary. *Barenblatt*, *supra* at 112. See *Watkins*, *supra*. Nevertheless, the validity of a claim of privilege for documents demanded by Congress in the performance of its legitimate legislating functions, including the "oversight" function, can only be determined by balancing the particular interests of the Legislative and Executive Branches against each other in each case, in light of the possibility of accommodation. *Senate Select Committee*, *supra*.¹⁵

¹⁵ See, e.g., 1981 Attorney General Opinion, *supra*, discussing the relatively weak congressional interest in obtaining predecisional, deliberative Executive Branch documents in the context of Congress' performance of its general "oversight" function, as compared to its consideration of specific legislative proposals.

At the stage of oversight, the congressional interest is a generalized one of ensuring that the laws are well and faithfully executed and of proposing remedial legislation if they are not. The information requested is usually broad in scope and the reasons for the request correspondingly general and vague. In contrast, when Congress is examining specific proposals for legislation, the information which Congress needs to enable it to legislate effectively is usually quite narrow in scope and the reasons for obtaining that information correspondingly specific. A specific, articulated need for information will weigh substantially more heavily in the constitutional balancing than a generalized interest in obtaining information.

[Moreover,] the congressional oversight interest will support a demand for predecisional, deliberative documents in the possession of the Executive Branch only in the most unusual circumstances. It is important to stress that congressional oversight of Executive Branch actions is justifiable only as a means of facilitating the legislative task of enacting, amending, or repealing laws. When such "oversight" is used as a means of participating directly in an ongoing process of decisionmaking

Similarly, with respect to judicial functions, an evaluation must be made of the impact of a successful claim of executive privilege on the ability of the Judiciary to perform effectively its duties of fair adjudication of controversies and supervision of grand jury investigations. See *United States v. Nixon, supra*; *Nixon v. Sirica, supra*. As is the case when the privilege is asserted against the Legislative Branch, if the information withheld by the Executive is “demonstrably critical to the responsible fulfillment” of the Judiciary’s functions, a generalized claim of privilege must fail. *Nixon v. Sirica*, 487 F.2d at 717 (“the general confidentiality privilege must recede before the grand jury’s showing . . . that the subpoenaed [information] contain[s] evidence peculiarly necessary to the carrying out of [its] vital function.”). Cf. *Senate Select Committee*, 498 F.2d at 731.

Notwithstanding these limitations on the scope of the privilege for Executive Branch communications, it is not essential that the communications for which the privilege is claimed have been directed to or emanated from the President himself. See Nixon, “Memorandum for the Heads of Executive Departments and Agencies” (March 24, 1969). See also *United States v. AT&T, supra*; Harmon Memorandum, *supra*. The underlying rationale of the privilege to foster robust and honest debate in the presidential decisionmaking process is as applicable to Executive Branch advisers both within and outside the immediate Office of the President as it is to the President himself. The Supreme Court, in *United States v. Nixon, supra*, recognized the need for the President “and those who assist him [to] be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately.” 418 U.S. 708 (emphasis supplied). In addition, this office has recently expressed the view that because of the importance of the executive department heads and their advisers to the President and his closest advisers in presidential decisionmaking, it would be “artificial” to draw a rigid and inflexible line between the executive departments and the President’s Office, limiting the reach of the constitutional privilege only to the latter. Harmon Memorandum, *supra* at 13–14.¹⁶ Thus, memoranda prepared by the Attorney General or his assistants containing legal or policy advice on issues under consideration by the President and his advisers may be properly encompassed by a claim of executive privilege. This category of documents would include, for example, staff level advice to Assistant Attorneys General concerning matters on which the President has

within the Executive Branch, it oversteps the bounds of the proper legislative function. Restricted to its proper sphere, the congressional oversight function can almost always be properly conducted with reference to information concerning decisions which the Executive Branch has already reached. Congress will have a legitimate need to know the preliminary positions taken by Executive Branch officials during internal deliberations only in the rarest of circumstances.

5 Op. O.L.C. at 29 (citations omitted)

¹⁶ Nevertheless, former Assistant Attorney General Harmon’s January 18, 1981, memorandum recognized that there exist “differences of degree” of sensitivity inherent in the broad category of executive deliberations. The memorandum pointed out that in deciding whether to claim the privilege, it is especially important to protect the integrity of deliberations involving the President himself and his closest advisers.

In accommodating Congress’s legitimate need for certain information, the executive branch should be least willing to reveal deliberations directly involving the President and his closest advisers, and more willing to disclose material from within the executive departments.

Harmon Memorandum, *supra*, at 13

sought advice, staff level advice to officials in the Office of the President, notes of middle level staff meetings concerning issues before the President or members of his staff, and tentative legal judgments or draft policy statements prepared for the President or his staff.

For purposes of invoking executive privilege, communications from the Attorney General, *qua* the President's chief legal adviser, should be analyzed in the same fashion as communications from other Cabinet advisers and trusted high-level officials. Unlike the attorney-client privilege, which focuses exclusively on communications of a *legal* advisory nature, executive privilege may be claimed for any nonfactual, sensitive deliberative communication for which there exists a sufficiently strong public interest in nondisclosure. While it is unlikely that very many of the Attorney General's communications will be in the category of communications with regard to which claims of privilege are entitled to the strictest deference, *e.g.*, military, diplomatic, or sensitive national security matters, his communications to the President may nevertheless demand greater confidentiality than those of some other Cabinet advisers, because of the nature of the Attorney General's responsibilities to the Executive and his special areas of expertise, *e.g.*, legal advice and law enforcement. *See* Harmon Memorandum, *supra*, at 26.¹⁷

III. The Freedom of Information Act—Exemption 5: The Deliberative Process Privilege and the Attorney-Client Privilege

Exemption 5 of the Freedom of Information Act (FOIA)¹⁸ protects from compulsory disclosure to the public, government materials which are "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." 5 U.S.C. § 552(b)(5). This exemption thus codifies the traditional common law privileges afforded certain documents in the context of civil litigation and discovery, *see* Fed. R. Civ. P. 26; Fed. R. Evid. 501, including the executive "deliberative

¹⁷ In his memorandum to the Attorney General regarding a congressional subcommittee's demand for certain documents from the Department of Energy, Assistant Attorney General Harmon advised:

[T]o whatever extent the customary attorney-client privilege applies to government attorneys, we believe that the reasons for the constitutional privilege against the compelled disclosure of executive branch deliberations have special force when legal advice is involved. None of the President's obligations is more solemn than his duty to obey the law. The Constitution itself places this responsibility on him, in his oath of office and in the requirement of article II, section 3 that "he shall take care that the laws be faithfully executed." Because this obligation is imposed by the Constitution itself, Congress cannot lawfully undermine the President's ability to carry it out. Moreover, legal matters are likely to be among those on which high government officials most need, and should be encouraged to seek, objective, expert advice. As crucial as frank debate on policy matters is, it is even more important that legal advice be "candid, objective, and even blunt or harsh," *see United States v. Nixon*, 418 U.S. 683, 708 (1974), where necessary. Any other approach would jeopardize not just particular policies and programs but the principle that the government must obey the law. For these reasons, it is critical that the President and his advisers be able to seek, and give, candid legal advice and opinions free of the fear of compelled disclosure.

Harmon Memorandum, *supra*, at 26.

¹⁸ While other exemptions to the FOIA occasionally may be applicable to the types of communications discussed in this memorandum, *e.g.*, the exemption 7 privilege for law enforcement investigatory records, *see* 5 U.S.C. § 552(b)(7) discussed in part III C., *infra*, because of the Attorney General's advisory relationship to the President, most such communications will come within the privileges embraced by exemption 5.

process” privilege, *NLRB v. Sears*, *supra*; *EPA v. Mink*, 410 U.S. 73 (1973); *Taxation With Representation v. IRS*, 646 F.2d 666 (D.C. Cir. 1981); the attorney-client privilege, *Brinton v. Department of State*, 636 F.2d 600, 603–04 (D.C. Cir. 1980), *cert. denied*, 452 U.S. 905 (1981); *Mead Data Central v. United States Department of Air Force*, 566 F.2d 242, 252–55 (D.C. Cir. 1977); and the attorney work-product privilege, *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 154 (1975); *Bristol-Myers Co. v. FTC*, 598 F.2d 18 (D.C. Cir. 1978), as applied to document requests of government agencies from members of the public. See also *Coastal States Gas Corp. v. Department of Energy*, 617 F.2d 854 (D.C. Cir. 1980). All of these privileges encompassed by exemption 5 may be claimed, in appropriate circumstances, to protect communications between the Attorney General’s Office and the Office of the President from compulsory disclosure to members of the press and the general public.¹⁹ Nevertheless, even though the FOIA exemptions noted above are analogous to the common law evidentiary privileges which have been incorporated by implication into the Act, the standards for asserting the evidentiary privileges can serve only as a “rough guide” to the courts in determining the validity of FOIA exemption claims. This is so because

decisions as to discovery are usually based on a balancing of the relative need of the parties, and standards vary according to the kind of litigation involved. Furthermore, the most fundamental discovery and evidentiary principle, relevance to the issues being litigated, plays no part in FOIA cases.

Coastal States, *supra*, at 862, citing *EPA v. Mink*, 410 U.S. 73, 86 (1973). See also *Playboy Enterprises v. Department of Justice*, 677 F.2d 931, 936 (D.C. Cir. 1982); *McClelland v. Andrus*, 606 F.2d 1278, 1287 nn. 54, 55 (D.C. Cir. 1979).²⁰

A. “Deliberative Process” Privilege

The “deliberative process” privilege under FOIA is substantially similar in scope and purpose to the deliberative process aspect of executive privilege,

¹⁹ The exemptions contained in the Freedom of Information Act do “not [provide] authority to withhold information from Congress.” 5 U.S.C. § 552(c)

²⁰ In explaining the relationship between the privileges under FOIA and the evidentiary privileges in litigation, the D.C. Circuit stated:

[T]he analysis contained in Exemption 5 cases is applicable [to common law discovery cases] because Exemption 5 exempts only those documents normally privileged in the civil discovery context. *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 148–49 . . . (1975); *EPA v. Mink*, . . . 410 U.S. at 85–86 . . . (1973); *Vaughn v. Rosen*, 523 F.2d at 1143 (1975). Thus in effect Exemption 5 is co-extensive with the common law discovery privileges: Exemption 5 shields from a member of the public seeking a document under FOIA that which would be shielded from a litigant seeking discovery from an agency. There is, however, an additional factor to be considered in the discovery context that is not considered in the FOIA context . . . When a party seeks discovery against the Government and the Government interposes a claim of privilege, it is appropriate for the court to consider the litigant’s need for the material. But when a member of the public seeks access to material under FOIA and the Government claims that the material comes within the purview of Exemption 5, disclosure is permitted of that which would “routinely be disclosed” in private litigation. H.R. Rep. No. 1497, 89th Cong., 2d Sess. 10 (1966). *Stated differently, the extent of the requester’s need is not considered in the FOIA context*

McClelland v. Andrus, *supra*, at 1287, n.54 (emphasis supplied).

discussed above. Although both privileges apply generally to the same types of documents, the primary differences between the two privileges lie in their respective applications. First, executive privilege traditionally has been invoked only by the President to shield documents from disclosure to Congress, and by the President or the head of any executive department or agency in judicial proceedings.²¹ FOIA exemptions, in contrast, may be claimed by the head, or other designated official, of any government agency in possession of documents for which a request has been made by a member of the public. Second, as noted above, claims of executive privilege for deliberative documents must be balanced against the public interest in disclosure, which is frequently analyzed in terms of the requesting government institution's ability to perform its functions responsibly—whether legislative investigations or judicial resolution of disputes—without gaining access to the disputed materials. In considering the claims of exemptions under FOIA, however, the requestor's interest in or need for the documents is irrelevant. See H.R. Rep. No. 1497, 89th Cong., 2d Sess. 10 (1966); *McClelland v. Andrus*, *supra*. Notwithstanding these differences, the analyses involved in the applications of the two privileges are very similar.

As in the case of executive privilege, the “deliberative process” privilege embraced by exemption 5 was intended to protect the integrity of the decision-making process and to promote full and frank deliberations during that process. However, consistent with the strong disclosure policy of FOIA, the privilege is to be considered “‘as narrowly as [is] consistent with efficient Government operation.’” *Coastal States*, *supra*, 617 F.2d at 868, quoting from S. Rep. No. 813, 89th Cong., 1st Sess. 9 (1965). See also *FBI v. Abramson*, 456 U.S. 615, 629–32 (1982); *Department of Air Force v. Rose*, 425 U.S. 352, 360–62 (1976). The privilege exempts documents which are advisory or recommendatory in nature, reflecting “the give-and-take of the consultative process . . . , weighing the pros and cons of agency adoption of one viewpoint or another,” *Coastal States*, *supra*, 617 F.2d at 866, and “other subjective documents that reflect the personal opinions of the writer prior to the agency’s adoption of a policy.” *Taxation With Representation*, *supra*, 646 F.2d at 677. See also *NLRB v. Sears*, *supra*, 421 U.S. at 150; *Brinton v. Department of State*, *supra*, 636 F.2d at 604–06. In the words of the D.C. Circuit, which has developed a considerable body of law construing the deliberative process privilege:

[The privilege] was created to protect the deliberative process of the government, by ensuring that persons in an advisory role would be able to express their opinions freely to agency decision-makers without fear of publicity. . . . Such consultations are an integral part of [an agency’s] deliberative process; to conduct this process in public view would inhibit frank discussion of policy matters and likely impair the quality of decisions.

²¹ See nn. 4, 5, *supra*.

Ryan v. Department of Justice, 617 F.2d 781, 789–90 (D.C. Cir. 1980) (footnote omitted). In addition, the privilege was designed to

protect against premature disclosure of proposed policies before they have been finally formulated or adopted; and to protect against confusing the issues and misleading the public by dissemination of documents suggesting reasons and rationales for a course of action which were not in fact the ultimate reasons for the agency's action.

Coastal States, *supra*, 617 F.2d at 866.

Applying this standard to the materials discussed in this memorandum, documents reflecting the internal details involved in the preparation of formal Attorney General opinions or Office of Legal Counsel opinions, as well as the more informal predecisional working papers which pass between and within the Attorney General's Office and the Office of the President, would be included in this category of deliberative documents protected by exemption 5. *See, e.g., Brinton v. Department of State*, *supra* (holding that opinions prepared by the Office of the Legal Adviser for the Secretary of State fell within the deliberative process privilege of exemption 5).

The courts have held, however, that "deliberative process" privilege does *not* protect documents which reflect final opinions, statements of reasons supplying the bases for decisions, or policies actually adopted, or documents that otherwise constitute the "working law" of an agency. *See NLRB v. Sears*, *supra*, 421 U.S. at 152–53; *Taxation With Representation*, *supra*, 646 F.2d at 678; *Coastal States*, *supra*, 617 F.2d at 866–68. The rationale underlying the "final opinion" exception to the deliberative process privilege is to prevent agencies from developing a body of "secret law" veiled by the exemption 5 privilege—the maintenance of which "would weigh heavily against the public interest." *Sterling Drug, Inc. v. FTC*, 450 F.2d 698, 715 (D.C. Cir. 1971). *See Brinton v. Department of State*, *supra*, 636 F.2d at 605. Thus, decision documents of the Office of the President, deliberative materials "incorporated" into those documents, and opinions of the Attorney General which have been "incorporated" into the President's final document, would be subject to disclosure under FOIA. *See EPA v. Mink*, 410 U.S. 73 (1973).²²

²² "Final opinions" of the Office of Legal Counsel or the Attorney General, which were written for the President and form part of the basis of the President's final action, but which have not been "incorporated" into the President's final decision document, would be protected from disclosure under exemption 5's privilege for attorney-client communications, as well as the deliberative process privileges. *See Brinton v. Dep't of State*, *supra*, *Mead Data Central*, *supra*.

If the "final opinions" from the Attorney General's Office are *not* of a legal advisory nature—or are otherwise ineligible for a claim of attorney-client privilege—an analysis must be made regarding the purpose of the opinion documents in issue. If the opinion is a predecisional document—i.e., the document presents the Attorney General's views on a particular matter which will be considered by the President in taking final executive action, or in the case where final executive action has already been taken but the Attorney General submits a document which "provide[s] guides for decisions of similar or analogous cases arising in the future"—the Supreme Court has stated that the document is exempted from FOIA's disclosure mandate as a deliberative document. *NLRB v. Sears*, *supra*, 421 U.S. at 152, n.19. If the Attorney General's "final opinion" is postdecisional, as are most final opinions—i.e.,

Nor does the privilege extend to documents of a purely factual nature. In the case of documents of a mixed factual/deliberative nature, factual materials which can reasonably be severed from the deliberative or advisory segments of the document without compromising the confidential remainder of the document must be disclosed. *EPA v. Mink*, *supra*, 410 U.S. at 91. However, "factual segments [of advisory documents] are protected from disclosure as not being purely factual if the manner of selecting or presenting those facts would reveal the deliberate process, or if the facts are 'inextricably intertwined' with the policy-making process." *Ryan v. Department of Justice*, *supra*, 617 F.2d at 790 (footnotes omitted). See *Playboy Enterprises v. Department of Justice*, *supra*.²³

B. Attorney-Client Privilege

Exemption 5 of FOIA also embraces the common law evidentiary privilege for attorney-client communications. 5 U.S.C. § 552(b)(5); Fed. R. Civ. P. 26; Fed. R. Evid. 501.²⁴ See *NLRB v. Sears*, *supra*, 421 U.S. at 154; *Mead Data Central*, *supra*. The attorney-client privilege protects confidential disclosures of a client to his or her attorney, which were made in order to obtain legal assistance and not for the purpose of committing a crime or tort. 8 Wigmore, Evidence § 2290-2329

communications which "look[] back on and explain[] a decision already reached or a policy already adopted"—the opinion would *not* be exempt from FOIA's disclosure mandate, since disclosure would pose "a negligible risk of denying to agency decisionmakers the uninhibited advice which is so important to agency decisions." *Id.*

In its companion case to *NLRB v. Sears*, *supra*, *Renegotiation Bd. v. Grumman Aircraft Engineering Corp.*, 421 U.S. 168, 184-85 (1975), the Court set forth the additional consideration of whether the author of the "final opinion" possesses decisional authority with reference to matters addressed in the opinion. Thus, if the subject of the Attorney General's opinion, or other Department of Justice communication, involves a matter over which the Office of the President has final decisional authority, the opinion necessarily is predecisional, and therefore exempt from disclosure, even if the opinion represents the "final" view or disposition of the Department of Justice on the matter. Of course, the final action taken by the Office of the President may incorporate the Attorney General's advisory opinion—in which case, it would lose its predecisional character and become subject to disclosure. See also *Brinton v. Dep't of State*, *supra*, 636 F.2d at 605 (holding that legal opinions prepared by the Office of the Legal Adviser for the Secretary of State were properly withheld on the ground that the Legal Adviser's opinions were not "final opinions" as contemplated by the FOIA, inasmuch as the Legal Adviser "has no authority to make final decisions concerning United States policy . . . [i]nstead, his role is to give advice to those in the State Department who do make the policy decisions.").

²³ The D.C. Circuit recently rejected the Department's claim of privilege for a 302-page document prepared by a task force of the Office of Professional Responsibility of the Department of Justice for the Attorney General. The document reported the results of an eight-month investigation into the circumstances surrounding the infiltration of an FBI informant into the Ku Klux Klan. *Playboy Enterprises v. Dep't of Justice*, *supra*, 677 F.2d 931. Against the Department's claim that the entire report "reflect[ed] the 'choice, weighing and analysis of facts' by the task force and [was] therefore protected as a part of the deliberative process," 677 F.2d at 935, the court of appeals held that the report was, for the most part, not exempt from disclosure, and remanded to the district court for a determination of those limited portions of the report which were properly exempt, as containing conclusions, recommendations, or opinions and were severable from the factual portions of the document. The court stated:

We are not persuaded by the Department's argument. Anyone making a report must of necessity select the facts to be mentioned in it; but a report does not become a part of the deliberative process merely because it contains only those facts which the person making the report thinks material. If this were not so, every factual report would be protected as part of the deliberative process.

Id.

²⁴ The attorney-client privilege is a common law evidentiary privilege which has been codified in Rule 501 of the Federal Rules of Evidence and Rule 26 of the Federal Rules of Civil Procedure for use in civil litigation and discovery. While the Rules are not applicable to congressional subpoenas, the interests implicated by the attorney-client privilege generally are subsumed under a claim of executive privilege when a dispute arises over documents between the Executive and Legislative Branches, and the considerations of separation of powers and effective performance of constitutional duties determine the validity of the claim of privilege.

(McNaughton rev. 1961). See *Upjohn v. United States*, 449 U.S. 383 (1981); *Fisher v. United States*, 425 U.S. 391 (1976). Notwithstanding its overall purpose to protect the *client's* factual disclosures, the privilege has been extended by federal courts to include an attorney's communications to his or her client in order to prevent inadvertent disclosure, either directly or by implication, of information which the client had previously confided to the attorney, as well as to foster the attorney's ability to give sound and informed professional advice. *Coastal States, supra*, 617 F.2d at 862; *Mead Data Central, supra*, 566 F.2d at 254 n.25.

Like the executive and deliberative process privileges, the attorney-client privilege is designed to encourage full and frank discussions among the persons whose communications are protected and thereby to "promote [the] broader public interests in the observance of law and administration of justice." *Upjohn, supra*, 449 U.S. at 389. To this end, "[t]he privilege recognizes that sound legal advice or advocacy . . . depends upon the lawyer's being fully informed by the client." *Id.* See also *Mead Data Central, supra*, 566 F.2d at 252 ("The opinion of even the finest attorney . . . is no better than the information which his client provides. In order to ensure that a client receives the best possible legal advice, based on a full and frank discussion with his attorney, the attorney-client privilege assures him that confidential communications to his attorney will not be disclosed without his consent."). See generally 2 J. Weinstein and M. Berger, *Weinstein's Evidence* ¶ 503 (1982).

Although the attorney-client privilege traditionally has been recognized in the context of private attorney-client relationships, the privilege also functions to protect communications between government attorneys and client agencies or departments, as evidenced by its inclusion in the FOIA, much as it operates to protect attorney-client communications in the private sector. See *Brinton v. Department of State, supra*, 636 F.2d at 603-04; *Mead Data Central, supra*, 566 F.2d at 252-55; *Jupiter Painting Contracting Co. v. United States*, 87 F.R.D. 593, 598 (E.D. Pa. 1980); *Falcone v. Internal Revenue Service*, 479 F. Supp. 985, 989-90 (E.D. Mich. 1979). See also Office of Legal Counsel, "Memorandum for Helen S. Lessin, Director, Federal Legal Council, re: OLC Policies Regarding Issuance and Release of Opinions" (Sept. 10, 1980).²⁵

The Supreme Court's recent opinion in *Upjohn, supra*, analyzing the scope of the corporate "client" for purposes of the attorney-client privilege, is helpful to our consideration of the privilege in the context of the Attorney General and the Office of the President. In *Upjohn, supra*, the Court discarded the restrictive "control group" test²⁶ for determining which communications are within the scope of the privilege in a corporate setting, in favor of a broader scope of "client," more suited to the purposes of the privilege. The Court noted that the

²⁵ In addition, Government attorneys, no less than private attorneys, are bound by the ABA Code of Professional Responsibility's disciplinary rule DR 4-101(B), which provides that a lawyer shall not knowingly reveal a confidence or secret of his client unless the client consents to such disclosure.

²⁶ The control group test restricts the definition of "client" for purposes of the privilege to "upper-echelon management" officials "responsible for directing [the client corporation's] actions in response to legal advice." 449 U.S. at 388, 391.

privilege was designed to protect both the giving of professional advice to those who are charged with the actual implementation of the client corporation's policies, as well as the communication of information to the attorney sufficiently specific to enable him or her to provide sound, practical, and informed legal advice. *Id.* at 390. These purposes were frustrated by the narrow scope of privileged communications recognized by the "control group" test.

While the *Upjohn* decision studiously avoided setting forth a precise formulation of the scope of the attorney-client privilege in the corporate or governmental setting, the Court was nonetheless insistent in its view that application of the privilege had to be determined in each case to serve the purposes of the privilege. In view of the criticism expressed in the *Upjohn* decision of the control group test, it is likely that, in most instances, the "client" in the context of communications between the President and the Attorney General, and their respective aides, would include a broad scope of White House advisers in the Office of the President. The "functional" analysis suggested by *Upjohn* focuses on whether the privilege would encourage the communication of relevant and helpful information from advisers most familiar with the matters on which legal assistance is sought, as well as whether the privilege is necessary to protect and encourage the communication of frank and candid advice to those responsible for executing the recommended courses of action. A corollary to this expanded concept of the "client," which reflects the realities of the governmental setting, is that the "attorney" whose communications are subject to the attorney-client privilege may, in fact, be several attorneys responsible for advising the "client" agency or division regarding the prudence and propriety of proposed courses of conduct. Thus, advice given by the various Assistant Attorneys General and their staffs may be subject to the privilege. See, e.g., *Brinton v. Department of State*, *supra*.²⁷

Notwithstanding these notions of "attorney" and "client" which the Court has expanded to implement fully the purposes of the privilege, the actual operation of the privilege continues to be governed by the traditional guidelines and procedures.²⁸ As in the traditional attorney-client context, once the privilege has attached, only the client, in this case the President or some other high level official in the Office of the President who is responsible for receiving and acting on the legal advice, may waive it. Thus, for example, a FOIA request lodged with the Department of Justice for information communicated to the Office of the President by the Attorney General which is protected by the attorney-client privilege should not be honored unless the Office of the President consents to release of the information. See Office of Legal Counsel, "Memorandum for Helen S. Lessin," *supra*. See generally Harmon, Memorandum for Patricia M.

²⁷ Although the *Brinton* decision was ultimately decided on deliberative process grounds, the attorney-client privilege aspect of exemption 5 was discussed at length by the court.

²⁸ See *United States v. Anderson*, 34 F.R.D. 518, 523 (D. Colo. 1963), for application of the traditional attorney-client privilege formulation in the governmental context:

[T]he documents are privileged insofar as they do not comment or report on information coming from persons outside the government or from public documents, or are summaries of conferences held with or in the presence of outsiders, and were produced with the idea of obtaining or receiving legal advice.

Wald, Assistant Attorney General, Office of Legislative Affairs, "Formulation of Policy on Disclosure of Information to Congress" at 8, 10 (July 19, 1977).

In addition, the person seeking to assert the privilege—either the client or the attorney on the client's behalf—must be able to demonstrate that the confidential disclosures "might not have been made absent the privilege," *Fisher v. United States*, *supra*, at 403, and that the underlying facts for which the privilege is claimed have remained confidential. *Mead Data Central*, *supra*, at 253. See also *Permian Corp. v. United States*, 665 F.2d 1214 (D.C. Cir. 1981); *Brinton v. Department of State*, *supra*.²⁹ Applying this rule to President-Attorney General communications, the circulation of advisory documents outside the operative circle of officials responsible for giving or receiving advice in the Office of the President or the Department of Justice, or, the reporting of factual information acquired from persons or sources outside the privileged relationship, would constitute a waiver, whether express or implied, of the privilege with respect to those documents and would subject them to disclosure, unless exempt from the Freedom of Information Act pursuant to some other exemption. See *Permian Corp. v. United States*, *supra*;³⁰ *Brinton v. Department of State*, *supra*. Advisory documents from the Attorney General which have been turned over to congressional committees are presumed to be no longer confidential and may not be the basis of a claim of attorney-client privilege. See generally Harmon, "Formulation of Policy on Disclosure of Information to Congress," *supra*.³¹ See also *Permian Corp. v. United States*, *supra*, at 1220–22. However, these same documents may be subject to the deliberative process privilege under exemption 5.³²

²⁹ The requirement that the confidential disclosures for which the privilege is sought have remained confidential does not preclude the privilege's proper attachment to communications which have been circulated in a limited fashion beyond the attorney and the person within the group requesting legal advice. See *Upjohn v. United States*, *supra*, at 395; *Coastal States*, *supra*, at 863; *Mead Data Central*, *supra*, at 253 n.24. This broader scope of the confidentiality requirement is particularly appropriate in the corporate and governmental contexts. See discussion, *infra*.

³⁰ In *Permian Corp.*, *supra*, the D.C. Circuit held that the voluntary disclosure of confidential materials to a third party outside the privileged relationship, in this case, the SEC, constituted a waiver of the privilege with respect to those documents, notwithstanding the SEC's agreement to protect the documents from further disclosure. Thus, the court rejected the rule of "limited waiver," followed by the Eighth Circuit in *Diversified Industries, Inc. v. Meredith*, 572 F.2d 596 (1977) (*en banc*), and concluded that the privilege could no longer be invoked to protect the documents from being disclosed by the SEC to another government agency:

The Eighth Circuit's "limited waiver" rule has little to do with [the] confidential link between the client and his legal advisor. Voluntary cooperation with government investigations may be a laudable activity, but it is hard to understand how such conduct improves the attorney-client relationship. If the client feels the need to keep his communications with his attorney confidential, he is free to do so under the traditional rule by consistently asserting the privilege, even when the discovery request comes from a "friendly" agency.

* * * * *

[T]he attorney-client privilege should be available only at the traditional price: a litigant who wishes to assert confidentiality must maintain genuine confidentiality.
665 F.2d at 1220–21, 1222 (footnote omitted).

³¹ Former Assistant Attorney General Harmon suggested that even the "limited disclosure" involved in disclosing privileged materials to an executive session of Congress, or in a nonpublic administrative hearing, "would appear to undermine the theoretical predicate of the privilege," as applied in the civil discovery context. "The purpose of a privilege is to protect confidential communications necessary to promote certain relationships, once this confidentiality is breached, the rationale for granting the privilege no longer applies." "Formulation of Policy on Disclosure of Information to Congress," *supra*, at 5 (citations omitted).

³² There is an additional privilege available under exemption 5 which may be invoked, when appropriate, to

Continued

III. The "Governmental" Evidentiary Privileges—and Their Freedom of Information Act Counterparts

The so-called "governmental" evidentiary privileges are common law privileges, now incorporated into the Federal Rules of Civil Procedure and the Federal Rules of Evidence, which have traditionally been available exclusively to the government as a litigant. Daniel, Assistant Attorney General, Civil Division, "Memorandum to All Civil Division Attorneys re: Asserting Claims of Official Government Privilege in Litigation" (Nov. 1980). See generally *McClelland v. Andrus*, *supra*, at 1286, n.53, quoting *Association for Women in Science v. Califano*, 566 F.2d 339 (D.C. Cir. 1977). These privileges—the informant's privilege, the law enforcement investigatory files privilege,³³ and the privilege for confidential information on required reports³⁴—supplement the deliberative process, attorney-client and work-product privileges discussed above which are available to governmental as well as private parties in the civil litigation and discovery contexts. See Fed. R. Civ. P. 26; Fed. R. Evid. 501. These "governmental" privileges are necessary to protect the ability of the Executive Branch to discharge its duties under the Constitution and the laws of the United States, but because their assertion in litigation does not raise the problems of a constitutional conflict with a coequal branch, these privileges may be invoked by the head of the executive department in possession or control of the requested documents, or his or her delegate.³⁵ See *Association for Women in Science v. Califano*, *supra*. See also *McClelland v. Andrus*, *supra*; Daniel, "Asserting Claims of Official Governmental Privilege in Litigation" (Nov. 1980). These privileges also have

protect communications from the Office of the Attorney General to the Office of the President—the work-product privilege. The work-product privilege under exemption 5 of the FOIA protects documents prepared in contemplation of litigation which reflect the "mental processes" of attorneys. The work-product privilege is distinct from the attorney-client privilege in that "it provides a working attorney with a 'zone of privacy' within which to think, plan, weigh facts and evidence, candidly evaluate a client's case, and prepare legal theories." *Coastal States*, *supra*, at 864. While the attorney-client privilege is designed to protect the client's interest in confidentiality, the purpose of the work-product privilege is to protect "the adversary trial process itself." *Id.*

Because it is limited to documents prepared in contemplation of litigation, the work-product privilege is the least invoked of the exemption 5 privileges in the context of President-Attorney General communications. The broad advisory role that the Attorney General plays vis-à-vis the President, together with the President's general lack of involvement in litigation strategies, makes their communications far more suited to the deliberative process and attorney-client privileges as a basis for nondisclosure in litigation or under FOIA.

³³ The investigatory files privilege—which frequently encompasses information which might reveal the identity or statements of informants—protects interests which may be asserted under a claim of executive privilege also, if the interests are sufficiently strong in a particular case to implicate constitutional concerns. See 40 Op. Att'y Gen. 45. See also Office of Legal Counsel, "Executive Privilege in Litigation for Investigative Files" (September 18, 1981); Harmon, "Memorandum to All Heads of Offices, Divisions, Bureaus, and Boards of the Department of Justice," (May 23, 1977), Rehnquist Testimony, *supra*. However, because these interests rarely impinge on the performance of constitutional functions of the Executive Branch to the same degree as the "state secrets" or deliberative process components of the privilege, the privilege is generally asserted simply as an evidentiary privilege in litigation.

³⁴ The privilege for confidential information on required government reports is similar to the informant's privilege, see discussion at 31, *infra*, in that it protects information solicited by the government for its purposes on a promise of confidentiality. This privilege, like its FOIA-exemption 6 counterpart, protects accident reports, employment history reports, financial disclosures, conflict-of-interest reports, and other information, the disclosure of which would constitute a "clearly unwarranted invasion of personal privacy." 5 U.S.C. § 552(b)(6). See *Dep't of State v. Washington Post Co.*, 456 U.S. 595 (1982); *Dep't of the Air Force v. Rose*, 425 U.S. 352 (1976); *Ass'n for Women in Science*, *supra*. Of the privileges discussed in this memorandum, this is the least likely privilege to be invoked in the context of President-Attorney General communications.

³⁵ See generally n.5, *supra*.

analogues in the Freedom of Information Act under exemptions 6 and 7, 5 U.S.C. §§ 552(b)(6),(7), to shield documents of the same general type from disclosure to members of the public. As noted in the foregoing discussion of the evidentiary privileges incorporated into exemption 5 of the FOIA, the court must strike a balance between “the public concern in revelations facilitating the just resolution of legal disputes [on the one hand,] and, on the other, occasional but compelling needs for confidentiality,” *McClelland v. Andrus*, *supra* at 1287, n.55, in deciding claims of privilege in the litigation context.

A. Informant's Privilege

The informant's privilege permits the government to withhold the identity of persons who furnish information concerning violations of the law, or otherwise render assistance, to officers charged with law enforcement responsibilities. *See* 8 C. Wright & A. Miller, *Federal Practice & Procedure*, § 2019 at 155 (1970); *Roviaro v. United States*, 353 U.S. 53 (1957); *Black v. Sheraton Corp. of America*, 47 F.R.D. 263 (D.D.C. 1969), *aff'd* 564 F.2d 550 (D.C. Cir. 1977). The informant's privilege recognizes that prospective informants usually condition their cooperation with law enforcement officers on an assurance of anonymity in order to protect against physical harm or other undesirable consequences to themselves and their families which would very likely result as a consequence of disclosure. *United States v. Tucker*, 380 F.2d 206, 213 (2d Cir. 1967). Although this privilege protects only the identity of the informant, information provided by the informant may also be shielded under this privilege if its disclosure would reveal the informer's identity. *Rovario v. United States*, *supra*, at 60. The informant's privilege, like the other privileges discussed above, is qualified; therefore, the government must show that its interest in effective law enforcement outweighs the litigant's need for the information. *See Rovario v. United States*, *supra*; *In re Attorney General of United States*, 596 F.2d 58 (2d Cir. 1979); 2 J. Weinstein and M. Berger, *Weinstein's Evidence* ¶ 510[02] at 510-18 (1982).

B. Law Enforcement Investigatory Files Privilege

Like the informant's privilege, the privilege for law enforcement investigatory files is necessary to protect against the harm that would flow from public disclosure of information contained in the files and to facilitate the government's law enforcement process. *See Black v. United States*, 564 F.2d 531 (D.C. Cir. 1977); *Brown v. Thompson*, 430 F.2d 1214 (5th Cir. 1970). Disclosure of open investigatory files³⁶ would undercut the government's efforts to prosecute criminals by disclosing investigative techniques, forewarning suspects under inves-

³⁶ As is apparent from the reasons underlying the privilege, the law enforcement investigatory files privilege does not apply to files pertaining to investigations which have been closed, although information protected by another privilege, e.g., the informant's privilege, would continue to be shielded. *See* 2 Weinstein's Evidence ¶ 509(07) at 509-52-58 (1982). *Cf.* Supreme Court's recent discussion of FOIA exemption 7 in *FBI v. Abramson*, 456 U.S. 615 (1982).

tigation, deterring witnesses from coming forward, and prematurely revealing facts supporting the government's case.³⁷ The privilege for law enforcement investigatory files is a qualified privilege, and may be overcome by a strong showing of need or interest in disclosure of the information. *See Black v. United States, supra*.

C. FOIA Exemption 7

Exemption 7 of the Freedom of Information Act incorporates these privileges for law enforcement records to protect the information contained therein from compulsory disclosure to members of the public. Exemption 7 exempts from the general disclosure mandate of the FOIA those matters which are

investigatory records compiled for law enforcement purposes, but only to the extent that the production of such records would (A) interfere with enforcement proceedings, (B) deprive a person of a right to a fair trial or an impartial adjudication, (C) constitute an unwarranted invasion of personal privacy, (D) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (E) disclose investigative techniques and procedures, or (F) endanger the life or physical safety of law enforcement personnel[.]

5 U.S.C. § 552(b)(7). The subparts of § 552(b)(7) make clear that the interests protected therein are roughly analogous to those protected by the "governmental" privileges in litigation for informant's identity and law enforcement investigatory files. *See generally* *FBI v. Abramson, supra*; *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214 (1978); *Lesar v. Department of Justice*, 636 F.2d 472 (D.C. Cir. 1980), *Church of Scientology of Calif. v. Department of Justice*, 612 F.2d 417 (9th Cir. 1979).

IV. Conclusion

The privileges available to protect the confidentiality of the Attorney General's communications with the Office of the President can be roughly categorized into three classes, depending upon the nature of the communications for which the privilege is asserted, the interests which are sought to be protected by the claim of privilege, and the persons against whom the claim is made. This memorandum represents an effort by this Office to provide the Attorney General with a general outline of the privileges available to him to protect his confidential communica-

³⁷ *See also* former Attorney General Jackson's opinion at 40 Op. Att'y Gen. 45 (1941), concluding that premature disclosure of law enforcement investigative reports to Congress or the public could prejudice the rights of prospective defendants whose investigations are the subject of the reports.

tions and working papers from compulsory disclosure when he believes that disclosure would be against the interests of the Department, the President, or the broader "public," and to provide guidelines for the assertion of those privileges. While the foregoing discussion should prove helpful in providing a framework for analysis of potential claims of privilege, we would caution that the applicability of any privilege to a given set of circumstances will almost always involve a judgment of competing values. While the Attorney General or the client must decide initially whether to assert the privilege, the task of resolving conflicts arising out of such competing values, in the final analysis, is one that is reserved to the courts.

THEODORE B. OLSON
Assistant Attorney General
Office of Legal Counsel

THE WHITE HOUSE

WASHINGTON

November 4, 1982

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS
AND AGENCIES

SUBJECT: Procedures Governing Responses to
Congressional Requests for Information

The policy of this Administration is to comply with Congressional requests for information to the fullest extent consistent with the constitutional and statutory obligations of the Executive Branch. While this Administration, like its predecessors, has an obligation to protect the confidentiality of some communications, executive privilege will be asserted only in the most compelling circumstances, and only after careful review demonstrates that assertion of the privilege is necessary. Historically, good faith negotiations between Congress and the Executive Branch have minimized the need for invoking executive privilege, and this tradition of accommodation should continue as the primary means of resolving conflicts between the Branches. To ensure that every reasonable accommodation is made to the needs of Congress, executive privilege shall not be invoked without specific Presidential authorization.

The Supreme Court has held that the Executive Branch may occasionally find it necessary and proper to preserve the confidentiality of national security secrets, deliberative communications that form a part of the decision-making process, or other information important to the discharge of the Executive Branch's constitutional responsibilities. Legitimate and appropriate claims of privilege should not thoughtlessly be waived. However, to ensure that this Administration acts responsibly and consistently in the exercise of its duties, with due regard for the responsibilities and prerogatives of Congress, the following procedures shall be followed whenever Congressional requests for information raise concerns regarding the confidentiality of the information sought:

1. Congressional requests for information shall be complied with as promptly and as fully as possible, unless it is determined that compliance raises a substantial question of executive privilege. A "substantial question of executive privilege" exists if disclosure of the information requested might significantly impair the national security (including the conduct of foreign relations), the deliberative processes of the Executive Branch or

other aspects of the performance of the Executive Branch's constitutional duties.

2. If the head of an executive department or agency ("Department Head") believes, after consultation with department counsel, that compliance with a Congressional request for information raises a substantial question of executive privilege, he shall promptly notify and consult with the Attorney General through the Assistant Attorney General for the Office of Legal Counsel, and shall also promptly notify and consult with the Counsel to the President. If the information requested of a department or agency derives in whole or in part from information received from another department or agency, the latter entity shall also be consulted as to whether disclosure of the information raises a substantial question of executive privilege.
3. Every effort shall be made to comply with the Congressional request in a manner consistent with the legitimate needs of the Executive Branch. The Department Head, the Attorney General and the Counsel to the President may, in the exercise of their discretion in the circumstances, determine that executive privilege shall not be invoked and release the requested information.
4. If the Department Head, the Attorney General or the Counsel to the President believes, after consultation, that the circumstances justify invocation of executive privilege, the issue shall be presented to the President by the Counsel to the President, who will advise the Department Head and the Attorney General of the President's decision.
5. Pending a final Presidential decision on the matter, the Department Head shall request the Congressional body to hold its request for the information in abeyance. The Department Head shall expressly indicate that the purpose of this request is to protect the privilege pending a Presidential decision, and that the request itself does not constitute a claim of privilege.
6. If the President decides to invoke executive privilege, the Department Head shall advise the

-3-

requesting Congressional body that the claim of executive privilege is being made with the specific approval of the President.

Any questions concerning these procedures or related matters should be addressed to the Attorney General, through the Assistant Attorney General for the Office of Legal Counsel, and to the Counsel to the President.

Ronald Reagan

Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, June 13, 2017 6:43 PM
To: Prior, Ian (OPA)
Subject: Re: FYI

Copy that.
Thanks

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

> On Jun 13, 2017, at 6:38 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:
>
> Please find attached a 1982 Memo from President Reagan and a 1982 Memo from Former Assistant Attorney General for the Office of Legal Counsel Theodore Olson.
>
>
>
> From a DOJ official: "Declining to answer questions at a congressional hearing about confidential conversations with the President is long-standing executive-branch-wide practice. The basis for this historical practice is laid out in the 1982 memos from President Reagan and then-Assistant Attorney General Olson."
>
>
> Ian D. Prior
> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)
>
> <Olson.pdf>
> <reaganmemo.pdf>

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, June 13, 2017 3:41 PM
To: O'Malley, Devin (OPA)
Subject: RE: Highlighting Portion of AG Sessions's Opening Testimony

Got it.

Thanks much.

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Tuesday, June 13, 2017 3:38 PM
To: O'Malley, Devin (OPA)
Cc: Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Subject: Highlighting Portion of AG Sessions's Opening Testimony

I wanted to highlight graf 4 from the attorney general's opening statement. There seems to be some confusion that the AG just contradicted himself in a back and forth with Sen. Warner. That back and forth is not inconsistent with what was said here in the 4th paragraph:

“Now, let me address some issues directly: I did not have any private meetings nor do I recall any conversations with any Russian officials at the Mayflower Hotel. I did not attend any meetings at that event. Prior to the speech, I attended a reception with my staff that included at least two dozen people and President Trump. Though I do recall several conversations I had during that pre-speech reception, I do not have any recollection of meeting or talking to the Russian Ambassador or any other Russian officials. If any brief interaction occurred in passing with the Russian Ambassador during that reception, I do not remember it. After the speech, I was interviewed by the news media, which had gathered as I remember in a different room, and then I left the hotel.”

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353 8763
Cel (b) (6)

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Singman, Brooke

From: Singman, Brooke
Sent: Tuesday, June 13, 2017 2:22 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: hi - today statements?

That's what I thought- thanks so much.
Talk soon !

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Tuesday, June 13, 2017 2:21 PM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: hi - today statements?

No--let them speak for themselves

On Jun 13, 2017, at 2:10 PM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Sarah,

Hope you had a great weekend.

Covered Deputy AG Rosenstein's testimony this morning, and now covering the Attorney General's testimony before Senate Intel this afternoon.

I'm sure you're inundated with requests, but was curious to whether DOJ will be issuing any sort of statement on behalf of either of their testimonies?

Thanks!

Brooke

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Conti, Andrew

From: Conti, Andrew
Sent: Tuesday, June 13, 2017 12:41 PM
To: (b) (6) Sarah Flores
Subject: The Fox News Specialists: REQUEST

Andrew P. Conti
Fox News Channel
(b) (6) - direct
(b) (6) - cell

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Koerber, Ashley

From: Koerber, Ashley
Sent: Tuesday, June 13, 2017 12:39 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Bret Baier next week?

I had to try ☺

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Tuesday, June 13, 2017 12:35 PM
To: Koerber, Ashley <Ashley.koerber@FOXNEWS.COM>
Subject: Re: Bret Baier next week?

No sorry

On Jun 13, 2017, at 11:12 AM, Koerber, Ashley <Ashley.koerber@FOXNEWS.COM> wrote:

Hey Sarah!

We just learned Bret is anchoring 2 hours of Special Report tonight 5pm to 7pm.
Any chance Deputy AG Rosenstein is available to join us in the 5pm hour?

Let me know thanks!

-Ashley

From: Koerber, Ashley
Sent: Monday, June 12, 2017 11:17 AM
To: 'Flores, Sarah Isgur (OPA)' <Sarah.Isgur.Flores@usdoj.gov>
Subject: RE: Bret Baier next week?

Hey! I know you said he isn't doing any interviews. But let me know if you change your mind and might want to do the show tomorrow!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Friday, June 09, 2017 3:57 PM
To: Koerber, Ashley <Ashley.koerber@FOXNEWS.COM>
Subject: Re: Bret Baier next week?

Nothing for now--but y'all are top of my list

On Jun 9, 2017, at 3:52 PM, Koerber, Ashley <Ashley.koerber@FOXNEWS.COM> wrote:

Hey Sarah,

I hope you're doing well! Bret is interested in doing an interview with AG Sessions soon. We haven't had him on our program yet and we would really like to change that.

Please get back to me at your earliest convenience - thank you!

Best,
Ashley

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

Sent from my iPhone

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Koerber, Ashley

From: Koerber, Ashley
Sent: Friday, June 9, 2017 4:01 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Bret Baier next week?

Thank you! Keep us posted.

Have a great weekend!

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

Sent from my iPhone

On Jun 9, 2017, at 15:56, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Duplicative Material



Spinato, Eric

From: Spinato, Eric
Sent: Tuesday, June 13, 2017 8:39 AM
To: Flores, Sarah Isgur (OPA)
Cc: Spinato, Eric
Subject: Interview request

Good morning, Sarah

If AG Sessions is open to join Maria Bartiromo live this Sunday, on her FNC program or On Tuesday or Wednesday, during her FBN morning show, please let me know works best, for his hectic schedule.

Thank you, for your time and consideration.

Thank you,
Eric

Eric Spinato

Senior Story Editor, Fox Business Network

(b) (6)
C (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.

Fanning, Elizabeth

From: Fanning, Elizabeth
Sent: Monday, June 12, 2017 2:34 PM
To: Flores, Sarah Isgur (OPA); Prior, Ian (OPA)
Subject: Tucker tomorrow

Hey guys!

I know you must be slammed but checking in to see if you guys will have anyone available for Tucker tomorrow to respond to the hearing.

We obviously want Sessions whenever you make him avail 😊

Thanks!

Liz

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Monday, June 12, 2017 12:25 PM
To: Chuck Ross; Flores, Sarah Isgur (OPA)
Subject: RE: AG Sessions -- executive privilege

[Decline comment.](#)

Thx

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Chuck Ross [mailto:chuck@dailycaller.com]
Sent: Monday, June 12, 2017 12:24 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: AG Sessions -- executive privilege

Hi,

When AG Sessions testifies tomorrow, will he be invoking executive privilege?

I'm seeing an ABC reporter saying that he will invoke privilege regarding discussions with POTUS about Comey's firing. Is this accurate, and will anything else be protected by privilege?

Thank you,
Chuck Ross
The Daily Caller
(b) (6)

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Monday, June 12, 2017 11:44 AM
To: imason@breitbart.com
Subject: RE: Confirmation of open hearing tomorrow

Yes. 2:30 pm

We didn't do a release I think maybe Senate Intel did

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: imason@breitbart.com [mailto:imason@breitbart.com]
Sent: Monday, June 12, 2017 11:41 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Confirmation of open hearing tomorrow

Ian,

Can you confirm this, that the AG will be testifying in an open hearing? May I have a copy of the release? Has a time been set?

<https://twitter.com/nycsouthpaw/status/874281603815657472/photo/1>

Thanks so much,
Ian Mason
DOJ/Courts Report, Breitbart News
(b) (6)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, June 12, 2017 11:15 AM
To: Emanuel, Mike
Subject: RE: Hello

The Attorney General has requested that this hearing be public. He believes it is important for the American people to hear the truth directly from him and looks forward to answering the committee's questions tomorrow.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Emanuel, Mike [mailto:Mike.Emanuel@FOXNEWS.COM]
Sent: Monday, June 12, 2017 11:14 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Hello

Did you put out a statement asking that the AG testify in public?
If so, would you please pass it along?
Thanks.

Mike Emanuel
Chief Congressional / Senior Political Correspondent
Fox News

(b) (6) -mobile

(b) (6) -bureau

@MikeEmanuelFox

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Derespina, Cody

From: Derespina, Cody
Sent: Monday, June 12, 2017 11:12 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Fox News question

Thanks, Sarah.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, June 12, 2017 11:10 AM
To: Derespina, Cody <Cody.Derespina@FOXNEWS.COM>
Subject: RE: Fox News question

The Attorney General has requested that this hearing be public. He believes it is important for the American people to hear the truth directly from him and looks forward to answering the committee's questions tomorrow.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Derespina, Cody [mailto:Cody.Derespina@FOXNEWS.COM]
Sent: Monday, June 12, 2017 11:10 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Fox News question

Hi Sarah,

Can you confirm that AG Sessions has asked that tomorrow's Senate hearing be open?

Please let me know if you want this on background or if it can be on-the-record.

Regards,

Cody Derespina
Fox News

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, June 12, 2017 11:10 AM
To: william.mears@foxnews.com
Subject: statement

The Attorney General has requested that this hearing be public. He believes it is important for the American people to hear the truth directly from him and looks forward to answering the committee's questions tomorrow.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

Berger, Judson

From: Berger, Judson
Sent: Monday, June 12, 2017 10:11 AM
To: Carr, Peter (OPA)
Subject: RE: FoxNews.com question

Thank you for getting back. -- Judd

From: Carr, Peter (OPA) [mailto:Peter.Carr@usdoj.gov]
Sent: Monday, June 12, 2017 10:07 AM
To: Berger, Judson <Judson.Berger@FOXNEWS.COM>
Subject: Re: FoxNews.com question

Hi Judson,

Thank you for reaching out to us. We have yet to confirm the names of any of the lawyers working for the Special Counsel's Office. We have 60 days from the day of Mr. Mueller's appointment to submit a budget for the remainder of the fiscal year.

Best,
Peter Carr
Spokesman
Special Counsel's Office

From: Berger, Judson [mailto:Judson.Berger@FOXNEWS.COM]
Sent: Monday, June 12, 2017 9:10 AM
To: Press <Press@jmd.usdoj.gov>
Subject: FoxNews.com question

Good morning, this is Judd at FoxNews.com.

I'm not sure who can field press inquiries regarding the special counsel investigation, but wanted to see if DOJ could confirm reports that Robert Mueller has hired Michael Dreeben to work on the case part-time, as well as Andrew Wiessman.

Further, can DOJ confirm what other attorneys/investigators are working on his team? How many people are in the unit? And is there a rough budget for the operation?

Thank you

Judson Berger
Senior Politics Editor, FoxNews.com
(b) (6)
@juddberger

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Emanuel, Mike

From: Emanuel, Mike
Sent: Saturday, June 10, 2017 6:19 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: AG to testify Tuesday?

Thank you!

Mike Emanuel
Chief Congressional / Senior Political Correspondent Fox News

(b) (6)

> On Jun 10, 2017, at 6:16 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>

>

>

>> On Jun 10, 2017, at 6:08 PM, Emanuel, Mike <Mike.Emanuel@FOXNEWS.COM> wrote:

>>

>> Senate Intelligence? Just checking with an expert.

>> Thanks!

>>

>> Mike Emanuel

>> Chief Congressional / Senior Political Correspondent >> Fox News

>>

> (b) (6)

>>

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> <image1.PNG>

Done

Letter to Sen RS.pdf

**Office of the Attorney General**
Washington, D.C. 20540

June 18, 2017

The Honorable Richard Shelby

President

Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies

United States Senate

Washington, DC 20510

Dear Senator Shelby:

Graciously accepted as evidence is a letter submitted to the Department of Justice under the House and Senate Appropriations Subcommittees under the Department's FY 2018 budget, which limits the Department's ability to accept important cases such as evaluating the special cases and controversies. These decisions have publicly raised the question of how their questions are best related to the investigation and Justice Committee to be (2018) Justice Committee have received, and not within the Deputy Attorney General's Committee (Committee).

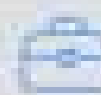
In light of reports regarding Mr. Comey's recent testimony before the Senate Select Committee on Intelligence, it is important that there be appropriate to address these matters to the appropriate forum. The Senate Intelligence Committee is the most appropriate forum for such matters, as it has been conducting an investigation and has access to directly classified information. Therefore, I am pleased to accept the invitation to appear before members of that committee in June 2018.

Respectfully, Deputy Attorney General Rosenstein, who has operational and budget responsibilities for the Department, will appear before the House and Senate Appropriations Subcommittees in August.

Thank you to the members of the Department of Justice, and I hope that appropriate changes to the Department may be made. I appreciate the American people's frustration that what they think the Department requires to work single day to ensure the best administration of justice. I appreciate your commitment to our efforts.


Matthew Rosenstein

Sincerely,



Chuck Ross

From: Chuck Ross
Sent: Saturday, June 10, 2017 6:18 PM
To: Prior, Ian (OPA)
Subject: Re: Inquiry on Senate Intel

Thank you

On Sat, Jun 10, 2017 at 5:16 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:
Would assume closed but don't want to speak on behalf of Senate intel

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: [202.616.0911](tel:202.616.0911)
Cel (b) (6)

> On Jun 10, 2017, at 6:14 PM, Chuck Ross <chuck@dailycaller.com> wrote:

>

> Hi Ian,

>

> Are you able to tell me if AG Session's Senate Intel hearing will be open or closed? I didn't see that in the letters.

>

> Thanks for any help,

> Chuck Ross

> The Daily Caller

(b) (6)

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Friday, June 9, 2017 5:57 PM
To: Singman, Brooke
Subject: RE: voter registration fraud- FOX NEWS request

Thanks, Brooke.

On background as a DOJ official, the Justice Department declines to comment.

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (202) 353 8763
Cel (b) (6)

From: Singman, Brooke [mailto:brooke.singman@FOXNEWS.COM]
Sent: Friday, June 9, 2017 1:20 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: voter registration fraud- FOX NEWS request

Hi Devin,

Can you comment or pass me along to someone who can comment on the Canvassers charged with voter registration fraud in Indiana?

<http://www.foxnews.com/politics/2017/06/09/canvassers-charged-in-fake-fraudulent-voter-registrations.html>

Thank you !

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Fanning, Elizabeth

From: Fanning, Elizabeth
Sent: Friday, June 9, 2017 3:34 PM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: Re: Tucker tonight?

Checking! Standby

Sent from my iPhone

> On Jun 9, 2017, at 14:42, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>
> What about George Terwilliger or Mukasey?
>
>> On Jun 9, 2017, at 1:47 PM, Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM> wrote:
>>
> (b) (6) Is there anyone else that could do it? Sarah do you want to?
>>
>> Sent from my iPhone
>>
>>> On Jun 9, 2017, at 13:41, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>>>
>>> Sorr (b) (6)
>>>
>>> ***
>>> Sarah Isgur Flores
>>> Director of Public Affairs
>> (b) (6)
>>>
>>>
>>> -----Original Message-----
>>> From: Fanning, Elizabeth [mailto:Elizabeth.Fanning@FOXNEWS.COM]
>>> Sent: Friday, June 9, 2017 1:40 PM
>>> To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
>>> Subject: Tucker tonight?
>>>
>>> Hey guys!
>>> Happy Friday. Checking in to see if the AG is available to join Tucker tonight. Tucker says he wants to give him a chance to defend himself against the ridiculous Russia stuff. We could pretape or live.
>>> If he can't do it would you have a surrogate interested in it?
>>> Let me know! Give me a call on my cell if you want to cha (b) (6) Thanks!
>>> Liz
>>>
>>>

>>> Sent from my iPhone

>>>

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>>>

>>

Singman, Brooke

From: Singman, Brooke
Sent: Friday, June 9, 2017 1:29 PM
To: Prior, Ian (OPA)
Subject: RE: voter registration fraud

Totally fine thank you, Ian.

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Friday, June 09, 2017 1:28 PM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: voter registration fraud

Hi Brooke,

We wouldn't comment on that as it looks like a local prosecution.

Sorry couldn't be more helpful

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 9, 2017, at 1:15 PM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Ian,

Can you comment or pass me along to someone who can comment on the Canvassers charged with voter registration fraud in Indiana?

<http://www.foxnews.com/politics/2017/06/09/canvassers-charged-in-fake-fraudulent-voter-registrations.html>

Thank you !

Brooke Singman
Politics Reporter, Fox News Channel
(b) (6)
(b) (6)
Brooke.singman@foxnews.com

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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.

Singman, Brooke

From: Singman, Brooke
Sent: Friday, June 9, 2017 1:25 PM
To: Flores, Sarah Isgur (OPA)
Cc: O'Malley, Devin (OPA)
Subject: RE: Canvassers

Thank you !

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Friday, June 09, 2017 1:21 PM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Cc: O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov>
Subject: RE: Canvassers

Lets see if Devin can track this down

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Singman, Brooke [mailto:brooke.singman@FOXNEWS.COM]
Sent: Friday, June 9, 2017 1:13 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Canvassers

Hi Sarah,

Can you comment or pass me along to someone who can comment on the Canvassers charged with voter registration fraud in Indiana?

<http://www.foxnews.com/politics/2017/06/09/canvassers-charged-in-fake-fraudulent-voter-registrations.html>

Thank you !

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

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Brooke.singman@foxnews.com

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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.

Singman, Brooke

From: Singman, Brooke
Sent: Friday, June 9, 2017 9:18 AM
To: Prior, Ian (OPA)
Subject: RE: asterisks q??- Fox News request

Ian,
Thank you so much. So when quoting sections with asterisks, would you prefer I use the asterisks or would you rather give me the full text?
(sorry to get so technical on a Friday AM!)

Brooke

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Friday, June 09, 2017 9:15 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: RE: asterisks q??- Fox News request

Hi Brooke,

It's just a way of signifying that irrelevant material has been removed to shorten the quote for clarity. So for example:

"not to brief the Attorney General *** about, or otherwise involve the Attorney General *** in, any such matters described."

The full quote without asterisk would have said: to brief the Attorney General (or other officials in the Office of the Attorney General) about, or otherwise involve the Attorney General (or other officials in the Office of the Attorney General) in, any such matters described above.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Singman, Brooke [mailto:brooke.singman@FOXNEWS.COM]
Sent: Friday, June 9, 2017 9:11 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: asterisks q??- Fox News request

Hi Ian,

Hope you're well!

This may be a totally ridiculous question...but just want to make sure we're on the same page.

In the statement you released yesterday regarding the Attorney General's recusal from leading the Russia investigation, there are multiple asterisks *** throughout the statement. What do those asterisks mean? I'm covering this this morning for Fox News' digital platform and will likely quote the statement.

The statement reads: "Mr. Comey stated that he was 'not*** aware of'..." asterisks pop up in other areas of the statement as well (as you know)

Let me know as soon as you can!

Trying to file this by 10a EST

-
Thank you !

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Alex Pfeiffer

From: Alex Pfeiffer
Sent: Thursday, June 8, 2017 3:00 PM
To: Prior, Ian (OPA)
Subject: Re: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

Thanks.

On Thu, Jun 8, 2017 at 12:38 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:
[See below](#)

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: [202.616.0911](tel:202.616.0911)
Cel (b) (6)

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, June 8, 2017 12:38 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

From: Dodge, Angela (USATXS) [<mailto:Angela.Dodge@usdoj.gov>]
Sent: Thursday, June 08, 2017 12:35 PM
To: Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

FYI issued a short time ago.



Department of Justice

U.S. Attorney's Office
Southern District of Texas

Abe Martinez • Acting United States Attorney

FOR IMMEDIATE RELEASE

THURSDAY, JUNE 8, 2017

<https://www.justice.gov/usao-sdtx>

ANGELA DODGE

PUBLIC AFFAIRS OFFICER

(713) 567-9388

Former Clemency Grantee Ordered Back to Prison

HOUSTON – A Texas City woman who was granted clemency by the former presidential administration has been ordered back to federal prison for violating the terms of her supervised release, announced Acting U.S. Attorney Abe Martinez.

A federal jury convicted Carol Denise Richardson, 49, of Texas City, for conspiracy to possess with the intent to distribute 50 grams or more of cocaine base as well as two counts of possession with the intent to distribute cocaine base. On June 16, 2006, U.S. District Judge Keith P. Ellison noted her extensive criminal history and ordered her to federal prison for the rest of her life.

However, former U.S. President Barack Obama granted Richardson clemency in early 2016. On July 28, 2016, she was released from the U.S. Bureau of Prisons and placed on supervised release for a term of 10 years. During that time, she is required to abide by several conditions or face a return to prison for up to the remainder of that term. Less than a year after her release, Richardson has committed five separate violations of those terms.

On April 13, 2017, she was arrested by the Pasadena Police Department for theft. Not only was that a commission of a law violation, but she is also required to report any law enforcement contact to her probation officer within 72 hours, which she failed to do. She has also failed to maintain regular contact with the U.S. Probation Office and failed to report that she had been terminated from her employment with Home Health Providers for abandoning her position. She also failed to report a change in her residence. In fact, as of May 15, 2017, attempts to reach her were unsuccessful, and her whereabouts were unknown.

Richardson was later located and arrested May 31, 2017, for violating the terms of her federal supervised release. At the hearing today, the government presented evidence in support of her return to prison. "This defendant was literally given a second chance to become a productive member of society and has wasted it," said Assistant U.S. Attorney Ted Imperato. "She has clearly shown a willful disregard for the law and must face the consequences for her crimes and actions."

Judge Ellison expressed his disappointment with the defendant, noting that she had wasted the extremely rare opportunity she was given. He then ordered her back to federal prison for 14 months. After serving her sentence, she will again be placed on similar terms of supervised release for five years.

###

Gibson, Jake

From: Gibson, Jake
Sent: Thursday, June 8, 2017 12:45 PM
To: Prior, Ian (OPA)
Subject: RE: USAO News Release: Former Clemency Grantee Ordered Back to Prison

Thanks

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Thursday, June 08, 2017 12:39 PM
To: Gibson, Jake
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

fyi

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, June 8, 2017 12:38 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Thursday, June 8, 2017 12:39 PM
To: Fanning, Elizabeth
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

fyi

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cell: 202.532.3954

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, June 8, 2017 12:38 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

Duplicative Material





Department of Justice

U.S. Attorney's Office
Southern District of Texas

Abe Martinez • Acting United States Attorney

| | |
|---|-------------------------------|
| FOR IMMEDIATE RELEASE | ANGELA DODGE |
| THURSDAY, JUNE 8, 2017 | PUBLIC AFFAIRS OFFICER |
| https://www.justice.gov/usao-sdtx | (713) 567-9388 |

Former Clemency Grantee Ordered Back to Prison

HOUSTON – A Texas City woman who was granted clemency by the former presidential administration has been ordered back to federal prison for violating the terms of her supervised release, announced Acting U.S. Attorney Abe Martinez.

A federal jury convicted Carol Denise Richardson, 49, of Texas City, for conspiracy to possess with the intent to distribute 50 grams or more of cocaine base as well as two counts of possession with the intent to distribute cocaine base. On June 16, 2006, U.S. District Judge Keith P. Ellison noted her extensive criminal history and ordered her to federal prison for the rest of her life.

However, former U.S. President Barack Obama granted Richardson clemency in early 2016. On July 28, 2016, she was released from the U.S. Bureau of Prisons and placed on supervised release for a term of 10 years. During that time, she is required to abide by several conditions or face a return to prison for up to the remainder of that term. Less than a year after her release, Richardson has committed five separate violations of those terms.

On April 13, 2017, she was arrested by the Pasadena Police Department for theft. Not only was that a commission of a law violation, but she is also required to report any law enforcement contact to her probation officer within 72 hours, which she failed to do. She has also failed to maintain regular contact with the U.S. Probation Office and failed to report that she had been terminated from her employment with Home Health Providers for abandoning her position. She also failed to report a change in her residence. In fact, as of May 15, 2017, attempts to reach her were unsuccessful, and her whereabouts were unknown.

Richardson was later located and arrested May 31, 2017, for violating the terms of her federal supervised release. At the hearing today, the government presented evidence in support of her return to prison. "This defendant was literally given a second chance to become a productive member of society and has wasted it," said Assistant U.S. Attorney Ted Imperato. "She has clearly shown a willful disregard for the law and must face the consequences for her crimes and actions."

Judge Ellison expressed his disappointment with the defendant, noting that she had wasted the extremely rare opportunity she was given. He then ordered her back to federal prison for 14 months. After serving her sentence, she will again be placed on similar terms of supervised release for five years.

###

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Thursday, June 8, 2017 12:38 PM
To: imason@breitbart.com
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

Check it out

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Hornbuckle, Wyn (OPA)
Sent: Thursday, June 8, 2017 12:38 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: FW: USAO News Release: Former Clemency Grantee Ordered Back to Prison

Duplicative Material



Gibson, Jake

From: Gibson, Jake
Sent: Thursday, June 8, 2017 11:01 AM
To: Prior, Ian (OPA)
Subject: RE: Pegram

Copy.

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Thursday, June 08, 2017 11:00 AM
To: Gibson, Jake
Subject: RE: Pegram

He took care oif it

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Thursday, June 8, 2017 10:59 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: RE: Pegram

On it

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Thursday, June 08, 2017 10:42 AM
To: Gibson, Jake
Subject: Pegram
Importance: High

This is ridiculous he needs to delete this tweet. Comey was talking about Lynch

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

<https://twitter.com/ChadPegram/status/872825123165933568>

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Gibson, Jake

From: Gibson, Jake
Sent: Thursday, June 8, 2017 11:01 AM
To: Prior, Ian (OPA)
Subject: RE: Pegram

I think he already deleted whatever he said...
This link is dead

From: Prior, Ian (OPA) [mailto:Ian.Prior@usdoj.gov]
Sent: Thursday, June 08, 2017 10:42 AM
To: Gibson, Jake
Subject: Pegram
Importance: High

Duplicative Material



Pergram, Chad

From: Pergram, Chad
Sent: Thursday, June 8, 2017 10:49 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: PLEASE CORRECT

Sorry. Corrected it a bit ago. My bad. Thanks for reaching out.

Chad Pergram
Senior Producer for Capitol Hill
FOX News
chad.pergram@foxnews.com
(b) (6)
@ChadPergram

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Thursday, June 08, 2017 10:41 AM
To: Pergram, Chad
Subject: PLEASE CORRECT
Importance: High

That exchange was about Lynch not JBS!!
<https://twitter.com/ChadPergram/status/872825123165933568>

SEN. BURR: let me go back, if i can, very briefly to the decision to publicly go out with your results on the e-mail. was your decision influenced by the attorney general's tarmac meeting with the former president, bill clinton?

COMEY: yes, in an ultimately conclusive way that's the thing that capped it for me that i had to do something separately to protect the credibility of the investigation which meant both the fbi and the justice department.

<http://mms.tveyes.com/transcript.asp?PlayClip=FALSE&DTSearch=TRUE&DateTime=06%2F08%2F2017+10%3A33%3A20&market=m1&StationID=1115>

SEN. BURR: were there other things that contributed to that that you can describe in an open session?

COMEY: there were other things that contributed to that. one significant item i can't. i know the committee's been briefed on. there's been public accounts of it which are nonsense. but i understand the committee has been briefed on the classified facts. the only other consideration i can talk about in an open session, she told me to call it matter, which confused me and concerned me. but that was one of the bricks in the load that led me to conclude i have to step away from the department if we're to close this case credibly.

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, June 7, 2017 8:54 PM
To: Jake.Gibson@FOXNEWS.COM
Subject: Fwd:

Hey can you get this to folks at Fox and Friends? Haven't seen this reported but seems like a good story

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

Christopher Wray, Trump's Nominee for FBI Chief, Hunted Nazis Hiding in the U.S.

[Allison Kaplan Sommer](#)20:03

Christopher Wray's cases included the denaturalization of the notorious former Sobibor death camp guard John Demjanjuk, which paved the way to his deportation to Germany

[Christopher Wray](#), U.S. President [Donald Trump](#)'s nominee for FBI chief, is best known for his reputation as a white-collar criminal lawyer. But during his 2003 to 2005 tenure as assistant attorney general in charge of the criminal division, he also helped spearhead efforts to strip U.S. citizenship from and deport numerous former [Nazi](#) concentration camp guards living in the United States.

His cases included the denaturalization of the notorious former Sobibor death camp guard [John Demjanjuk](#), which paved the way to his deportation to Germany.

Demjanjuk was stripped of his U.S. citizenship by a federal court in 2002, but appealed the decision. Under Wray in 2004, the Justice Department successfully argued before the U.S. Court of Appeals that the government had proved convincingly that Demanjuk had committed crimes that exploited and exterminated Jews in Poland.

At the time, Wray said that “Those, like Demjanjuk, who participated in Nazi atrocities do not belong in this country. We will take all appropriate steps to make sure that these individuals do not enjoy the privileges of U.S. citizenship.”

Demanjuk, a retired Ukrainian auto worker in Cleveland, had been famously

extradited to Israel in 1986, where he was convicted of crimes against humanity and sentenced to death. But the former camp guard returned to the U.S. after the Israeli Supreme Court found that reasonable doubt existed as to whether Demjanjuk was indeed the notorious “Ivan the Terrible.”

After the collapse of the former Soviet Union, however, evidence emerged that Demanjuk was a “willing” concentration camp guard who participated in the murder of tens of thousands of Jews in gas chambers. With the new evidence, Demjanjuk was charged again in 2001. He was stripped of his citizenship, but remained in the U.S. until 2009, when Germany agreed to take him in. He died in Germany in 2012, a year after he was convicted by a German court of murdering tens of thousands of Jews.

Demjanjuk was the highest profile of [numerous cases](#) in which Wray oversaw the stripping of U.S. citizenship and in several cases, successful deportation of former Nazi prison guards, or, in some cases, members of police forces in Eastern Europe who actively participated in atrocities against Jews and others. The prosecutions were pursued in partnership with Eli M. Rosenbaum, Director of the Justice Department's Office of Special Investigations, who was popularly known as the “Nazi-hunter” for his effort to track down Nazi war criminals who lived covertly in the U.S. and blocking those who tried to enter the country.

In 2005, [Wray left the Justice Department for private practice](#).

Trump’s choice of Wray must now go before the U.S. Senate for approval. He will replace former FBI Director James Comey, who the president fired last month amid the agency's ongoing probe into alleged Russian meddling into the U.S. election. Trump's announcement of his selection of Wray comes just before Comey is to testify before the Senate Intelligence Committee on Moscow's alleged interference and any potential ties to Trump's campaign or associates.

Ray’s two-year tenure at the DOJ’s criminal division marked a period of intensive activity identifying perpetrators of Nazi atrocities. Only one of Wray’s cases from that time remains unresolved as he returns to the Justice Department - the case of 92-year-old Jakiw Palij, a Polish man who still lives in Jackson Heights, Queens. Palij [was dubbed “The Nazi Next Door”](#) by New York tabloids when yeshiva students protested outside his home on Holocaust Remembrance Day.

In November 2003, Wray announced the initiation of deportation proceedings against Palij based on his service as an armed guard at a Nazi forced labor camp in German-occupied Poland – now part of Ukraine – following the revocation of his U.S. citizenship. Wray stated at the time that, “By guarding prisoners of Nazi forced labor camps and preventing their escape, Palij and his fellow guards actively aided the Nazis’ scheme to annihilate the Jews of Europe.”

In the document charging him, it was detailed that Palij guarded the camp while

armed with a rifle and prevented the prisoners from escaping. On November 3 and 4, 1943, while Palij was there, the document said, “the approximately 6,000 surviving prisoners of the camp, along with tens of thousands of other prisoners in Poland, were murdered as part of an operation to which the SS assigned the macabre code-name ‘Operation Harvest Festival.’”

When Palij applied for an immigration visa to the United States in 1949, he falsely claimed that he worked on his father’s farm and then worked in Germany. In fact, he served with the Nazi in Poland during that period. Palij denies the accusations against him and has stayed in his New York home despite the revocation of his citizenship and ordered deportatio. Neither Ukraine, Poland, nor Germany has been willing to accept him.

In [an editorial this year](#), the Daily News called on German chancellor Angela Merkel to receive Palij and try him for his crimes. The piece counted Palij among the other undocumented criminals that Trump has advocated to force out of the country.

“President Trump has long talked about deporting people who shouldn’t be here. He should put Palij first on the list and if Merkel won’t take Palij, dump him in Guantanamo.”

<http://www.haaretz.com/us-news/.premium-1.794428>

Russell, George

From: Russell, George
Sent: Wednesday, June 7, 2017 2:54 PM
To: Prior, Ian (OPA)
Cc: Laco, Kelly (OPA); O'Malley, Devin (OPA)
Subject: Re: Amounts and beneficiaries of settlement payments to third parties

thank you very much!

Best,
George

From: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Sent: Wednesday, June 7, 2017 2:29:04 PM
To: Russell, George
Cc: Laco, Kelly (OPA); O'Malley, Devin (OPA)
Subject: FW: Amounts and beneficiaries of settlement payments to third parties

Hey George,

Attaching a backgrounder that hopefully answers many of those questions. I don't have specific answers to each question right now, but Jake Gibson might be able to help as he was at our backgrounder on this

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Press
Sent: Wednesday, June 7, 2017 11:56 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>; Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Subject: FW: Amounts and beneficiaries of settlement payments to third parties

Thank you - Kristen

From: Russell, George [<mailto:George.Russell@FOXNEWS.COM>]
Sent: Wednesday, June 7, 2017 10:46 AM
To: Press <Press@jmd.usdoj.gov>
Subject: Amounts and beneficiaries of settlement payments to third parties

To Whom It May Concern,

In connection with your announcement today by Attorney General Sessions regarding the cessation of Third Party payments as part of settlements, I wondered if you could provide me with the following information, for a story we hope to do this week:

1) Can you provide the cumulative amount of such payments in 2015, 2016 and 2017, respectively?

2) Can you provide the largest three such settlements in each of the abovementioned years, with their amounts?

3) Can you tell us the names of the specific beneficiaries, or classes of beneficiaries, in each of those settlements.

4) More generally, in cases where settlements do not specifically provide the specific names of such beneficiaries, can you tell us what process is involved in distributing such payments?

5) Has the Department of Justice prior to this rescission maintained rosters of beneficiaries who were deemed appropriate potential recipients of payments similar to those mentioned in point 4 above?

If you could provide answers to these questions by close of business today, or tomorrow morning, I would be deeply grateful.

Thanks very much for your help and consideration.

Sincerely,

George Russell
Editor-at-Large
Fox News Channel
1211 Avenue of the Americas
New York, NY 10036

Te (b) (6)

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TALKING POINTS AND BACKGROUNDER ON ENDING THIRD PARTY SETTLEMENT PRACTICE

Today Attorney General Sessions issued a memo to all Department of Justice components and 94 United States Attorney's Offices. The memo made the following points:

1. Financial penalties levied against wrongdoers are designed to punish and to provide relief to victims. Their purpose is not to subsidize non-party, non-victim political activist groups.
2. Under the previous administration, when the Department of Justice settled certain high-dollar cases with a defendant corporation or individual, the Department often required the Defendant to "donate" a portion of the money to a pre-approved list of non-party, non-victim political activist groups.
3. As a result, billions of dollars that were properly owed to victims or the United States Treasury were paid to non-party, non-victim political activist groups. As a result, Congress has launched an investigation into the Department's practices and has introduced legislation designed to prohibit these third-party payments, which many label a "slush fund."
4. The Department of Justice under this administration will no longer enter into agreements directing Defendants to make "donations" to any non-party, non-victim political activist groups.

Examples of the previous administration's use of settlement agreements to subsidize non-party, non-victim political activist groups:

- In 2013, the Department of Justice reached settlements with several banks related to the selling of residential mortgage backed securities. The settlements ranged from \$7 billion (Citigroup) to \$16.65 billion (Bank of America). As part of those settlements, the Department required banks to pay approximately \$3 billion to third party groups, such as NeighborWorks and state legal aid organizations. [You may want to add La Raza, etc. from the talking points here.]
- In 2015, the Department settled claims with JP Morgan related to robo-signing practices and required JP Morgan to pay \$7.5 million to the American Bankruptcy Institute's endowment for financial education.
- In 2016, as part of a civil settlement, the Department required Volkswagen to invest \$2 billion to fund zero emissions technology and infrastructure and to promote zero emission vehicles funding that was twice denied by Congress.

Further reading on the practice of the previous administration's use of settlement agreements to subsidize non-party, non-victim political activist groups:

[Justice Department giving away the public's money to third-party interests](#), Paul Larkin, Heritage Foundation, March 11, 2015

[Justice's Liberal Slush Fund](#), Kimberley Strassel, Wall Street Journal, December 13, 2015

[The Justice Department's bank settlement slush fund](#), George Will, Washington Post, August 31, 2016

[Stop Settlement Slush Funds Act helps restore checks and balances](#), Doug Collins, The Hill, February 9, 2017.

[GOP wants to eliminate shadowy DOJ slush fund bankrolling leftist groups](#), Melissa Jacobs, FoxNews.com, March 1, 2017.

[Mike Huckabee on Fox News Discussing "DOJ Slush Fund,"](#) First Hundred Days, FoxNews.com, March 1, 2017.

Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, June 7, 2017 11:42 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: reports of resigning?

Copy that .

Have a great day!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, June 07, 2017 11:41 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>
Subject: Re: reports of resigning?

Decline to comment

On Jun 7, 2017, at 11:38 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Sarah,

I know reports are out there that the Attorney General offered his resignation to President Trump.
Can you confirm or give me a comment on that?

On record, or background is fine.

Thank you!

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Alex Pfeiffer

From: Alex Pfeiffer
Sent: Wednesday, June 7, 2017 11:36 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Press inquiry

Okay.

On Wed, Jun 7, 2017 at 11:33 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
Oh I'm sorry I misread this and thought you were asking about Wray statement. We are still declining to comment on the resignation story.

On Jun 7, 2017, at 11:31 AM, Alex Pfeiffer <pfeiffer@dailycaller.com> wrote:

Please don't forget me because of this Wray news cycle.

On Wed, Jun 7, 2017 at 10:59 AM, Alex Pfeiffer <pfeiffer@dailycaller.com> wrote:
Awesome.

On Wed, Jun 7, 2017 at 10:51 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
Coming soon!

> On Jun 7, 2017, at 10:44 AM, Alex Pfeiffer <pfeiffer@dailycaller.com> wrote:
>
> Hi Sarah - Any statement you could give me regarding the stories about Attorney General Sessions offering his resignation to President Trump?
>
> Thanks,
> Alex Pfeiffer
> Reporter
> The Daily Caller

Devin M. O'Malley

From: Devin M. O'Malley
Sent: Wednesday, June 7, 2017 9:20 AM
To: Edson, Rich
Cc: O'Malley, Devin (OPA)
Subject: Re: New Contact Info

Reach out to Nicole Navas (nicole.navas@usdoj.gov) with DOJ OPA. She handles Nat sec issues. Let her know we are friends if you need to. She may refer to FBI.

Sent from my iPhone

On Jun 7, 2017, at 9:17 AM, Edson, Rich <Rich.edson@FOXNEWS.COM> wrote:

So I cover DOJ/FBI issues like once a year and I guess today's it.

I'm looking to confirm this report. I'm lost as to where to start. Any ideas? Anything you guys would handle?

Thanks man.

Washington (CNN)US investigators believe Russian hackers breached Qatar's state news agency and planted a fake news report that contributed to a crisis among the US' closest Gulf allies, according to US officials briefed on the investigation.

The FBI recently sent a team of investigators to Doha to help the Qatari government investigate the alleged hacking incident, Qatari and US government officials say. Intelligence gathered by the US security agencies indicates that Russian hackers were behind the intrusion first reported by the Qatari government two weeks ago, US officials say. Qatar hosts one of the largest US military bases in the region.

From: Devin M. O'Malley [[mailto:](#) (b) (6)]
Sent: Friday, May 19, 2017 9:35 AM
To: Edson, Rich <Rich.edson@FOXNEWS.COM>
Subject: Re: New Contact Info

Oh wow, I didn't know that. Congrats!

I'll reach out soon on a time.

On Fri, May 19, 2017 at 9:28 AM, Edson, Rich <Rich.edson@foxnews.com> wrote:

Definitely.

DoJ is on my walk to work. I'm at State now.

Let me know when's good for you.

From: Devin M. O'Malley [mailto: (b) (6)]
Sent: Friday, May 19, 2017 9:27 AM
To: Edson, Rich <Rich.edson@FOXNEWS.COM>
Subject: Re: New Contact Info

Thanks, man. Let's connect for coffee or something soon!

On Fri, May 19, 2017 at 9:25 AM, Edson, Rich <Rich.edson@foxnews.com> wrote:

Whoa!

DoJ? Congrats, man.

From: Devin M. O'Malley [mailto: (b) (6)]
Sent: Friday, May 19, 2017 8:52 AM
To: Devin M. O'Malley (b) (6)
Subject: New Contact Info

Friends:

I wanted to share some news that after almost two years at i360, I started work at the Department of Justice, Office of Public Affairs on Monday.

I'm very grateful to the team at i360 for allowing me to be a part of the team, but I'm very excited for this new opportunity.

My official contact info is below, but you should always feel free to contact me here, on my personal email or personal cell.

Thanks

Devin

devin.omalley@usdoj.gov

(b) (6) (cell)
(202) 353-8763 (office)

--

Devin M. O'Malley

(b) (6)

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Devin M. O'Malley

(b) (6)

--

Devin M. O'Malley

(b) (6)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, June 7, 2017 8:11 AM
To: Koerber, Ashley
Subject: Re: Bret Baier tonight?

Sorry no

On Jun 7, 2017, at 8:08 AM, Koerber, Ashley <Ashley.koerber@FOXNEWS.COM> wrote:

Hey Sarah!

Any chance AG Sessions or Deputy AG Rosenstein is available to join Bret tonight to discuss the nomination of Christopher Wray to the FBI?

Let me know - thanks!

-Ashley

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

Sent from my iPhone

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Robbins, Christina

From: Robbins, Christina
Sent: Tuesday, June 6, 2017 6:31 PM
To: Prior, Ian (OPA)
Subject: Re: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Thanks Ian!

Sent from my iPhone

> On Jun 6, 2017, at 6:03 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:
>
> Hey Christina, wanted to flag this for you. Backgrounder attached as well, though that's not for attribution.
>
> Jake Gibson was at our deep background briefing so he has notes if you need - as you can see from the backgrounder, this is a big issue with conservatives.
>
> Embargoed until 6 am tomorrow
>
> Ian D. Prior
> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)
>
> From: Prior, Ian (OPA)
> Sent: Tuesday, June 6, 2017 4:06 PM
> To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov<mailto:IPrior@jmd.usdoj.gov>>
> Subject: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE
>
>
>
> Ian D. Prior
> Principal Deputy Director of Public Affairs > Office: 202.616.0911 > Cel (b) (6)
>
>
> NOTE: The memo is attached as a PDF.
>
>
> [cid:image001.jpg@01D2DEC3.DDB68100][cid:image002.png@01D2DEC3.DDB68100]
>
> _____ > FOR
IMMEDIATE RELEASE AG > WEDNESDAY, JUNE 7, 2017 (202) 514-2007 > WWW.JUSTICE.GOV<[Document ID: 0.7.910.11159](https://urldefense.proofpoint.com/v2/url?u=http-3A__WWW.JUSTICE.GOV&d=DwMFAG&c=cnx1hdOQtEPkpermZGwQ&r=ISbhuqY2FcHwG0yBw2-ggYzRtyWSwyWKRcJmiyatzwE&m=zU5J2FnFG8r8bucIsMpe_KxAng6KQT9NodK7qrxJJo&s=UySduh-3rVh-tNUC2XIP1m2Z3ySlpAqnGp_dmQzD8R8&e=> TTY (866) 544-5309</p></div><div data-bbox=)

>
>
> ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE
>
> WASHINGTON - Attorney General Sessions today issued the attached memo to all Department of Justice components and 94 United States Attorney's Offices prohibiting them from entering into any agreement on behalf of the United States in settlement of federal claims or charges that directs or provides for a settlement payment to non-governmental, third parties that were not directly harmed by the conduct.
>
>
> "When the federal government settles a case against a corporate wrongdoer, any settlement funds should go first to the victims and then to the American people— not to bankroll third-party special interest groups or the political friends of whoever is in power," said Attorney General Jeff Sessions. "Unfortunately, in recent years the Department of Justice has sometimes required or encouraged defendants to make these payments to third parties as a condition of settlement. With this directive, we are ending this practice and ensuring that settlement funds are only used to compensate victims, redress harm, and punish and deter unlawful conduct."
>
> Under the last Administration, the Department repeatedly required settling parties to pay settlement funds to third party community organizations that were not directly involved in the litigation or harmed by the defendant's conduct. Pursuant to the Attorney General's memorandum, this practice will immediately stop.
>
> # # #
>
> 17-XXX
>
> 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.
> <image001.jpg>
> <image002.png>
> <Third Party Settlement Memo.pdf>
> <BACKGROUNDER ON THIRD PARTY SETTLEMENT - FINAL.pdf>

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Kaplan (Levine), Karrah

From: Kaplan (Levine), Karrah
Sent: Tuesday, June 6, 2017 6:14 PM
To: Prior, Ian (OPA)
Subject: Re: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

I remember I booked it!

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 6:12 PM
To: Kaplan (Levine), Karrah
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

FYI martha had Huckabee on a little while back to discuss this practice

[Mike Huckabee on Fox News Discussing "DOJ Slush Fund."](#)

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:53 PM
To: 'Kaplan (Levine), Karrah' <Karrah.kaplan@FOXNEWS.COM>
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Hey wanted to flag this for you. Backgrounder attached as well, though that's not for attribution.

Jake Gibson was at our deep background briefing so he has notes if you need as you can see from the backgrounder, this is a big issue with conservatives.

Embargoed until 6 am tomorrow

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 4:06 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

NOTE: The memo is attached as a PDF.



FOR IMMEDIATE RELEASE
WEDNESDAY, JUNE 7, 2017
WWW.JUSTICE.GOV

AG
(202) 514-2007
TTY (866) 544-5309

ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

WASHINGTON Attorney General Sessions today issued the attached memo to all Department of Justice components and 94 United States Attorney's Offices prohibiting them from entering into any agreement on behalf of the United States in settlement of federal claims or charges that directs or provides for a settlement payment to non-governmental, third parties that were not directly harmed by the conduct.

"When the federal government settles a case against a corporate wrongdoer, any settlement funds should go first to the victims and then to the American people not to bankroll third-party special interest groups or the political friends of whoever is in power," said Attorney General Jeff Sessions. "Unfortunately, in recent years the Department of Justice has sometimes required or encouraged defendants to make these payments to third parties as a condition of settlement. With this directive, we are ending this practice and ensuring that settlement funds are only used to compensate victims, redress harm, and punish and deter unlawful conduct."

Under the last Administration, the Department repeatedly required settling parties to pay settlement funds to third party community organizations that were not directly involved in the litigation or harmed by the defendant's conduct. Pursuant to the Attorney General's memorandum, this practice will immediately stop.

###

17-XXX

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Kaplan (Levine), Karrah

From: Kaplan (Levine), Karrah
Sent: Tuesday, June 6, 2017 6:01 PM
To: Prior, Ian (OPA)
Subject: Re: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Thank you!

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:56 PM
To: Kaplan (Levine), Karrah
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:56 PM
To: Porter.Berry@foxnews.com
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE
Attachments: Third Party Settlement Memo.pdf; BACKGROUNDER ON THIRD PARTY SETTLEMENT - FINAL.pdf

Hey Porter, wanted to flag this for you. Backgrounder attached as well, though that's not for attribution.

Jake Gibson was at our deep background briefing so he has notes if you need as you can see from the backgrounder, this is a big issue with conservatives.

Embargoed until 6 am tomorrow

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 4:06 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Duplicative Material



ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

TALKING POINTS AND BACKGROUNDER ON ENDING THIRD PARTY SETTLEMENT PRACTICE

Today Attorney General Sessions issued a memo to all Department of Justice components and 94 United States Attorney's Offices. The memo made the following points:

1. Financial penalties levied against wrongdoers are designed to punish and to provide relief to victims. Their purpose is not to subsidize non-party, non-victim political activist groups.
2. Under the previous administration, when the Department of Justice settled certain high-dollar cases with a defendant corporation or individual, the Department often required the Defendant to "donate" a portion of the money to a pre-approved list of non-party, non-victim political activist groups.
3. As a result, billions of dollars that were properly owed to victims or the United States Treasury were paid to non-party, non-victim political activist groups. As a result, Congress has launched an investigation into the Department's practices and has introduced legislation designed to prohibit these third-party payments, which many label a "slush fund."
4. The Department of Justice under this administration will no longer enter into agreements directing Defendants to make "donations" to any non-party, non-victim political activist groups.

Examples of the previous administration's use of settlement agreements to subsidize non-party, non-victim political activist groups:

- In 2013, the Department of Justice reached settlements with several banks related to the selling of residential mortgage backed securities. The settlements ranged from \$7 billion (Citigroup) to \$16.65 billion (Bank of America). As part of those settlements, the Department required banks to pay approximately \$3 billion to third party groups, such as NeighborWorks and state legal aid organizations. [You may want to add La Raza, etc. from the talking points here.]
- In 2015, the Department settled claims with JP Morgan related to robo-signing practices and required JP Morgan to pay \$7.5 million to the American Bankruptcy Institute's endowment for financial education.
- In 2016, as part of a civil settlement, the Department required Volkswagen to invest \$2 billion to fund zero emissions technology and infrastructure and to promote zero emission vehicles funding that was twice denied by Congress.

Further reading on the practice of the previous administration's use of settlement agreements to subsidize non-party, non-victim political activist groups:

[Justice Department giving away the public's money to third-party interests](#), Paul Larkin, Heritage Foundation, March 11, 2015

[Justice's Liberal Slush Fund](#), Kimberley Strassel, Wall Street Journal, December 13, 2015

[The Justice Department's bank settlement slush fund](#), George Will, Washington Post, August 31, 2016

[Stop Settlement Slush Funds Act helps restore checks and balances](#), Doug Collins, The Hill, February 9, 2017.

[GOP wants to eliminate shadowy DOJ slush fund bankrolling leftist groups](#), Melissa Jacobs, FoxNews.com, March 1, 2017.

[Mike Huckabee on Fox News Discussing "DOJ Slush Fund,"](#) First Hundred Days, FoxNews.com, March 1, 2017.



Office of the Attorney General
Washington, D. C. 20530

June 5, 2017

MEMORANDUM FOR ALL COMPONENT HEADS AND UNITED STATES ATTORNEYS

FROM: THE ATTORNEY GENERAL

SUBJECT: Prohibition on Settlement Payments to Third Parties

Our Department is privileged to represent the United States and its citizens in courts across our country. We take this responsibility seriously. In the course of this representation, there may come a time when it is in the best interests of the United States to settle a lawsuit or end a criminal prosecution. Settlements, including civil settlement agreements, deferred prosecution agreements, non-prosecution agreements, and plea agreements, are a useful tool for Department attorneys to achieve the ends of justice at a reasonable cost to the taxpayer. The goals of any settlement are, first and foremost, to compensate victims, redress harm, or punish and deter unlawful conduct.

It has come to my attention that certain previous settlement agreements involving the Department included payments to various non-governmental, third-party organizations as a condition of settlement with the United States. These third-party organizations were neither victims nor parties to the lawsuits.

The Department will no longer engage in this practice. Effective immediately, Department attorneys may not enter into any agreement on behalf of the United States in settlement of federal claims or charges, including agreements settling civil litigation, accepting plea agreements, or deferring or declining prosecution in a criminal matter, that directs or provides for a payment or loan to any non-governmental person or entity that is not a party to the dispute.

There are only three limited exceptions to this policy. First, the policy does not apply to an otherwise lawful payment or loan that provides restitution to a victim or that otherwise directly remedies the harm that is sought to be redressed, including, for example, harm to the environment or from official corruption. Second, the policy does not apply to payments for legal or other professional services rendered in connection with the case. Third, the policy does not apply to payments expressly authorized by statute, including restitution and forfeiture.

This policy applies to all civil and criminal cases litigated under the direction of the Attorney General and includes civil settlement agreements, *cy pres* agreements or provisions, plea agreements, non-prosecution agreements, and deferred prosecution agreements. Existing resources, including the U.S. Attorneys' Manual, should be revised to conform to this policy. This memorandum is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.

Thank you for your continued hard work on behalf of our country.

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:55 PM
To: Megan.Brown@foxnews.com
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE
Attachments: Third Party Settlement Memo.pdf; BACKGROUNDER ON THIRD PARTY SETTLEMENT - FINAL.pdf

Hey Megan, wanted to flag this for you. Backgrounder attached as well, though that's not for attribution.

Jake Gibson was at our deep background briefing so he has notes if you need as you can see from the backgrounder, this is a big issue with conservatives.

Embargoed until 6 am tomorrow

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 4:06 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:54 PM
To: Francesca.Nestande@FOXNEWS.COM
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE
Attachments: Third Party Settlement Memo.pdf; BACKGROUNDER ON THIRD PARTY SETTLEMENT - FINAL.pdf

Hey Francesca, wanted to flag this for you. Backgrounder attached as well, though that's not for attribution.

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Embargoed until 6 am tomorrow

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 4:06 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:52 PM
To: Andrew.Murray@FOXNEWS.COM
Subject: FW: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE
Attachments: Third Party Settlement Memo.pdf; BACKGROUNDER ON THIRD PARTY SETTLEMENT - FINAL.pdf

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Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 4:06 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: ***EMBARGOED UNTIL 6 a.m. June 7, 2017*** ATTORNEY GENERAL JEFF SESSIONS ENDS THIRD PARTY SETTLEMENT PRACTICE

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 5:36 PM
To: Ian Mason
Subject: Re: Deep Background Briefing at 5 pm in Andretta Room

It's really all in the release and memo.

But I'd google "doj slush fund" for some backup

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

On Jun 6, 2017, at 5:34 PM, Ian Mason <imason@breitbart.com> wrote:

Sorry Ian, I wasn't able to get into the briefing.

Can I get a quick recap of anything terribly important?

On Jun 6, 2017, at 4:04 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Think I left you off the list

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

From: Prior, Ian (OPA)
Sent: Tuesday, June 6, 2017 12:43 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: Laco, Kelly (OPA) <klaco@jmd.usdoj.gov>
Subject: Deep Background Briefing at 5 pm in Andretta Room

Good afternoon,

This email and all its contents are off the record and for planning purposes only, but we will be hosting a deep background press briefing at 5 pm today. Prior to that, I will be providing you with the relevant press release afternoon (hopefully no later than 4 pm). That press release and related documents will be embargoed until 6 am tomorrow as will all contextual information shared in the briefing.

Prim Escalona from the Office of Legal Policy will be providing the briefing, which will

discuss the changes being made to third party settlement practice (e.g., requiring settling parties to pay settlement funds to third party community organizations that were not directly involved in the litigation or harmed by the defendant's conduct).

Please let me know if you plan on attending.

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: 202.616.0911
Cel (b) (6)

imason@breitbart.com

From: imason@breitbart.com
Sent: Tuesday, June 6, 2017 4:22 PM
To: Prior, Ian (OPA)
Subject: RE: FW: Deep Background Briefing at 5 pm in Andretta Room

Can I still get in?

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

From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Sent: Tuesday, June 6, 2017 4:04pm
To: "imason@breitbart.com" <imason@breitbart.com>
Subject: FW: Deep Background Briefing at 5 pm in Andretta Room

Duplicative Material



Alex Pfeiffer

From: Alex Pfeiffer
Sent: Tuesday, June 6, 2017 1:56 PM
To: Prior, Ian (OPA)
Subject: Re: Deep Background Briefing at 5 pm in Andretta Room

Hey Ian - I don't think I'll be heading to this, but I appreciate the heads up.

On Tue, Jun 6, 2017 at 1:47 PM, Prior, Ian (OPA) <lan.Prior@usdoj.gov> wrote:

Ian D. Prior
Principal Deputy Director of Public Affairs
Office: [202.616.0911](tel:202.616.0911)
Cel (b) (6)

Begin forwarded message:

From: "Prior, Ian (OPA)" <IPrior@jmd.usdoj.gov>
Date: June 6, 2017 at 12:43:27 PM EDT
To: "Prior, Ian (OPA)" <IPrior@jmd.usdoj.gov>
Cc: "Laco, Kelly (OPA)" <klaco@jmd.usdoj.gov>
Subject: Deep Background Briefing at 5 pm in Andretta Room

Good afternoon,

This email and all its contents are off the record and for planning purposes only, but we will be hosting a deep background press briefing at 5 pm today. Prior to that, I will be providing you with the relevant press release afternoon (hopefully no later than 4 pm). That press release and related documents will be embargoed until 6 am tomorrow as will all contextual information shared in the briefing.

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Please let me know if you plan on attending.

Ian D. Prior

Principal Deputy Director of Public Affairs

Office: [202.616.0911](tel:202.616.0911)

Cel (b) (6)

Hornbuckle, Wyn (OPA)

From: Hornbuckle, Wyn (OPA)
Sent: Tuesday, June 6, 2017 11:38 AM
To: Singman, Brooke
Cc: Flores, Sarah Isgur (OPA)
Subject: RE: Reality Winner quick q

Hi Brooke ,

Winner is being detained pending a hearing on Thursday.

According to the search warrant affidavit, which has been unsealed, "From January 2013 until her employment with Pluribus International Corporation, Winner was an active duty member of the U.S. Air Force and held a Top Secret clearance."

From: Singman, Brooke [mailto:brooke.singman@FOXNEWS.COM]
Sent: Tuesday, June 06, 2017 10:51 AM
To: Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: Reality Winner quick q

Thank you, Wyn.. put in a request with Air Force to check on their end too.

Sent from my iPhone

On Jun 6, 2017, at 10:49 AM, Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov> wrote:

checking

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, June 06, 2017 10:43 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Hornbuckle, Wyn (OPA) <whornbuckle@jmd.usdoj.gov>
Subject: Re: Reality Winner quick q

Adding Wyn who may know

On Jun 6, 2017, at 10:31 AM, Singman, Brooke <brooke.singman@FOXNEWS.COM> wrote:

Hi Sarah,

Hope you had a great weekend!
Do you know if Reality Winner is still in custody? If so, where is she being held?
Also- do you have any info to whether she is a veteran of the U.S. Air Force?

Thank you!
Deadline on this is ASAP.

Brooke Singman
Politics Reporter, Fox News Channel

(b) (6)

(b) (6)

Brooke.singman@foxnews.com

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Singman, Brooke

From: Singman, Brooke
Sent: Tuesday, June 6, 2017 10:45 AM
To: Flores, Sarah Isgur (OPA); Hornbuckle, Wyn (OPA)
Subject: RE: Reality Winner quick q

Thank you!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Tuesday, June 06, 2017 10:43 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov>
Subject: Re: Reality Winner quick q

Duplicative Material



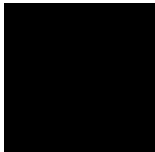
O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, June 6, 2017 9:50 AM
To: Chip.Bell@FOXNEWS.COM; Brandon.C.Baur@abc.com
Subject: Fwd: ATTORNEY GENERAL JEFF SESSIONS DELIVERS REMARKS AT NATIONAL LAW ENFORCEMENT TRAINING ON CHILD EXPLOITATION

Sent from my iPhone

Begin forwarded message:

From: "USDOJ-Office of Public Affairs (SMO)" <Ex_PAOMailbox@jmd.usdoj.gov>
Date: June 6, 2017 at 9:46:03 AM EDT
To: "USDOJ-Office of Public Affairs (SMO)" <Ex_PAOMailbox@jmd.usdoj.gov>
Subject: ATTORNEY GENERAL JEFF SESSIONS DELIVERS REMARKS AT NATIONAL LAW ENFORCEMENT TRAINING ON CHILD EXPLOITATION



FOR IMMEDIATE RELEASE

AG

TUESDAY, JUNE 6, 2017
WWW.JUSTICE.GOV

(202) 514-2007
TTY (866) 544-5309

**ATTORNEY GENERAL JEFF SESSIONS DELIVERS REMARKS AT NATIONAL
LAW ENFORCEMENT TRAINING ON CHILD EXPLOITATION**

ATLANTA, GA

Remarks as prepared for delivery

Good morning, everyone. Thank you, [U.S. Attorney] John [Horn], for the introduction, and for your good work in the Northern District of Georgia.

My thanks also to [Acting Administrator] Eileen Garry and the Justice Department's Office of Juvenile Justice and Delinquency Prevention for organizing this week's training. I'd also like to recognize our federal partners and the Georgia Bureau of Investigation for their support

of this training.

Finally, I'm grateful to all of you — more than 1,500 good people from all levels of law enforcement who have gathered here in Atlanta to learn more about protecting the most vulnerable among us — our children. You embody the best of what law enforcement is all about.

One privilege of being Attorney General is the chance to lead and support those of you who combat child exploitation. I am proud to represent our outstanding federal agents and investigators, prosecutors, and victim support specialists.

And I am grateful that we work alongside such tremendous partners at the state, local, and tribal levels.

Through his Executive Orders, President Trump has directed the Department of Justice to reduce crime and make our country safe again.

All of our citizens deserve to live free from the threat of harm — especially our young people. So our efforts to improve public safety will make the fight against child exploitation and human trafficking a top priority.

It is hard for any of us to believe that child exploitation happens — but it does. And it takes a special type of person to investigate and prosecute these despicable crimes. It demands courage and compassion, resilience and resourcefulness.

Almost everyone who works in law enforcement sees bad things. Unfortunately, that is part of the job. But few confront evil as terrible as what you face every day. You stand up to predators who think nothing of destroying the souls of children just to make a buck or fulfill their own twisted fantasies.

You see wickedness that no one should ever have to see — and suffering and cruelty that few people can imagine.

Your work takes you to dark places — both virtual places and real ones — places that no one should ever have to visit.

You do the gut-wrenching work of collecting and reviewing the evidence of these crimes.

You interview victims, help them tell their stories as witnesses, and support them as they recover and build new lives.

It is tempting to become discouraged in the midst of all this. But you persevere, and for good reason. Few others can say that their work matters so much. You are rescuing and protecting innocent children, and bringing to justice truly evil people who commit horrific crimes.

For this, you have my admiration and my gratitude. You also have my commitment

that as long as I am Attorney General, the Department of Justice will continue to strongly support your work.

Since I started this job almost four months ago, I have learned more about the great work being done today to combat child exploitation. Our Internet Crimes Against Children task force program is a prime example.

Since its beginning almost two decades ago, the ICAC program has grown into a network of 61 coordinated task forces. They represent more than 4,500 federal, state, local, and tribal law enforcement and prosecutorial agencies that combat computer-enabled child exploitation.

Task force investigations have led to the arrests of more than 73,000 people suspected of sexually exploiting children — including 8,800 just in the last year.

Task force personnel have also given more than 14,000 presentations on Internet safety over the last year, and supported almost 3,000 regional law enforcement trainings.

But even amid these heroic efforts, we also know the challenge we face today is greater than ever before.

I prosecuted a good number of child pornography cases when I was a United States Attorney three decades ago. But the landscape has changed profoundly since those days, as all of you know firsthand.

By all accounts, the scourge of child exploitation is getting worse.

We know that just here in the United States, many thousands of criminals are involved in this exploitation. Many millions of vile images and videos now circulate the globe, just a few clicks away for anyone who seeks them out.

Investigations and prosecutions of child exploitation are increasing, while the victims are getting even younger.

We also know that while the tech revolution has brought us many benefits, it has also made your work even more challenging.

It has given pedophiles new ways to find and exploit children. Because of technology, no place is safe for our kids — not even our homes or schools. Any child with access to a smartphone or tablet is vulnerable to predators.

Meanwhile, the proliferation of cheap cameras in phones and other devices has made it easier than ever for pedophiles to produce child pornography and share this filth with countless others.

Finally, we confront the so-called Darknet and other emerging technologies — including chat sites, social networking sites, and mobile applications on encrypted devices.

These tools help predators to target and groom our children for abuse, to find and encourage each other, and to evade law enforcement despite our best efforts.

That is why this training is so important. These depraved people are always looking for an edge, so they can continue to exploit kids and avoid justice. It's crucial that we continue to adapt to their tactics; learn about the latest investigative technologies and techniques; and share ideas with each other. That's what all of you will be doing this week.

It's also crucial for us to build and strengthen partnerships. We know the child pornographers, sextortionists, and human traffickers work together and help each other. So we need a united front to stop them.

We saw the power of teamwork recently here in Georgia and in my home state of Alabama. Last November, the Alabama and Georgia Internet Crimes Against Children task forces coordinated an investigation called "Operation Southern Impact."

It resulted in the arrest of 29 suspects from both states on charges of possession and distribution of child pornography, and the seizure of 731 digital devices as evidence. The investigation included more than 70 federal, state, and local law enforcement agencies.

That is the kind of teamwork it takes to find these predators and bring them to justice.

The importance of teamwork also extends to the broader public. We need to help our fellow citizens know what to watch for, and encourage them to tell us when they see something troubling.

We saw the value of public involvement last month in Kansas. A man in Wichita was sentenced to over 16 years in federal prison for distributing child pornography.

This man came to the attention of investigators when they received four separate Cyber Tip-line Reports from the National Center for Missing and Exploited Children. In this case, as in so many others, the vigilance of our fellow citizens made a real difference.

After my remarks, you will see a new Public Service Announcement produced by the A21 Campaign, an international anti-trafficking group. This short video reinforces to the public the importance of recognizing the signs of child sex-trafficking and reporting suspected crimes.

Nothing less than a united effort will be enough to keep our children from becoming victims of exploitation. It will take all of us — investigators, prosecutors, and victim support specialists; teachers, parents, and concerned citizens.

Standing together, we will send a message to the predators and pimps, the child abusers and the sextortionists and the traffickers: You will not harm our kids. And we will never rest until we find you and bring you to justice for your appalling acts.

Let me close by thanking all of you once again for choosing to do this difficult but

noble work.

You see the darkest side of humanity almost every day — but that doesn't stop you. Each of you is a bright light of hope and justice. Your light shines in the darkness, and the darkness will not overcome it.

Keep up the good work, have a productive week, and thanks for having me here today.

#

17-609

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.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, June 5, 2017 5:40 PM
To: Herridge, Catherine
Subject: Re: arrest NSA doc

Nothing to add--thanks!!

On Jun 5, 2017, at 5:31 PM, Herridge, Catherine <Catherine.Herridge@FOXNEWS.COM> wrote:

Hi Sarah

We understand that the DOJ arrest in Georgia is directly connected to NSA classified doc. Let us know if there is more to add on record or background. We are on deadline for 6pm.

Thx
Catherine

(b) (6)

<https://www.justice.gov/opa/pr/federal-government-contractor-georgia-charged-removing-and-mailing-classified-materials-news>

<https://theintercept.com/2017/06/05/top-secret-nsa-report-details-russian-hacking-effort-days-before-2016-election/>

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Monday, June 5, 2017 3:35 PM
To: Bell, Chip
Subject: Re: FOX News Channel

Thanks...FYI I did walk through with security detail today and we are pushing the preset up to 7:45 am.

I'll send out another email to all rsvps reminding folks.

Sent from my iPhone

On Jun 5, 2017, at 2:10 PM, Bell, Chip <Chip.Bell@FOXNEWS.COM> wrote:

Devin

I'd like to RSVP for myself an (b) (6) to cover this event.
We will be bringing live u and will be in position to be ready for the sweep.

Charles Bell
Producer
Fox News Channel

(b) (6)
Camera
Fox News Channel

Thanks-

Chip Bell
Field Producer
Fox News Channel
C (b) (6)
W (b) (6)
Fax) 404-685-2289

chip.bell@foxnews.com

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is made that this email or its attachments are without defect.

Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, August 23, 2017 11:30 AM
To: Prior, Ian (OPA); Flores, Sarah Isgur (OPA)
Subject: RE: Fox News request - Denis Katsyv, 2013.

Thank you!

From: Prior, Ian (OPA) [mailto:ian.prior@usdoj.gov]
Sent: Wednesday, August 23, 2017 11:29 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov>
Subject: RE: Fox News request - Denis Katsyv, 2013.

Hey Brooke,

You should reach out to the US Atty in SDNY for that one.

Thanks

Ian D. Prior
Principal Deputy Director of Public Affairs
Department of Justice
Office: 202.616.0911
Cel (b) (6)

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: Singman, Brooke [mailto:brooke.singman@FOXNEWS.COM]
Sent: Wednesday, August 23, 2017 9:47 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Fox News request - Denis Katsyv, 2013.

Hi Sarah and Ian,

Thank you for all of your help yesterday.

On a totally separate issue....

A key Senate witness wrote that in 2013, the Justice Department discovered that Denis Katsyv, son of close-Putin adviser Pyotr Katsv, has been receiving funds from the \$230 million crime that the late Sergei Magnitsky exposed. The witness wrote that U.S. authorities then froze \$14 million of the properties and assets that belonged to Denis Katsyv in New York.

Can you confirm these details for me?

Hard deadline is 12p EST.

Thank you so much.

Brooke Singman
Politics Reporter, Fox News Channel

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Brooke.singman@foxnews.com

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Gibson, Jake

From: Gibson, Jake
Sent: Monday, July 31, 2017 5:50 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: On the record statement?

Understood.
And that's kinda what I told him

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 31, 2017 5:49 PM
To: Gibson, Jake
Subject: Re: On the record statement?

Ok fine. I'd just be wary relying on a single office who is frustrated bc their individual email is glitchy. Ha!

On Jul 31, 2017, at 5:48 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Someone at the US Atty's office in DC is telling him something different.
This is what the script looks like after I protested and provided your bullets.

Would you like me to try to add anything else in here?

FOX NEWS HAS LEARNED THAT THE NATIONAL COMPUTER NETWORK RELIED ON BY AMERICA'S TOP FEDERAL PROSECUTORS "SUFFERED A HIT," AS A JUSTICE DEPARTMENT SOURCE PUT IT TO ME...

KNOCKING OUT INTERNET SERVICE AND CAUSING OTHER DISRUPTIONS AT THE U-S ATTORNEYS OFFICE FOR THE DISTRICT OF COLUMBIA AND LIKELY OTHER SUCH OFFICES ACROSS THE COUNTRY.

THE OUTAGES WERE STILL IMPEDING PROSECUTORS' WORK AS LATE AS THIS AFTERNOON.

FEDERAL OFICIALS SAID A POWER SOURCE IN SOUTH CAROLINA HAS GONE DOWN TWICE IN THE LAST FEW DAYS, WITH THE OFFICES RELYING ON "EMERGENCY BACKUP" WHILE WORKING TO BRING SYSTEMS BACK ONLINE.

NO WORD ON WHAT CAUSED THE OUTAGES, NOR WHETHER THE INCIDENT IS BEING TREATED AS A TECHNOLOGICAL MALFUNCTION, HUMAN ERROR, OR, POTENTIALLY, AN ACT OF SABOTAGE.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 31, 2017 5:46 PM
To: Gibson, Jake
Subject: Re: On the record statement?

This is so sensational when I provided you those bullets that make it clear this is a pretty simple issue that isnt causing nations wide internet outages

On Jul 31, 2017, at 5:42 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

This is the script as it was before I sent your bullets (as provided to us by a US Govt official)
... It's being adjusted now.

But do you want to provide anything on the record?

FOX NEWS HAS LEARNED THAT THE NATIONAL COMPUTER NETWORK RELIED ON BY AMERICA'S TOP FEDERAL PROSECUTORS "SUFFERED A HIT" OVER THE WEEKEND, AS A JUSTICE DEPARTMENT SOURCE PUT IT TO ME...

KNOCKING OUT INTERNET SERVICE AND CAUSING OTHER DISRUPTIONS AT U-S ATTORNEYS OFFICES ACROSS THE COUNTRY.

THE OUTAGES WERE STILL LEAVING THE COUNTRY'S NINETY-THREE U-S ATTORNEYS WITHOUT INTERNET SERVICE AS LATE AS THIS AFTERNOON.

OFFICIALS AT D-O-J WOULD NOT PROVIDE ANY ON-THE-RECORD COMMENT ABOUT WHAT CAUSED THE INTERNET BLACKOUT, WHICH OTHER ONLINE SERVICES WERE AFFECTED, AND WHETHER THE INCIDENT IS BEING TREATED AS A SIMPLE TECHNOLOGICAL MALFUNCTION, THE RESULT OF HUMAN ERROR, OR, POTENTIALLY, AN ACT OF SABOTAGE.

Jake Gibson

Department of Justice and Federal Law Enforcement Producer

Fox News Washington

Cell (b) (6)

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Jake.Gibson@foxnews.com

@JakeBGibson

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Gibson, Jake

From: Gibson, Jake
Sent: Monday, July 31, 2017 5:00 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: off the record

Yes. We do need an on the record statement on this please.

Bret wants to do a reader on it. Not that it's connected to terror or anything... but that all US Attorney's offices across the nation are still experiencing network issues? That could be a story, in the sense of, how many cases is this affecting?

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 31, 2017 4:43 PM
To: Gibson, Jake
Subject: off the record

- In short, there was an outage of a power source in South Carolina this morning resulting in nationwide USAO network issues. EOUSA is in the middle of working to bring all systems back online.
- By way of background, South Carolina houses a power source, which the nation's USAOs rely upon for certain computer applications. There was an interruption to the power source sometime last week. As a result, and over the weekend, EOUSA was doing maintenance work on it. During this time, selected systems went offline. This includes Internet services.
- This morning, the same South Carolina power source experienced a massive outage. As a result, the source is now relying on emergency backup while we are bringing systems back on line. EOUSA is in the middle of doing recovery work right now.

Let me know if you need something on the record isn't this the same area where they've been evacuated people bc of power outages?

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

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Gibson, Jake

From: Gibson, Jake
Sent: Monday, July 31, 2017 4:54 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: off the record

I'm assuming that the power outage in Ocracoke Island is far enough off that it had nothing to do with any power disruption in South Carolina.

Just for that sake of due diligence. You are confident that this power outage that affected the nationwide USAO network has no nexus to terrorism of any kind?

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Monday, July 31, 2017 4:51 PM
To: Gibson, Jake
Subject: RE: off the record

Oh its possible for a moment I thought those were the same....

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]
Sent: Monday, July 31, 2017 4:51 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: RE: off the record

The only power outages I heard about over the weekend making any news were in the Outer Banks of North Carolina.

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Monday, July 31, 2017 4:43 PM
To: Gibson, Jake
Subject: off the record

Duplicative Material



Gibson, Jake

From: Gibson, Jake
Sent: Monday, July 31, 2017 2:56 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Internet outage at US Attorney's Office?

Okay.... Understood.

Miller doesn't seem to be denying it at all though... rather just pointing me to DOJ press.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, July 31, 2017 2:55 PM
To: Gibson, Jake
Subject: Re: Internet outage at US Attorney's Office?

First I'm hearing of this

On Jul 31, 2017, at 2:34 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Any comment or guidance on this?

From: Miller, William (USADC) [mailto:William.Miller3@usdoj.gov]
Sent: Monday, July 31, 2017 2:28 PM
To: Gibson, Jake
Subject: RE: Internet outage at US Attorney's Office?

Please check with DOJ's Office of Public Affairs. Thanks.

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Monday, July 31, 2017 2:22 PM
To: Miller, William (USADC) <WMiller2@usa.doj.gov>
Subject: Internet outage at US Attorney's Office?

Any comment or confirmation of this?

A source at the U.S. Attorney's Office for the District of Columbia told me this afternoon that the central processing unit for the entire national computer network of U.S. Attorneys Offices "suffered a hit" this weekend, with the result that no U.S. Attorney's Office in America had Internet service.

Thanks,

Jake Gibson
Department of Justice and Federal Law Enforcement Producer
Fox News Washington
Cell (b) (6)
Cell (b) (6)

Jake.Gibson@foxnews.com

@JakeBGibson

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