conducting regular "sweeps" for any remaining ballots, so that they could be expeditiously processed and directed to their final destination. Indeed, after a conversation with counsel for the Plaintiffs, Defendants sent a further email to all processing plants yesterday evening reminding them of this responsibility.

Defendants therefore conducted inspections by Postal Inspectors and sweeps at the relevant plants yesterday, pursuant to this Court's order, but it was not possible for the Postal Inspectors to conduct sweeps of all relevant facilities by this Court's 3pm deadline. Inspectors were not physically on site at the time of the Court's order, because they had been scheduled to arrive later in the day, to conduct inspections at the most critical time when the vast majority of any ballots processed on Election Day would be on site, and even if they were, Inspectors are not equipped to do full operational sweeps in the time allotted, although they do and did conduct their own sweeps as part of their reviews. We explain why below and further demonstrate how Defendants effectively accomplished the goal underlying the Court's order.

I. The Postal Inspection Service conducted daily reviews of mail processing facilities handling Election Mail, but it was not possible to change the nature or timing of this review in the limited time available.

The Postal Inspection Service has conducted daily reviews, called Observation of Mail Conditions ("OMCs") of 220 mail-processing facilities handling Election Mail for the past several days, including yesterday. Brubaker Dec. ¶ 6. Typically, one (and sometimes two) Inspectors are assigned to each facility. *Id.* These facilities are very large, and Inspectors are instructed to walk throughout the facility and observe the conditions of Election Mail, chiefly ballots, processed and handled by employees. *Id.* They are directed to consider specific things, including reviewing staging areas and areas outside the staging area for Election Mail, scanning for delayed mail, ensuring Election Mail is processed expeditiously, and ensuring no ballots are held for postage

due. *Id.* The purpose of the review is to do everything possible to ensure that ballots are delivered timely; and any deficiencies are identified and reported to management for prompt resolution. *Id.*

That process occurred yesterday. For the twelve districts identified in this Court's order, the following matters were discovered related to ballots: (a) in Johnstown, PA, three delayed ballots were discovered and were being expedited by management for delivery, and (b) in Lancaster, PA, ten ballots were discovered from collectors and referred to management for delivery. *Id.*¶ 10.

It was not, however, possible, to have Inspectors on site in the specific districts identified in the Court's order to conduct and complete sweeps between 12:30 and 3pm. There are two main reasons why this was so. *First*, the schedule for Postal Inspection Service's daily reviews is set in advance, and Inspectors were scheduled to be at their processing plant from 4pm to 8pm on Election Day, because the bulk of the mail from delivery units arrived at or after that time, and processing begins thereafter. *See id.* ¶ 7; *see also* Bray Dec. ¶ 8. In other words, the vast majority of ballots processed in plants on Election Day would be processed between 4pm and close of polls, and the management suggested that time for the Inspection Service so that they would be present to observe compliance with postal operational efforts to postmark and deliver ballots to the Boards of Election by the respective deadlines. Bray Dec. ¶ 8. Accordingly, Inspectors were instructed to pay attention to specific postmarking or ballot-in-hand deadlines for each state, which impact the processing of Election Mail on Election Day. Brubaker Dec. ¶ 7,

At the time the Court's order was issued at 12:30pm, it was not practicable to move OMCs earlier in the day due to logistical considerations. Brubaker Dec. ¶ 8. The Inspectors were not in the facilities; as Election Mail reviews are not a normal duty, and Inspectors were assigned to conduct them for a particular period of time. *Id.* Before the OMC was to begin at 4pm, they were

conducting their normal duties related to their assigned team (e.g., mail theft, mail fraud, dangerous mail responses, etc.). *Id.* When the Court order was issued, there was not enough time to contact them, to have them travel to the processing facilities, and to assign new duties to them at the facilities. *Id.* Notably, some of the duties they were undertaking elsewhere included election matters unrelated to OMCs. *Id.*

Second, the term "sweep" is used in multiple contexts by the Postal Service. *Id.* ¶ 9. As has generally been discussed in this litigation, it is an operational term that means that employees examine every place in the plant to make sure no ballots have been left behind pursuant to a specific plan. These sweeps involve approximately one to five employees, depending on the size of the facility. It is not possible for Inspectors to conduct this type of sweep in the time allotted, however, Inspectors did observe these sweeps in addition to their own efforts, and reported any deficiencies to facility management. *Id.* Inspectors also conducted their own "sweeps" of facilities as part of the OMC, where they search equipment, trailers, recyclable dumpsters, staging areas, empty equipment areas, bathrooms, breakrooms, locker rooms, stock rooms, offices, closets, etc. *Id.*

II. The Postal Service conducted regular sweeps at all plants on Election Day.

The Postal Service did, however, conduct regular sweeps at all its plants on Election Day, as part of a longstanding review process in place to ensure that no ballots are left behind. "Sweep" is the term used when Postal Employees search plants to be sure that all ballots are accounted for and being processed correctly. Brady Dec. ¶ 3. "This includes searching the facility to be sure no ballots are in any unexpected locations . . . as well as identifying ballots in the mailstream that are not moving with sufficient speed." *Id.* The search is not limited to the interior of the plant and encompasses the surrounding area, including the docks and any trailers that might contain mail. *Id.* During the last days of the election, when all ballots must be dispatched from plants under the

extraordinary measures undertaken by the Postal Service, all ballots retrieved during sweeps are expedited through whatever means are necessary to ensure they are delivered in time to be counted, assuming that it is physically possible. *Id.* ¶ 4. While some states allow ballots to be counted after Election Day, the Postal Service, through Election Day, treats all ballots as if they must be delivered by the close of polls. *Id.* ¶ 4.

Sweeps have generally been taking place daily since January. *Id.* ¶ 6. Plants are required to submit an "all clear" report, indicating that it has searched for ballots and either none were identified, or that any identified were moved expeditiously when found. *Id.* This report is submitted at 10am each day. *Id.* For November 3rd, in addition to the 10am "all clear," all plants were also instructed to continuously sweep the plants for ballots starting at 7am (when the new shift starts) and continuing as long as the state Boards of Elections (BOEs) continue to accept mail. *Id.* ¶ 7. All plant staff are on high alert to find any ballots that may not be in the proper place. Any ballots identified in these sweeps were to be moved to the BOEs as quickly as necessary to be counted outside of the Postal Service's usual transportation network. *Id.* This includes arrangements with some BOEs who make plans to come to the plants to pick up ballots themselves. *Id.; see also* Hr'g Tr. of Michael Barber, Oct. 31, 2020, at 15:13-19 ("Tuesday, we will have hourly sweeps then from most mails coming in all the way up until each individual state's Board of Election have a slightly different receipt times. So we provided all of that information to every postal facility across the country and they will make continuous sweeps up until those times of the Board of Elections still continue to accept."). On Election Day, this plan was executed, and the sweeps were carried out. Bray Dec. ¶ 7. At the request of Plaintiffs' counsel, and consistent with these processes, the Postal Service sent the attached email to all Plant Managers last night emphasizing that plants must "continu[e] to do regular sweeps to ensure that all ballots can be

timely delivered in accordance with the state's Election Day ballot deadline **today**" and that "[a]ll plants must ensure that we provide a final clean sweep for all Election Mail Ballots for deliveries **today** in all states for which you provide service." (emphasis original). *See id.*¶ 9.

The Postal Service has confirmed with the plant maangers that sweeps were carried out as instructed yesterday in plants located in the Central Pennsylvania, Philadelphia, Detroit, Colorado/Wyoming, Atlanta, Houston, Alabama, Northern New England, Greater South Carolina, South Florida, Lakeland, and Arizona districts. Bray Dec. ¶¶ 10-22.

CONCLUSION:

As discussed above, the Inspection Service was not able to conduct specific sweeps at specific times of the day, as this was not operationally possible to implement in the limited time available for the reasons stated above. Our understanding at the hearing was that the Court did not intend for the Postal Service to make operational changes on Election Day, but rather to confirm that the existing processes were functioning as anticipated. Defendants conducted ongoing sweeps of the plants in the relevant districts throughout the day to identify any ballots and expedite them to BOEs, and the Inspection Service conducted its thorough observational process during Election Day, at which point it identified only a handful of ballots. Defendants therefore respectfully indicate that they have provided assurance that the relevant plants had sufficient oversight on Election Day to ensure that ballots were expedited as quickly as possible.

Dated: November 4, 2020

Respectfully submitted,

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

ERIC WOMACK
Assistant Branch Director
Federal Programs Branch

/s/ Joseph E. Borson
JOSEPH BORSON (VA Bar No. 85519)
KUNTAL V. CHOLERA
ALEXIS ECHOLS
DENA ROTH
JOHN J. ROBINSON
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005
Telephone: (202) 514-1944
E-mail: Joseph.Borson@usdoj.gov

Attorneys for Defendants

William Barr

From:	William Barr
Sent:	Thursday, November 5, 2020 7:10 PM
To:	Levi, William (OAG)
Subject:	Fwd: Letters with Enclosure
Attachments:	Gloria 110520.pdf; nv moved raw file.csv; Barr 110520.pdf

Sent from my iPhone

Begin forwarded message:

From: Richard Grene [redacted (b) (6)] >
Date: November 5, 2020 at 6:50:06 PM EST
T [redacted (b)(6) - AG Barr]
Subject: Fwd: Letters with Enclosure

?

ric

From: Jesse Binnall <jbinnall@harveybinnall.com>
Sent: Thursday, November 5, 2020 3:35:49 PM
To: Richard Grene [redacted (b) (6)] >
Subject: Letters with Enclosure

--
Jesse R. Binnall
Harvey & Binnall, PLLC
717 King Street
Suite 300
Alexandria, VA 22314
(703) 888 1943
(703) 888 1930 (fax)
jbinnall@harveybinnall.com

WEIR LAW GROUP LLC

Shana D. Weir, Esq.
6220 Stevenson Way
Las Vegas, NV 89120
702.509.4567
sweir@weirlawgroup.com

November 5, 2020

The Honorable William Barr
Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Barr:

This firm, in conjunction with Harvey & Binnall, PLLC, represents Donald J. Trump for President, Inc. We write to bring to your attention criminal voter fraud in the State of Nevada in the 2020 general election. Specifically, we have initially identified 3,062 individuals who appear to have improperly cast mail ballots in the election. We verified this by cross-referencing the names and addresses of voters with the National Change of Address database. Enclosed, please find a letter sent to Joseph Gloria, the Clark County Registrar, outlining our findings. We also anticipate that the final list of fraudulent ballots will grow substantially and we will update you as we learn more.

Of course, voter fraud is a serious federal felony, one that cuts to the heart of our representative democracy. We understand that these are serious allegations and we do not make them lightly. Please let us know if you have any questions or concerns.

Very Truly Yours,
Weir Law Group, LLC

/s/ Shana D. Weir

Shana D. Weir
Jesse R. Binnall

Enclosures

WEIR LAW GROUP LLC

Shana D. Weir, Esq.
6220 Stevenson Way
Las Vegas, NV 89120
702.509.4567
sweir@weirlawgroup.com

November 5, 2020

Via Email

Mary-Anne Miller, Esquire
500 S. Grand Central Parkway
Las Vegas, NV 89106
(b) (6)

Re: **Mail Ballots Received from Thousands of Ineligible Voters**

Dear Ms. Miller

This firm, in conjunction with Harvey & Binnall, PLLC represents Donald J. Trump for President, Inc. As you know we have been concerned for months about improper ballots being cast in the 2020 general election. Yet, Joseph Gloria has yet to take any reasonably basic and fundamental steps to ensure that mail ballots are free from fraud and abuse. His inaction has had and continues to have material adverse consequences on our election security; we have confirmed that thousands of votes have been cast improperly. Indeed, we have initially identified 3,062 voters who moved from Nevada before the election but still cast ballots in this election. We have verified this by cross-referencing the list of general election voters with publicly available change of address records. For instance, demographic experts agree that the National Change of Address database only captures about one-third of relocations. Consequently, this number will likely grow by 6,000 voters, at a minimum. As you know, voter fraud is a serious crime, under federal and state law and these fraudulent ballots call into question the legitimacy and integrity of the entire Nevada general election. This is a direct result of Mr. Gloria's lax procedures for authenticating voter identity and his negligent maintenance of voter rolls.

Had Mr. Gloria's office used proper and generally accepted procedures to authenticate these ballots and clean the voter rolls on the front end, then these illegal votes would never have permeated into the voter pool, diluting the votes of honest Nevadans. That is why it is imperative that he take immediate action to clean the voter rolls and purge them of all ineligible voters, including those that have moved from Nevada and those that have died. Moreover, he should immediately cease authenticating and separating mail ballots until the rolls are cured and take all possible measures to cull improper ballots from the 2020 general election voter pool.

We have enclosed the change of address information for the voters we have already identified. Please take care to ensure that this data is not improperly disseminated. also promptly respond by explaining what steps Mr. Gloria will take to ensure that no further ballots from ineligible voters will be tabulated. The time critical nature of this request is self-evident.

Sincerely,
Weir Law Group, LLC

/s/ Shana D. Weir

Shana D. Weir
Jesse R. Binnall

cc: Hon. William Barr
Hon. Christopher Wray
Hon. Nicholas A. Trutanich

Antell, Kira M. (OLA)

From:	Antell, Kira M. (OLA)
Sent:	Friday, November 6, 2020 9:24 AM
To:	Hankey, Mary Blanche (OLA)
Subject:	FW: Letter from Rep. Greg Murphy (NC-3) on Election Concerns
Attachments:	11.5.2020 Letter to AG Barr - voter fraud.pdf
Importance:	High

(b) (5) . What do you think?

From: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Sent: Thursday, November 5, 2020 5:08 PM
To: Hankey, Mary Blanche (OLA (b) (6); Antell, Kira M. (OL (b) (6);
Pings, Anne (OL (b) (6) Stephens, Taylor (OLA (b) (6)
Cc: Cress, Brian (OLA (b) (6); Williams, Kim (OLA (b) (6) >
Subject: FW: Letter from Rep. Greg Murphy (NC-3) on Election Concerns
Importance: High

Good afternoon

Pls provide assignment guidance. Thanks.

From: Cress, Brian (OLA (b) (6)
Sent: Thursday, November 5, 2020 4:52 PM
To: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>; Hankey, Mary Blanche (OLA)
(b) (6)
Subject: FW: Letter from Rep. Greg Murphy (NC-3) on Election Concerns

All I just received an incoming letter from Congressman Murphy's Office.

Thanks

From: Wilson, Joh (b) (6) >
Sent: Thursday, November 5, 2020 4:25 PM
To: Cress, Brian (OLA (b) (6)
Subject: Letter from Rep. Greg Murphy (NC-3) on Election Concerns

Hi Brian,

Please see the attached letters to AG Barr. Thank you in advance for relaying to DOJ.

John Wilson
Legislative Director
Rep. Greg Murphy (NC-3)
2333 Rayburn HOB

GREGORY F. MURPHY, M.D.
3RD DISTRICT, NORTH CAROLINA

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

COMMITTEE ON EDUCATION AND LABOR

Congress of the United States
House of Representatives
Washington, DC 20515–3303

WASHINGTON OFFICE:
2333 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3415

DISTRICT OFFICE:
1105 CORPORATE DRIVE, SUITE C
GREENVILLE, NC 27858
(252) 931-1003

November 5, 2020

The Honorable William Barr
Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Barr,

I write today to share concerns about reported incidents regarding alleged election fraud during this year's election process. Fair and free elections are a hallmark of American Democracy and have been our national standard for over two centuries. It is the Department of Justice's job to prevent fraud and prosecute those found responsible to the greatest extent of the law. The future of our country's leadership depends on your oversight and due diligence.

Lawsuits have been filed by the current Administration against a multitude of states, including Pennsylvania, Nevada, Georgia, and Michigan. All four of these states are critical in assessing the accurate results of the electoral college. Cases of fraud include vote-buying schemes, voter impersonation, voter intimidation, counting late or fake votes, and the illegal throwing away of ballots.

As the fate of our nation dangles before each citizen, we must write that these concerns are urgent and require immediate assistance. Please use your office to enact proper oversight of any election fraud nationwide and hold those who commit illegal activity responsible. Winning an election fairly is paramount and we must prevent forms of cheating while making it possible for legitimate and legal voters to get their vote counted in an orderly fashion.

We appreciate the work you and your agency do on behalf of this great American republic, a nation truly under God. Thank you for your consideration.

Sincerely,

Gregory F. Murphy

Rep. Gregory F. Murphy, M.D.
Member of Congress

Hankey, Mary Blanche (OLA)

From: Hankey, Mary Blanche (OLA)
Sent: Friday, November 6, 2020 11:08 AM
To: Antell, Kira M. (OLA)
Subject: RE: Letter from Rep. Greg Murphy (NC-3) on Election Concerns

Fine with me. Thanks.

From: Antell, Kira M. (OLA [redacted (b) (6)]
Sent: Friday, November 6, 2020 10:44 AM
To: Hankey, Mary Blanche (OLA [redacted (b) (6)]
Subject: RE: Letter from Rep. Greg Murphy (NC-3) on Election Concerns

[redacted (b) (5)]

From: Hankey, Mary Blanche (OLA [redacted (b) (6)]
Sent: Friday, November 6, 2020 9:31 AM
To: Antell, Kira M. (OLA [redacted (b) (6)]
Subject: RE: Letter from Rep. Greg Murphy (NC-3) on Election Concerns

Yes I had the same response last nigh [redacted (b) (5)]? [redacted (b) (5)] I don't feel too strongly either way.

From: Antell, Kira M. (OLA [redacted (b) (6)]>
Sent: Friday, November 6, 2020 9:24 AM
To: Hankey, Mary Blanche (OLA [redacted (b) (6)]
Subject: FW: Letter from Rep. Greg Murphy (NC-3) on Election Concerns
Importance: High

Duplicative Material

Donoghue, Richard (ODAG)

From:	Donoghue, Richard (ODAG)
Sent:	Friday, November 6, 2020 11:42 AM
To:	Rosen, Jeffrey A. (ODAG); Levi, William (OAG)
Subject:	FW: (U) 2 Suspects Arrested For Alleged Plot To Attack Philadelphia Convention Center; DHS Investigating - PA-MMC Update 53 [Elections 2020 - U.S.] NOC 0840-20

FYSA

From: JCC (JMD) <Ex_JCC@jmd.usdoj.gov>
Sent: Friday, November 6, 2020 11:25 AM
To: Abraham, Jeffrey R (JMD (b) (6) (b)(6) per NSD >; Anderson, Brian W (JMD (b) (6) >; Andrews, Kelli (NSD (b)(6) per NSD >; Avery, Charles W (JMD (b) (6) >; Barnes, James J. (ODAG (b) (6) (b)(6), (b)(7)(C), (b)(7)(F) per USMS (USMS) (b)(6), (b)(7)(C), (b)(7)(F) per USMS; Burns, David P. (NSD (b)(6) per NSD ; Clarke, Mark M (JMD) (b) (6) ; Collier, Isaac M (b) (6) >; Creegan, Erin (ODAG) (b) (6) (b)(7)(E) per FBI CTSIntell (NSD) <Ex_CTSIntell@jmd.usdoj.gov>; Curley, Alexandra (JMD (b) (6) (b)(6) per NSD >; DiZinno, Richard (ODAG (b) (6) ; Donoghue, Richard (ODAG (b) (6) ; Dubriel, Laurie (ENRD (b) (6) >; Dunlap, James L (JMD (b)(6), (b)(7)(C) per JMD ; EPG (JMD) <Ex_EPGSendAs@jmd.usdoj.gov>; Gadsden, Paul S (JMD) (b) (6) ; Gibbs, Trella N (JMD) (b) (6) ; Gunning, Christine E. (JMD (b) (6) >; Hart, Rosemary (OLC) (b) (6) >; Haufe, Robert W. (OIG (b) (6) ; Hornbuckle, Wyn (OPA) (b) (6) >; Hovakimian, Patrick (ODAG (b) (6) Levi, William (OAG) (b) (6) (b)(6) per NSD >; McAtamney, James A. (USAEO) (b) (6) ; McCloskey, Sharon (JMD (b) (6) (b)(6) per ATF (b)(6) per ATF McDermond, James (b)(6) per ATF >; McManus, Doug (CIV) (b) (6) (b)(6) per NSD (b)(6), (b)(7)(C) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Munn, Michael (OAG (b) (6) >; NSD CTS Coordinators (JMD) <NSDCTSCoordinators@jconmail.usdoj.gov (b)(6), (b)(7)(C), (b)(7)(F) per U (USMS) (b)(6), (b)(7)(C), (b)(7)(F) per USMS; Rogers, Melinda (JMD) (b) (6) ; seps_cas <seps_cas@jmd.usdoj.gov>; SEPS_IncidentRpt <SEPSIncidentRpt@jmd.usdoj.gov (b)(6) per NSD (b)(6) per ATF (b)(6) per ATF (b)(6), (b)(7)(C), (b)(7)(F) per USMS (USMS (b)(6), (b)(7)(C), (b)(7)(F) per USMS>; Smith, Justin (ENRD) (b) (6) (b)(6) per NSD Swartz, Bruce (CRM) (b) (6) >; Toscas, George (NSD (b)(6) per NSD ; Valladares, Brian (ODAG) (b) (6) (b)(6), (b)(7)(C), (b)(7)(F) per USMS (USM (b)(6), (b)(7)(C), (b)(7)(F) per USMS>; Weinsheimer, Bradley (ODAG (b) (6) >; Westberg, Kevin L. (CIV (b) (6)
Subject: FW: (U) 2 Suspects Arrested For Alleged Plot To Attack Philadelphia Convention Center; DHS Investigating - PA-MMC Update 53 [Elections 2020 - U.S.] NOC 0840-20

FYSA
JCC (Howard)
202-514-5000

From: NOC Media Monitorin (b)(6) per DHS
Sent: Friday, November 6, 2020 11:19 AM
T (b)(6) per DHS
Subject: (U) 2 Suspects Arrested For Alleged Plot To Attack Philadelphia Convention Center; DHS Investigating - PA-

Unclassified

Location(s): Philadelphia, Pennsylvania
Police arrested two men in Philadelphia late Thursday after receiving a tip that they were making threats against the Philadelphia Convention Center, where the city's mail-in ballots are still being counted, media reported Friday.

Police were told the men were coming up from Virginia armed with AR-15s, police sources said. Police found their Hummer near the Convention Center, and the vehicle was decorated with stickers promoting the conspiracy theory QAnon.

Police on the scene said weapons were recovered from the car, though they did not say what kind.

The identities of the two men have not been released. The U.S. Department of Homeland Security is assisting in the investigation.

Traditional Media Sources (some page content may change or not be available over time):
- WRC
-- https://tinyurl.com/y2kmtmbe

The above information summarizes emerging open source reporting that has not been corroborated by official government sources. It is provided to rapidly enhance situational awareness on items of interest to the homeland security enterprise.

(b)(6) per DHS
Operations Analyst
DHS NOC Media Monitoring
Phon (b)(6) per DHS
Ce (b)(6) per DHS

Unclassified

Trutanich, Nicholas (USANV)

From:	Trutanich, Nicholas (USANV)
Sent:	Friday, November 6, 2020 12:38 PM
To:	Donoghue, Richard (ODAG)
Subject:	RE: NV GOP Letter
Attachments:	Gloria 110520.pdf; Barr 110520.pdf; nv moved raw file.csv

Rich,

Attached are two letters from Shana Weir (addressed to the Attorney General and Clark County's lawyer, Mary-Anne Miller, respectively), as well as the spreadsheet that accompanied the letter to the AG . Please let me know if anything else would be helpful. Thanks very much.

Best,
Nick

Nicholas A. Trutanich
U.S. Attorney for the District of Nevada
501 Las Vegas Blvd S. Ste 1100 | Las Vegas, NV 89101

From: Donoghue, Richard (ODAG) [redacted (b) (6)]
Sent: Friday, November 6, 2020 8:57 AM
To: Trutanich, Nicholas (USANV [redacted (b) (6)]
Subject: NV GOP Letter

Nick,

I hope all is well and that you are surviving the chaos.

Can you send me whatever the NV GOP submitted as "criminal referral" relating to the purported voter fraud? Obviously, we see the reporting but I haven't seen the actual document.

Thanks,

Rich

Richard P. Donoghue
Principal Associate Deputy Attorney General
Office of the Deputy Attorney General
[redacted (b) (6)]

Bai, Sue J. EOP/NSC

From:	Bai, Sue J. EOP/NSC
Sent:	Friday, November 6, 2020 12:50 PM
To:	Murray, Claire M. (OASG); Dickey, Jennifer (CIV)
Cc:	Eisenberg, John A. EOP/WHO
Subject:	FW: [EXTERNAL] Amb. Bolton's Tweet

FYI

From: O'Brien, Robert C. EOP/WHO [redacted (b) (6)]>
Sent: Friday, November 6, 2020 10:34 AM
To: Eisenberg, John A. EOP/WH [redacted (b) (6)]>; Bai, Sue J. EOP/NS [redacted (b) (6)]>
Subject: FW: [EXTERNAL] Amb. Bolton's Tweet

FYI. RCO

From: Christine Samuelia [redacted (b) (6)]
Sent: Friday, November 6, 2020 10:21 AM
To: O'Brien, Robert C. EOP/WHO [redacted (b) (6)]
Subject: [EXTERNAL] Amb. Bolton's Tweet

John Bolton (@AmbJohnBolton) Tweeted:
We Republicans are facing a character test. All candidates are entitled to pursue appropriate election-law remedies if they have evidence supporting their claims. They should certainly not lie. The first Republican president was called "Honest Abe" for a reason.

>https://twitter.com/AmbJohnBolton/status/1324707288037412864?s=20<

Christine Samuelian
Assistant to Amb. John Bolton
Foundation for American Security & Freedom
1730 M Street, NW, Suite 611
Washington, DC 20036
Office 202-621-8056

WASHINGTON, District of Columbia 20036

Hankey, Mary Blanche (OLA)

From:	Hankey, Mary Blanche (OLA)
Sent:	Friday, November 6, 2020 2:55 PM
To:	Pings, Anne (OLA)
Cc:	Stephens, Taylor (OLA)
Subject:	Re: FYSA / Rep Gohmert

Thanks for flagging.

> On Nov 6, 2020, at 2:34 PM, Pings, Anne (OL [redacted] (b) (6) wrote:
>
> Tweeting "I'm in Philly where voter fraud is rampant. Where's @TheJusticeDepartment?"

Hankey, Mary Blanche (OLA)

From: Hankey, Mary Blanche (OLA)
Sent: Friday, November 6, 2020 3:59 PM
To: Antell, Kira M. (OLA)
Subject: FW: FYSA / Rep Gohmert

-----Original Message-----
From: Pings, Anne (OLA [redacted]>
Sent: Friday, November 6, 2020 2:34 PM
To: Stephens, Taylor (OL [redacted] Hankey, Mary Blanche (OLA)
[redacted]>
Subject: FYSA / Rep Gohmert

Tweeting "I'm in Philly where voter fraud is rampant. Where's @TheJusticeDepartment?"

Antell, Kira M. (OLA)

From:	Antell, Kira M. (OLA)
Sent:	Friday, November 6, 2020 5:41 PM
To:	Boyd, Stephen E. (OLA)
Cc:	Hankey, Mary Blanche (OLA)
Subject:	FW: Election Integrity Letter to Attorney General Barr
Attachments:	11.06.20 Election Integrity Letter to Attorney General Barr FINAL.pdf
Importance:	High

Hi Stephen,

We just received this letter. I've had it assigned to OLA. Let me know how you'd like to proceed. I'm available and happy to work on a draft this weekend if that would be helpful.

-Kira

From: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Sent: Friday, November 6, 2020 5:38 PM
To: Hankey, Mary Blanche (OLA [redacted (b) (6)]; Antell, Kira M. (OLA [redacted (b) (6)]
Subject: FW: Election Integrity Letter to Attorney General Barr
Importance: High

Good afternoon

Pls provide assignment guidance. Thanks.

From: Kelly, Mar [redacted (b) (6)]
Sent: Friday, November 6, 2020 3:58 PM
To: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
C [redacted (b) (6)]
Subject: Election Integrity Letter to Attorney General Barr

Attached please find a letter from 35 Members of Congress to the Attorney General.

Thank you.

Mark Kelly
Deputy Chief of Staff/Legislative Director
Rep. Michael Cloud (TX-27)
202-22 [redacted (b) (6)]

Congress of the United States
House of Representatives
Washington, DC 20515-3605

November 6, 2020

The Honorable William Barr
Attorney General U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Barr,

While each state runs its own election process, the United States Department of Justice is ultimately responsible for the integrity of federal elections. The American people must have the utmost confidence that the outcome of the presidential election is legitimate.

With widespread reports of irregularities, particularly in the vote counting process, it is time for you to use the resources of the Department to ensure that the process is conducted in a manner that is fully consistent with state and federal law. And, it is also important that the process be completely transparent, so that the American people will have full confidence in the result.

The Justice Department's Civil Rights Division Voting Section's responsibility is to ensure that the right to vote is sacred. This not only means access to the ballot box, but it also means ensuring that no one's vote is devalued by any means of voter fraud.

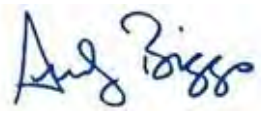
The U.S. Marshals Service is also available to ensure that judicial orders are carried out. When it comes to a federal election, it should not matter whether those judicial orders come from a state or federal court. For example, if a state court orders that observers can watch ballot counting in a federal election, no local election official should be able to defy that order.

With that in mind, we request an immediate response to the following questions. What are you doing to ensure the integrity of the voting and counting process right now? Will you commit to using all the resources at your disposal to ensure that only legal votes are being counted and being counted in a fully transparent manner immediately?

Thank you for your prompt reply.

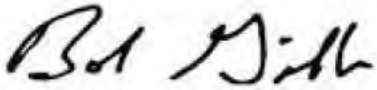
Sincerely,

Michael Cloud
Member of Congress



Andy Biggs
Member of Congress

W. Gregory Steube
Member of Congress



Bob Gibbs
Member of Congress

Bill Posey
Member of Congress

Ralph Norman
Member of Congress

H. Morgan Griffith
Member of Congress

Jeff Duncan
Member of Congress

Ted Budd
Member of Congress

Mark Green
Member of Congress

Andy Harris, M.D.
Member of Congress

Scott DesJarlais
Member of Congress

Dan Bishop
Member of Congress

Jody Hice
Member of Congress

Mike Kelly
Member of Congress

Randy K. Weber
Member of Congress

Brian Babin
Member of Congress

Chip Roy
Member of Congress

Robert E. Latta
Member of Congress

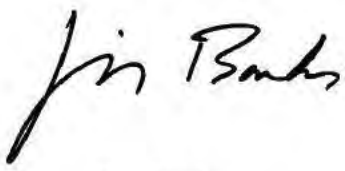
Ben Cline
Member of Congress

James Comer
Member of Congress

Guy Reschenthaler
Member of Congress

Warren Davidson
Member of Congress

Scott Perry
Member of Congress



Jim Banks
Member of Congress

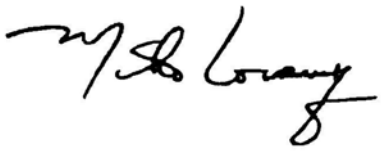
Rick Allen
Member of Congress

Roger Marshall, M.D.
Member of Congress

Doug LaMalfa
Member of Congress

Bill Flores
Member of Congress

Bill Johnson
Member of Congress

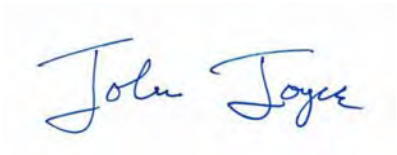


K. Michael Conaway
Member of Congress

Kevin Hern
Member of Congress

Glen Grothman
Member of Congress

Tom Emmer
Member of Congress



John Joyce
Member of Congress

DOJ Correspondence (SMO)

From:	DOJ Correspondence (SMO)
Sent:	Friday, November 6, 2020 5:43 PM
To:	Antell, Kira M. (OLA); DOJ Correspondence (SMO); Hankey, Mary Blanche (OLA)
Subject:	RE: Election Integrity Letter to Attorney General Barr
Importance:	High

Ok, will do. Thanks.

From: Antell, Kira M. (OLA [redacted (b) (6)]
Sent: Friday, November 6, 2020 5:39 PM
To: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>; Hankey, Mary Blanche (OLA) [redacted (b) (6)]
Subject: RE: Election Integrity Letter to Attorney General Barr

Please assign to OLA Kira Antell.

From: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Sent: Friday, November 6, 2020 5:38 PM
To: Hankey, Mary Blanche (OLA) [redacted (b) (6)]; Antell, Kira M. (OLA) [redacted (b) (6)]
Subject: FW: Election Integrity Letter to Attorney General Barr
Importance: High

Duplicative Material

Day, Sean (OASG)

From:	Day, Sean (OASG)
Sent:	Friday, November 6, 2020 11:56 PM
To:	(b) (6); Davis, May M. EOP/WHO; Murray, Claire M. (OASG); Pandya, Brian (OASG); Kazam, Alexander (OASG); Freeman, Lindsey (OASG); McCotter, Trent (OASG (b)(6) - Eric Hamilton Email Address; Beelaert, Jeffrey (OLP)
Subject:	Litigation Report 11/6
Attachments:	2020-11-6 Litigation Look Ahead.docx

Please see attached this week's litigation report.

Sean C. Day
Deputy Associate Attorney General
(b) (6) (Cell)

Daukas, John (CRT)

From:	Daukas, John (CRT)
Sent:	Sunday, November 8, 2020 4:41 PM
To:	Murray, Claire M. (OASG); Hamilton, Gene (OAG); Levi, William (OAG); Bissex, Rachel (OAG)
Cc:	Dreiband, Eric (CRT); Daukas, John (CRT)
Subject:	NVRA Voter Roll Maintenance Nationally and Specifically in Michigan
Attachments:	NVRA Section 8.docx

Attached is a description from CRT's Voting Section of its work monitoring the updating of voter registration rolls nationally since 2017, and the State of Michigan's voter registration roll maintenance.

John B. Daukas
Principal Deputy Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
Washington, DC 20530
Office (b) (6)
Cell (b) (6)
(b) (6)

(b)(6) per OSG (OSG)

From: (b)(6) per OSG (OSG)
Sent: Sunday, November 8, 2020 8:37 PM
To: AGWeeklyReport (JMD); Yancey, Valerie Hall (OSG); Washington, Tracy T (OAG); Collyer, Keith A. (OSG); Raman, Sujit (ODAG); OSG - Legal Support Staff (JMD); OSG - Bristows (JMD); Hamilton, Gene (OAG); Levi, William (OAG); Feith, Daniel (ODAG)
Subject: November 4 OSG Weekly Report
Attachments: November 4 2020 Weekly Report.pdf

U.S. Department of Justice

Office of the Solicitor General

The Solicitor General

Washington, D.C. 20530

November 4, 2020

MEMORANDUM FOR THE ATTORNEY GENERAL

From: Jeffrey B. Wall
Acting Solicitor General

Subject: OSG Weekly Report

A. NEXT WEEK

- (b)(5) per OSG [redacted]
- (b)(5) per OSG [redacted]
- (b)(5) per OSG [redacted]

(b)(5) per OSG

B. THIS WEEK

- (b)(5) per OSG

- (b)(5) per OSG

- (b)(5) per OSG

- (b)(5) per OSG

(b)(5) per OSG

- (b)(5) per OSG

- (b)(5) per OSG

- (b)(5) per OSG

C. FILINGS/ACTION OVER THE NEXT MONTH

- (b)(5) per OSG

(b)(5) per OSG

- (b)(5) per OSG
- (b)(5) per OSG
- (b)(5) per OSG
- (b)(5) per OSG

(b)(5) per OSG

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- (b)(5) per OSG

- (b)(5) per OSG

- (b)(5) per OSG

- (b)(5) per OSG [redacted]

D. LAST WEEK

- (b)(5) per OSG [redacted]
- (b)(5) per OSG [redacted]
- (b)(5) per OSG [redacted]

E. PUBLIC APPEARANCES

- *No Scheduled Events*

Daukas, John (CRT)

From:	Daukas, John (CRT)
Sent:	Monday, November 9, 2020 7:23 AM
To:	Murray, Claire M. (OASG)
Cc:	Dreiband, Eric (CRT); Daukas, John (CRT)
Subject:	Summing Up

We are circling BWI in the fog so I am sending the following.

(b)(5), (b)(7)(E) per CRT

Sent from my iPhone

Antell, Kira M. (OLA)

From: Antell, Kira M. (OLA)
Sent: Monday, November 9, 2020 10:57 AM
To: Boyd, Stephen E. (OLA); Hankey, Mary Blanche (OLA)
Subject: RE: RE:
Attachments: Response to Election Fraud Letter_11092020.docx

This is the draft I did this morning if you're interested in a short take.

From: Boyd, Stephen E. (OL [redacted]
Sent: Monday, November 9, 2020 10:56 AM
To: Hankey, Mary Blanche (OLA) [redacted]
Cc: Antell, Kira M. (OLA [redacted]>
Subject: Re: RE:

Yes - let's sit tight for now. Talked to OAG. CRT is compiling some info for us to evaluate a response.

Sent from my iPhone

On Nov 9, 2020, at 10:50 AM, Hankey, Mary Blanche (OLA [redacted]> wrote:

> FYI SB This one came to us on Friday and Kira is handling the response.
>
> ---
>
> **From:** Boyd, Stephen E. (OLA [redacted]
> **Sent:** Monday, November 9, 2020 9:02 AM
> **To:** Kupec, Kerri (OPA [redacted] Hankey, Mary Blanche (OLA) [redacted]>; Antell, Kira M. (OLA [redacted]; Thorley, Charles A. (OLA [redacted]>; Greer, Megan L. (OL [redacted]
> **Subject:** Fwd:
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Levi, William (OAG)" [redacted]
> > **Date:** November 9, 2020 at 9:00:38 AM EST
> > **To:** "Dreiband, Eric (CRT) [redacted]>, "Murray, Claire M. (OASG)" [redacted], "Bissex, Rachel (OAG)" [redacted]
> > **Cc:** "Boyd, Stephen E. (OLA)" [redacted]
> >
> > https://cloud.house.gov/uploadedfiles/letter_to_ag_barr.pdf
> >
> > William R. Levi

Chief of Staff & Sr. Counselor to the Attorney General
U.S. Department of Justice
(b) (6)
M (b) (6)
(b) (6)

Daukas, John (CRT)

From:	Daukas, John (CRT)
Sent:	Monday, November 9, 2020 11:56 AM
To:	Rosen, Jeffrey A. (ODAG); Donoghue, Richard (ODAG); Moran, John (ODAG)
Cc:	Dreiband, Eric (CRT); Daukas, John (CRT)
Subject:	Voting Safe Harbor Guidance
Attachments:	Voting Safe Harbor Guidance 11-5-20.docx

Attached is draft Voting Safe Harbor Guidance.

We look forward to discussing it with you.

Thanks

John

John B. Daukas
Principal Deputy Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
Washington, DC 20530
Office (b) (6)
Cell (b) (6)
(b) (6)

Daukas, John (CRT)

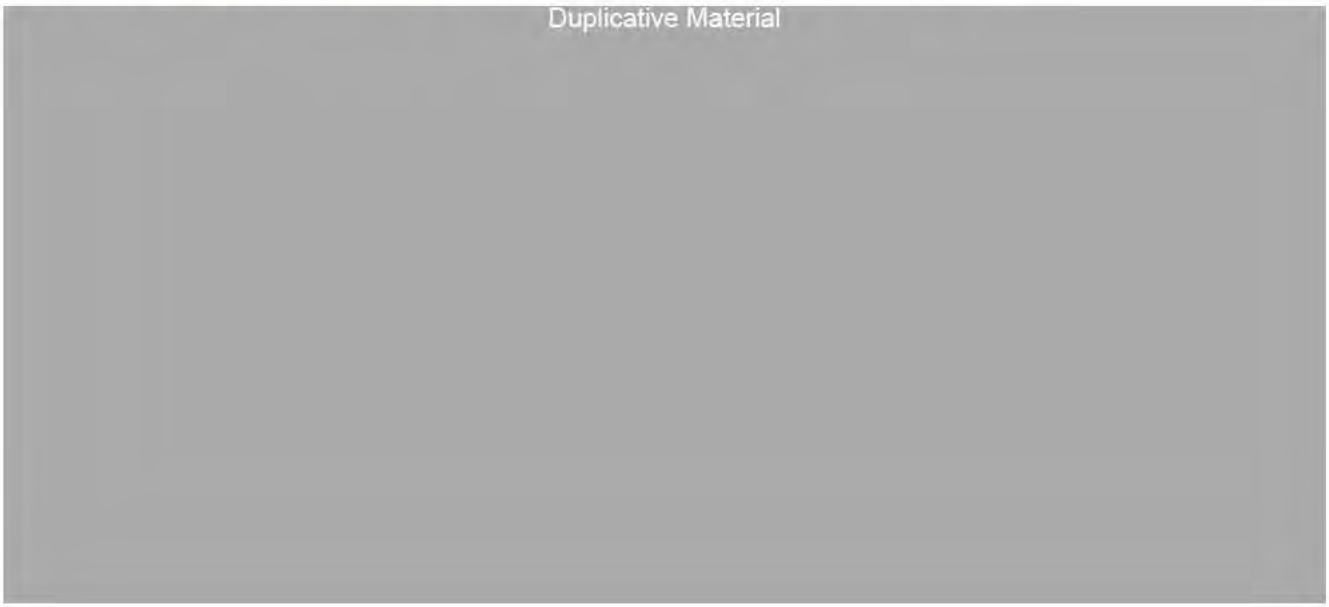
From:	Daukas, John (CRT)
Sent:	Monday, November 9, 2020 12:40 PM
To:	Rosen, Jeffrey A. (ODAG); Donoghue, Richard (ODAG); Moran, John (ODAG)
Cc:	Dreiband, Eric (CRT); Daukas, John (CRT)
Subject:	RE: Voting Safe Harbor Guidance
Attachments:	Voting Safe Harbor Guidance 11-9-20.docx

Please use the attached version.

Thanks

John B. Daukas
Principal Deputy Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
Washington, DC 20530
Office (b) (6)
Cell (b) (6)
(b) (6)

From: Daukas, John (CRT)
Sent: Monday, November 9, 2020 11:56 AM
To: Rosen, Jeffrey A. (ODAG (b) (6); Donoghue, Richard (ODAG)
(b) (6); Moran, John (ODAG (b) (6)
Cc: Dreiband, Eric (CR (b) (6) (b) (6)
Subject: Voting Safe Harbor Guidance



McSwain, William (USAPAE)

From: McSwain, William (USAPAE)
Sent: Monday, November 9, 2020 12:47 PM
To: Donoghue, Richard (ODAG)
Cc: Williams, Jennifer A. (USAPAE)
Subject: RE: Computer Systems re Voter Data i (b) (6)

Hi Rich yes, you're right, but it was inartful wording. Rich Barrett fully understands that the allegations were brought to my attention first and then I made you aware of them. What Rich meant in his (inartful) email was that you contacted me after I sent you the info (thus confirming that you were aware of what I had brought to your attention).

Thanks again for all your help and guidance.

Bill

From: Donoghue, Richard (ODA (b) (6)
Sent: Monday, November 9, 2020 10:06 AM
To: McSwain, William (USAPA (b) (6)
Cc: Williams, Jennifer A. (USAPAE (b) (6)
Subject: RE: Computer Systems re Voter Data i (b) (6)

Bill,

Thanks for the update. Apparently, Rich Barrett mistakenly believes that I first raised this allegation with you ("I understand from my discussion with US Attorney McSwain that Mr. Donoghue contacted Mr. McSwain about the allegations, so he is aware of them. I am not sure if Mr. Donoghue of ODAG has any additional information about the allegations."). Perhaps it's just inartful wording, but I think it prudent to make it clear that the allegation was first lodged with the USAO-EDPA and that ODAG was subsequently made aware of it.

In any event, I expect we'll have further guidance for you on this shortly.

Thanks,

Rich

From: McSwain, William (USAPA (b) (6)
Sent: Sunday, November 8, 2020 10:54 PM
To: Donoghue, Richard (ODAG) (b) (6)
Cc: Williams, Jennifer A. (USAPAE (b) (6)
Subject: FW: Computer Systems re Voter Data i (b) (6)

Rich fyi. I'll wait to hear from you tomorrow on what Department Leadership decides. I am also copying our FAUSA, Jennifer Williams, who is up to speed on things.

Thanks,
Bill

From: Barrett, Richard (USAPA [redacted] (b) (6))
Sent: Sunday, November 8, 2020 7:51 PM
To: McSwain, William (USAPA [redacted] (b) (6))
Subject: FW: Computer Systems re Voter Data i [redacted] (b) (6)

Bill: Here is Richard Pilger's response to my consult request.
Please call with any questions.

From: Pilger, Richard (CRM [redacted] (b) (6))
Sent: Sunday, November 8, 2020 5:37 PM
To: Barrett, Richard (USAPA [redacted] (b) (6))
Cc: Gibson, Eric (USAPA [redacted] (b) (6); Driscoll, Kevin (CRM [redacted] (b) (6)
Amundson, Corey (CRM) [redacted] (b) (6)>; Keller, John (CRM)
[redacted] (b) (6)
Subject: RE: Computer Systems re Voter Data [redacted] (b) (6)

Thank you, Ric [redacted] (b)(5) per CRM
[redacted] Best, RCP

Richard C. Pilger
Director, Election Crimes Branch
Public Integrity Section
Criminal Division
United States Department of Justice
[redacted] (b) (6) (desk & cell)

From: Barrett, Richard (USAPA [redacted] (b) (6))
Sent: Sunday, November 8, 2020 5:25 PM
To: Pilger, Richard (CRM [redacted] (b) (6))
Cc: Gibson, Eric (USAPA [redacted] (b) (6); Gibson, Eric (USAPA [redacted] (b) (6))
Subject: FW: Computer Systems re Voter Data i [redacted] (b) (6)

Richard:

I am forwarding the email chain again as part of the election issue consult I initiated with PIN earlier today.

Please note that as I reviewed the material forwarded to me more carefull [redacted] (b)(5) per EOUSA

[redacted] (b)(5) per EOUSA [redacted]

The email chain I forwarded to you shows Mr. Donoghue of ODAG is aware of the allegations. I understand from my discussion with US Attorney McSwain that Mr. Donoghue contacted Mr. McSwain about the allegations, so he is aware of them. I am not sure if Mr. Donoghue of ODAG has any additional information about the allegations. I [redacted] (b)(5) per EOUSA [redacted] I understand that Mr. Donoghue wants us to pursue this issue through the usual process forwarding the information received by the USAO to PIN as part of the consult and report back on the advice we receive from PIN.

I will report back to US Attorney McSwain on the advice I receive from PIN. I assume PIN's advice will be communicated to Mr. Donoghue.

Please be advised that I shared the allegations with AUSA Eric Gibson, copied here. We are available for further discussion about the allegations and are prepared to act in accordance with PIN's advice.

Rich Barrett
AUSA
[redacted] (b) (6) (cell)

From: McSwain, William (USAPA [redacted] (b) (6) [redacted]
Sent: Sunday, November 8, 2020 1:58 PM
To: Barrett, Richard (USAPA [redacted] (b) (6) [redacted]
Subject: FW: Computer Systems re Voter Data i [redacted] (b) (6)

Rich here's some background on the issue I want to discuss this afternoon. I can explain in more detail on the phone.

Thanks,
Bill

From: McSwain, William (USAPAE)
Sent: Saturday, November 7, 2020 9:20 PM
To: Donoghue, Richard (ODAG [redacted] (b) (6) [redacted]
Subject: FW: Computer Systems re Voter Data i [redacted] (b) (6)

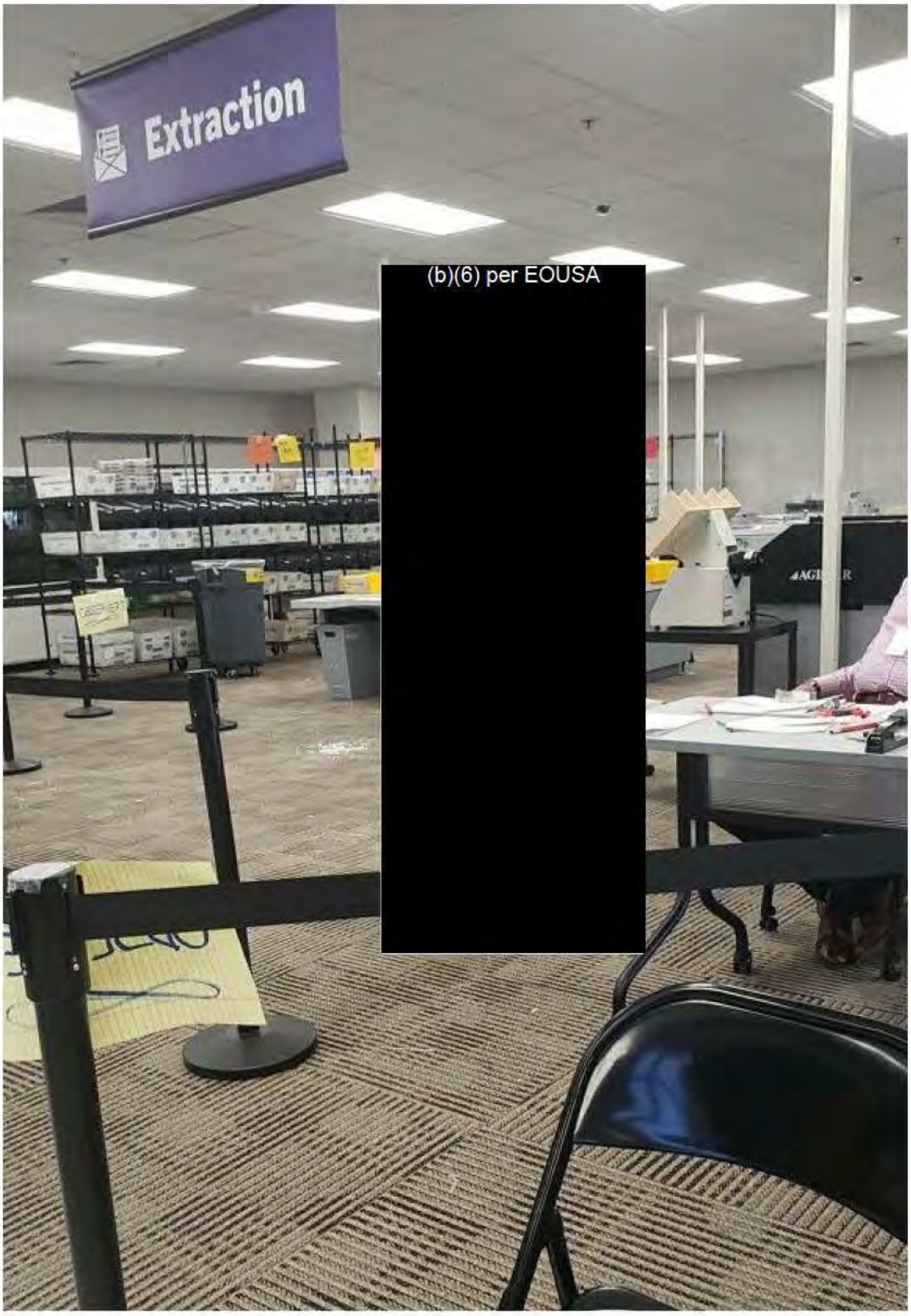
Rich additional info below (pictures). I have also been provided with the names and phone numbers of 5 people who supposedly have first hand knowledge:

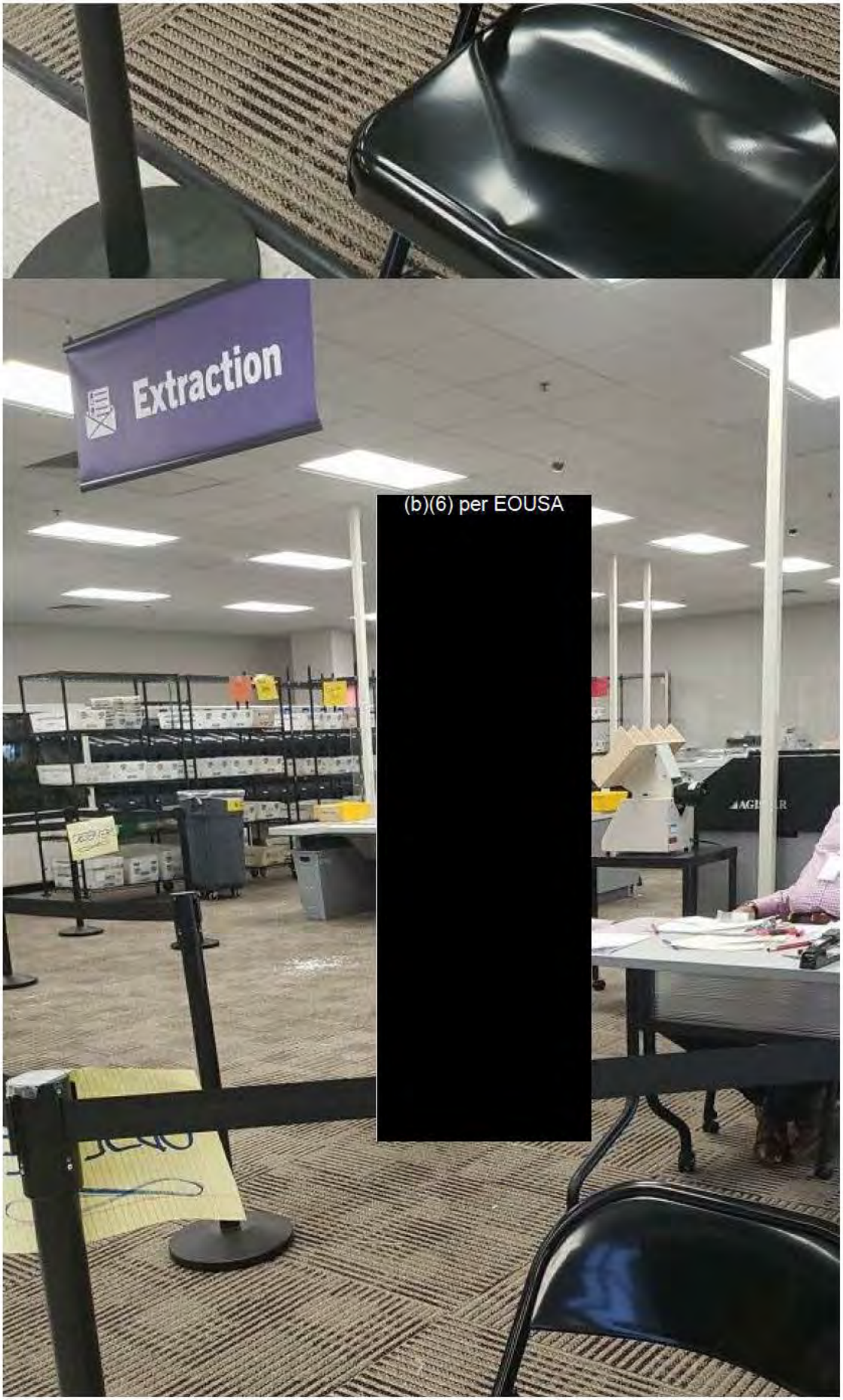
[redacted] (b)(5), (b)(6) per EOUSA [redacted]

Fro [redacted] (b)(6) per EOUSA [redacted]
Sent: Saturday, November 7, 2020 7:49 PM

To: McSwain, William (USAPA [redacted] (b) (6)
Subject: Re: Computer Systems re Voter Data i [redacted] (b) (6)

Photos sho [redacted] (b)(6) per EOUSA with USB drives in his hand after denying having any such drives. He then put the drives in the computer. Photo taken b [redacted] (b)(6) per EOUSA .




Extraction
(b)(6) per EOUSA

On Sat, Nov 7, 2020 at 5:35 P [redacted] wrote:

Brief Summary of the Issue:

[redacted] responsible for the warehouse where the voting machines are stored when not in use came into the vote tally location the Wed after election day in the morning with between 12-24 additional USB sticks from voting machines that had purportedly been left in the machines overnight after being returned to the warehous [redacted] brought these USB sticks directly to the vote tallying machines and immediately started to add the "new" votes to the totals despite the objections of observers of both Republican and Democrat judges alike. When they officials at the vote counting location finally updated the vote totals, the swing for Biden was substantial, a 30K vote increase for Biden.

[redacted] did not follow the proper chain of custody procedures for these USB sticks, they were not delivered in the sealed bags with the cartridge and paper tape that are meant to accompany them. Therefore, these USB sticks containing votes purportedly left in the voting machines overnight should be considered suspect, and possibly fraudulent in nature, due to the violation of integrity procedures and the irregularities that resulted from processing the votes.

In order to ascertain if those USB sticks were indeed the same USB sticks that were originally loaded into the voting machines at the beginning of election day, erroneously shipped back to the warehouse, and then delivered the next morning without any corruption overnight; it is necessary to conduct a forensic analysis of the voting machines that are currently in the warehouse located at:

[redacted]

These machines should be forensically analyzed to determine if the USB sticks were indeed loaded at the beginning of the election day per standard procedures, used throughout the day in a routine fashion, and then kept in the off (non-voting) condition for the duration of the time in the warehouse overnight until their removal the next morning.

Moreover, if any of the voting machine are missing from the warehouse, they need to be immediately located and forensic analysis needs to be performed on those machines to determine what actions have taken place since the

conclusion of official vote counting at 8PM on election day.

Another key piece of forensic evidence that needs to be obtained are the USB stick serial numbers that correspond to the votes that were loaded b (b)(6) per EOUSA on Wed morning, these are the additional USB sticks that he "found" left in the machines overnight. It is critical to have their serial numbers to confirm that specific whereabouts of each USB Stick and which machine they were used in for voting on election day.

The primary investigative questions that need to be pursued are:

1. Are the USB sticks th (b)(6) per EOUSA brought in on Wed morning valid, or had they been corrupted by unauthorized use of the voting machines (voter fraud)

2. Were the voting machines that were returned to the warehouse used at a time outside of the election day and other official ballot counting activities.

3. If the machines, were used outside of official election day hours and functions, can it be confirmed that the USB sticks that were introduce b (b)(6) per EOUSA on Wed morning were indeed the same USB sticks that were used in a fraudulent capacity.

Levi, William (OAG)

From:	Levi, William (OAG)
Sent:	Monday, November 9, 2020 4:30 PM
To:	Kupec, Kerri (OPA)
Subject:	Fwd: Post-Voting Election Irregularity Inquiries
Attachments:	Post-Voting Election Irregularity Inquiries.110920.pdf

Begin forwarded message:

From: "Watson, Theresa (OAG) [redacted (b) (6)]
Date: November 9, 2020 at 4:28:59 PM EST
To: "Donoghue, Richard (ODAG) [redacted (b) (6)]>
Cc: "Levi, William (OAG) [redacted (b) (6)]
Subject: Post-Voting Election Irregularity Inquiries

?

Theresa J. Watson-Walker
Office Manager & Confidential Assistant
Office of the Attorney General
U.S. Department of Justice
Offic [redacted (b) (6)]

Office of the Attorney General
Washington, D. C. 20530

November 9, 2020

MEMORANDUM FOR UNITED STATES ATTORNEYS
THE ASSISTANT ATTORNEYS GENERAL FOR THE
CRIMINAL DIVISION
CIVIL RIGHTS DIVISION
NATIONAL SECURITY DIVISION
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

FROM: THE ATTORNEY GENERAL

SUBJECT: POST-VOTING ELECTION IRREGULARITY INQUIRIES

Last week, our nation once again demonstrated the strength of our democracy as more than 140 million Americans cast ballots to select their leaders. I want to thank each of you and your teams for your extraordinary efforts to ensure that all Americans could exercise this most fundamental of rights with confidence and in safety.

Now that the voting has concluded, it is imperative that the American people can trust that our elections were conducted in such a way that the outcomes accurately reflect the will of the voters. Although the States have the primary responsibility to conduct and supervise elections under our Constitution and the laws enacted by Congress, the United States Department of Justice has an obligation to ensure that federal elections are conducted in such a way that the American people can have full confidence in their electoral process and their government.

The Department's general policies with regard to election fraud investigations are contained in the Justice Manual. Those policies require, among other things, consultation with the Public Integrity Section's Election Crimes Branch ("ECB") in some instances. Those policies already allow preliminary inquiries, including witness interviews, to be conducted without ECB consultation. In instances in which they are consulted, the ECB's general practice has been to counsel that overt investigative steps ordinarily should not be taken until the election in question has been concluded, its results certified, and all recounts and election contests concluded. Such a passive and delayed enforcement approach can result in situations in which election misconduct cannot realistically be rectified. Moreover, this ECB practice has never been a hard and fast rule, and case-specific determinations and judgments must be made. While most allegations of purported election misconduct are of such a scale that they would not impact the outcome of an election and, thus, investigation can appropriately be deferred, that is not always the case. Furthermore, any concerns that overt actions taken by the Department could inadvertently impact an election are greatly minimized, if they exist at all, once voting has concluded, even if election certification has not yet been completed.

Given this, and given that voting in our current elections has now concluded, I authorize you to pursue substantial allegations of voting and vote tabulation irregularities prior to the certification of elections in your jurisdictions in certain cases, as I have already done in specific instances. Such inquiries and reviews may be conducted if there are clear and apparently-credible allegations of

irregularities that, if true, could potentially impact the outcome of a federal election in an individual State. Any investigation of claims of irregularities that, if true, would clearly not impact the outcome of a federal election in an individual State should normally be deferred until after the election certification process is completed. While U.S. Attorneys maintain their inherent authority to conduct inquiries and investigations as they deem appropriate, it will likely be prudent to commence any election-related matters as a preliminary inquiry, so as to assess whether available evidence warrants further investigative steps.

While it is imperative that credible allegations be addressed in a timely and effective manner, it is equally imperative that Department personnel exercise appropriate caution and maintain the Department's absolute commitment to fairness, neutrality and non-partisanship. You are the most senior leaders in the United States Department of Justice and I trust you to exercise great care and judgment in addressing allegations of voting and vote tabulation irregularities. While serious allegations should be handled with great care, specious, speculative, fanciful or far-fetched claims should not be a basis for initiating federal inquiries. Nothing here should be taken as any indication that the Department has concluded that voting irregularities have impacted the outcome of any election. Rather, I provide this authority and guidance to emphasize the need to timely and appropriately address allegations of voting irregularities so that all of the American people, regardless of their preferred candidate or party, can have full confidence in the results of our elections. The American people and the leaders they freely elect deserve nothing less.

Kazam, Alexander (OASG)

From:	Kazam, Alexander (OASG)
Sent:	Monday, November 9, 2020 4:33 PM
To:	Murray, Claire M. (OASG)
Cc:	Wilson, Ashley (OASG)
Subject:	11/10 ODAG Report Draft
Attachments:	ODAG Report 11.10.2020.docx

Hi Claire,

Please find attached this week's DAG report and let me know if it's good to go to Maya.

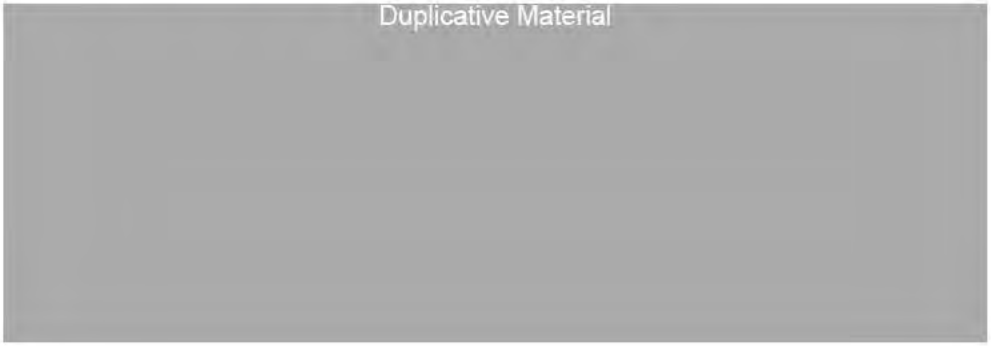
Thanks,
Alex

Levi, William (OAG)

From:	Levi, William (OAG)
Sent:	Monday, November 9, 2020 4:54 PM
To:	Barnett, Gary (OAG)
Subject:	Fwd: Post-Voting Election Irregularity Inquiries
Attachments:	Post-Voting Election Irregularity Inquiries.110920.pdf

Begin forwarded message:

From: "Watson, Theresa (OAG) (b) (6)
Date: November 9, 2020 at 4:28:59 PM EST
To: "Donoghue, Richard (ODAG (b) (6)
Cc: "Levi, William (OAG) (b) (6)
Subject: Post-Voting Election Irregularity Inquiries



Watson, Theresa (OAG)

From:	Watson, Theresa (OAG)
Sent:	Monday, November 9, 2020 5:16 PM
To:	Harwood, Stacy (OAG)
Subject:	RE: Attorney General Memorandum - Post-Voting Election Irregularity Inquiries

Thank you. Go home!! Be safe!

-----Original Message-----
From: Harwood, Stacy (OAG [(b) (6)]
Sent: Monday, November 9, 2020 5:01 PM
To: Watson, Theresa (OAG [(b) (6)]>; Kupec, Kerri (OP [(b) (6)]
Subject: FW: Attorney General Memorandum - Post-Voting Election Irregularity Inquiries
Importance: High

Hello - FYI. This has been sent. I am waiting on confirmation from EOUSA that it has been sent to USAs.

Thank you,
Stacy

-----Original Message-----
From: Harwood, Stacy (OAG)
Sent: Monday, November 9, 2020 4:52 PM
To: Rabbitt, Brian (CRM) [(b) (6)]>; Dreiband, Eric (CRT) [(b) (6)]>; Demers, John C. (NSD [(b) (6)]>; Wray, Christopher (DO) (FB [(b)(7)(E) per FBI]
Cc: Ellis, Corey (USAEO [(b) (6)]; Bowdich, David L. (DO) (FB [(b)(7)(E) per FBI]
Subject: Attorney General Memorandum - Post-Voting Election Irregularity Inquiries
Importance: High

Good afternoon:

Please see attached.

Thanks,
Stacy

Attachment:

Attorney General Memorandum - Post-Voting Election Irregularity Inquiries

Wilson, Ashley (OASG)

From:	Wilson, Ashley (OASG)
Sent:	Monday, November 9, 2020 5:16 PM
To:	Murray, Claire M. (OASG)
Subject:	FW: ODAG Weekly Litigation Report 11/10
Attachments:	ODAG Report 11.10.2020.docx

This is the only item for you binder tomorrow! Lindsey will print (so the copies are not tinted pink ☹)

Ashley Wilson
Deputy Chief of Staff for Operations
Office of the Associate Attorney General
(b) (6) (mobile)

From: Kazam, Alexander (OASG (b) (6)
Sent: Monday, November 9, 2020 5:04 PM
To: Suero, Maya A. (ODAG (b) (6)
Cc: Murray, Claire M. (OASG (b) (6); Wilson, Ashley (OASG) (b) (6); Hamilton, Gene (OAG (b) (6)>; Pandya, Brian (OASG (b) (6); Dickey, Jennifer B. (OASG (b) (6)>; Freeman, Lindsey (OASG (b) (6)>; Day, Sean (OASG (b) (6)>; McCotter, Trent (OASG (b) (6); Grider, Mark (OASG) (b) (6)
Subject: ODAG Weekly Litigation Report 11/10

Hi Maya,

Please find attached this week's litigation report.

Thanks,
Alex

Watson, Theresa (OAG)

From:	Watson, Theresa (OAG)
Sent:	Monday, November 9, 2020 5:46 PM
To:	Donoghue, Richard (ODAG)
Subject:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf
Importance:	High

From: Harwood, Stacy (OAG [redacted] (b) (6)
Sent: Monday, November 9, 2020 5:20 PM
To: Watson, Theresa (OAG [redacted] (b) (6) ; Kupec, Kerri (OPA [redacted] (b) (6)
Subject: FW: Attorney General Memorandum - Post-Voting Election Irregularity Inquiries
Importance: High

FYI this has been sent to USAs. Please see below. Thanks!

From: USAEO-OT [redacted] (b) (6)
Sent: Monday, November 9, 2020 5:16 PM
Subject: Attorney General Memorandum - Post-Voting Election Irregularity Inquiries

This is an unattended e-mail account. Please do not reply to this address.

MEMORANDUM—Sent via Electronic Mail

DATE: November 9, 2020

TO: ALL UNITED STATES ATTORNEYS
ALL FIRST ASSISTANT UNITED STATES ATTORNEYS
ALL EXECUTIVE ASSISTANT UNITED STATES ATTORNEYS
ALL CRIMINAL CHIEFS

Please see the attached memorandum from Attorney General William P. Barr, "Post-Voting Election Irregularity Inquiries."

cc: All United States Attorneys' Secretaries

Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Monday, November 9, 2020 5:50 PM
To: Levi, William (OAG)
Subject: Re:

Thanks.

Sent from my iPhone

On Nov 9, 2020, at 5:38 PM, Levi, William (OA [redacted] (b) (6) > wrote:

William R. Levi
Chief of Staff & Sr. Counselor to the Attorney General
U.S. Department of Justice
[redacted] (b) (6)
M [redacted] (b) (6)
[redacted] (b) (6)

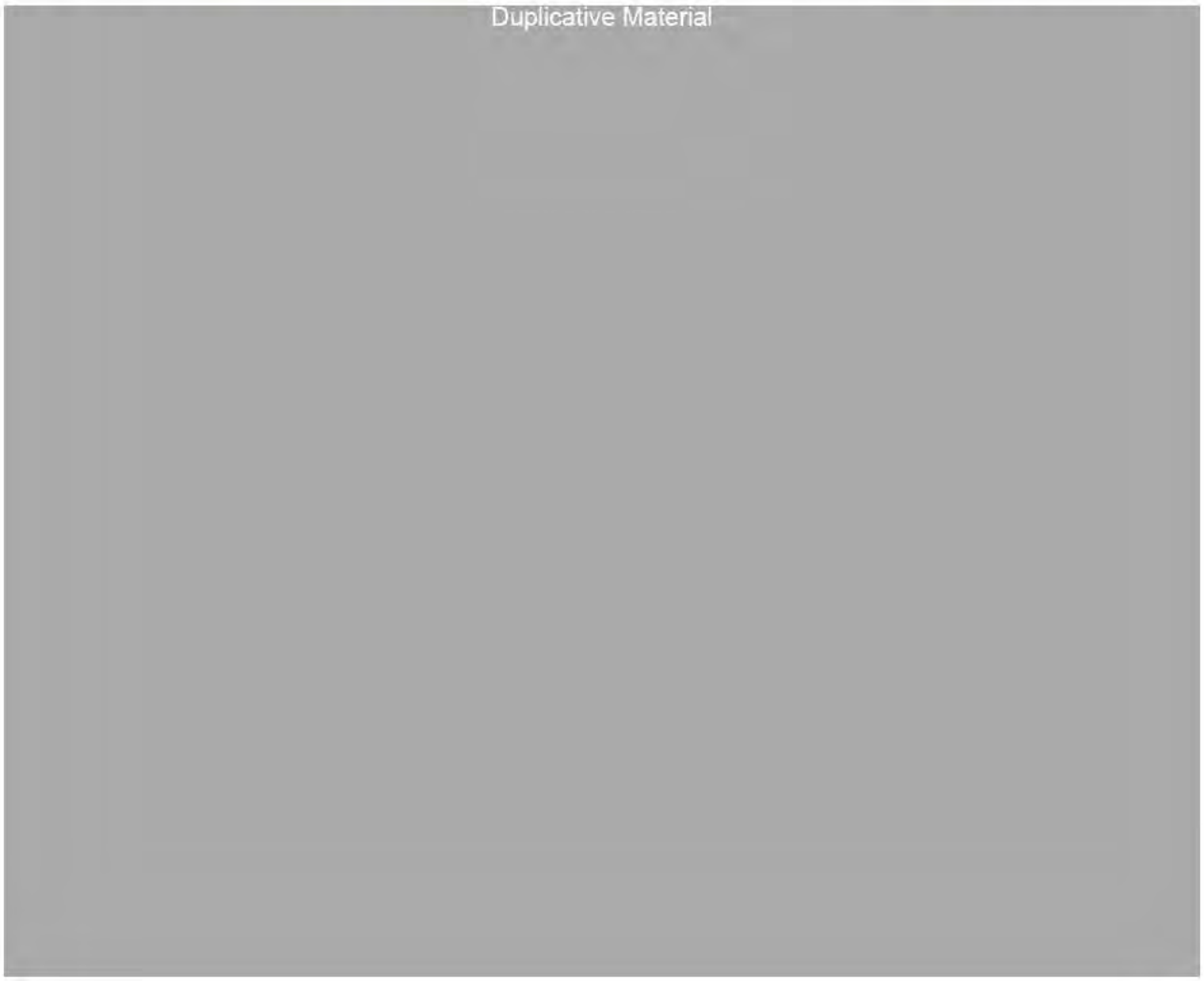
<Post-Voting Election Irregularity Inquiries.110920.pdf>

Kupec, Kerri (OPA)

From:	Kupec, Kerri (OPA)
Sent:	Monday, November 9, 2020 5:51 PM
To:	Harwood, Stacy (OAG)
Cc:	Watson, Theresa (OAG)
Subject:	Re: Attorney General Memorandum - Post-Voting Election Irregularity Inquiries

Thank you!

On Nov 9, 2020, at 5:20 PM, Harwood, Stacy (OAG [redacted (b) (6)] > wrote:



Antell, Kira M. (OLA)

From: Antell, Kira M. (OLA)
Sent: Monday, November 9, 2020 6:25 PM
To: Boyd, Stephen E. (OLA)
Cc: Hankey, Mary Blanche (OLA)
Subject: Re:

Thanks Stephen.

Sent from my iPhone

On Nov 9, 2020, at 5:50 PM, Boyd, Stephen E. (OLA [redacted (b) (6)] > wrote:

?

Sent from my iPhone

Begin forwarded message:

From: "Levi, William (OAG) [redacted (b) (6)]
Date: November 9, 2020 at 5:38:47 PM EST
To: "Boyd, Stephen E. (OLA)" [redacted (b) (6)]

Duplicative Material

<Post-Voting Election Irregularity Inquiries.110920.pdf>

Pings, Anne (OLA)

From:	Pings, Anne (OLA)
Sent:	Monday, November 9, 2020 9:46 PM
To:	Connor, Deborah (CRM)
Subject:	Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf

Begin forwarded message:

From: "Pilger, Richard (CRM) (b) (6)
Date: November 9, 2020 at 8:33:53 PM EST
To: "Aframe, Seth (USANH) (b) (6), "Aloi, Elizabeth (USADC)" (b) (6)>, "Andrews, Alphonso (USAVI) (b) (6), "Anis, Shamoor (USADE) (b) (6), "Barrett, Richard (USAPAE) (b) (6), "Billingslea, Stephanie (USAALM) (b) (6), "Bounds, Ryan (USAOR)" (b) (6), "Brown, Charles (USAOKW) 2 (b) (6) "Bruce, Gavin (USAOR) (b) (6), "Bruner, Virginia (USAIAS) (b) (6), "Burris, Dean (USAOKE) (b) (6)>, "Carris, Eugenia (USAMA) (b) (6), "Cavanaugh, Kelly (USAAK) (b) (6)>, "Cheek, Jason (USAALN)" (b) (6), "Clark, Aaron (USAUT) (b) (6) "Coleman, Robert (USAMSN) (b) (6), "Cooperstein, Ted (USAMSS)" (b) (6)>, "Daniels, Donald D. (USAMIW) (b) (6), "David, Marivic (USAGU) (b) (6), "Day, Charlene (USAVAW) 1" (b) (6) "Devlin, Matt (USATXW) (b) (6), "Diggs, Damien (USATXN) (b) (6), "Donnelly, Terrence (USARI) (b) (6) "Dotson, Lindsey (USACAC) (b) (6), "Drescher, Michael (USAVT)" (b) (6)>, "Duchemin, Meredith (USAWIW) (b) (6) "Dyke, Tom (USAKYW) (b) (6)>, "Edwards, Richard (USANCW)" (b) (6) "Elliker, Kevin (USAVAE) (b) (6)>, "Englade, Michelle (USATXE) (b) (6) "Erbe, Seth A. (USAPR) (b) (6)>, (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI, (b)(6), (b)(7)(C) per FBI (CID) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI>, "Francis, Jonathan (USACT) (b) (6) "Frausto, Joshua (USATXN) (b) (6)>, "Frey, Cynthia (USACAN) (b) (6) "Garriques, Ian (USAWAE) (b) (6)>, "Gerace, Dominick S. (USAOHS)" (b) (6), "Gesch, Heidi (USAVAE) (b) (6)>, "Gilmore, Greg (USAILC (b) (6) "Gist, Timothy W. (USAWY) (b) (6), "Glatfelter, Emily (USAOHS) (b) (6) "Glenn-Applegate, Peter (USAOHS)" (b) (6), "Goes, Erik (USAWVS) (b) (6) "Goldsmith, Hal (USAMOE) (b) (6) "Gonzalez, Irene (USALAE)" (b) (6), "Graber, Dan (USAWIW) (b) (6), "Gray, Brent (USAGAN) (b) (6) "Grogan, Andrew (USAFLN) (b) (6), "Haycock, Jack (USAI) (b) (6) "Henwood, Timothy (USAPR)"

(b) (6) >, "Hoff, David (USAILC) (b) (6) >, "Horwitz, Kate (USAI) (b) (6) , "Hu, Daniel (USATXS) (b) (6) "Hurst, Allen (USATXE) (b) (6) , "Ippolito, Russell (USANYW) (b) (6) , "Ison, Dawn (USAMIE) (b) (6) , "Jacobs, Jacky (USAINN) (b) (6) "Jennen, Aaron (USAARW) (b) (6) , "Jernigan, Cytheria (USALAW)" (b) (6) , "Jones, Keith (USAALS) 6 (b) (6) >, "Jones, Patricia (USALAM) 1 (b) (6) , "Jordan, Steve (USATNM) (b) (6) , "Kadon, Karl (USAOHS) (b) (6) , "Karl, Lee (USAPAW) (b) (6) , "Kavanaugh, Christopher (USAVAW) (b) (6) , "Kelly, Laurie (USANE)" (b) (6) >, "Kennedy, David (USANYS) (b) (6) "Keyes, William R. (USAGAM) (b) (6) "Khandelwal, Sharad (USATXS)" (b) (6) "Khasigian, Kevin (USACAE) (b) (6) , "King, Karen (USALAW) (b) (6) >, "Kinney, Terry (USAILN) (b) (6) "Kirkland, Jennifer (USAGAS) (b) (6) , "Knauss, Darilynn (USAILC)" (b) (6) "Knight, Jessica (USAOHS) 1 (b) (6) >, "Koliner, Kevin (USAS) (b) (6) , "Kovoor, Philip (USAWIE) (b) (6) , "LaCour, Alice (USAALM) (b) (6) >, "Ladwig, Christopher (USAWIE)" (b) (6) >, "Levine, Robert (USATNM) (b) (6) , "Lokey, Sean (USAAZ) (b) (6) "Maag, Jared (USAKS) (b) (6) >, "McCarren, Mark (USANJ) (b) (6) >, "McCarthy, Brendan (USAMT)" (b) (6) , "McCormack, Andrew (USAME) (b) (6) , "McFadden, JoAnna (USANCM) (b) (6) , "McLoughlin, Charles (USAOKN)" (b) (6) >, "Mehochko, John (USAILC) (b) (6) >, "Mickelson, Jamie (USANV)" (b) (6) , "Miller, Megan R. (USAOHN)" (b) (6) , "Mosakowski, Robert (USAFLM) (b) (6) "Munoz, Angela (USAMN) (b) (6) >, "Myers, Sara E. (USATNM)" (b) (6) , "Nammar, Michael (USAHI) (b) (6) , "Olshan, Eric (USAPAW) (b) (6) , "O'Malley, Eric (USAGU) (b) (6) , "Osborn, John (USAME) 1 (b) (6) >, "Patricco, Raymond (USAID)" (b) (6) >, "Paulsen, Erik (USANYE) (b) (6) , "Pena, Jeremy (USANM) 2 (b) (6) >, "Pendergraft, Robin (USANCE)" (b) (6) >, "Perry, Michael F. (USANYN) (b) (6) , "Pfisterer, Eric (USAPAM) (b) (6) >, "Piper, Perry (USATNE)" (b) (6) >, "Potterfield, John (USASC) (b) (6) >, "Preston, Tiffany (USAINS) (b) (6) , "Rice-Stitt, Austin (USAOR)" (b) (6) "Rocktashel, George J. (USAPAM) (b) (6) , "Rosenthal, Joshua (USANYN)" (b) (6) , "RotellDustin, Ava (USAOHN) (b) (6) "Russ, John (CRT) (b) (6) , "Rybarczyk, Thomas (USACAC)" (b) (6) "Savage, Mike (USANCW) (b) (6) , "Scott, David J. (CID) (FBI (b)(7)(E) per FBI "Sempa, Fran P. (USAPAM) (b) (6) , "Shipley, Joan (USAARE) 1 (b) (6) "Simpson, Alan (USAMOW)" (b) (6) , "Smith, Norman R. (USAILS) (b) (6) , "Smith, Scott (USATNW) (b) (6) "Sneed, Robert (USASC) (b) (6) , "Speirs, Verne H. (USAALM) (b) (6) , "Stoker, Randy (USAVAE)" (b) (6) "Storm, Arlen (USAWAW) (b) (6) >, "Stover, Andrew (USATXE)" (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FBI (b)(6), (b)(7)(C), (b)(7)(E) per FBI "Swanson, Todd (USAGAM) (b) (6) , "Taylor, Ken (USAKYE) (b) (6) "Tenorio, Christopher (USACAS) (b) (6) , "Timmons, Ron (USAIAN)" (b) (6) , "Tvedt, Dan (USAIAN) (b) (6) , "Urgent, Allan (USANJ) (b) (6) "Vidoni, Gabriel (USANJ) (b) (6) >, "Volk,

Rick (USAN) (b) (6) "Wallace, Harry (USAFLS) (b) (6) >, "Warner, Steve (USAWVN) (b) (6) >, "Weber, Rebecca (USACO)" (b) (6) "Whelan, Traci (USAID)" (b) (6) , "Wise, Leo (USAM) (b) (6) "Wong, Norman (USAEO) (b) (6) >, "Woolam, Callie (USATXN) (b) (6)

Cc: "Amundson, Corey (CRM)" (b) (6) , "Blumberg, Mark (CRM)" (b) (6) "Christian, Forrest (CRT) (b) (6) "Clarke, Jennifer (CRM) (b) (6) (b)(6), (b)(7)(C) per USPIS (b)(3), (b)(6), (b)(7)(C) per USPIS "Driscoll, Kevin (CRM) (b) (6) "Fagan, Aurora (USAFLS) (b) (6) , "Gee, Todd (CRM)" (b) (6) , "Ginsburg, Jessica A (CRT) (b) (6) , "Greenberg, Bonnie (USAEO)" (b) (6) >, "Heberle, Robert (CRM)" (b) (6) >, "Herren, Chris (CRT) (b) (6) (b)(6), (b)(7)(C) per FBI. (CID) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI>, "Keller, John (CRM) (b) (6) (b)(6), (b)(7)(C) per FBI (TD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI"Mulryne, Sean (CRM) (b) (6) >, "Pilger, Richard (CRM) (b) (6) >, "Pings, Anne (OLA)" (b) (6) (b)(3), (b)(6), (b)(7)(C) per USPIS (b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

?

Dear Colleagues,

Attached please find the Attorney General's Memorandum of today entitled "Post-Voting Election Irregularity Inquiries," an important new policy abrogating the forty-year-old Non-Interference Policy for ballot fraud investigations in the period prior to elections becoming certified and uncontested. *Federal Prosecution of Election Offenses*, pp. 84-85 (8th Ed. 2017).

Having familiarized myself with the new policy and its ramifications, and in accord with the best tradition of the John C. Keeney Award for Exceptional Integrity and Professionalism (my most cherished Departmental recognition), I must regretfully resign from my role as Director of the Election Crimes Branch. I have enjoyed very much working with you for over a decade to aggressively and diligently enforce federal criminal election law, policy, and practice without partisan fear or favor. I thank you for your support in that effort.

The Acting Director of the Election Crimes Branch going forward will be PIN Deputy Chief Robert J. Heber (b) (6) (b) (6)). Deputy Director Sean F. Mulryne, will remain in his position. Please give them both the same support that I have enjoyed, and rest assured that the Public Integrity Section remains committed to operating properly in all of its functions.

Best Wishes, RCP

Richard C. Pilger
Director, Election Crimes Branch
Public Integrity Section
Criminal Division
U.S. Department of Justice
(b) (6) (desk and cell)

Hankey, Mary Blanche (OLA)

From:	Hankey, Mary Blanche (OLA)
Sent:	Monday, November 9, 2020 9:55 PM
To:	Boyd, Stephen E. (OLA); Antell, Kira M. (OLA)
Subject:	FW: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf

FYSA

From: Pings, Anne (OLA [redacted]
Sent: Monday, November 9, 2020 9:47 PM
To: Antell, Kira M. (OLA [redacted] Hankey, Mary Blanche (OLA [redacted]>;
Stephens, Taylor (OLA [redacted]>
Subject: Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

Begin forwarded message:

From: "Pilger, Richard (CRM) [redacted]
Date: November 9, 2020 at 8:33:53 PM EST

Donoghue, Richard (ODAG)

From:	Donoghue, Richard (ODAG)
Sent:	Monday, November 9, 2020 10:36 PM
To:	Rosen, Jeffrey A. (ODAG); Moran, John (ODAG)
Subject:	Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf; ATT00001.htm

JFYI

Begin forwarded message:

From: "Herdman, Justin E. (USAOHN) [redacted (b) (6)]
Date: November 9, 2020 at 9:44:11 PM EST
To: "Donoghue, Richard (ODAG) [redacted (b) (6)]
Subject: Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

?

Sent from my iPhone

Begin forwarded message:

From: "RotellDustin, Ava (USAOHN) [redacted (b) (6)]
Date: November 9, 2020 at 8:51:06 PM EST
To: "Herdman, Justin E. (USAOHN) [redacted (b) (6)], "Brennan, Bridget M. (USAOHN) [redacted (b) (6)]
Subject: Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

?
Pilger resigned as Director of Election Crimes Branch.

Sent from my iPhone

Begin forwarded message:

From: "Pilger, Richard (CRM) [redacted (b) (6)]
Date: November 9, 2020 at 8:33:52 PM EST

[redacted Duplicative Material]

Donoghue, Richard (ODAG)

From:	Donoghue, Richard (ODAG)
Sent:	Monday, November 9, 2020 10:36 PM
To:	Levi, William (OAG)
Subject:	Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf; ATT00001.htm

JFYI

Begin forwarded message:

From: "Herdman, Justin E. (USAOHN) (b) (6)
Date: November 9, 2020 at 9:44:11 PM EST
To: "Donoghue, Richard (ODAG) (b) (6)
Subject: Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

Duplicative Material

Donoghue, Richard (ODAG)

From:	Donoghue, Richard (ODAG)
Sent:	Monday, November 9, 2020 10:36 PM
To:	Kupec, Kerri (OPA)
Subject:	Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf; ATT00001.htm

JFYI

Begin forwarded message:

From: "Herdman, Justin E. (USAOHN) (b) (6)
Date: November 9, 2020 at 9:44:11 PM EST
To: "Donoghue, Richard (ODAG) (b) (6)
Subject: Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

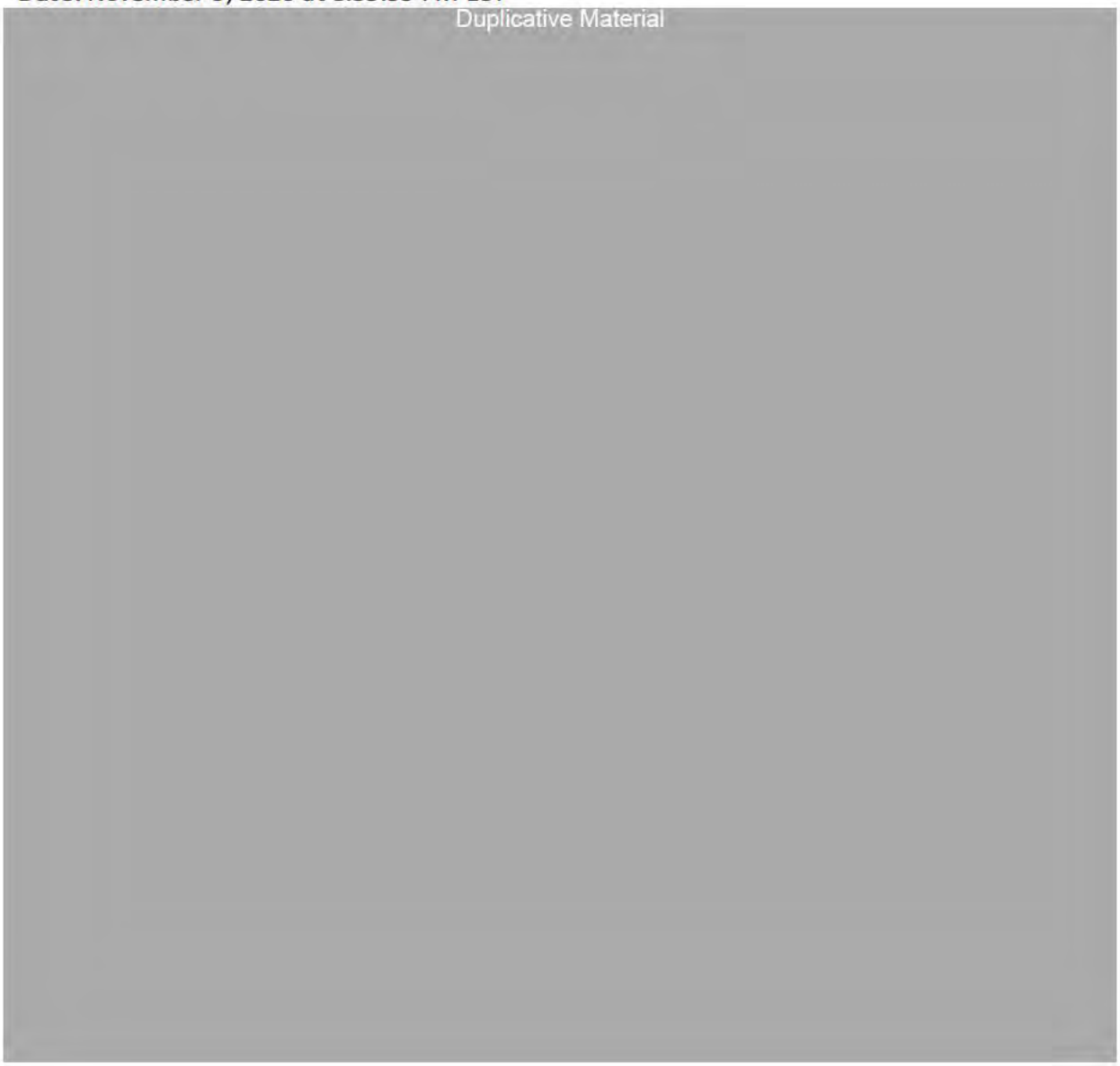
Duplicative Material

Pings, Anne (OLA)

From:	Pings, Anne (OLA)
Sent:	Tuesday, November 10, 2020 10:38 AM
To:	Morales, Michelle (CRM)
Subject:	Fwd: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell
Attachments:	Attorney General Memorandum - Post-Voting Election Irregularity Inquiries.pdf

Begin forwarded message:

From: "Pilger, Richard (CR) (b) (6)
Date: November 9, 2020 at 8:33:53 PM EST



Stirrup, Heidi (OAG)

From:	Stirrup, Heidi (OAG)
Sent:	Tuesday, November 10, 2020 10:55 AM
To:	Morell, Clare (OAG)
Subject:	FW: Memo
Attachments:	Post-Voting Election Irregularity Inquiries.110920.pdf

-----Original Message-----
From: Levi, William (OAG [redacted (b) (6)]
Sent: Tuesday, November 10, 2020 9:25 AM
To: Stirrup, Heidi (OAG) [redacted (b) (6)]
Subject: RE: Memo

-----Original Message-----
From: Stirrup, Heidi (OAG [redacted (b) (6)]
Sent: Monday, November 9, 2020 7:17 PM
To: Levi, William (OAG [redacted (b) (6)]
Subject: Memo

Would you send me a copy if possible?

Heidi Stirrup
Sent from my iPhone

Moran, John (ODAG)

From: Moran, John (ODAG)
Sent: Tuesday, November 10, 2020 2:57 PM
To: Rosen, Jeffrey A. (ODAG)
Cc: Donoghue, Richard (ODAG)
Subject: Fwd: Story on PIN

Sent from my iPhone

Begin forwarded message:

From: "Kupec, Kerri (OPA) (b) (6)
Date: November 10, 2020 at 2:54:16 PM EST
To: "Levi, William (OAG) (b) (6), "Donoghue, Richard (ODAG)" (b) (6) "Moran, John (ODAG) (b) (6)
Subject: Fwd: Story on PIN

?

Begin forwarded message:

From: Katie Benner <katie.benner@nytimes.com>
Date: November 10, 2020 at 2:06:17 PM EST
To: "Kupec, Kerri (JMD) (b) (6), "Lloyd, Matt (PAO)" (b) (6)
Subject: Re: Story on PIN

Following up, I will note that DAG Rosen instructed PIN not to bring charges against Zinke because he did not feel the case was ready; but that the case is not yet officially closed/no declination letter written.

On the Ukraine call, I'll note that PIN and Crim were poised to do more investigatory work, but that they stopped when all matters Ukraine were sent to the USA in EDNY and all matters Rudy were sent to the USA in Pittsburgh.

On Tue, Nov 10, 2020 at 12:34 PM Katie Benner <katie.benner@nytimes.com> wrote:

> Hi Kerri and Matt,
> I'm working on a follow up story today about tensions between PIN and OAG that predate this week's dust up.

(I've reached out directly to Sessions for comment on conversations that occurred during his tenure.)

The reporting I have related to Barr/Rosen will include:

- Last fall, PIN was up in arms over two issues: The Trump Ukraine Call and the Zinke prosecution.

UKRAINE: People in PIN felt that the elections section lawyers had accurately weighed in on whether the President's call had violated campaign finance law. But they thought it odd that Richard was given only a relatively short amount of time to make the determination on that narrow question. They were then displeased to see his determination used to blunt criticism of the call when DOJ revealed it in late September.

Corey Amundson, the new head of the division (as of the beginning of September), calmed people down by saying that the reconstructed transcript of the call did leave open other questions about whether the presidents actions were potentially illegal under other statutes, and that they would need to investigate. This did not mean that the president broke the law, only that the call merited further scrutiny. He urged people not to leave. But then no investigation ever materialized.

Brian Benczkowski, the head of the criminal division, was made aware of PIN's feelings on this matter. Benczkowski was was under the impression that PIN would do further investigatory work on the call.

ZINKE: At around the same time that the Ukraine call dust up occurred, Public Integrity notified officials that it planned to bring charges against Ryan Zinke stemming from a referral from the Dept of Interior Inspector General's office.

But DAG Rosen instructed PIN not to bring charges against Zinke. Amundson again asked lawyers not to leave the section.

I'll also mention that early on people took issue with Barr for comments he made about Menendez during his confirmation, leaving open the possibility that they had prejudged his thoughts on PIN. But he has also told various officials and lawyers outside of DOJ that he felt that PIN tended not to handle political prosecutions well.

- This fall PIN was upset about Barr's actions around the election

PIN and Crim pushed back when Barr wanted to issue a memo about election fraud investigations before Election Day. They felt the issue was dead last week, when no memo came.

They were blindsided on Monday when Barr issued a similar memo without consulting them.

LMK if you have comment or want to talk.
All best,
Katie

--
Katie Benner
(b) (6) (m)

@ktbenner
Check out my recent stories here

--
Katie Benner
(b) (6) (m)
@ktbenner
Check out my recent stories here

(b) (5)

[redacted]

>
> -----Original Message-----
> From: Miriam Aukerman <maukerman@aclumich.org>
> Sent: Tuesday, November 10, 2020 4:12 PM
> To: Waldman, Joshua (CIV) <JWaldman@CIV.USDOJ.GOV>

> Cc: Raofield, Jason <jraofield@cov.com [redacted] (b) (6) ; Dan Korobkin <dkorobkin@aclumich.org>; Sandler, Alyson <ASandler@cov.com>; jdmorten@umich.edu; Rohit Rajan <rrajan@aclumich.org>
> Subject: RE: ACRL v. Trump, 6th Cir. No. 19-2375
>
> Hi Joshua,
>
> I hope you are well. As you are likely aware, President-Elect Biden has announced that he will, immediately after the inauguration, rescind the proclamation that plaintiffs are challenging in this action. Although President Trump is contesting the results of the election and one cannot know with absolute certainty that the President-Elect Biden will in fact rescind the proclamation, it now seems very likely that Plaintiffs' claims will become moot in late January.
>
> In light of this change in circumstances, we will be filing a motion asking the Court to hold the appeal in abeyance until February 1, 2021. If Defendants agree with this request, we would include that in our motion. We intend to file this evening, but understand if you are not able to get us an answer before we file.
>
> Best,
> Miriam
>
> Miriam Aukerman
> Senior Staff Attorney
> American Civil Liberties Union of Michigan
>

Andrews, Alphonso (USAVI)

From: Andrews, Alphonso (USAVI)

Sent: Wednesday, November 11, 2020 11:41 AM

To: Wise, Leo (USAMD); Kennedy, David (USANYS); Pilger, Richard (CRM); Aframe, Seth (USANH); Aloi, Elizabeth (USADC); Anis, Shamoor (USADE); Barrett, Richard (USAPAE); Billingslea, Stephanie (USAALM); Bounds, Ryan (USAOR); Brown, Charles (USAOKW) 2; Bruce, Gavin (USAOR); Bruner, Virginia (USAIAS); Burris, Dean (USAOKE); Carris, Eugenia (USAMA); Cavanaugh, Kelly (USAAK); Cheek, Jason (USAALN); Clark, Aaron (USAUT); Coleman, Robert (USAMSN); Cooperstein, Ted (USAMSS); Daniels, Donald D. (USAMIW); David, Marivic (USAGU); Day, Charlene (USAVAW) 1; Devlin, Matt (USATXW); Diggs, Damien (USATXN); Donnelly, Terrence (USARI); Dotson, Lindsey (USACAC); Drescher, Michael (USAVT); Duchemin, Meredith (USAWIW); Dyke, Tom (USAKYW); Edwards, Richard (USANCW); Elliker, Kevin (USAVAE); Englade, Michelle (USATXE); Erbe, Seth A. (USAPR (b)(6), (b)(7)(C) per FBI (CID) (FBI (b)(6), (b)(7)(C) per FBI (CID) (FBI); Francis, Jonathan (USACT); Frausto, Joshua (USATXN); Frey, Cynthia (USACAN); Garriques, Ian (USAWAE); Gerace, Dominick S. (USAOHS); Gesch, Heidi (USAVAE); Gilmore, Greg (USAILC); Gist, Timothy W. (USAWY); Glatfelter, Emily (USAOHS); Glenn-Applegate, Peter (USAOHS); Goes, Erik (USAWVS); Goldsmith, Hal (USAMOE); Gonzalez, Irene (USALAE); Graber, Dan (USAWIW); Gray, Brent (USAGAN); Grogan, Andrew (USAFLN); Haycock, Jack (USAID); Henwood, Timothy (USAPR); Hoff, David (USAILC); Horwitz, Kate (USAID); Hu, Daniel (USATXS); Hurst, Allen (USATXE); Ippolito, Russell (USANYW); Ison, Dawn (USAMIE); Jacobs, Jacky (USAINN); Jennen, Aaron (USAARW); Jernigan, Cytheria (USALAW); Jones, Keith (USAALS) 6; Jones, Patricia (USALAM) 1; Jordan, Steve (USATNM); Kadon, Karl (USAOHS); Karl, Lee (USAPAW); Kavanaugh, Christopher (USAVAW); Kelly, Laurie (USANE); Keyes, William R. (USAGAM); Khandelwal, Sharad (USATXS); Khasigian, Kevin (USACAE); King, Karen (USALAW); Kinney, Terry (USAILN); Kirkland, Jennifer (USAGAS); Knauss, Darilynn (USAILC); Knight, Jessica (USAOHS) 1; Koliner, Kevin (USASD); Kovoor, Philip (USAWIE); LaCour, Alice (USAALM); Ladwig, Christopher (USAWIE); Levine, Robert (USATNM); Lokey, Sean (USAAZ); Maag, Jared (USAKS); McCarren, Mark (USANJ); McCarthy, Brendan (USAMT); McCormack, Andrew (USAME); McFadden, JoAnna (USANCM); McLoughlin, Charles (USAOKN); Mehochko, John (USAILC); Mickelson, Jamie (USANV); Miller, Megan R. (USAOHN); Mosakowski, Robert (USAFLM); Munoz, Angela (USAMN); Myers, Sara E. (USATNM); Nammar, Michael (USAHI); Olshan, Eric (USAPAW); O'Malley, Eric (USAGU); Osborn, John (USAME) 1; Patricco, Raymond (USAID); Paulsen, Erik (USANYE); Pena, Jeremy (USANM) 2; Pendergraft, Robin (USANCE); Perry, Michael F. (USANYN); Pfisterer, Eric (USAPAM); Piper, Perry (USATNE); Potterfield, John (USASC); Preston, Tiffany (USAINS); Rice-Stitt, Austin (USAOR); Rocktashel, George J. (USAPAM); Rosenthal, Joshua (USANYN); RotellDustin, Ava (USAOHN); Russ, John (CRT); Rybarczyk, Thomas (USACAC); Savage, Mike (USANCW); Scott, David J. (CID) (FBI); Sempa, Fran P. (USAPAM); Shipley, Joan (USAARE) 1; Simpson, Alan (USAMOW); Smith, Norman R. (USAILS); Smith, Scott (USATNW); Sneed, Robert (USASC); Speirs, Verne H. (USAALM); Stoker, Randy (USAVAE); Storm, Arlen (USAWAW); Stover, Andrew (USATXE (b)(6), (b)(7)(C) per FBI (CID) (FBI); Swanson, Todd (USAGAM); Taylor, Ken (USAKYE); Tenorio, Christopher (USACAS); Timmons, Ron (USAIAN); Tvedt, Dan (USAIAN); Urgent, Allan (USANJ); Vidoni, Gabriel (USANJ); Volk, Rick (USAND); Wallace, Harry (USAFLS); Warner, Steve (USAWVN); Weber, Rebecca (USACO); Whelan, Traci (USAID); Wong, Norman

(USAEO); Woolam, Callie (USATXN)

Cc: Amundson, Corey (CRM); Blumberg, Mark (CRT); Christian, Forrest (CRT); Clarke, Jennifer (CRM (b)(6), (b)(7)(C) per USPIS Driscoll, Kevin (CRM); Fagan, Aurora (USAFLS); Gee, Todd (CRM); Ginsburg, Jessica A (CRT); Greenberg, Bonnie (USAEO); Heberle, Robert (CRM); Herren, Chris (CRT (b)(6), (b)(7)(C) per FBI (CID) (FBI); Keller, John (CRM (b)(6), (b)(7)(C) per FBI (TD) (FBI); Mulryne, Sean (CRM); Pings, Anne (OLA (b)(6), (b)(7)(C) per, (b)(6), (b)(7)(C) per USPIS

Subject: RE: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

I concur with your observations and comment letter suggestion. This new policy flies in the face of age long precedent designed to protect the integrity of the election process. Our voices should heard. The Department ought not be part of partisan politics.

Alphonso Andrews
DEO – Virgin Islands

From: Wise, Leo (USAMD (b) (6)
Sent: Tuesday, November 10, 2020 5:10 PM
To: Kennedy, David (USANY (b) (6) >; Pilger, Richard (CRM) <Richard.Pilger@CRM.USDOJ.GOV>; Aframe, Seth (USANH (b) (6) ; Aloi, Elizabeth (USADC) (b) (6) Andrews, Alphonso (USAV (b) (6) ; Anis, Shamoor (USADE) (b) (6) >; Barrett, Richard (USAPAE (b) (6) Billingslea, Stephanie (USAALM) (b) (6) ; Bounds, Ryan (USAOR (b) (6) ; Brown, Charles (USAOKW) 2 (b) (6) Bruce, Gavin (USAO (b) (6) ; Bruner, Virginia (USAIAS) (b) (6) >; Burris, Dean (USAOKE) (b) (6) Carris, Eugenia (USAMA) (b) (6) Cavanaugh, Kelly (USAA (b) (6) >; Cheek, Jason (USAALN) (b) (6) >; Clark, Aaron (USAU (b) (6) >; Coleman, Robert (USAMSN) (b) (6) >; Cooperstein, Ted (USAMSS) (b) (6) >; Daniels, Donald D. (USAMIW) (b) (6) ; David, Marivic (USAGU (b) (6) ; Day, Charlene (USAVAW) 1 (b) (6) ; Devlin, Matt (USATXW (b) (6) >; Diggs, Damien (USATXN) (b) (6) Donnelly, Terrence (USAR (b) (6) >; Dotson, Lindsey (USACAC) (b) (6) ; Drescher, Michael (USAV (b) (6) ; Duchemin, Meredith (USAWIW) (b) (6) >; Dyke, Tom (USAKYW (b) (6) Edwards, Richard (USANCW) (b) (6) Elliker, Kevin (USAVAE (b) (6) ; Englade, Michelle (USATXE) (b) (6) ; Erbe, Seth A. (USAP (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Francis, Jonathan (USACT) (b) (6) Frausto, Joshua (USATXN (b) (6) ; Frey, Cynthia (USACAN) (b) (6) Garriques, Ian (USAWAE (b) (6) ; Gerace, Dominick S. (USAOHS) (b) (6) ; Gesch, Heidi (USAVA (b) (6) ; Gilmore, Greg (USAILC) (b) (6) >; Gist, Timothy W. (USAW (b) (6) ; Glatfelter, Emily (USAOHS) (b) (6) ; Glenn-Applegate, Peter (USAOH (b) (6) ; Goes, Erik (USAWVS (b) (6) ; Goldsmith, Hal (USAMOE (b) (6) ; Gonzalez, Irene (USALAE) (b) (6) ; Graber, Dan (USAWIW (b) (6) ; Gray, Brent (USAGAN) (b) (6) ; Grogan, Andrew (USAFL (b) (6) Haycock, Jack (USAID) (b) (6) ; Henwood, Timothy (USAPR) (b) (6) >; Hoff, David (USAILC) (b) (6) Horwitz, Kate (USAID (b) (6) >; Hu, Daniel (USATX (b) (6) Hurst, Allen (USATX (b) (6) >; Ippolito, Russell (USANYW (b) (6) >; Ison, Dawn (USAMI (b) (6) >; Jacobs, Jacky (USAINN (b) (6) v>; Jennen, Aaron (USAARW) (b) (6) Jernigan, Cytheria (USALAW) (b) (6) ; Jones, Keith (USAALS) 6 (b) (6) >; Jones, Patricia (USALAM) (b) (6) ; Jordan, Steve (USATNM) (b) (6) ; Kadon, Karl (USAOHS (b) (6) >; Karl, Lee (USAPAW (b) (6)

Kavanaugh, Christopher (USAVAW [redacted]; Kelly, Laurie (USAN [redacted]
Keyes, William R. (USAGAM [redacted]; Khandelwal, Sharad (USATXS [redacted];
Khasigian, Kevin (USACA [redacted]; King, Karen (USALA [redacted] Kinney, Terry
(USAILN [redacted]; Kirkland, Jennifer (USAGAS [redacted]>; Knauss, Darilynn (USAILC)
[redacted]; Knight, Jessica (USAOHS) [redacted]>; Koliner, Kevin (USASD)
[redacted]; Kovoor, Philip (USAWIE [redacted]; LaCour, Alice (USAALM)
[redacted]; Ladwig, Christopher (USAWI [redacted]>; Levine, Robert (USATNM)
[redacted]>; Lokey, Sean (USAA [redacted]; Maag, Jared (USAK [redacted]
McCarren, Mark (USAN [redacted] McCarthy, Brendan (USAM [redacted]
McCormack, Andrew (USAM [redacted]; McFadden, JoAnna (USANCM)
[redacted]>; McLoughlin, Charles (USAOKN) [redacted]>; Mehochko, John
(USAILC [redacted] Mickelson, Jamie (USANV [redacted] Miller, Megan R.
(USAOHN [redacted] Mosakowski, Robert (USAFLM [redacted]>; Munoz, Angela
(USAMN [redacted]>; Myers, Sara E. (USATNM [redacted]>; Nammar, Michael (USAHI)
[redacted]; Olshan, Eric (USAPAW [redacted] O'Malley, Eric (USAGU)
[redacted]; Osborn, John (USAME) [redacted]>; Patricco, Raymond (USAID)
[redacted]; Paulsen, Erik (USANY [redacted]; Pena, Jeremy (USANM) 2
[redacted]>; Pendergraft, Robin (USANC [redacted]>; Perry, Michael F. (USANYN)
[redacted]>; Pfisterer, Eric (USAPAM [redacted] Piper, Perry (USATNE)
[redacted]>; Potterfield, John (USASC [redacted]>; Preston, Tiffany (USAINS)
[redacted]>; Rice-Stitt, Austin (USAO [redacted] Rocktashel, George J. (USAPAM)
[redacted]>; Rosenthal, Joshua (USANYN) [redacted]>; RotellDustin, Ava (USAOHN)
[redacted]>; Russ, John (CR [redacted]>; Rybarczyk, Thomas (USACAC)
[redacted]; Savage, Mike (USANCW [redacted]; Scott, David J. (CID) (FBI)
(b)(7)(E) per FBI; Sempa, Fran P. (USAPAM [redacted]>; Shipley, Joan (USAARE) 1
[redacted]>; Simpson, Alan (USAMOW [redacted]>; Smith, Norman R. (USAILS)
[redacted]; Smith, Scott (USATNW [redacted]; Sneed, Robert (USASC)
[redacted]; Speirs, Verne H. (USAALM [redacted]; Stoker, Randy (USAVAE)
[redacted]; Storm, Arlen (USAWAW [redacted]>; Stover, Andrew (USATXE)
[redacted] (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; Swanson, Todd (USAGAM)
[redacted]>; Taylor, Ken (USAKY [redacted]; Tenorio, Christopher (USACAS)
[redacted]>; Timmons, Ron (USAIAN [redacted] Tvedt, Dan (USAIAN)
[redacted]; Urgent, Allan (USAN [redacted]>; Vidoni, Gabriel (USANJ)
[redacted]; Volk, Rick (USAN [redacted]; Wallace, Harry (USAFLS)
[redacted]>; Warner, Steve (USAWVN [redacted]; Weber, Rebecca (USACO)
[redacted]>; Whelan, Traci (USAID [redacted]; Wong, Norman (USAEO)
[redacted]>; Woolam, Callie (USATXN [redacted]>

Cc: Amundson, Corey (CRM [redacted]; Blumberg, Mark (CRT)
[redacted]>; Christian, Forrest (CR [redacted]>; Clarke, Jennifer (CRM)
[redacted] (b)(3), (b)(6), (b)(7)(C) per USPIS>; Driscoll, Kevin (CRM)
[redacted]>; Fagan, Aurora (USAFL [redacted]; Gee, Todd (CRM)
[redacted]; Ginsburg, Jessica A (CR [redacted]; Greenberg, Bonnie
(USAEO [redacted]>; Heberle, Robert (CRM [redacted]; Herren, Chris
(CR [redacted] (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Keller, John (CRM)
[redacted] (b)(6), (b)(7)(C) per FBI (TD) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; Mulryne, Sean (CRM)
[redacted]>; Pings, Anne (OLA [redacted] (b)(6), (b)(7)(C) per USPIS
(b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: RE: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

Dear Colleagues.

I am the DEO for the District of Maryland.

I have no idea if the new policy was discussed with any DEOs prior to its issuance last evening. In any event, I have concerns about its content and timing. If you have any concerns, please email me and we can see if we have any in common.

What I have in mind is to prepare a comment letter and send it through the appropriate channels.

Leo J. Wise
Assistant United States Attorney
Chief, Fraud and Public Corruption Section
United States Attorney's Office for the District of Maryland
36 South Charles Street
Baltimore, MD 21201
(b) (6) (desk)
(b) (6) (cell)

From: Kennedy, David (USANY (b) (6)
Sent: Monday, November 09, 2020 9:58 PM
To: Pilger, Richard (CRM (b) (6)
Cc: Aframe, Seth (USANH (b) (6) >; Aloi, Elizabeth (USAD (b) (6) ; Andrews, Alphonso (USAVI) (b) (6) >; Anis, Shamoor (USAD (b) (6) >; Barrett, Richard (USAPA (b) (6) >; Billingslea, Stephanie (USAALM (b) (6) >; Bounds, Ryan (USAOR (b) (6) ; Brown, Charles (USAOKW) (b) (6) >; Bruce, Gavin (USAOR) (b) (6) >; Bruner, Virginia (USAIAS (b) (6) >; Burris, Dean (USAOKE) (b) (6) >; Carris, Eugenia (USAMA (b) (6) >; Cavanaugh, Kelly (USAAK) (b) (6) >; Cheek, Jason (USAALN (b) (6) >; Clark, Aaron (USAUT) (b) (6) >; Coleman, Robert (USAMSN (b) (6) >; Cooperstein, Ted (USAMSS) (b) (6) >; Daniels, Donald D. (USAMIW (b) (6) >; David, Marivic (USAGU) (b) (6) >; Day, Charlene (USAVAW) (b) (6) >; Devlin, Matt (USATXW) (b) (6) >; Diggs, Damien (USATXN (b) (6) ; Donnelly, Terrence (USARI) (b) (6) >; Dotson, Lindsey (USACA (b) (6) >; Drescher, Michael (USAVT) (b) (6) >; Duchemin, Meredith (USAWIW (b) (6) >; Dyke, Tom (USAKYW) (b) (6) >; Edwards, Richard (USANCW (b) (6) >; Elliker, Kevin (USAVAE) (b) (6) ; Englade, Michelle (USATX (b) (6) ; Erbe, Seth A. (USAPR) (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Francis, Jonathan (USAC (b) (6) ; Frausto, Joshua (USATXN) (b) (6) ; Frey, Cynthia (USACA (b) (6) Garriques, Ian (USAWAE) (b) (6) >; Gerace, Dominick S. (USAOH (b) (6) >; Gesch, Heidi (USAVAE) (b) (6) >; Gilmore, Greg (USAIL (b) (6) ; Gist, Timothy W. (USAWY) (b) (6) >; Glatfelter, Emily (USAOHS (b) (6) >; Glenn-Applegate, Peter (USAOHS) (b) (6) >; Goes, Erik (USAWV (b) (6) ; Goldsmith, Hal (USAMOE) (b) (6) ; Gonzalez, Irene (USALA (b) (6) ; Graber, Dan (USAWIW) (b) (6) ; Gray, Brent (USAGAN (b) (6) ; Grogan, Andrew (USAFLN) (b) (6) ; Haycock, Jack (USAID (b) (6) >; Henwood, Timothy (USAPR) (b) (6) >; Hoff, David (USAILC (b) (6) ; Horwitz, Kate (USAID) (b) (6) >; Hu, Daniel (USATX (b) (6) Hurst, Allen (USATX (b) (6) ; Ippolito, Russell (USANYW (b) (6) ; Ison, Dawn (USAMI (b) (6) >; Jacobs, Jacky (USAINN (b) (6) Jennen, Aaron (USAARW (b) (6) ; Jernigan, Cytheria (USALAW) (b) (6) >; Jones, Keith (USAALS) (b) (6) ; Jones, Patricia (USALAM) 1 (b) (6) >; Jordan, Steve (USATNM (b) (6) ; Kadon, Karl (USAOHS) (b) (6) >; Karl, Lee (USAPAW (b) (6) >; Kavanaugh, Christopher (USAVAW) (b) (6) >; Kelly, Laurie (USAN (b) (6) >; Keyes, William R. (USAGAM) (b) (6) ; Khandelwal, Sharad (USATX (b) (6) >; Khasigian, Kevin (USACAE) (b) (6) >; King, Karen (USALAW (b) (6) >; Kinney, Terry (USAILN)

(b) (6) >; Kirkland, Jennifer (USAGA (b) (6) >; Knauss, Darilynn (USAILC) (b) (6) >; Knight, Jessica (USAOHS) (b) (6) >; Koliner, Kevin (USASD) (b) (6) >; Kovoor, Philip (USAWIE (b) (6) ; LaCour, Alice (USAALM) (b) (6) >; Ladwig, Christopher (USAWI (b) (6) >; Levine, Robert (USATNM) (b) (6) >; Lokey, Sean (USAA (b) (6) Maag, Jared (USAK (b) (6) >; McCarren, Mark (USAN (b) (6) ; McCarthy, Brendan (USAM (b) (6) McCormack, Andrew (USAME) (b) (6) ; McFadden, JoAnna (USANCM) (b) (6) ; McLoughlin, Charles (USAOKN) (b) (6) ; Mehochko, John (USAILC (b) (6) >; Mickelson, Jamie (USANV) (b) (6) ; Miller, Megan R. (USAOHN (b) (6) >; Mosakowski, Robert (USAFLM (b) (6) ; Munoz, Angela (USAMN (b) (6) ; Myers, Sara E. (USATN (b) (6) >; Nammar, Michael (USAHI) (b) (6) >; Olshan, Eric (USAPAW (b) (6) >; O'Malley, Eric (USAGU) (b) (6) ; Osborn, John (USAME) 1 (b) (6) >; Patricco, Raymond (USAID) (b) (6) ; Paulsen, Erik (USANY (b) (6) >; Pena, Jeremy (USANM) 2 (b) (6) Pendergraft, Robin (USANC (b) (6) ; Perry, Michael F. (USANYN) (b) (6) Pfisterer, Eric (USAPAM (b) (6) ; Piper, Perry (USATNE) (b) (6) ; Potterfield, John (USASC (b) (6) >; Preston, Tiffany (USAINS) (b) (6) ; Rice-Stitt, Austin (USAO (b) (6) >; Rocktashel, George J. (USAPAM) (b) (6) >; Rosenthal, Joshua (USANYN (b) (6) >; RotellDustin, Ava (USAOHN) (b) (6) >; Russ, John (CR (b) (6) >; Rybarczyk, Thomas (USACAC) (b) (6) >; Savage, Mike (USANCW (b) (6) >; Scott, David J. (CID) (FBI) (b)(7)(E) per FBI ; Sempa, Fran P. (USAPAM (b) (6) Shipley, Joan (USAARE) 1 (b) (6) >; Simpson, Alan (USAMOW (b) (6) ; Smith, Norman R. (USAILS) (b) (6) >; Smith, Scott (USATNW (b) (6) ; Sneed, Robert (USASC) (b) (6) ; Speirs, Verne H. (USAALM (b) (6) ; Stoker, Randy (USAVAE) (b) (6) >; Storm, Arlen (USAWAW (b) (6) >; Stover, Andrew (USATXE) (b) (6) (b)(6), (b)(7)(C) per FBI CID) (F (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Swanson, Todd (USAGAM) (b) (6) >; Taylor, Ken (USAKY (b) (6) ; Tenorio, Christopher (USACAS) (b) (6) >; Timmons, Ron (USAIAN (b) (6) v>; Tvedt, Dan (USAIAN) (b) (6) >; Urgent, Allan (USAN (b) (6) Vidoni, Gabriel (USANJ) (b) (6) >; Volk, Rick (USAN (b) (6) >; Wallace, Harry (USAFLS) (b) (6) ; Warner, Steve (USAWV (b) (6) Weber, Rebecca (USACO) (b) (6) ; Whelan, Traci (USAID (b) (6) ; Wise, Leo (USAMD (b) (6) Wong, Norman (USAEO (b) (6) >; Woolam, Callie (USATXN (b) (6) >; Amundson, Corey (CRM (b) (6) >; Blumberg, Mark (CR (b) (6) ; Christian, Forrest (CR (b) (6) >; Clarke, Jennifer (CRM) (b) (6) (b)(3), (b)(6), (b)(7)(C) per USPIS Driscoll, Kevin (CRM) (b) (6) ; Fagan, Aurora (USAFL (b) (6) ; Gee, Todd (CRM) (b) (6) ; Ginsburg, Jessica A (CR (b) (6) Greenberg, Bonnie (USAEO (b) (6) ; Heberle, Robert (CRM (b) (6) >; Herren, Chris (CR (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Keller, John (CRM) (b) (6) (b)(6), (b)(7)(C) per FBI TD) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI Mulryne, Sean (CRM) (b) (6) ; Pings, Anne (OL (b) (6) (b)(6), (b)(7)(C) per USPIS (b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: Re: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

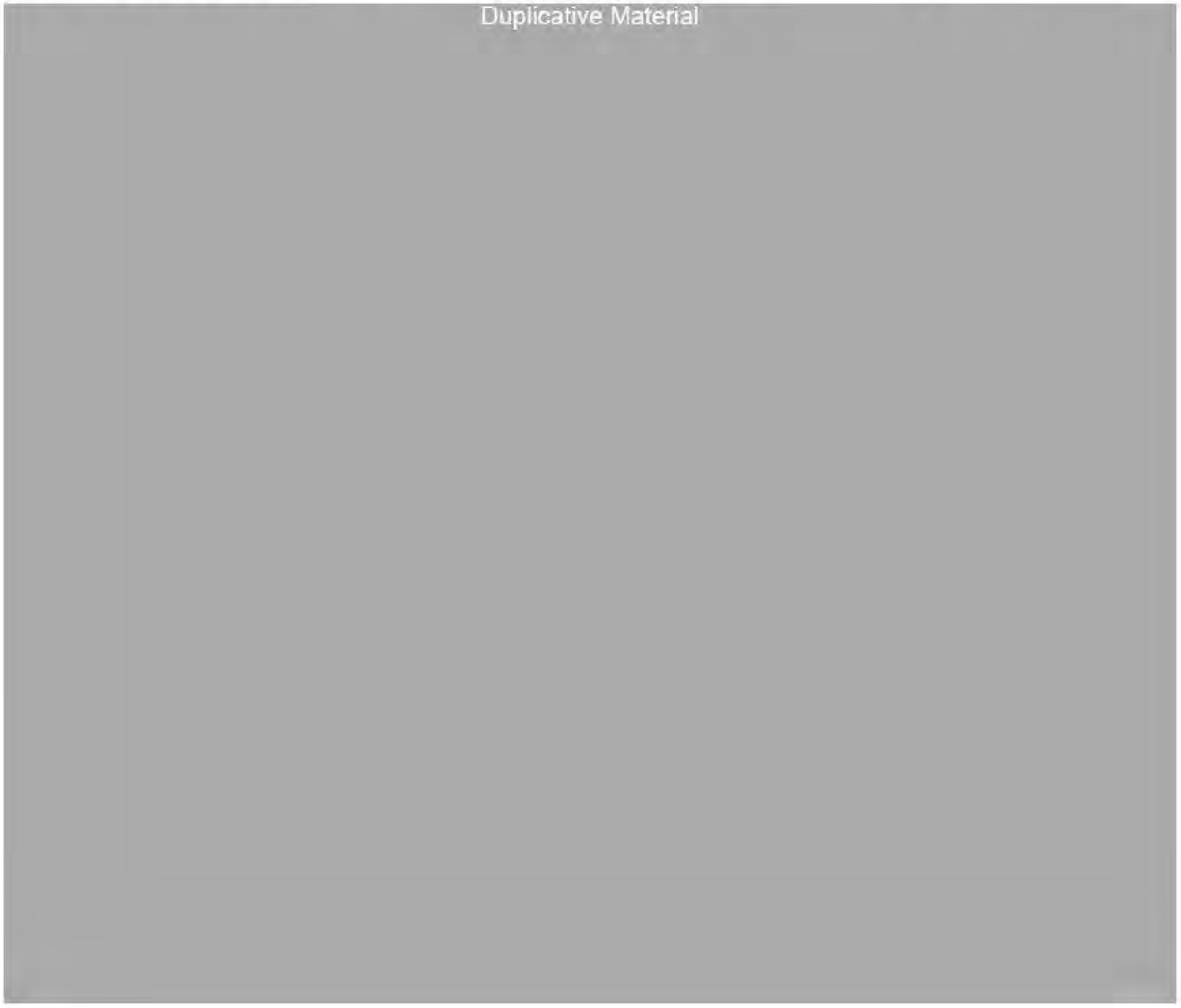
Richard,

It is a terrible loss for the Department of Justice that you are leaving. Rest assured that I remain committed to the administration of justice without partisan fear or favor.

David

Sent from my iPhone

On Nov 9, 2020, at 8:33 PM, Pilger, Richard (CRM [redacted] (b) (6) [redacted] > wrote:



Wise, Leo (USAMD)

From: Wise, Leo (USAMD)

Sent: Thursday, November 12, 2020 7:51 AM

To: Warner, Steve (USAWVN); Grogan, Andrew (USAFLN); Kennedy, David (USANYS); Taylor, Ken (USAKYE)

Cc: Pilger, Richard (CRM); Aframe, Seth (USANH); Aloi, Elizabeth (USADC); Andrews, Alphonso (USAVI); Anis, Shamoor (USADE); Barrett, Richard (USAPAE); Billingslea, Stephanie (USAALM); Bounds, Ryan (USAOR); Brown, Charles (USAOKW) 2; Bruce, Gavin (USAOR); Bruner, Virginia (USAIAS); Burris, Dean (USAOKE); Carris, Eugenia (USAMA); Cavanaugh, Kelly (USAAK); Cheek, Jason (USAALN); Clark, Aaron (USAUT); Coleman, Robert (USAMSN); Cooperstein, Ted (USAMSS); Daniels, Donald D. (USAMIW); David, Marivic (USAGU); Day, Charlene (USAVAW) 1; Devlin, Matt (USATXW); Diggs, Damien (USATXN); Donnelly, Terrence (USARI); Dotson, Lindsey (USACAC); Drescher, Michael (USAVT); Duchemin, Meredith (USAWIW); Dyke, Tom (USAKYW); Edwards, Richard (USANCW); Elliker, Kevin (USAVAE); Englade, Michelle (USATXE); Erbe, Seth A. (USAPR (b)(6), (b)(7)(C) per FBI (CID) (FBI (b)(6), (b)(7)(C) per FBI (CID) (FBI); Francis, Jonathan (USACT); Frausto, Joshua (USATXN); Frey, Cynthia (USACAN); Garriques, Ian (USAWAE); Gerace, Dominick S. (USAOHS); Gesch, Heidi (USAVAE); Gilmore, Greg (USAILC); Gist, Timothy W. (USAWY); Glatfelter, Emily (USAOHS); Glenn-Applegate, Peter (USAOHS); Goes, Erik (USAWVS); Goldsmith, Hal (USAMOE); Gonzalez, Irene (USALAE); Graber, Dan (USAWIW); Gray, Brent (USAGAN); Haycock, Jack (USAID); Henwood, Timothy (USAPR); Hoff, David (USAILC); Horwitz, Kate (USAID); Hu, Daniel (USATXS); Hurst, Allen (USATXE); Ippolito, Russell (USANYW); Ison, Dawn (USAMIE); Jacobs, Jacky (USAINN); Jennen, Aaron (USAARW); Jernigan, Cytheria (USALAW); Jones, Keith (USAALS) 6; Jones, Patricia (USALAM) 1; Jordan, Steve (USATNM); Kadon, Karl (USAOHS); Karl, Lee (USAPAW); Kavanaugh, Christopher (USAVAW); Kelly, Laurie (USANE); Keyes, William R. (USAGAM); Khandelwal, Sharad (USATXS); Khasigian, Kevin (USACAE); King, Karen (USALAW); Kinney, Terry (USAILN); Kirkland, Jennifer (USAGAS); Knauss, Darilynn (USAILC); Knight, Jessica (USAOHS) 1; Koliner, Kevin (USASD); Kovoor, Philip (USAWIE); LaCour, Alice (USAALM); Ladwig, Christopher (USAWIE); Levine, Robert (USATNM); Lokey, Sean (USAAZ); Maag, Jared (USAKS); McCarren, Mark (USANJ); McCarthy, Brendan (USAMT); McCormack, Andrew (USAME); McFadden, JoAnna (USANCM); McLoughlin, Charles (USAOKN); Mehochko, John (USAILC); Mickelson, Jamie (USANV); Miller, Megan R. (USAOHN); Mosakowski, Robert (USAFLM); Munoz, Angela (USAMN); Myers, Sara E. (USATNM); Nammar, Michael (USAHI); Olshan, Eric (USAPAW); O'Malley, Eric (USAGU); Osborn, John (USAME) 1; Patricco, Raymond (USAID); Paulsen, Erik (USANYE); Pena, Jeremy (USANM) 2; Pendergraft, Robin (USANCE); Perry, Michael F. (USANYN); Pfisterer, Eric (USAPAM); Piper, Perry (USATNE); Potterfield, John (USASC); Preston, Tiffany (USAINS); Rice-Stitt, Austin (USAOR); Rocktashel, George J. (USAPAM); Rosenthal, Joshua (USANYN); RotellDustin, Ava (USAOHN); Russ, John (CRT); Rybarczyk, Thomas (USACAC); Savage, Mike (USANCW); Scott, David J. (CID) (FBI); Sempa, Fran P. (USAPAM); Shipley, Joan (USAARE) 1; Simpson, Alan (USAMOW); Smith, Norman R. (USAILS); Smith, Scott (USATNW); Sneed, Robert (USASC); Speirs, Verne H. (USAALM); Stoker, Randy (USAVAE); Storm, Arlen (USAWAW); Stover, Andrew (USATXE); (b)(6), (b)(7)(C) per FBI (CID) (FBI); Swanson, Todd (USAGAM); Tenorio, Christopher (USACAS); Timmons, Ron (USAIAN); Tvedt, Dan (USAIAN); Urgent, Allan (USANJ); Vidoni, Gabriel (USANJ); Volk, Rick (USAND); Wallace, Harry (USAFLS); Weber,

Rebecca (USACO); Whelan, Traci (USAID); Wong, Norman (USAEO); Woolam, Callie (USATXN); Amundson, Corey (CRM); Blumberg, Mark (CRT); Christian, Forrest (CRT); Clarke, Jennifer (CRM (b)(6), (b)(7)(C) per USPIS; Driscoll, Kevin (CRM); Fagan, Aurora (USAFLS); Gee, Todd (CRM); Ginsburg, Jessica A (CRT); Greenberg, Bonnie (USAEO); Heberle, Robert (CRM); Herren, Chris (CR (b)(6), (b)(7)(C) per FBI. (CID) (FBI); Keller, John (CRM (b)(6), (b)(7)(C) per FBI (TD) (FBI); Mulryne, Sean (CRM); Pings, Anne (OLA); (b)(6), (b)(7)(C) per USPIS

Subject: RE: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

(b)(5) per EOUSA. The only people on the letter will be DEOs that want to sign it.

Leo J. Wise
Assistant United States Attorney
Chief, Fraud and Public Corruption Section
United States Attorney's Office for the District of Maryland
36 South Charles Street
Baltimore, MD 21201
(b) (6) (desk)
(b) (6) (cell)

From: Warner, Steve (USAWVN (b) (6)
Sent: Thursday, November 12, 2020 7:38 AM
To: Wise, Leo (USAMD (b) (6); Grogan, Andrew (USAFL (b) (6) >; Kennedy, David (USANY (b) (6); Taylor, Ken (USAKY (b) (6)
Cc: Pilger, Richard (CRM (b) (6) >; Aframe, Seth (USANH (b) (6); Aloi, Elizabeth (USADC) (b) (6) >; Andrews, Alphonso (USAV (b) (6); Anis, Shamoor (USAD (b) (6) >; Barrett, Richard (USAPA (b) (6) Billingslea, Stephanie (USAALM (b) (6) >; Bounds, Ryan (USAO (b) (6); Brown, Charles (USAOKW) (b) (6) >; Bruce, Gavin (USAO (b) (6); Bruner, Virginia (USAIAS) (b) (6); Burris, Dean (USAOKE) (b) (6) >; Carris, Eugenia (USAMA) (b) (6) >; Cavanaugh, Kelly (USAA (b) (6) >; Cheek, Jason (USAALN) (b) (6) >; Clark, Aaron (USAU (b) (6); Coleman, Robert (USAMSN) (b) (6); Cooperstein, Ted (USAMS (b) (6); Daniels, Donald D. (USAMIW) (b) (6) >; David, Marivic (USAGU (b) (6) >; Day, Charlene (USAVAW) 1 (b) (6) Devlin, Matt (USATXW (b) (6) >; Diggs, Damien (USATXN) (b) (6) >; Donnelly, Terrence (USAR (b) (6) >; Dotson, Lindsey (USACAC) (b) (6); Drescher, Michael (USAV (b) (6) >; Duchemin, Meredith (USAWIW) (b) (6) >; Dyke, Tom (USAKYW (b) (6); Edwards, Richard (USANCW) (b) (6); Elliker, Kevin (USAVAE (b) (6) >; Englade, Michelle (USATXE) (b) (6) Erbe, Seth A. (USAP (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Francis, Jonathan (USACT) (b) (6) >; Frausto, Joshua (USATXN (b) (6) >; Frey, Cynthia (USACAN) (b) (6); Garriques, Ian (USAWAE) (b) (6); Gerace, Dominick S. (USAOHS) (b) (6) >; Gesch, Heidi (USAVA (b) (6); Gilmore, Greg (USAILC) (b) (6) >; Gist, Timothy W. (USAW (b) (6); Glatfelter, Emily (USAOHS) (b) (6) >; Glenn-Applegate, Peter (USAOHS (b) (6) >; Goes, Erik (USAWVS (b) (6) >; Goldsmith, Hal (USAMOE (b) (6) >; Gonzalez, Irene (USALAE) (b) (6); Graber, Dan (USAWIW (b) (6) >; Gray, Brent (USAGAN) (b) (6); Haycock, Jack (USAID (b) (6); Henwood, Timothy (USAPR) (b) (6); Hoff, David (USAILC) (b) (6); Horwitz, Kate (USAID) (b) (6); Hu, Daniel (USATX (b) (6) >; Hurst, Allen (USATX (b) (6);

Ippolito, Russell (USANYW (b) (6); Ison, Dawn (USAMI (b) (6); Jacobs, Jacky (USAINN (b) (6)>; Jennen, Aaron (USAARW (b) (6) Jernigan, Cytheria (USALAW) (b) (6); Jones, Keith (USAALS) (b) (6)>; Jones, Patricia (USALAM) 1 (b) (6) Jordan, Steve (USATNM (b) (6); Kadon, Karl (USAOHS) (b) (6); Karl, Lee (USAPAW (b) (6)>; Kavanaugh, Christopher (USAVAW) (b) (6); Kelly, Laurie (USAN (b) (6); Keyes, William R. (USAGAM) (b) (6)>; Khandelwal, Sharad (USATX (b) (6); Khasigian, Kevin (USACAE) (b) (6)>; King, Karen (USALAW (b) (6)>; Kinney, Terry (USAILN) (b) (6); Kirkland, Jennifer (USAGA (b) (6)>; Knauss, Darilynn (USAILC) (b) (6)>; Knight, Jessica (USAOHS) (b) (6)>; Koliner, Kevin (USASD) (b) (6); Kovoor, Philip (USAWIE) (b) (6) LaCour, Alice (USAALM) (b) (6)>; Ladwig, Christopher (USAWI (b) (6)>; Levine, Robert (USATNM) (b) (6); Lokey, Sean (USAA (b) (6), Jared (USAKS) (b) (6); McCarren, Mark (USAN (b) (6)>; McCarthy, Brendan (USAM (b) (6); McCormack, Andrew (USAM (b) (6); McFadden, JoAnna (USANCM) (b) (6)>; McLoughlin, Charles (USAOKN (b) (6); Mehochko, John (USAILC) (b) (6)>; Mickelson, Jamie (USANV (b) (6)>; Miller, Megan R. (USAOHN (b) (6) v>; Mosakowski, Robert (USAFLM (b) (6); Munoz, Angela (USAMN (b) (6) Myers, Sara E. (USATNM (b) (6); Nammar, Michael (USAHI) (b) (6); Olshan, Eric (USAPAW (b) (6)>; O'Malley, Eric (USAGU) (b) (6)>; Osborn, John (USAME) (b) (6) Patricco, Raymond (USAID) (b) (6)>; Paulsen, Erik (USANY (b) (6)>; Pena, Jeremy (USANM) 2 (b) (6); Pendergraft, Robin (USANCE) (b) (6); Perry, Michael F. (USANYN) (b) (6)>; Pfisterer, Eric (USAPAM (b) (6); Piper, Perry (USATNE) (b) (6) Potterfield, John (USASC (b) (6)>; Preston, Tiffany (USAINS) (b) (6)>; Rice-Stitt, Austin (USAO (b) (6) Rocktashel, George J. (USAPAM) (b) (6); Rosenthal, Joshua (USANYN (b) (6)>; RotellDustin, Ava (USAOHN) (b) (6); Russ, John (CR (b) (6)>; Rybarczyk, Thomas (USACAC) (b) (6); Savage, Mike (USANCW (b) (6) Scott, David J. (CID) (FBI) (b)(7)(E) per FBI >; Sempa, Fran P. (USAPAM (b) (6)>; Shipley, Joan (USAARE) 1 (b) (6) Simpson, Alan (USAMOW (b) (6); Smith, Norman R. (USAILS) (b) (6); Smith, Scott (USATNW (b) (6); Sneed, Robert (USASC) (b) (6) Speirs, Verne H. (USAAL (b) (6) Stoker, Randy (USAVAE) (b) (6) Storm, Arlen (USAWAW (b) (6); Stover, Andrew (USATXE) (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Swanson, Todd (USAGAM) (b) (6); Tenorio, Christopher (USACAS) (b) (6)>; Timmons, Ron (USAIAN) (b) (6)>; Tvedt, Dan (USAIAN (b) (6)>; Urgent, Allan (USANJ) (b) (6); Vidoni, Gabriel (USAN (b) (6)>; Volk, Rick (USAND) (b) (6); Wallace, Harry (USAFL (b) (6)>; Weber, Rebecca (USACO) (b) (6)>; Whelan, Traci (USAID (b) (6)>; Wong, Norman (USAEO) (b) (6)>; Woolam, Callie (USATXN (b) (6)>; Amundson, Corey (CRM) (b) (6)>; Blumberg, Mark (CR (b) (6)>; Christian, Forrest (CRT) (b) (6)>; Clarke, Jennifer (CRM (b) (6) (b)(6), (b)(7)(C) per USP (b)(3), (b)(6), (b)(7)(C) per USPIS >; Driscoll, Kevin (CRM (b) (6) Fagan, Aurora (USAFL (b) (6)>; Gee, Todd (CRM (b) (6)>; Ginsburg, Jessica A (CRT) (b) (6)>; Greenberg, Bonnie (USAEO (b) (6)>; Heberle, Robert (CRM) (b) (6); Herren, Chris (CR (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Keller, John (CRM (b) (6) (b)(6), (b)(7)(C) per FBI (TD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Mulryne, Sean (CRM (b) (6)>; Pings, Anne (OLA) (b) (6) (b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: RE: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

(b)(5) per EOUSA.

Steve

Stephen Warner
Assistant United States Attorney
Northern District of West Virginia
300 3rd Street, Elkins, West Virginia
(b) (6) (office)
(b) (6)

From: Wise, Leo (USAMD (b) (6) >
Sent: Wednesday, November 11, 2020 3:57 PM
To: Grogan, Andrew (USAFLN (b) (6) ; Kennedy, David (USANYS) (b) (6) ; Taylor, Ken (USAKY (b) (6) >
Cc: Pilger, Richard (CRM (b) (6) ; Aframe, Seth (USANH (b) (6) >; Aloi, Elizabeth (USADC) (b) (6) ; Andrews, Alphonso (USAV (b) (6) >; Anis, Shamoor (USAD (b) (6) Barrett, Richard (USAPA (b) (6) ; Billingslea, Stephanie (USAALM (b) (6) ; Bounds, Ryan (USAO (b) (6) >; Brown, Charles (USAOKW) (b) (6) >; Bruce, Gavin (USAO (b) (6) ; Bruner, Virginia (USAIAS) (b) (6) >; Burris, Dean (USAOK (b) (6) >; Carris, Eugenia (USAMA) (b) (6) ; Cavanaugh, Kelly (USAA (b) (6) >; Cheek, Jason (USAALN) (b) (6) ; Clark, Aaron (USAU (b) (6) ; Coleman, Robert (USAMSN) (b) (6) Cooperstein, Ted (USAMS (b) (6) >; Daniels, Donald D. (USAMIW) (b) (6) >; David, Marivic (USAG (b) (6) Day, Charlene (USAVAW) 1 (b) (6) >; Devlin, Matt (USATXW (b) (6) ; Diggs, Damien (USATXN) (b) (6) ; Donnelly, Terrence (USAR (b) (6) ; Dotson, Lindsey (USACAC) (b) (6) >; Drescher, Michael (USAV (b) (6) ; Duchemin, Meredith (USAWIW) (b) (6) ; Dyke, Tom (USAKYW (b) (6) ; Edwards, Richard (USANCW) (b) (6) >; Elliker, Kevin (USAVAE (b) (6) >; Englade, Michelle (USATXE) (b) (6) ; Erbe, Seth A. (USAP (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; Francis, Jonathan (USACT) (b) (6) >; Frausto, Joshua (USATX (b) (6) Frey, Cynthia (USACAN) (b) (6) ; Garriques, Ian (USAWA (b) (6) >; Gerace, Dominick S. (USAOHS) (b) (6) >; Gesch, Heidi (USAVA (b) (6) ; Gilmore, Greg (USAILC) (b) (6) >; Gist, Timothy W. (USAW (b) (6) ; Glatfelter, Emily (USAOHS) (b) (6) ; Glenn-Applegate, Peter (USAOHS (b) (6) Goes, Erik (USAWV (b) (6) >; Goldsmith, Hal (USAMO (b) (6) >; Gonzalez, Irene (USALAE) (b) (6) >; Graber, Dan (USAWIW) (b) (6) ; Gray, Brent (USAGAN) (b) (6) >; Haycock, Jack (USAI (b) (6) ; Henwood, Timothy (USAPR) (b) (6) ; Hoff, David (USAIL (b) (6) Horwitz, Kate (USAID) (b) (6) >; Hu, Daniel (USATX (b) (6) ; Hurst, Allen (USATXE) (b) (6) >; Ippolito, Russell (USANYW (b) (6) >; Ison, Dawn (USAMI (b) (6) >; Jacobs, Jacky (USAINN (b) (6) >; Jennen, Aaron (USAARW (b) (6) ; Jernigan, Cytheria (USALAW) (b) (6) >; Jones, Keith (USAALS) (b) (6) ; Jones, Patricia (USALAM) 1 (b) (6) >; Jordan, Steve (USATNM (b) (6) ; Kadon, Karl (USAOHS) (b) (6) >; Karl, Lee (USAPAW (b) (6) Kavanaugh, Christopher (USAVAW) (b) (6) >; Kelly, Laurie (USAN (b) (6) >; Keyes, William R. (USAGAM) (b) (6) ; Khandelwal, Sharad (USATX (b) (6) Khasigian, Kevin (USACAE) (b) (6) ; King, Karen (USALAW (b) (6) >; Kinney, Terry (USAILN) (b) (6) ; Kirkland, Jennifer (USAGA (b) (6) ; Knauss, Darilynn (USAILC) (b) (6) >; Knight, Jessica (USAOHS) (b) (6) >; Koliner, Kevin (USASD) (b) (6) ; Kovoor, Philip (USAWIE (b) (6) LaCour, Alice (USAALM)

(b) (6); Ladwig, Christopher (USAWI (b) (6) Levine, Robert (USATNM) (b) (6); Lokey, Sean (USAAZ) (b) (6); Maag, Jared (USAK (b) (6) McCarren, Mark (USAN (b) (6) >; McCarthy, Brendan (USAM (b) (6) McCormack, Andrew (USAM (b) (6); McFadden, JoAnna (USANCM) (b) (6) >; McLoughlin, Charles (USAOKN) (b) (6) >; Mehochko, John (USAILC (b) (6) >; Mickelson, Jamie (USANV (b) (6); Miller, Megan R. (USAOHN (b) (6) >; Mosakowski, Robert (USAFLM) (b) (6) >; Munoz, Angela (USAM (b) (6) >; Myers, Sara E. (USATNM (b) (6) >; Nammar, Michael (USAHI) (b) (6) >; Olshan, Eric (USAPAW (b) (6) O'Malley, Eric (USAGU) (b) (6) Osborn, John (USAME) (b) (6) >; Patricco, Raymond (USAID) (b) (6) >; Paulsen, Erik (USANY (b) (6); Pena, Jeremy (USANM) 2 (b) (6) >; Pendergraft, Robin (USANC (b) (6) >; Perry, Michael F. (USANYN) (b) (6) >; Pfisterer, Eric (USAPAM (b) (6); Piper, Perry (USATNE) (b) (6) >; Potterfield, John (USASC (b) (6) >; Preston, Tiffany (USAINS) (b) (6) >; Rice-Stitt, Austin (USAOR (b) (6) >; Rocktashel, George J. (USAPAM) (b) (6) >; Rosenthal, Joshua (USANYN (b) (6); RotellDustin, Ava (USAOHN) (b) (6); Russ, John (CR (b) (6) Rybarczyk, Thomas (USACAC) (b) (6); Savage, Mike (USANCW (b) (6); Scott, David J. (CID) (FBI) (b)(7)(E) per FBI >; Sempa, Fran P. (USAPAM (b) (6) >; Shipley, Joan (USAARE) 1 (b) (6); Simpson, Alan (USAMOW (b) (6) Smith, Norman R. (USAILS) (b) (6) >; Smith, Scott (USATNW (b) (6) >; Sneed, Robert (USASC) (b) (6); Speirs, Verne H. (USAALM (b) (6) >; Stoker, Randy (USAVAE) (b) (6) >; Storm, Arlen (USAWAW (b) (6) >; Stover, Andrew (USATXE) (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Swanson, Todd (USAGAM) (b) (6) >; Tenorio, Christopher (USACAS) (b) (6); Timmons, Ron (USAIAN) (b) (6) >; Tvedt, Dan (USAIAN (b) (6) >; Urgent, Allan (USANJ) (b) (6); Vidoni, Gabriel (USAN (b) (6) >; Volk, Rick (USAND) (b) (6) Wallace, Harry (USAFL (b) (6); Warner, Steve (USAWVN) (b) (6) >; Weber, Rebecca (USACO (b) (6); Whelan, Traci (USAID) (b) (6) >; Wong, Norman (USAEO (b) (6) >; Woolam, Callie (USATXN) (b) (6) >; Amundson, Corey (CRM (b) (6); Blumberg, Mark (CRT) (b) (6) >; Christian, Forrest (CR (b) (6); Clarke, Jennifer (CRM) (b) (6) (b)(3), (b)(6), (b)(7)(C) per USPIS Driscoll, Kevin (CRM) (b) (6); Fagan, Aurora (USAFL (b) (6); Gee, Todd (CRM) (b) (6); Ginsburg, Jessica A (CR (b) (6) >; Greenberg, Bonnie (USAEO (b) (6); Heberle, Robert (CRM) (b) (6) >; Herren, Chris (CRT) (b) (6) (b)(6), (b)(7)(C) per FBI. (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Keller, John (CRM) (b) (6) (b)(6), (b)(7)(C) per FBI (TD) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Mulryne, Sean (CRM) (b) (6) >; Pings, Anne (OL (b) (6) (b)(6), (b)(7)(C) per USPIS (b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: RE: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

Thanks for reaching out and sharing your thoughts. There is a draft letter, which I'm happy to send you, and I'm happy to send it to anyone else on this list that is interested. Just email me.

A number of DEOs have reached out to me since I emailed yesterday and I have been communicating with them as a group. Anyone is welcome to join that discussion.

Leo J. Wise
Assistant United States Attorney
Chief, Fraud and Public Corruption Section

United States Attorney's Office for the District of Maryland
36 South Charles Street
Baltimore, MD 21201
(b) (6) (desk)
(b) (6) (cell)

From: Grogan, Andrew (USAFLN) (b) (6) >
Sent: Wednesday, November 11, 2020 3:49 PM
To: Kennedy, David (USANY (b) (6) >; Taylor, Ken (USAKY (b) (6) >
Cc: Wise, Leo (USAM (b) (6) >; Pilger, Richard (CRM (b) (6) >; Aframe, Seth (USANH (b) (6) >; Aloi, Elizabeth (USADC (b) (6) >; Andrews, Alphonso (USAVI) (b) (6) ; Anis, Shamoor (USAD (b) (6) ; Barrett, Richard (USAPAE) (b) (6) >; Billingslea, Stephanie (USAALM (b) (6) >; Bounds, Ryan (USAOR) (b) (6) >; Brown, Charles (USAOKW) (b) (6) >; Bruce, Gavin (USAOR) (b) (6) ; Bruner, Virginia (USAIAS (b) (6) v>; Burris, Dean (USAOKE) (b) (6) Carris, Eugenia (USAMA) (b) (6) Cavanaugh, Kelly (USAAK) (b) (6) Cheek, Jason (USAALN (b) (6) ; Clark, Aaron (USAUT) (b) (6) Coleman, Robert (USAMSN (b) (6) >; Cooperstein, Ted (USAMSS) (b) (6) >; Daniels, Donald D. (USAMIW (b) (6) ; David, Marivic (USAGU) (b) (6) >; Day, Charlene (USAVAW) (b) (6) ; Devlin, Matt (USATXW) (b) (6) ; Diggs, Damien (USATXN (b) (6) ; Donnelly, Terrence (USARI) (b) (6) ; Dotson, Lindsey (USACAC (b) (6) ; Drescher, Michael (USAVT) (b) (6) >; Duchemin, Meredith (USAWIW (b) (6) v>; Dyke, Tom (USAKYW) (b) (6) >; Edwards, Richard (USANCW (b) (6) Elliker, Kevin (USAVAE) (b) (6) ; Englade, Michelle (USATXE (b) (6) ; Erbe, Seth A. (USAPR) (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Francis, Jonathan (USAC (b) (6) >; Frausto, Joshua (USATXN) (b) (6) ; Frey, Cynthia (USACAN (b) (6) >; Garriques, Ian (USAWAE) (b) (6) ; Gerace, Dominick S. (USAOH (b) (6) ; Gesch, Heidi (USAVAE) (b) (6) >; Gilmore, Greg (USAILC (b) (6) >; Gist, Timothy W. (USAWY) (b) (6) >; Glatfelter, Emily (USAOHS (b) (6) >; Glenn-Applegate, Peter (USAOHS) (b) (6) Goes, Erik (USAWVS (b) (6) Goldsmith, Hal (USAMOE) (b) (6) >; Gonzalez, Irene (USALAE) (b) (6) >; Graber, Dan (USAWIW) (b) (6) >; Gray, Brent (USAGAN) (b) (6) >; Haycock, Jack (USAID) (b) (6) ; Henwood, Timothy (USAPR (b) (6) ; Hoff, David (USAILC) (b) (6) >; Horwitz, Kate (USAID (b) (6) >; Hu, Daniel (USATX (b) (6) >; Hurst, Allen (USATX (b) (6) >; Ippolito, Russell (USANYW (b) (6) ; Ison, Dawn (USAMI (b) (6) ; Jacobs, Jacky (USAINN (b) (6) >; Jennen, Aaron (USAARW) (b) (6) ; Jernigan, Cytheria (USALAW (b) (6) >; Jones, Keith (USAALS) 6 (b) (6) >; Jones, Patricia (USALAM) (b) (6) >; Jordan, Steve (USATNM) (b) (6) >; Kadon, Karl (USAOHS (b) (6) >; Karl, Lee (USAPAW (b) (6) ; Kavanaugh, Christopher (USAVAW (b) (6) >; Kelly, Laurie (USAN (b) (6) Keyes, William R. (USAGAM (b) (6) >; Khandelwal, Sharad (USATX (b) (6) Khasigian, Kevin (USACA (b) (6) >; King, Karen (USALAW (b) (6) ; Kinney, Terry (USAILN (b) (6) >; Kirkland, Jennifer (USAGAS (b) (6) ; Knauss, Darilynn (USAILC) (b) (6) ; Knight, Jessica (USAOHS) (b) (6) ; Koliner, Kevin (USASD) (b) (6) ; Kovoor, Philip (USAWIE (b) (6) ; LaCour, Alice (USAALM) (b) (6) >; Ladwig, Christopher (USAWI (b) (6) >; Levine, Robert (USATNM) (b) (6) >; Lokey, Sean (USAA (b) (6) >; Maag, Jared (USAK (b) (6) ; McCarren, Mark (USAN (b) (6) ; McCarthy, Brendan (USAM (b) (6) McCormack, Andrew (USAM (b) (6) >; McFadden, JoAnna (USANCM) (b) (6) McLoughlin, Charles (USAOKN (b) (6) ; Mehochko, John (USAILC (b) (6) ; Mickelson, Jamie (USANV (b) (6) ; Miller, Megan R.

(USAOHN (b) (6) >; Mosakowski, Robert (USAFLM (b) (6) ; Munoz, Angela (USAMN (b) (6) >; Myers, Sara E. (USATNM (b) (6) >; Nammar, Michael (USAHI) (b) (6) >; Olshan, Eric (USAPAW (b) (6) ; O'Malley, Eric (USAGU) (b) (6) >; Osborn, John (USAME) (b) (6) >; Patricco, Raymond (USAID) (b) (6) >; Paulsen, Erik (USANY (b) (6) ; Pena, Jeremy (USANM) 2 (b) (6) Pendergraft, Robin (USANC (b) (6) >; Perry, Michael F. (USANYN) (b) (6) >; Pfisterer, Eric (USAPAM (b) (6) >; Piper, Perry (USATNE) (b) (6) Potterfield, John (USASC (b) (6) >; Preston, Tiffany (USAINS) (b) (6) >; Rice-Stitt, Austin (USAOR (b) (6) ; Rocktashel, George J. (USAPAM) (b) (6) >; Rosenthal, Joshua (USANYN (b) (6) >; RotellDustin, Ava (USAOHN) (b) (6) >; Russ, John (CR (b) (6) ; Rybarczyk, Thomas (USACAC) (b) (6) >; Savage, Mike (USANCW (b) (6) >; Scott, David J. (CID) (FBI) (b)(7)(E) per FBI >; Sempa, Fran P. (USAPAM (b) (6) ; Shipley, Joan (USAARE) 1 (b) (6) >; Simpson, Alan (USAMOW (b) (6) >; Smith, Norman R. (USAILS) (b) (6) ; Smith, Scott (USATNW (b) (6) ; Sneed, Robert (USASC) (b) (6) ; Speirs, Verne H. (USAALM (b) (6) Stoker, Randy (USAVAE) (b) (6) >; Storm, Arlen (USAWAW (b) (6) ; Stover, Andrew (USATXE) (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Swanson, Todd (USAGAM) (b) (6) Tenorio, Christopher (USACA (b) (6) >; Timmons, Ron (USAIAN) (b) (6) ; Tvedt, Dan (USAIAN (b) (6) >; Urgent, Allan (USANJ) (b) (6) ; Vidoni, Gabriel (USAN (b) (6) >; Volk, Rick (USAND) (b) (6) >; Wallace, Harry (USAFL (b) (6) ; Warner, Steve (USAWVN) (b) (6) >; Weber, Rebecca (USACO (b) (6) >; Whelan, Traci (USAID) (b) (6) ; Wong, Norman (USAEO (b) (6) Woolam, Callie (USATXN) (b) (6) >; Amundson, Corey (CRM (b) (6) ; Blumberg, Mark (CRT) (b) (6) Christian, Forrest (CR (b) (6) >; Clarke, Jennifer (CRM) (b) (6) (b)(3), (b)(6), (b)(7)(C) per USPIS Driscoll, Kevin (CRM) (b) (6) >; Fagan, Aurora (USAFL (b) (6) >; Gee, Todd (CRM) (b) (6) >; Ginsburg, Jessica A (CR (b) (6) >; Greenberg, Bonnie (USAEO (b) (6) >; Heberle, Robert (CRM (b) (6) >; Herren, Chris (CR (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Keller, John (CRM) (b) (6) (b)(6), (b)(7)(C) per FBI (TD) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI Mulryne, Sean (CRM) (b) (6) ; Pings, Anne (OL (b) (6) (b)(6), (b)(7)(C) per USPIS (b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: RE: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

Colleagues,

I appreciate being a part of this thoughtful discussion. I have several observations.

(b)(5) per EOUSA

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(b)(5) per EOUSA

(b)(5) per EOUSA
?

(b)(5) per EOUSA

(b)(5) per EOUSA

(b)(5) per EOUSA

Those are my thoughts. Is someone working on a draft letter?

Very respectfully,

Andrew J. Grogan
Assistant United States Attorney
Northern District of Florida
111 North Adams Street
4th Floor U.S. Courthouse
Tallahassee, FL 32301
(b) (6)

From: Kennedy, David (USANY (b) (6)
Sent: Tuesday, November 10, 2020 6:33 PM
To: Taylor, Ken (USAKY (b) (6) >
Cc: Wise, Leo (USAMD (b) (6) >; Pilger, Richard (CRM (b) (6) >; Aframe, Seth (USANH (b) (6) >; Aloi, Elizabeth (USADC (b) (6) >; Andrews, Alphonso (USAVI) (b) (6) ; Anis, Shamoor (USAD (b) (6) ; Barrett, Richard (USAPAE) (b) (6) ; Billingslea, Stephanie (USAALM (b) (6) >; Bounds, Ryan (USAOR) (b) (6) >; Brown, Charles (USAOKW) 2 (b) (6) >; Bruce, Gavin (USAOR) (b) (6) Bruner, Virginia (USAIAS (b) (6) ; Burris, Dean (USAOKE)

(b) (6) >; Carris, Eugenia (USAMA (b) (6) >; Cavanaugh, Kelly (USAAK)
(b) (6) >; Cheek, Jason (USAALN (b) (6) >; Clark, Aaron (USAUT)
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(b) (6) >; Day, Charlene (USAVAW) (b) (6) >; Devlin, Matt (USATXW)
(b) (6) v>; Diggs, Damien (USATXN (b) (6) Donnelly, Terrence (USARI)
(b) (6) >; Dotson, Lindsey (USACA (b) (6) >; Drescher, Michael (USAVT)
(b) (6) >; Duchemin, Meredith (USAWIW (b) (6) ; Dyke, Tom (USAKYW)
(b) (6) ; Edwards, Richard (USANCW (b) (6) ; Elliker, Kevin (USAVAE)
(b) (6) ; Englade, Michelle (USATXE (b) (6) >; Erbe, Seth A. (USAPR)
(b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C) per FBI (CID) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI; Francis, Jonathan (USAC (b) (6) >; Frausto, Joshua (USATXN)
(b) (6) ; Frey, Cynthia (USACAN (b) (6) >; Garriques, Ian (USAWAE)
(b) (6) ; Gerace, Dominick S. (USAOH (b) (6) >; Gesch, Heidi (USAVAE)
(b) (6) >; Gilmore, Greg (USAILC (b) (6) >; Gist, Timothy W. (USAWY)
(b) (6) >; Glatfelter, Emily (USAOH (b) (6) >; Glenn-Applegate, Peter (USAOHS)
(b) (6) >; Goes, Erik (USAWV (b) (6) >; Goldsmith, Hal (USAMOE)
(b) (6) >; Gonzalez, Irene (USALA (b) (6) ; Graber, Dan (USAWIW)
(b) (6) >; Gray, Brent (USAGAN) (b) (6) >; Grogan, Andrew (USAFLN)
(b) (6) ; Haycock, Jack (USAID (b) (6) >; Henwood, Timothy (USAPR)
(b) (6) ; Hoff, David (USAIL (b) (6) ; Horwitz, Kate (USAID)
(b) (6) >; Hu, Daniel (USATX (b) (6) >; Hurst, Allen (USATX (b) (6) ;
Ippolito, Russell (USANYW (b) (6) >; Ison, Dawn (USAMIE) (b) (6) ; Jacobs, Jacky
(USAINN (b) (6) ; Jennen, Aaron (USAARW (b) (6) ; Jernigan, Cytheria (USALAW)
(b) (6) >; Jones, Keith (USAALS) (b) (6) ; Jones, Patricia (USALAM) 1
(b) (6) ; Jordan, Steve (USATNM (b) (6) ; Kadon, Karl (USAOHS)
(b) (6) ; Karl, Lee (USAPA (b) (6) >; Kavanaugh, Christopher (USAVAW)
(b) (6) >; Kelly, Laurie (USAN (b) (6) Keyes, William R. (USAGAM)
(b) (6) ; Khandelwal, Sharad (USATX (b) (6) ; Khasigian, Kevin (USACAE)
(b) (6) >; King, Karen (USALA (b) (6) Kinney, Terry (USAILN)
(b) (6) >; Kirkland, Jennifer (USAGA (b) (6) >; Knauss, Darilynn (USAILC)
(b) (6) >; Knight, Jessica (USAOHS) (b) (6) >; Koliner, Kevin (USASD)
(b) (6) ; Kovoor, Philip (USAWIE) (b) (6) >; LaCour, Alice (USAALM)
(b) (6) >; Ladwig, Christopher (USAWI (b) (6) >; Levine, Robert (USATNM)
(b) (6) ; Lokey, Sean (USAA (b) (6) Maag, Jared (USAK (b) (6) ;
McCarren, Mark (USAN (b) (6) >; McCarthy, Brendan (USAM (b) (6) ;
McCormack, Andrew (USAM (b) (6) >; McFadden, JoAnna (USANCM)
(b) (6) >; McLoughlin, Charles (USAOKN (b) (6) >; Mehochko, John
(USAIL (b) (6) >; Mickelson, Jamie (USANV (b) (6) ; Miller, Megan R.
(USAOHN (b) (6) >; Mosakowski, Robert (USAFLM (b) (6) >; Munoz, Angela
(USAMN (b) (6) >; Myers, Sara E. (USATNM (b) (6) >; Nammar, Michael (USAHI)
(b) (6) Olshan, Eric (USAPAW (b) (6) >; O'Malley, Eric (USAGU)
(b) (6) ; Osborn, John (USAME) (b) (6) >; Patricco, Raymond (USAID)
(b) (6) >; Paulsen, Erik (USANY (b) (6) >; Pena, Jeremy (USANM) 2
(b) (6) >; Pendergraft, Robin (USANC (b) (6) >; Perry, Michael F. (USANYN)
(b) (6) Pfisterer, Eric (USAPAM (b) (6) >; Piper, Perry (USATNE)
(b) (6) ; Potterfield, John (USASC (b) (6) ; Preston, Tiffany (USAINS)
(b) (6) >; Rice-Stitt, Austin (USAOR (b) (6) ; Rocktashel, George J. (USAPAM)
(b) (6) >; Rosenthal, Joshua (USANYN (b) (6) >; RotellDustin, Ava (USAOHN)
(b) (6) Russ, John (CR (b) (6) >; Rybarczyk, Thomas (USACAC)
(b) (6) ; Savage, Mike (USANCW (b) (6) >; Scott, David J. (CID) (FBI)
(b)(7)(E) per FBI ; Sempa, Fran P. (USAPAM) (b) (6) >; Shipley, Joan (USAARE) 1
(b) (6) ; Simpson, Alan (USAMOW (b) (6) >; Smith, Norman R. (USAILS)

(b) (6); Smith, Scott (USATNW) (b) (6)>; Sneed, Robert (USASC)
(b) (6); Speirs, Verne H. (USAALM (b) (6)>; Stoker, Randy (USAVAE)
(b) (6)>; Storm, Arlen (USAWAW (b) (6); Stover, Andrew (USATXE)
(b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Swanson, Todd (USAGAM)
(b) (6)>; Tenorio, Christopher (USACA (b) (6) Timmons, Ron (USAIAN)
(b) (6)>; Tvedt, Dan (USAIA (b) (6) Urgent, Allan (USANJ)
(b) (6); Vidoni, Gabriel (USAN (b) (6); Volk, Rick (USAND)
(b) (6); Wallace, Harry (USAFL (b) (6) Warner, Steve (USAWVN)
(b) (6); Weber, Rebecca (USACO (b) (6)>; Whelan, Traci (USAID)
(b) (6) Wong, Norman (USAEO (b) (6)>; Woolam, Callie (USATXN)
(b) (6) Amundson, Corey (CRM (b) (6)>; Blumberg, Mark (CRT)
(b) (6)>; Christian, Forrest (CRT) (b) (6); Clarke, Jennifer (CRM)
(b) (6) (b)(3), (b)(6), (b)(7)(C) per USPIS>; Driscoll, Kevin (CRM)
(b) (6)>; Fagan, Aurora (USAFL (b) (6); Gee, Todd (CRM)
(b) (6); Ginsburg, Jessica A (CRT) (b) (6)>; Greenberg, Bonnie
(USAEO (b) (6)>; Heberle, Robert (CRM (b) (6)>; Herren, Chris
(CR (b) (6) (b)(6), (b)(7)(C) per FBI (CID) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Keller, John (CRM)
(b) (6) (b)(6), (b)(7)(C) per FBI (TD) (FB (b)(6), (b)(7)(C), (b)(7)(E) per FBI Mulryne, Sean (CRM)
(b) (6)>; Pings, Anne (OL (b) (6) (b)(6), (b)(7)(C) per USPIS
(b)(3), (b)(6), (b)(7)(C) per USPIS

Subject: Re: DEO Message from Richard C. Pilger (11/9/20): New Policy and Farewell

?Ken,

I fully agree with and appreciate your remarks, especially this point:

(b)(5) per EOUSA

I would support a letter along the lines Leo suggests.

David

Sent from my iPhone

On Nov 10, 2020, at 4:51 PM, Taylor, Ken (USAKY (b) (6)> wrote:

?
All: I am the DEO from the EDKY. (b)(5) per EOUSA

(b)(5) per EOUSA

(b)(5) per EOUSA

(b)(5) per EOUSA

From: Wise, Leo (USAMD) (b) (6)
Sent: Tuesday, November 10, 2020 4:10 PM

Duplicative Material

Cooney, Joseph (USADC)

From:	Cooney, Joseph (USADC)
Sent:	Thursday, November 12, 2020 5:48 PM
To:	Donoghue, Richard (ODAG)
Cc:	Gaston, Molly (USADC); Aloi, Elizabeth (USADC); Sherwin, Michael (USADC); Rabbitt, Brian (CRM); Driscoll, Kevin (CRM); Amundson, Corey (CRM); Heberle, Robert (CRM); Pilger, Richard (CRM)
Subject:	Letter to the Attorney General
Attachments:	Letter to Attorney General-Nov. 12 2020-Final Signed.pdf

Mr. Donoghue:

Please see the attached letter addressed to the Attorney General, which we send via your attention, copied only to the recipients on this email. The views expressed are strictly those of the signatories myself along with Molly Gaston and Liz Aloi of the U.S. Attorney's Office for the District of Columbia.

J.P. Cooney

J.P. Cooney
Chief
Public Corruption & Civil Rights Section
U.S. Attorney's Office for the District of Columbia
555 Fourth Street, NW (Fifth Floor)
Washington, D.C. 20001
Offic (b) (6)
Cel (b) (6)

U.S. Attorney's Office for the District of Columbia
Criminal Division
Public Corruption & Civil Rights Section

November 12, 2020

The Honorable William P. Barr
United States Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Mr. Attorney General:

We currently serve in the Public Corruption and Civil Rights Section (PCCR) in the United States Attorney's Office for the District of Columbia. We share responsibility for enforcing federal criminal election law in this jurisdiction and are alumni of the Justice Department's Criminal Division. The views expressed below are our own.

We write to voice our support for the nonpartisan career prosecutors in the Public Integrity Section (PIN), especially former Election Crimes Branch (ECB) Director Richard Pilger, whose faithful administration of the Department's longstanding policy of non-interference in elections has, for decades, protected the institution from the appearance of political partisanship and afforded field offices like ours the credibility necessary to enforce federal criminal election law. In particular, for nearly 30 years, Mr. Pilger has served the Department selflessly and honorably, exhibiting unimpeachable integrity and evenhandedness. We, along with scores of other career prosecutors fortunate enough to have worked with him, were demoralized by his need to resign as ECB Director a courageous act signaling that the Department has strayed from institutional norms ensuring independence from inappropriate political influence.

Specifically, we believe that your November 9, 2020, memorandum, "Post-Voting Election Irregularities Inquiries" (the Memorandum), in which you altered the Department's longstanding non-interference policy, eradicates the Department's guardrails against improper political influence. The process leading to the Memorandum which prompted Mr. Pilger's resignation along with its timing and the apparent elimination of the policy requiring United States Attorneys to consult PIN before initiating ballot fraud investigations, erode public confidence in the Department's independence and impartiality, and hinder our ability to protect the nation's electoral system from criminal interference.

First, the process by which you changed the non-interference policy diminishes the public's confidence in the Department's political neutrality with respect to federal criminal election law enforcement. We are informed that PIN, whose career prosecutors are charged with overseeing the Department's enforcement efforts, was not consulted on your post-election decision to change the policy nor consulted on the Memorandum itself. Such a process violates the norms respecting

deference to career officials in such a sensitive and highly scrutinized area of the law and deteriorates the credibility of any policy change.

Second, the timing of your decision to change the non-interference policy inappropriately injects the Department and its field offices into a political thicket. You issued the Memorandum within days of a polarizing election, during a time in which false allegations of widespread voter fraud are running rampant and risk undermining confidence in the election's outcome. Your abrupt decision to revise the 40-year-old non-interference policy lends the Department's imprimatur to conspiracy theories and counterfactual balloting fraud allegations that risk permanent damage to the integrity of the election process, and the timing gives the unseemly appearance that the Department's motives arise from political partisanship.

Finally, your Memorandum apparently eliminates the written policy requiring that United States Attorneys consult with career prosecutors in PIN prior to launching ballot fraud investigations during an election period, *see* Justice Manual, § 9-85.210, thus silencing PIN's expert and nonpartisan voice in any discussion of whether such an investigation is warranted. As your Memorandum points out, PIN often advises the field that whenever possible, overt investigation of ballot fraud allegations should be delayed until after an election is concluded, the results are certified, and recounts are exhausted. *See also* Federal Prosecution of Election Offenses (Dec. 2017, 8th Ed.) at 84-85. You raise the concern that "[s]uch a passive and delayed enforcement approach can result in situations in which election misconduct cannot realistically be rectified." While we are unaware of any such instance, the very purpose of the consultation requirement is that in such a case, a United States Attorney contemplating a ballot fraud investigation would discuss the unique facts and circumstances with nonpartisan career experts in PIN to determine whether immediate overt steps are necessary and appropriate. In so doing, the Department and United States Attorney involved would avoid the appearance of improperly launching political investigations aimed at affecting the outcome of an election, and bolster public confidence in the Department's integrity. Your apparent decision to eliminate the consultation requirement and leave such decisions in the hands of politically appointed United States Attorneys does the opposite.

The process by which you reached your decision to issue the Memorandum, coupled with its timing and the apparent elimination of the investigative consultation requirement with PIN, undermine the Department's commitment to non-interference in elections and constitute a grave threat to the Department's status as an independent and nonpartisan institution. The collateral damage it has already inflicted including the resignation of Mr. Pilger, turmoil within the ranks of career nonpartisan prosecutors, and the pall it risks casting over the integrity of the 2020 election will be felt by this Department beyond your tenure as Attorney General. But you have the opportunity to mend that damage: we urge you to rescind your November 9, 2020, Memorandum, affirm the requirement that United States Attorneys consult PIN before opening ballot fraud investigations, and restore the full scope of the Justice Department's longstanding non-interference policy.

Sincerely,

J.P. Cooney
Chief, PCCR
(Criminal Division/PIN, 2012-2018)

Liz Aloi
Assistant United States Attorney, PCCR
District Election Officer/Election Fraud Coordinator
(Criminal Division, 2012-2018)

Molly Gaston
Assistant United States Attorney, PCCR
Political Corruption Coordinator
(Criminal Division/PIN, 2016-2018)

Copies to:

Richard Donoghue
Principal Associate Deputy Attorney General

Michael R. Sherwin
Acting United States Attorney, District of Columbia

Brian C. Rabbit
Acting Assistant Attorney General, Criminal Division

Kevin Driscoll
Deputy Assistant Attorney General, Criminal Division

Corey R. Amundson
Chief, Public Integrity Section

Robert J. Heberle
Deputy Chief, Public Integrity Section; Acting Director, Election Crimes Branch

Richard C. Pilger
Trial Attorney, Public Integrity Section

Powell, SeLena Y (ODAG)

From:	Powell, SeLena Y (ODAG)
Sent:	Thursday, November 12, 2020 6:10 PM
To:	Atwell, Tonya (ODAG); Braverman, Adam L. (ODAG); Brinkley, Winnie (ODAG); Brown, Angela M. (ODAG); Canterbury, Kenneth (ODAG); Cardwell, Christine (ODAG); Creegan, Erin (ODAG); Donoghue, Richard (ODAG); Gamble, Nathaniel (ODAG); Goldsmith, Andrew (ODAG); Grieco, Christopher (ODAG); Harris, Stacie B. (ODAG); Higgins, John E. (ODAG); Hodes, Jarad (ODAG); Hovakimian, Patrick (ODAG); Hughes, William C. (ODAG); Hunt, Ted (ODAG); Keilty, Michael (ODAG); Lan, Iris (ODAG); Lee, Steffanie G. (ODAG); Liskamm, Amanda N. (ODAG); Lytle, Mark (ODAG); Mascott, Jenn (ODAG); Masling, Mark (ODAG); Moran, John (ODAG); Perkins, Paul (ODAG); Plack, Laura (ODAG); Powell, SeLena Y (ODAG); Shores, Ryan (ODAG); Simms, Donna Y. (ODAG); Suero, Maya A. (ODAG); Weinsheimer, Bradley (ODAG)
Subject:	FW: Planned Weekend Protests
Importance:	High

FYSA

From: Dunlap, James L (JMD (b)(6), (b)(7)(C) per JMD
Sent: Thursday, November 12, 2020 6:04 PM
To: Exec/Admin Officers OBDs <Exec_AdminOfficersOBDs@jmd.usdoj.gov>; COOP POCs <COOPPOCs@jmd.usdoj.gov>; SPM (JMD) <spm@jmd.usdoj.gov>; SEPS Plus Contractors (JMD) <sepspluscontractors@jmd.usdoj.gov>; JMD Senior Staff (JMD) <JMDSeniorStaff@jmd.usdoj.gov>
Subject: Planned Weekend Protests
Importance: High

All:

On November 14, 2020, there will be several First Amendment protected activities throughout the National Capital Region as a result of the outcome of the 2020 Presidential Election. As of November 12, 2020, the FBI and DHS partners have not identified any active or credible threats by Domestic Violent Extremists (DVEs) in the National Capital Region (NCR) during the First Amendment protected activities.

Projected locations for First Amendment Activities:

- ✓ Supreme Court of the United States - 1 First St. NE, Washington, DC 20543
- ✓ Freedom Plaza - 1301 Pennsylvania Ave. NW, Washington, DC 20004
- ✓ Lafayette Square - Pennsylvania Ave. NW and 16th Street NW, Washington, DC 20001
- ✓ The potential for a higher rate of vehicular and pedestrian traffic, road and street closures are likely to occur throughout NCR.

Projected road closures:

From Thursday, November 12, 2020 beginning at 6:00 p.m. to Sunday, 11:59 p.m., signage will as "Emergency No Parking" on the following streets:

- ✓ H Street from 15th Street to 17th Street
- ✓ I Street from 15th Street to 17th Street

- ✓ Connecticut Avenue from H Street NW to L Street, NW
- ✓ Vermont Avenue from H Street NW to L Street NW
- ✓ 15th Street from I Street to K Street, NW (west side of McPherson Square)
- ✓ 17th Street from I Street to K Street NW (east side of Franklin Square)

The following streets will be posted as "Emergency No Parking" on Friday, November 13, 2020 at 2:00 p.m. to Sunday, 11:59 p.m.:

- ✓ Constitution Avenue from Pennsylvania Avenue NW to 18th Street NW
- ✓ Pennsylvania Avenue from 3rd Street, NW to 18th Street NW
- ✓ I Street from 9th Street NW to 15th Street NW
- ✓ I Street from 17th Street, NW to 18th Street NW
- ✓ H Street from 9th Street NW to 15th Street NW
- ✓ H Street from 17th Street, NW to 18th Street NW
- ✓ K Street from 9th Street NW to 18th Street NW
- ✓ New York Avenue from 9th Street NW to 15th Street NW

15th Street from Constitution Avenue NW to L Street NW (east side of McPherson Square)

- ✓ 16th Street from K Street to O Street
- ✓ 17th Street from Constitution Avenue NW to L Street NW (west side of Farragut Square)
- ✓ 14th Street from Independence Avenue SW to K Street NW
- ✓ 13th Street from Pennsylvania Avenue NW to E Street NW
- ✓ 12th Street from Constitution Avenue NW to E Street NW
- ✓ 11th Street from Constitution Avenue NW to E Street NW
- ✓ 10th Street from Constitution Avenue NW to E Street NW
- ✓ 9th Street from Constitution Avenue NW to E Street NW
- ✓ 7th Street from Independence Avenue SW to E Street NW
- ✓ 6th Street from Constitution Avenue NW to E Street NW
- ✓ 4th Street from Independence Avenue SW to Pennsylvania Avenue NW
- ✓ 3rd Street from Independence Avenue SW to D Street NW
- ✓ New York Avenue from 18th Street NW to 17th Street NW
- ✓ C Street from 18th Street NW to 17th Street NW
- ✓ D Street from 18th Street NW to 17th Street NW
- ✓ Madison Street from 3rd Street NW to 15th Street NW
- ✓ Jefferson Street from 3rd Street NW to 15th Street NW

On Saturday, November 14, 2020 the following streets will be closed to vehicular traffic from approximately 6:00 a.m. to 11:59 p.m. D.C. police stated that if it is deemed to be safe, vehicles will be allowed to enter the area for essential business or traveling to and from their residences.

- ✓ Constitution Avenue from Pennsylvania Avenue to 18th Street NW
- ✓ Independence Avenue SW from 14th Street to Ohio Drive SW
- ✓ K Street from 9th Street NW to 18th Street NW
- ✓ I Street from 9th Street NW to 18th Street NW
- ✓ H Street from 9th Street NW to 18th Street NW
- ✓ New York Avenue from 9th Street NW to 15th Street NW
- ✓ New York Avenue from 17th Street NW to 18th Street NW
- ✓ G Street from 9th Street NW to 15th Street NW
- ✓ G Street from 17th Street NW to 18th Street, NW
- ✓ F Street from 9th Street NW to 15th Street NW

F Street from 17th Street NW to 18th Street NW

- ✓ E Street from 9th Street NW to 15th Street, NW
- ✓ E Street from 17th Street NW to 18th Street NW
- ✓ D Street from 5th Street NW to 9th Street NW
- ✓ D Street from 17th Street NW to 18th Street NW
- ✓ C Street from 3rd Street NW to 6th Street NW
- ✓ C Street from 17th Street NW to 18th Street NW
- ✓ Pennsylvania Avenue NW from 3rd Street, NW to 15th Street NW
- ✓ Pennsylvania Avenue NW from 17th Street, NW to 18th Street NW
- ✓ Indiana Avenue from 3rd Street to 5th Street NW
- ✓ 3rd Street from Independence Avenue SW to D Street NW
- ✓ 4th Street from Independence Avenue SW to Pennsylvania Avenue NW
- ✓ 4th Street from Indiana Avenue NW to E Street NW
- ✓ 5th Street from Indiana Avenue NW to E Street NW
- ✓ 6th Street from Constitution Avenue NW to E Street NW
- ✓ 7th Street from Independence Avenue SW to E Street NW
- ✓ 9th Street from Constitution Avenue NW to E Street NW
- ✓ 10th Street from Constitution Avenue NW to L Street NW
- ✓ 11th Street from Pennsylvania Avenue NW to L Street NW
- ✓ 12th Street from Constitution Avenue NW to L Street NW
- ✓ 13th Street from Pennsylvania Avenue NW to L Street NW
- ✓ 14th Street from Independence Avenue SW to L Street NW
- ✓ 15th Street from Independence Avenue SW to L Street NW
- ✓ 16th Street from H Street NW to L Street NW
- ✓ Vermont Avenue from H Street NW to L Street NW
- ✓ Connecticut Avenue from H Street NW to L Street NW
- ✓ 17th Street from Independence Avenue SW to L Street NW
- ✓ Madison Street from 3rd Street NW to 15th Street NW
- ✓ Jefferson Street from 3rd Street SW to 15th Street SW
- ✓ 12th Street Tunnel
- ✓ 9th Street Tunnel

James L. Dunlap
Department Security Officer
Director - Security & Emergency Planning Staff
Desk (b)(6), (b)(7)(C) per JMD
Cell (b)(6), (b)(7)(C) per JMD

"When the time to perform has arrived, the time to prepare has passed"

Herdman, Justin E. (USAOHN)

From:	Herdman, Justin E. (USAOHN)
Sent:	Thursday, November 12, 2020 6:55 PM
To:	Donoghue, Richard (ODAG)
Subject:	Fwd: 20201112_Comment Letter.docx
Attachments:	20201112_Comment Letter.docx

Sent from my iPhone

Begin forwarded message:

From: "Trutanich, Nicholas (USANV) (b) (6)
Date: November 12, 2020 at 6:37:52 PM EST
To: "Herdman, Justin E. (USAOHN) (b) (6), "NealyCox, Erin (USATXN)" (b) (6)
Subject: 20201112_Comment Letter.docx

?

Nicholas A. Trutanich
U.S. Attorney for the District of Nevada

Sent from my iPhone

Hankey, Mary Blanche (OLA)

From:	Hankey, Mary Blanche (OLA)
Sent:	Thursday, November 12, 2020 9:39 PM
To:	DOJ Correspondence (SMO)
Cc:	Antell, Kira M. (OLA)
Subject:	FW: Rep. Wittman LTR to AJ BARR
Attachments:	Wittman 11 2020 Barr Election (2).pdf
Importance:	High

Thanks. Please log and close as no response needed.

Adding Kira FYSA

From: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Sent: Thursday, November 12, 2020 9:39 AM
To: Hankey, Mary Blanche (OLA [redacted] (b) (6)
Subject: FW: Rep. Wittman LTR to AJ BARR
Importance: High

GM Mary Blanche

Pls provide assignment guidance. Thanks.

From: Robinson, Bren [redacted] (b) (6)
Sent: Wednesday, November 11, 2020 11:38 AM
To: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Subject: Rep. Wittman LTR to AJ BARR

DOJ OLA- please see the attached correspondence from Rep. Wittman.

Thank you.

Brent

Brent W. Robinson
Deputy Chief of Staff
Office of Representative Robert J. Wittman (VA-1)
2055 Rayburn House Office Building
202-22 (b) (6)

ROBERT J. WITTMAN
1st District, Virginia

HOUSE ARMED SERVICES COMMITTEE
Ranking Member, Seapower and Projection Forces
Tactical Air and Land Forces

NATURAL RESOURCES COMMITTEE
Water, Oceans, and Wildlife

CO-CHAIR, CONGRESSIONAL
SHIPBUILDING CAUCUS

CO-CHAIR, CONGRESSIONAL
CHESAPEAKE BAY WATERSHED TASK FORCE

CO-CHAIR, CONGRESSIONAL
PUBLIC HEALTH CAUCUS

CO-CHAIR, CONGRESSIONAL
RURAL BROADBAND CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515

November 11, 2020

WASHINGTON OFFICE:
2055 Rayburn House Office Building
Washington, DC 20515
(202) 225-4261

DISTRICT OFFICES:

Stafford Office
95 Dunn Drive Suite 201
Stafford, VA 22556
(540) 659-2734

Mechanicsville Office
6501 Mechanicsville Turnpike Suite 102
Mechanicsville, VA 23111
(804) 730-6595

Middle Peninsula Office
508 Church Lane
P.O. Box 3106
Tappahannock, VA 22560
(804) 443-0668

WWW.WITTMAN.HOUSE.GOV

The Honorable William Barr
Attorney General U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Barr,

Thank you for your recent decision to authorize the Department of Justice to pursue allegations of voting irregularities in the 2020 Presidential election. I appreciate and support your decision to uphold the integrity of our electoral system and to make sure that elections and vote counts are secure, fair, and transparent.

Like you, I believe we must ensure the integrity of our elections and we must follow the laws on the books. Every legally cast vote should be counted, and every ineligible vote should not, in accordance to each state's laws. We must demand the utmost accountability from our State Boards of Elections and our Republic.

Our foundational principles, Constitution and dedication to the rule of law are what makes our Nation great. I continue to have faith in our Constitution, in our Electoral College, and in our fellow Americans. Again, I applaud your commitment to ensuring a fair and free election.

Sincerely,

Robert J. Wittman

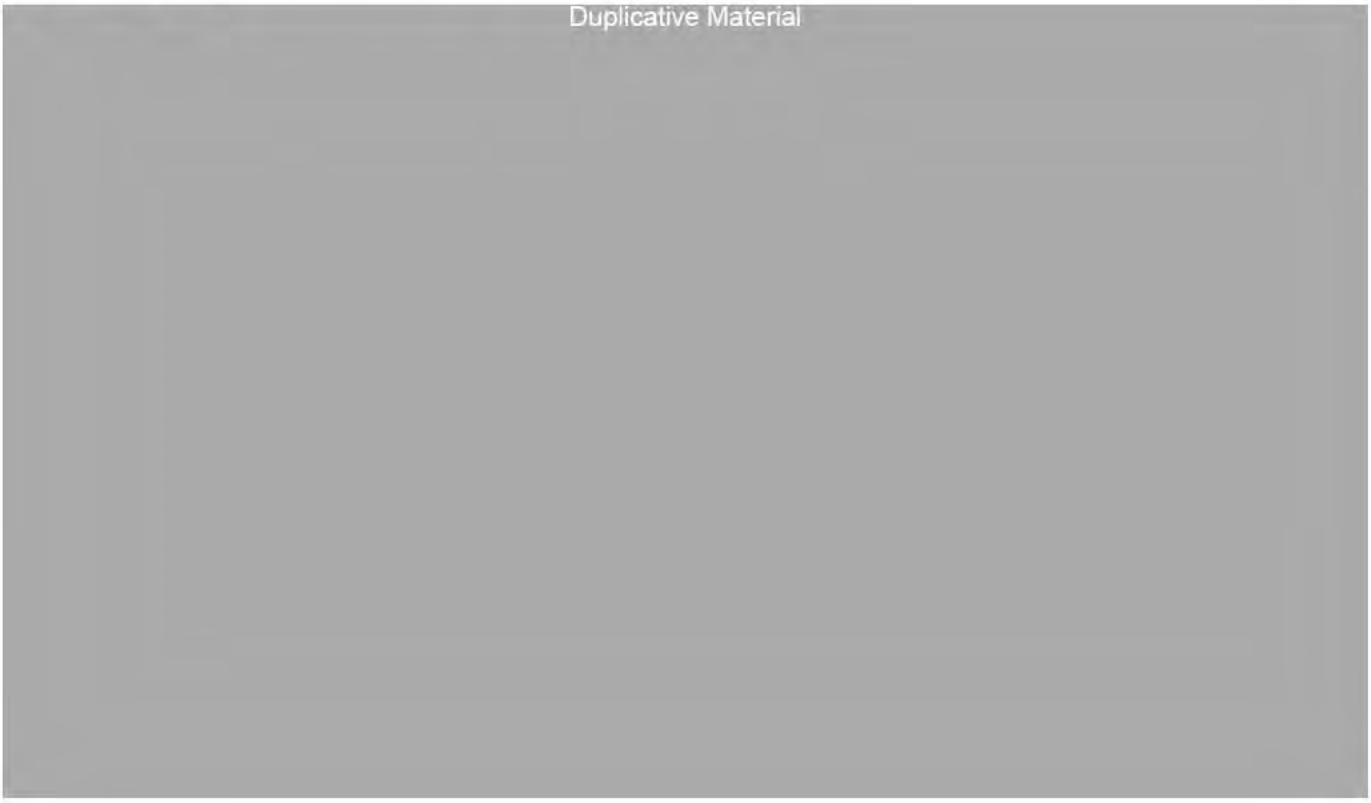
Robert J. Wittman

Hankey, Mary Blanche (OLA)

From:	Hankey, Mary Blanche (OLA)
Sent:	Thursday, November 12, 2020 9:40 PM
To:	Boyd, Stephen E. (OLA)
Subject:	FW: Rep. Wittman LTR to AJ BARR
Attachments:	Wittman 11 2020 Barr Election (2).pdf
Importance:	High

FYSA SB. I recommended we log and close as no response is needed, but please let me know if you disagree.

From: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Sent: Thursday, November 12, 2020 9:39 AM
To: Hankey, Mary Blanche (OLA [redacted] (b) (6)
Subject: FW: Rep. Wittman LTR to AJ BARR
Importance: High



Stephens, Taylor (OLA)

From:	Stephens, Taylor (OLA)
Sent:	Friday, November 13, 2020 11:45 AM
To:	Boyd, Stephen E. (OLA)
Subject:	FW: Congressional Letter on Election Fraud
Attachments:	Barr_Election_Fraud_Software_11132020.pdf

FYSA

From: Podliska, Ric [redacted (b) (6)]
Sent: Friday, November 13, 2020 10:47 AM
To: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Subject: Congressional Letter on Election Fraud

Hello,

Please find attached a Congressional letter, led by Rep. Bill Posey (FL-08), to Attorney General Barr requesting a review of concerning reports involving election software and hardware used by states and counties during the 2020 general election.

Thanks,

Rick Podliska
Senior Policy Advisor
Congressman Bill Posey (FL-08)
2150 Rayburn House Office Building
Tel. 202-22 (b) (6)

Congress of the United States
Washington, DC 20515

November 13, 2020

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Mr. Attorney General:

We urge you to review concerning reports involving election software and hardware used by states and counties during the 2020 general election. Many of our nation's leading experts in mathematics, computer science and statistics are already finding anomalies when analyzing the data from vote counts across the United States. These anomalies coincide with reports of votes being switched or deleted entirely. Some officials are quick to describe these events as software "glitches" or clerical errors. This may be the case but reports with remarkable elucidation are suggesting otherwise.

For example, a clerk in Antrim County, Michigan, initially reported the Democratic Presidential nominee beating President Trump by approximately 3,000 votes. However, after manually entering the results from printed tabulated tapes, the results flipped and had President Trump ahead by about 2,500. The county uses Dominion Voting Systems equipment. This same equipment is used by most of the other Michigan counties, including Wayne County. It is also used by many counties located in 28 states, including the battleground states of Arizona, Georgia, Michigan, Nevada, Pennsylvania and Wisconsin.

Another software program used for reporting election results is Scytl's Clarity Elections' Election Night Reporting system. Clarity is used by the news media for vote counting and reporting results. According to Scytl's website, the Clarity service is provided for 28 states. In 2019 there were reports of alleged anomalies of Clarity's reporting during the gubernatorial race in Kentucky. During a CNN broadcast of the race, there appeared to be a decrease of 560 votes for the Republican candidate and an increase of 560 votes in favor of the Democratic candidate. It's just one example identified of votes decreasing for the Republican candidate using that system.

It is also worth noting that the corporate headquarters for both companies are located outside the United States – Dominion Voting Systems is located in Toronto, Canada, and Scytl's headquarters is located in Barcelona, Spain. Our nation's elections system should not be dependent on software and voting machines supplied from foreign companies. This arrangement does little to reassure the American people about foreign interference in our elections, and we should make it a priority to demand that American votes be counted using equipment made by American companies.

These issues raise the need for a full and complete hand recount of ballots in counties that use this equipment to determine how widespread the assigning of votes from one candidate to another is. Incorrectly assigning votes from one candidate to another by these automated machines amounts to disenfranchising the votes of thousands or perhaps tens of thousands of Americans. And, if proven to be intentional this amounts to vote tampering and fraud. I would urge the Department of Justice to fully investigate these matters with expediency as the integrity of the vote is the foundation upon which our Democrat Republic is built. If our electoral process is corrupted, then everything is at risk.

The best way to ensure confidence in our elections is through greater transparency. To provide no doubt in the integrity of our nation's election process, we urge the Department of Justice to investigate these allegations of widespread systemic election fraud involving the use of questionable foreign software and hardware. With such a closely divided nation, Americans need to be assured that their government is listening to their concerns and places a high priority on ensuring transparent and fair elections.

Thank you for your attention to our request. We look forward to your response.

Sincerely,

Bill Posey
Member of Congress

Matt Gaetz
Member of Congress

Jody B. Hice
Member of Congress

Jeff Duncan
Member of Congress

Michael Cloud
Member of Congress

Ted Budd
Member of Congress

John Rose
Member of Congress

Rick W. Allen
Member of Congress

Louie Gohmert
Member of Congress

CC: John Ratcliffe, Director of National Intelligence

Bissex, Rachel (OAG)

From:	Bissex, Rachel (OAG)
Sent:	Friday, November 13, 2020 12:54 PM
To:	Kerri Kupec (OPA (b) (6)
Cc:	William Levi (OAG (b) (6)
Subject:	FW: Letter to the Attorney General
Attachments:	20201113_Letter.pdf

FYI.

From: Wise, Leo (USAM (b) (6)
Sent: Friday, November 13, 2020 12:52 PM
To: Levi, William (OAG (b) (6) >; Bissex, Rachel (OAG (b) (6) >
Subject: Letter to the Attorney General

Dear Mr. Levi and Ms. Bissex,

Attached is a letter addressed to the Attorney General from sixteen District Election Officers. Kevin Driscoll suggested I submit it directly to you.

Thank you,

Leo J. Wise
Assistant United States Attorney
Chief, Fraud and Public Corruption Section
United States Attorney's Office for the District of Maryland
36 South Charles Street
Baltimore, MD 21201
(b) (6) (desk)
(b) (6) (cell)

U.S. Department of Justice

November 13, 2020

The Honorable William P. Barr
The Attorney General
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Dear Mr. Attorney General:

We are District Election Officers (DEOs) from fifteen United States Attorney's Offices and career professionals charged with investigating and prosecuting election crimes. We have served under Attorneys General from both political parties and have decades of collective experience in the neutral, non-partisan application of federal criminal law to the electoral process. The views expressed herein are solely our own and are offered in our roles as DEOs and career professionals with expertise in election crimes.

We write in response to your November 9, 2020, memorandum titled "Post-Voting Election Irregularities Inquiries" (the "Memorandum").

We urge you to rescind it.

The Memorandum's abrogation of the Department's Election Non-Interference Policy is not based in fact. It was developed and announced without consulting non-partisan career professionals in the field and at the Department. Finally, the timing of the Memorandum's release thrusts career prosecutors into partisan politics.

The policy change was not based in fact. In the jurisdictions where we serve as DEOs, in the 2020 election cycle, there is no evidence of "substantial allegations of voting and vote tabulation irregularities" that "could potentially impact the outcome of a federal election," to use the language from the Memorandum. *See* Memorandum at page 1-2. Further, it is our understanding that the Public Integrity Section, which has nationwide oversight of election fraud matters, has not seen evidence of "substantial allegations of voting and vote tabulation irregularities" that "could potentially impact the outcome of a federal election," in other jurisdictions. Therefore, as a factual matter, we do not believe justification exists for abrogating the Department's 40 year-old Election Non-Interference Policy in all jurisdictions, including our own. Without a basis in fact, the policy change announced in the Memorandum has and will engender speculation that it was motivated by partisan political concerns, rather than the neutral, non-partisan application of federal criminal law.

The policy change was not a product of consultation with career professionals. The Memorandum was drafted without consulting a single District Election Officer and without

consulting the career professionals and subject matter experts within the Criminal Division's Public Integrity Section.

If we had been consulted, this is the advice we would have given.

The Election Non-Interference Policy has served the Department well over the decades that we, as professionals, have operated under it. It is the cornerstone of the legal and practical framework that maintains the Department's neutrality during election cycles. The Policy has always allowed for exceptions to the presumption that overt ballot fraud investigations should be deferred until after election results are certified based on the facts and circumstances of individual investigations. The Memorandum states you have already made such determinations in an unspecified number of cases prior to the policy change. That fact proves the point.

A further reason for non-interference is the fact that, as you well know, elections are conducted by the States, not the federal government. Absent some extraordinary reason, respect for the principles of federalism demands that the States be given an opportunity to complete their elections through certification absent interference or disruption by the federal government. Federal non-interference does not mean that voter fraud is not being investigated. Rather it is referred to and handled by state and local law enforcement.

Finally, the Memorandum is, by its plain text, at odds with both the Election Non-Interference Policy and portions of the "Election Year Sensitivities" memorandum you disseminated on May 15, 2020. As a result, career prosecutors now face competing and contradictory guidance at a moment when clarity and consistency are particularly important. This tension may be seized on by the defense bar who will argue we are violating our own policies. More fundamentally, defendants will be able to argue that they were singled out precisely because their case could affect the outcome of a given election and not because of the underlying merits of their case.

The timing of the announcement inserts all of us into a partisan political debate. The Memorandum was issued less than one week after the election. We have all experienced the phenomenon of candidates and their lawyers trying to weaponize investigations and even the specter of investigations for political advantage. The timing of this Memorandum affords them that opportunity.

As career professionals we must strictly maintain our neutrality during the campaign, when the public is voting and in the period when voting ends and until the election is certified. We do that so the public has confidence both in the electoral process and in the criminal justice system. We disagree with the Memorandum's argument that the impact of taking overt investigative and prosecutorial actions on the outcome of an election is "greatly minimized" after voting ends but before certification occurs. Important concerns that animate our restraint during the campaign and when voting is underway are also present in the period after voting ends leading up to certification.

For these reasons we ask that you reconsider your decision to abandon the Election Non-Interference Policy and rescind the Memorandum of November 9, 2020.

Very truly yours,

Leo J. Wise Assistant United States Attorney Chief, Fraud and Public Corruption Section DEO for the District of Maryland	David J. Kennedy Assistant United States Attorney DEO for the Southern District of New York
Emily N. Glatfelter Assistant United States Attorney DEO for the Southern District of Ohio - Cincinnati	Ken Taylor Assistant United States Attorney DEO for the Eastern District of Kentucky
Alphonso Andrews Assistant United States Attorney DEO, Virgin Islands	Aaron Jennen Assistant US Attorney DEO for the Western District of Arkansas
Virginia M. Bruner Assistant United States Attorney DEO for the Southern District of Iowa	Michael E. Savage Assistant U.S. Attorney DEO for the Western District of North Carolina
Eric S. O'Malley Assistant United States Attorney DEO for the Northern Mariana Islands	Jeremy Peña Assistant United States Attorney DEO for the District of New Mexico
Austin J. Rice-Stitt Assistant United States Attorney (Civil) DEO for the District of Oregon	Gavin W. Bruce Assistant United States Attorney DEO for the District of Oregon
Erik Paulsen Assistant United States Attorney DEO for the Eastern District of New York	Jared S. Maag Assistant United States Attorney DEO for the District of Kansas
Eric G. Olshan Assistant United States Attorney DEO for the Western District of Pennsylvania	Cynthia Frey Assistant United States Attorney DEO for the Northern District of California

Boyd, Stephen E. (OLA)

From:	Boyd, Stephen E. (OLA)
Sent:	Friday, November 13, 2020 1:03 PM
To:	Levi, William (OAG); Kerri Kupec (OP (b) (6)
Subject:	FW: Letter to US Attorney General Barr
Attachments:	AG_sign_on_ltr_11_13_2020.pdf

Not surprised if this hits the press.

SB
AAG/OLA
(b) (6)

From: Laura Capuana (b) (6)
Sent: Friday, November 13, 2020 1:00 PM
To: The Attorney General <Ex_AttorneyGeneral@jmd.usdoj.gov>; Boyd, Stephen E. (OLA (b) (6)
Subject: Letter to US Attorney General Barr

Please see attached.
Thank you,

Laura Capuana
Administrative Assistant to Chief of Staff Donna Cassutt
OFFICE OF THE MINNESOTA ATTORNEY GENERAL KEITH ELLISON
75 Rev Dr. Martin Luther King Jr. Blvd. | Suite 102 | St. Paul, MN 55155-1609
☎ (651) 757-1329 Office | (b) (6) Cell (b) (6)

The Office of
Minnesota Attorney General Keith Ellison
helping people afford their lives and live with dignity and respect · www.ag.state.mn.us

November 13, 2020

Via E-mail and U.S. Mail

The Honorable William Barr
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001
attorney.general@usdoj.gov
(b) (6)

Dear Attorney General Barr:

The 2020 election is over, and the people of the United States have decisively chosen a new President. It is in this context that we express our deep concerns about your November 9 memorandum entitled "Post-Voting Election Irregularity Inquiry."

As the chief legal and law enforcement officers of our respective states, we recognize and appreciate the U.S. Department of Justice's (DOJ) important role in some instances in prosecuting criminal election fraud. Yet we are alarmed by your reversal of long-standing DOJ policy that has served to facilitate that function without allowing it to interfere with election results or create the appearance of political involvement in elections. Your directive to U.S. Attorneys this week threatens to upset that critical balance, with potentially corrosive effects on the electoral processes at the heart of our democracy.

State and local officials conduct our elections. Enforcement of the election laws falls primarily to the states and their subdivisions. If there has been fraud in the electoral process, the perpetrators should be brought to justice. We are committed to helping to do so. But, so far, no plausible allegations of widespread misconduct have arisen that would either impact the outcome in any state or warrant a change in DOJ policy.

For 40 years, the Department of Justice has followed a policy that recognizes the states' principal responsibility for overseeing the election process. It has taken care to avoid affecting the outcome of elections or even the perception of political intrusion in the electoral process. This policy has directed that DOJ's investigations must minimize "the likelihood that the investigation itself may become a factor in the election. The mere fact that a criminal investigation is being conducted may impact upon the adjudication of election litigation and contests in state courts."[1]

We write, therefore, to express our strong objection to your directive that U.S. Attorneys may now pursue allegations of voter fraud without adhering to these long-established and important

[1] *See*, Department of Justice, Public Integrity Section's Federal Prosecution of Election Offenses, 8th ed., December 2017, at 8.

guardrails. This reversal of departmental policy will erode the public's confidence in the election. While we are confident any such investigations will not succeed in overturning the election's outcome, we believe that using the Department of Justice to stoke these efforts will come at the terrible cost of undermining trust in the democratic institutions on which this country depends.

The people of the United States have spoken. The U.S. Department of Justice should not interfere with their choice, nor should it undermine confidence in the electoral process. We ask that you respect the will of the people and reverse your decision promptly.

Respectfully,

Keith Ellison
Minnesota Attorney General

Brian Frosh
Maryland Attorney General

Xavier Becerra
California Attorney General

Phil Weiser
Colorado Attorney General

William Tong
Connecticut Attorney General

Kathleen Jennings
Delaware Attorney General

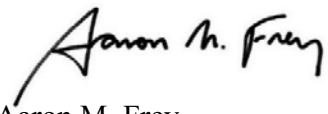
Karl A. Racine
District of Columbia Attorney General

Clare E. Connors
Hawaii Attorney General

Kwame Raoul
Illinois Attorney General

Tom Miller
Iowa Attorney General

The Honorable William Barr
November 13, 2020



Aaron M. Frey
Maine Attorney General

Maura Healey
Massachusetts Attorney General

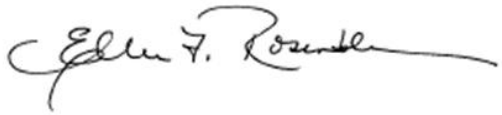
Dana Nessel
Michigan Attorney General

Aaron D. Ford
Nevada Attorney General

Gurbir S. Grewal
New Jersey Attorney General

Hector Balderas
New Mexico Attorney General

Letitia James
New York Attorney General

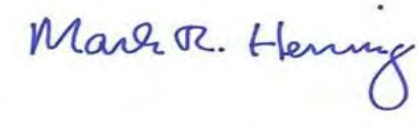


Ellen F. Rosenblum
Oregon Attorney General

Peter F. Neronha
Rhode Island Attorney General

T.J. Donovan
Vermont Attorney General

The Honorable William Barr
November 13, 2020



Mark R. Herring
Virginia Attorney General

Bob Ferguson
Washington State Attorney General

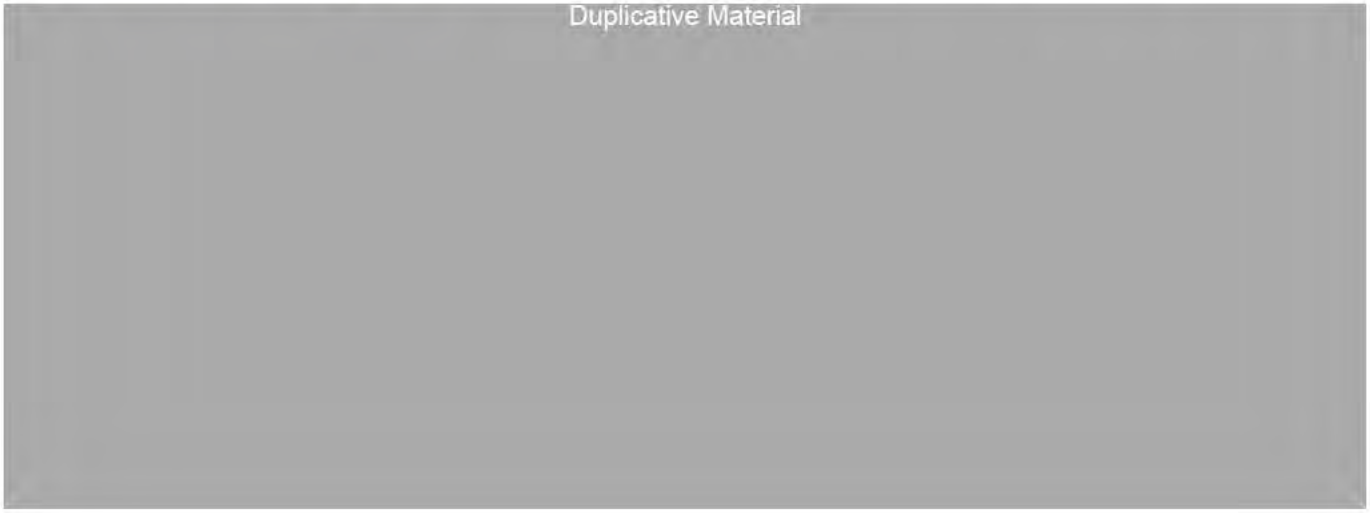
Joshua L. Kaul
Wisconsin Attorney General

Boyd, Stephen E. (OLA)

From:	Boyd, Stephen E. (OLA)
Sent:	Friday, November 13, 2020 1:03 PM
To:	Hankey, Mary B. (OLA (b) (6); Antell, Kira M. (OLA); Greer, Megan L. (OLA)
Cc:	DOJ Correspondence (SMO)
Subject:	FW: Letter to US Attorney General Barr
Attachments:	AG_sign_on_ltr_11_13_2020.pdf

SB
AAG/OLA
(b) (6)

From: Laura Capuan (b) (6)
Sent: Friday, November 13, 2020 1:00 PM
To: The Attorney General <Ex_AttorneyGeneral@jmd.usdoj.gov>; Boyd, Stephen E. (OLA (b) (6)
Subject: Letter to US Attorney General Barr



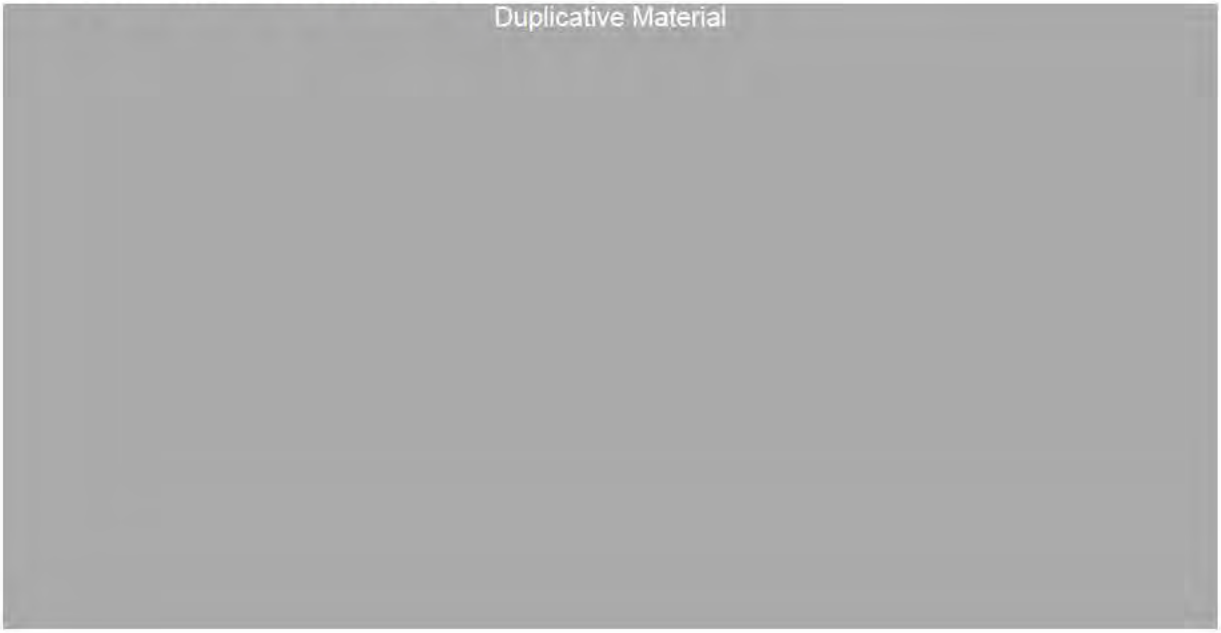
Levi, William (OAG)

From:	Levi, William (OAG)
Sent:	Friday, November 13, 2020 1:07 PM
To:	Donoghue, Richard (ODAG)
Subject:	Fwd: Letter to the Attorney General
Attachments:	20201113_Letter.pdf

Will you handle the same way you handled the other letter?

Begin forwarded message:

From: "Wise, Leo (USAM) (b) (6)
Date: November 13, 2020 at 12:52:17 PM EST
To: "Levi, William (OAG) (b) (6), "Bissex, Rachel (OAG)"
(b) (6)
Subject: Letter to the Attorney General



Ellis, Corey (USAEO)

From:	Ellis, Corey (USAEO)
Sent:	Friday, November 13, 2020 2:16 PM
To:	Donoghue, Richard (ODAG); Moran, John (OAG)
Subject:	Fwd: Savage letter
Attachments:	Letter.pdf; ATT00001.htm

Corey F. Ellis
(b) (6)

Begin forwarded message:

From: "Stetzer, William (USANCW) (b) (6)
Date: November 13, 2020 at 1:39:56 PM EST
To: "Ellis, Corey (USAEO) (b) (6)
Subject: Savage letter

?

Bill Stetzer | First Assistant United States Attorney
United States Attorney's Office for the Western District of North Carolina
227 West Trade Street (Carillon Building) | Suite 1650 | Charlotte, NC 28202
T (b) (6) (b) (6)

Fragoso, Michael (Judiciary-Rep)

From:	Fragoso, Michael (Judiciary-Rep)
Sent:	Friday, November 13, 2020 3:05 PM
To:	Fragoso, Michael (Judiciary-Rep)
Subject:	Judiciary Committee Update 11/9-11/13
Attachments:	SJC Status Update 11-13-20.pdf; Johnson Memo.pdf; Beaton Memo.pdf; Crouse Memo.pdf; Mizelle Memo.pdf; McNeel Memo.pdf; Vaden Memo.pdf

Hello everyone,

As we count all the legal votes and wait for States to certify the election results, the Judiciary Committee is keeping at it, trying its best to run through the tape at the end of this Congress.

1. Chairman Graham noticed the twenty-seventh nominations hearing for this Congress to take place on Wednesday, November 18, 2020. We will announce the witnesses early next week. Assuming we all hit our marks, the nominees should hit the Floor before Christmas.

2. Ranking Member Feinstein has objected to hour holding a "lame duck" hearing on the theory that "the Biden-Harris Administration" should fill any remaining vacancies. She claims that since 1984 the Committee has only twice held lame-duck nominations hearings: once in 2004 and once in 2012. The leftist Alliance for Justice makes a similar point in a letter: "In fact, since the 1984 presidential election over the last nine presidential elections Alliance for Justice is not aware of any court of appeals judge who has been confirmed after Election Day."

   What's interesting is that both Sen. Feinstein and AFJ start their historical survey at 1984 and not, say, 1980. There's a reason for that. In 1980 President Carter nominated **Stephen Breyer** to the First Circuit after Carter lost his reelection. Breyer's then-boss, Chairman Ted Kennedy, guided him to confirmation within a month even though he had just lost his gavel when the Republicans netted 12 Senate seats just days before. I don't think Breyer even had a hearing. In other words, Democrats were happy to put one of their leading partisan lights on the court of appeals after suffering a generational defeat at the polls.

   This full look at the historical record shows that what matters as with filling election-year Supreme Court vacancies **is control of the Senate**. In 2012 there was unified Democrat control and lame-duck activity. In 2004 there was unified Republican control and lame-duck activity. In 1996 there was a Republican Senate that *did not* move President Clinton's nominees in the lame duck. In 1992 one can assume the same held for then-Chairman Biden and President Bush's nominees. Therefore, regardless of the outcome of the election, **it is normal practice for the Committee to process nominations until the end of an election year if there is unified government**. Chairman Graham intends to continue this practice.

3. The Senate this week confirmed two more judicial nominees: Judge **James Knepp** for the Northern District of Ohio (Toledo) and **Aileen Mercedes Cannon** for the Southern District of Florida (Ft. Pierce). Cannon is President Trump's third Hispanic pick for the Southern District of Florida, furthering his commitment to support *la buena vida* and *la economía* for the people of South Florida.

4. Leader McConnell filed cloture yesterday on six more judicial nominees: **Kristi Johnson** for the Southern District of Mississippi, **Ben Beaton** for the Western District of Kentucky, **Toby Crouse** for the District of Kansas, **Stephen Vaden** for the Court of International Trade, **Kat Mizelle** for the Middle District of Florida, and **Taylor McNeel** for the Southern District of Mississippi. These are important seats to fill.

Johnson and McNeel will join a court that is currently 3-1 Republican appointees, making it 5-1 and with senior judges taken into account 11-1. The one Democrat, of course, is the comically liberal Judge **Carlton Reeves**. Judge Reeves, who, in the words of the great Judge **Jim Ho**, "display[ed] an alarming disrespect for the millions of Americans who believe that babies deserve legal protection during pregnancy as well as after birth, and that abortion is the immoral, tragic, and violent taking of innocent human life." You really hate to see his court move in this direction.

Crouse like Johnson in Mississippi, a state solicitor general replaces the disgraced Clinton-appointee, Judge **Carlos Murguia**, where he will also be the fifth active Republican-appointee on a six-person court.

And Beaton, who replaces Judge **Justin Walker** in Louisville, clerked for Justice **Ruth Bader Ginsburg**. Confirming one of her clerks will be a fitting tribute to the late Justice.

Memos on each are attached.

Have a good weekend.

Michael A. Fragoso
Chief Counsel for Nominations and the Constitution
Senate Judiciary Committee
Chairman Lindsey Graham (R-South Carolina)
202-22 (b) (6)

Metcalf, David (OAG)

From:	Metcalf, David (OAG)
Sent:	Friday, November 13, 2020 4:00 PM
To:	Levi, William (OAG)
Subject:	FW: Letter to AG from DEOs
Attachments:	Letter.pdf

FYSA

From: Ellis, Corey (USAEO (b) (6)
Sent: Friday, November 13, 2020 3:37 PM
To: Hur, Robert (USAMD (b) (6) >; Strauss, Audrey (USANYS (b) (6) ; Devillers, Dave (USAOH (b) (6) >; Duncan, Rob (USAKYE (b) (6) >; Shappert, Gretchen (USAVI) (b) (6) >; Hiland, Cody (USAAR (b) (6) ; Krickbaum, Marc (USAIAS) (b) (6) >; Murray, Andrew R. (USANCW (b) (6) ; Anderson, Shawn (USAGU) (b) (6) ; Anderson, John (USANM (b) (6) >; Williams, Bill (USAOR) (b) (6) DuCharme, Seth (USANY (b) (6) >; McAllister, Stephen (USAKS) (b) (6) >; Brady, Scott (USAPAW (b) (6) >; Anderson, David (USACAN) (b) (6)
Cc: NealyCox, Erin (USATXN (b) (6) ; Herdman, Justin E. (USAOHN (b) (6) ; Macklin, Jay (USAEO (b) (6) ; Shea, Carol (USAEO) (b) (6) >; Bell, Suzanne L. (USAEO (b) (6) >; Wong, Norman (USAEO (b) (6) ; Metcalf, David (OAG) (b) (6) ; Bissex, Rachel (OAG (b) (6) Donoghue, Richard (ODAG) (b) (6) >; Amundson, Corey (CRM (b) (6) >; Stetzer, William (USANCW) <WStetzer@usa.doj.gov>
Subject: Letter to AG from DEOs

Dear US Attorneys,

I have been made aware of the attached letter sent by your Election Officer to Attorney General Barr. I also sent a copy to leadership. General Counsel Jay Macklin and his Deputies are reviewing it with the intent to provide guidance next week. In the meantime, we suggest that you please refrain from taking any action in response to this letter without first consulting with GCO.

Thanks,

Corey

Corey F. Ellis
Executive Office for United States Attorneys
RFK Room 2245
950 Pennsylvania Avenue NW
Washington, DC 20530
Offic (b) (6)
Office C (b) (6)

Donoghue, Richard (ODAG)

From:	Donoghue, Richard (ODAG)
Sent:	Friday, November 13, 2020 5:23 PM
To:	Kupec, Kerri (OPA)
Subject:	FW: Letter to the Attorney General
Attachments:	Letter to Attorney General-Nov. 12 2020-Final Signed.pdf

JFYI

From: Cooney, Joseph (USAD (b) (6)
Sent: Thursday, November 12, 2020 6:30 PM
To: Donoghue, Richard (ODAG (b) (6)
Cc: Gaston, Molly (USAD (b) (6) >; Aloi, Elizabeth (USAD (b) (6) ; Sherwin, Michael (USAD (b) (6) >; Rabbitt, Brian (CR (b) (6) >; Driscoll, Kevin (CRM (b) (6) >; Amundson, Corey (CRM (b) (6) >; Heberle, Robert (CRM (b) (6) >; Pilger, Richard (CRM) (b) (6) >
Subject: RE: Letter to the Attorney General

Thank you. You have my assurance on that point, which I can make on behalf of Molly and Liz as well.

From: Donoghue, Richard (ODA (b) (6) >
Sent: Thursday, November 12, 2020 6:29 PM
To: Cooney, Joseph (USADC (b) (6) >
Cc: Gaston, Molly (USAD (b) (6) >; Aloi, Elizabeth (USAD (b) (6) >; Sherwin, Michael (USAD (b) (6) >; Rabbitt, Brian (CRM (b) (6) >; Driscoll, Kevin (CRM (b) (6) ; Amundson, Corey (CRM (b) (6) Heberle, Robert (CRM (b) (6) >; Pilger, Richard (CRM) (b) (6) >
Subject: RE: Letter to the Attorney General

I will pass this along to the DAG and the Attorney General's Chief of Staff. Given that it is submitted by nonpartisan career prosecutors who are focused on integrity, I will assure them that I have a high degree of confidence that it will not be improperly leaked to the media.

From: Cooney, Joseph (USAD (b) (6)
Sent: Thursday, November 12, 2020 5:48 PM
To: Donoghue, Richard (ODAG) (b) (6)
Cc: Gaston, Molly (USAD (b) (6) ; Aloi, Elizabeth (USAD (b) (6) ; Sherwin, Michael (USAD (b) (6) >; Rabbitt, Brian (CRM (b) (6) ; Driscoll, Kevin (CRM (b) (6) >; Amundson, Corey (CRM (b) (6) >; Heberle, Robert (CRM (b) (6) ; Pilger, Richard (CRM) (b) (6)
Subject: Letter to the Attorney General

Duplicative Material

William Barr

From: William Barr
Sent: Monday, November 16, 2020 10:16 AM
To: Ahern, Bill (OAG) Attorney General Barr
Subject: draft statement
Attachments: [redacted] (b) (5) [redacted].docx

Weinsheimer, Bradley (ODAG)

From: Weinsheimer, Bradley (ODAG)
Sent: Monday, November 16, 2020 6:30 PM
To: Macklin, Jay (USAEO)
Subject: RE: Unauthorized disclosures

Corey mentioned running this by the PADAG. That may be a good idea before you send.

From: Macklin, Jay (USAEO [redacted (b) (6)]
Sent: Monday, November 16, 2020 5:18 PM
To: Weinsheimer, Bradley (ODAG [redacted (b) (6)]
Subject: RE: Unauthorized disclosures

Corey has given me the green light to send this email to the affected USAs. Do you want me to pause?

From: Macklin, Jay (USAEO)
Sent: Monday, November 16, 2020 5:04 PM
To: Weinsheimer, Bradley (ODAG [redacted (b) (6)]
Subject: RE: Unauthorized disclosures

Here's the latest draft we're preparing to send [redacted (b) (5)]

[redacted (b) (5)]

(b) (5)

From: Weinsheimer, Bradley (ODAG (b) (6)
Sent: Monday, November 16, 2020 4:50 PM
To: Macklin, Jay (USAEO (b) (6) >
Subject: Unauthorized disclosures

Jay: I had a brief conversation with Corey about the recent letter from elections fraud AUSAs to the AG, and the reporting of that letter in the Washington Post (b) (5)

I have not seen the letter, so I don't know if it purported to be in the AUSAs' personal capacity, but from the reporting, it sounds like they were acting in an official capacity (b) (5).

In any event, Corey said you may be working o (b) (5) Could I see that too?

Thanks, Brad.

Brad Weinsheimer
Associate Deputy Attorney General
Office (b) (6)
Cell (b) (6)
(b) (6)

Macklin, Jay (USAEO)

From: Macklin, Jay (USAEO)
Sent: Monday, November 16, 2020 6:54 PM
To: Weinsheimer, Bradley (ODAG)
Subject: RE: Unauthorized disclosures

Thanks for the edits Brad. And I'll run it by PADAG.

From: Weinsheimer, Bradley (ODAG [redacted (b) (6)]
Sent: Monday, November 16, 2020 6:52 PM
To: Macklin, Jay (USAEO [redacted (b) (6)]
Subject: RE: Unauthorized disclosures

In looking at your email, I did want to offer a few line edits belo [redacted (b) (5)]. Still a god idea for Corey to run it by the PADAG, though, as I have not talked to him about this issue. Thanks, Brad.

From: Weinsheimer, Bradley (ODAG)
Sent: Monday, November 16, 2020 6:32 PM
To: Macklin, Jay (USAEO [redacted (b) (6)]
Subject: RE: Unauthorized disclosures

Thanks, Jay. Do you have the letter, and can I see it. I am interested in explorin [redacted (b) (5)]. Also, here is another, similar article. Note that J.P. Cooney is specifically named. It appears that Rich Donoghue's communication back to J.P. was shared with the NYT [redacted (b) (5)].
Thanks, Brad.

Federal Prosecutors Push Back on Barr Memo on Voter Fraud Claims
https://www.nytimes.com/2020/11/13/us/politics/justice-department-voter-fraud.html?referringSource articleShare

From: Macklin, Jay (USAEO [redacted (b) (6)]
Sent: Monday, November 16, 2020 5:04 PM
To: Weinsheimer, Bradley (ODAG [redacted (b) (6)]
Subject: RE: Unauthorized disclosures

Here's the latest draft we're preparing to send [redacted (b) (5)].

[redacted (b) (5)]

(b) (5)

[redacted]

From: Weinsheimer, Bradley (ODAG (b) (6)
Sent: Monday, November 16, 2020 4:50 PM
To: Macklin, Jay (USAEO (b) (6)
Subject: Unauthorized disclosures

Duplicative Material

Macklin, Jay (USAEO)

From: Macklin, Jay (USAEO)
Sent: Monday, November 16, 2020 7:24 PM
To: Weinsheimer, Bradley (ODAG)
Subject: RE: Unauthorized disclosures

Thanks. I sent to him about 10 minutes ago.

From: Weinsheimer, Bradley (ODAG [redacted](b) (6)
Sent: Monday, November 16, 2020 7:23 PM
To: Macklin, Jay (USAEO [redacted](b) (6)
Subject: RE: Unauthorized disclosures

I just gave Rich a heads up that you all would be sending him what you propose to send.

From: Macklin, Jay (USAEO [redacted](b) (6)>
Sent: Monday, November 16, 2020 7:06 PM
To: Weinsheimer, Bradley (ODAG [redacted](b) (6)
Subject: Re: Unauthorized disclosures

Totally agree an [redacted](b) (5). Thanks Brad.

On Nov 16, 2020, at 7:03 PM, Weinsheimer, Bradley (ODAG [redacted](b) (6) wrote:

?
Thanks [redacted](b) (5) I am not pre-judging this one way or another; I am not sure what is the right answer. But I think the issue is worthy of further consideration.

You email, of course, dea [redacted](b) (5).

Thanks, Brad.

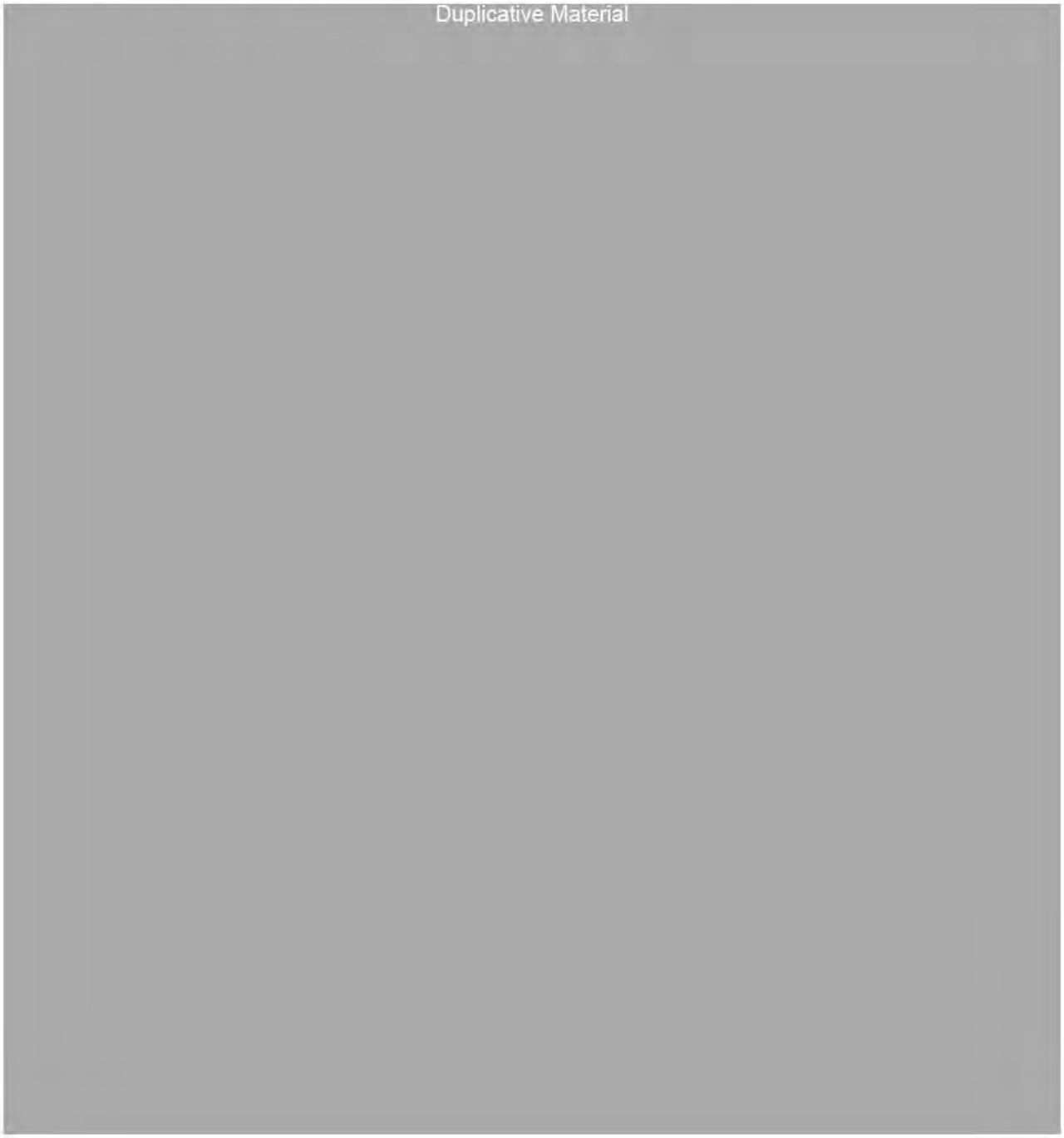
From: Macklin, Jay (USAEO [redacted](b) (6)
Sent: Monday, November 16, 2020 6:48 PM
To: Weinsheimer, Bradley (ODAG [redacted](b) (6)
Subject: RE: Unauthorized disclosures

Here's the DEO lette [redacted] (b) (5) [redacted] I'm not aware of the J. P. Cooney issue [redacted] (b) (5) [redacted]

All of this taken together, do you have an objection with me sending the letter to the USAs involved?

Thanks Brad.

From: Weinsheimer, Bradley (ODAG [redacted] (b) (6) [redacted]
Sent: Monday, November 16, 2020 6:32 PM
To: Macklin, Jay (USAEO [redacted] (b) (6) [redacted]
Subject: RE: Unauthorized disclosures



Macklin, Jay (USAEO)

From: Macklin, Jay (USAEO)
Sent: Monday, November 16, 2020 8:19 PM
To: Donoghue, Richard (ODAG)
Cc: Ellis, Corey (USAEO)
Subject: Re: DEO Letter to AG

Thank you Rich.

All the way, sir!

On Nov 16, 2020, at 7:44 PM, Donoghue, Richard (ODAG [redacted (b) (6)] wrote:

?
Jay,

Thanks for providing this in advance [redacted (b) (5)] All that said, it's clearly better to err of the side of caution here so I think your draft is fine.

The letter, of course, is not the issue the AG actually likes to be challenged on policies [redacted (b) (5)]

Typo not [redacted (b) (5)]."

Thanks again for the heads up.

Airborne!

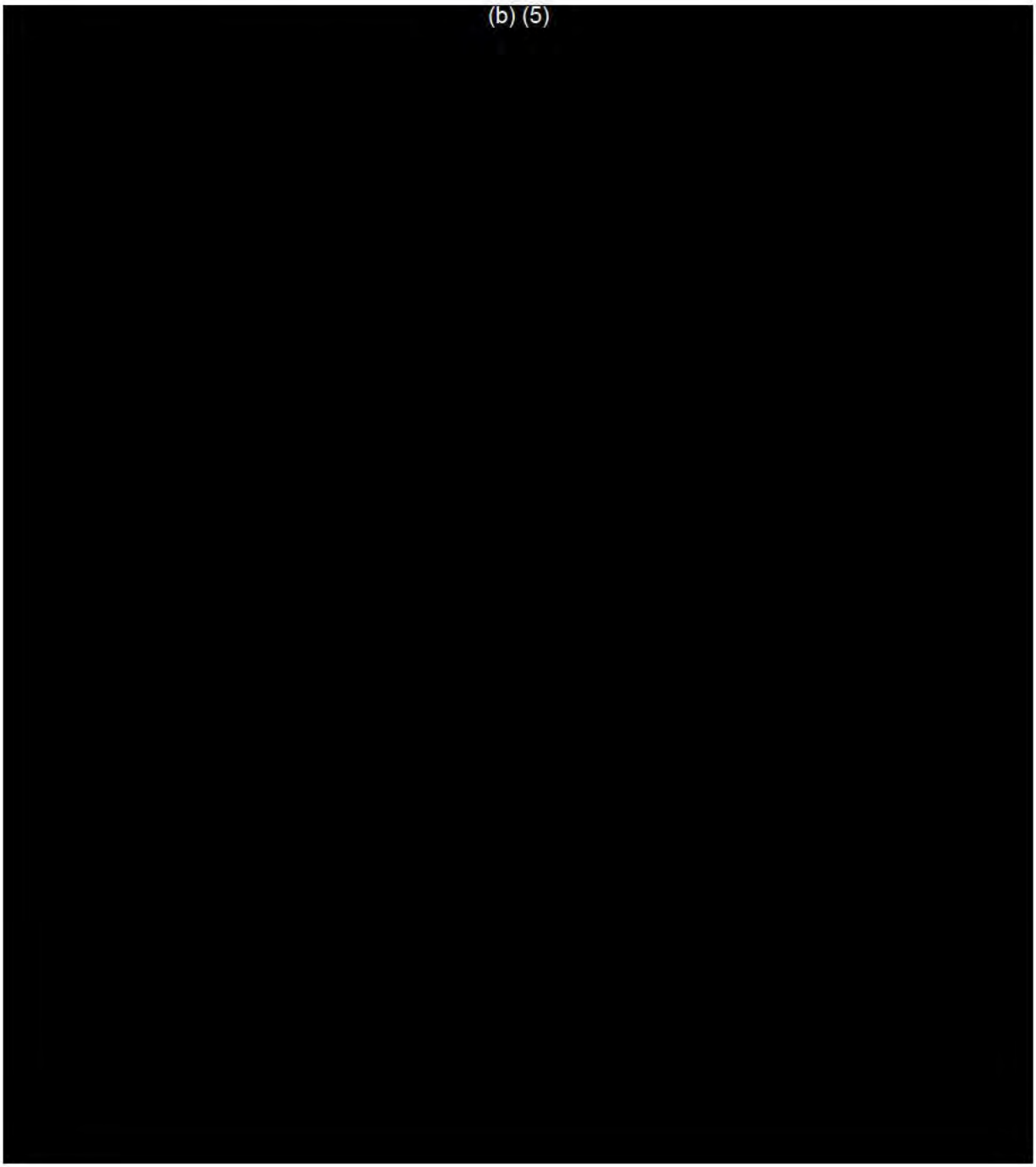
Rich

From: Macklin, Jay (USAEO [redacted (b) (6)]
Sent: Monday, November 16, 2020 7:00 PM
To: Donoghue, Richard (ODAG [redacted (b) (6)]>
Cc: Ellis, Corey (USAEO [redacted (b) (6)]>
Subject: DEO Letter to AG

Hi Rich,
Hope you're enjoying your new job. Brad and Corey thought it would be a good idea for me to run this by you before sending it to the affected U.S. Attorneys. If you're ok with it, please let me know and I'll send out to them. Take care.
Jay

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
Department of Justice
175 N Street, NE, Ste 5.100
Washington, DC 20530
Direct Phone: 202-252-1550
Main Phone: 202-252-1600
Fax: 202-252-1650

(b) (5)



(b) (5)

[redacted]

Jay

Jay Macklin
General Counsel
Executive Office for U.S. Attorneys
Department of Justice
175 N Street, NE, Ste 5.100
Washington, DC 20530
Direct Phone: 202-252-1550
Main Phone: 202-252-1600
Fax: 202-252-1650

Freeman, Lindsey (OASG)

From:	Freeman, Lindsey (OASG)
Sent:	Monday, November 16, 2020 10:06 PM
To:	Murray, Claire M. (OASG)
Subject:	RE: Document
Attachments:	Election Legal Action by Trump Campaign.Review.pdf

Lindsey Freeman
(b) (6)

From: Freeman, Lindsey (OASG)
Sent: Monday, November 16, 2020 10:01 PM
To: Murray, Claire M. (OASG (b) (6)
Subject: Document

Yellow cross-checked with article
Blue I added

Lindsey Freeman
(b) (6)

Election-Related Legal Actions by Trump Campaign

1. **Arizona**: Trump for President v. Hobbs (Arizona Superior Court, Maricopa Co.). Campaign sued Secretary of State asking for manual inspection of ballots rejected in Maricopa County, and seeking an order blocking state's final certification. On Nov. 13, Campaign asked judge not to rule on claims as there are too few ballots at issue to affect election outcome, and told court it was not alleging fraud. Biden leads by 20,000 votes.

2. **Georgia**: Trump for President v. Chatham County (Georgia Superior Court, Chatham Co.). Campaign alleged Chatham County (encompassing Savannah) illegally counted absentee ballots received after Nov. 3 deadline, and asked that ballots be segregated and preserved. There were no fraud claims. Last week, the court dismissed claims, ruling there is no evidence of illegal conduct. The Campaign has not appealed, but a recount has been ordered.

3. **Michigan**: Trump for President v. Benson (State of Michigan Court of Claims). Campaign sued the Secretary of State, alleging Republican poll observers were denied meaningful access to watch counting of mail-in ballots. On Nov. 7, the court denied the attempt to halt voting, on grounds counting was complete, the wrong defendants were sued, and the suit was untimely. Campaign has appealed.

   Trump for President v. Benson (W.D. Mich.). Filed Nov. 10. Campaign alleges Republican poll observers were denied meaningful access to observe counting of mail-in ballots in Wayne County (encompassing Detroit). In addition, the Campaign alleges multiple forms of voter fraud, including counting multiple ballots from the same person, back dating ballots, and using "false information" to process ballots such as false birthdates. The Campaign also claims voting machines and software malfunctioned. No hearing scheduled. Biden leads by 145,000 votes.

4. **Pennsylvania**: In re: Canvass of Absentee and Mail-In Ballots of Nov. 3, 2020 (Court of Common Pleas). On behalf of a voter, the Campaign appealed the decision by the Philadelphia County Board of Elections to count five categories of mail-in ballots. The suit challenges 8,349 ballots, alleging the outer envelopes were incorrectly filled out. On Nov. 13, the Court of Common Pleas denied all of the challenges to all five categories of ballots.

   Trump for President v. Boockvar (Commonwealth of PA Court). Filed Nov. 4. Campaign challenged the Secretary of State's extension of the deadline for absentee voters to provide missing proof of identification. The court ruled Boockvar lacked authority to extend the deadline and ordered that the ballots be segregated and not counted. Campaign's lawyer denied Campaign was claiming fraud.

   Trump for President v. Boockvar (M.D. Penn.) Amended Complaint filed Nov. 15. Campaign sued the Secretary of State, alleging an Equal Protection Clause violation due to mail-in voting creating a "two-tiered" voting system, and heavily Democratic counties allowed mail-in voters to correct defective ballots. Campaign seeks to exclude mail-in ballots and enjoin certification of results. Hearing set for 11/19.

Republican Party of Pennsylvania v. Boockvar (SCOTUS). Campaign is seeking to intervene in case originally filed in July by Pennsylvania GOP challenging Democratic Secretary of State's extension of (GOP-controlled) legislature's deadline for receiving mail-in ballots. Supreme Court split 4-4, thus affirming lower court decision permitting extension. Plaintiff is again seeking Supreme Court review through a cert. petition but the number of ballots at issue (about 10,000 now segregated), is well less than Biden's lead of 45,000 votes, so Court may deny cert.

Pirkle v. Wolf (M.D. Pa): The Campaign had been represented by Porter Wright Morris & Arthur, but on Nov. 12 the firm withdrew representation. In this case, four voters seek to block votes from Philadelphia, Montgomery, Delaware, and Allegheny Counties from being included in the state total, alleging the state violated the right to Equal Protection by allowing different absentee balloting practices among counties.

Donald J. Trump for President Inc. v. Bucks County Board of Elections (Court of Common Pleas). The Campaign appealed the decision of the Bucks County Board of Elections to count 2,175 ballots that lacked the voter's printed name or street address, or the date of signing. The suit also challenged the inclusion of 76 ballots that arrived in unsealed inner envelopes or without the proper markings on them. A hearing is scheduled for Nov. 17.

Donald J. Trump for President Inc. v. Montgomery County Board of Elections (Court of Common Pleas). The Campaign sued the Montgomery County Board of Elections for notifying voters before Election Day to allow them to fill in missing information on ballot envelopes. In this case, above 600 ballots are at issue. When pressed, the lawyers for the plaintiffs admitted the lawsuit does not include accusations of fraud. On Nov. 13, the court denied the petition to disqualify the ballots.

Additional Information

1. Georgia Secretary of State Raffensperger (GOP) has ordered a statewide manual recount. Biden leads by 10,000 votes.

2. Nevada: Stokke v. Cegavske (D. Nev.). Filed Nov. 5. GOP congressional candidate, "backed by the Trump campaign" according to the NY Times, sued challenging use of machines to match signatures on mail-in ballots and demanding observers receive better access to ballot counting process. Expanded ballot counting agreement reached. Also claimed 3,000 people voted by mail after change of address. On November 6, the court denied the plaintiff's request for lack of evidence. Biden leads by 34,000 votes.

3. Wisconsin (Langenhorst v. Pecore): Trump Campaign has requested recount. Biden leads by 20,000 votes.

Freeman, Lindsey (OASG)

From:	Freeman, Lindsey (OASG)
Sent:	Monday, November 16, 2020 10:46 PM
To:	Murray, Claire M. (OASG)
Subject:	RE: Document
Attachments:	Election Legal Action by Trump Campaign.Review.docx

Version 2

Lindsey Freeman
(b) (6)

From: Freeman, Lindsey (OASG)
Sent: Monday, November 16, 2020 10:06 PM
To: Murray, Claire M. (OASG (b) (6)
Subject: RE: Document

Duplicative Material

Election-Related Legal Actions by Trump Campaign

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Shults, Anthony M. (OLP)

From:	Shults, Anthony M. (OLP)
Sent:	Tuesday, November 17, 2020 1:22 PM
To:	Crytzer, Katherine (OLP)
Subject:	FW: quick question
Attachments:	Tracker 11.12.20.xlsx

FYI here is the list, which might be a tad more info than would be helpful

From: Day, Sean (OASG [redacted (b) (6)]
Sent: Tuesday, November 17, 2020 1:03 PM
To: Shults, Anthony M. (OLP [redacted (b) (6)]
Subject: RE: quick question

Ragsdale, Jeffrey (OPR)

From:	Ragsdale, Jeffrey (OPR)
Sent:	Tuesday, November 17, 2020 3:07 PM
To:	Weinsheimer, Bradley (ODAG)
Subject:	AUSA Cooney Letter to the Attorney General
Attachments:	Letter to Attorney General-Nov. 12 2020-Final Signed.pdf

Brad,

I asked Corey whether he received the letter as well as Cooney's email and just received the letter that was attached to the email to Richard Donoghue.

Jeff

From: Cooney, Joseph (USAD [redacted]
Sent: Thursday, November 12, 2020 5:48 PM
To: Donoghue, Richard (ODAG [redacted]
Cc: Gaston, Molly (USAD [redacted]; Aloi, Elizabeth (USADC) [redacted]; Sherwin, Michael (USAD [redacted]; Rabbitt, Brian (CR [redacted]; Driscoll, Kevin (CR [redacted] Amundson, Corey (CR [redacted]; Heberle, Robert (CR [redacted]; Pilger, Richard (CRM) [redacted]
Subject: Letter to the Attorney General

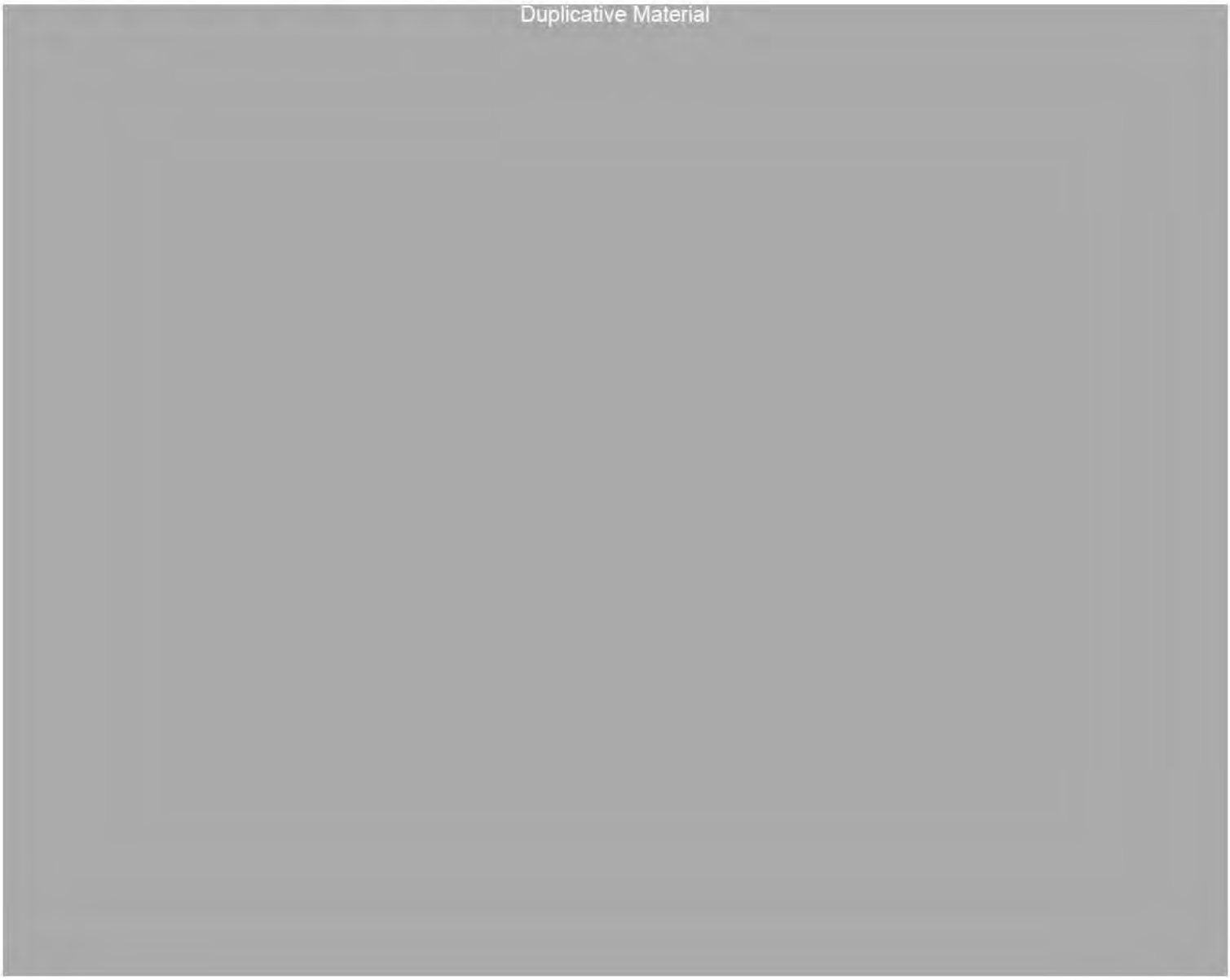
Duplicative Material

Weinsheimer, Bradley (ODAG)

From:	Weinsheimer, Bradley (ODAG)
Sent:	Tuesday, November 17, 2020 3:30 PM
To:	Ragsdale, Jeffrey (OPR)
Subject:	RE: AUSA Cooney Letter to the Attorney General
Attachments:	Letter.pdf

Here is the letter from the 16 AUSAs.

From: Ragsdale, Jeffrey (OP [redacted (b) (6)]
Sent: Tuesday, November 17, 2020 3:07 PM
To: Weinsheimer, Bradley (ODAG [redacted (b) (6)]>
Subject: AUSA Cooney Letter to the Attorney General



Clement, Theodore (OAG)

From:	Clement, Theodore (OAG)
Sent:	Wednesday, November 18, 2020 10:11 AM
To:	Barnett, Gary (OAG)
Subject:	Memos
Attachments:	Memo Index.docx

Hi Gary,

I've attached a list of the memos I already have found. I was wondering if there are any memos/subject areas that might have a memo that I have missed?

Thanks,

Theo Clement
Office of the Attorney General
(b) (6) (desk)

Index

17)	Supplemental Reforms to Enhance Compliance, Oversight and Accountability with Respect to Certain Foreign Intelligence Activities of the Federal Bureau of Investigation	August 31st, 2020
18)	Post-Voting Election Irregularity Inquiries	November 9th, 2020

Clement, Theodore (OAG)

From:	Clement, Theodore (OAG)
Sent:	Wednesday, November 18, 2020 10:22 AM
To:	Hamilton, Gene (OAG); Willard, Lauren (OAG); Barnett, Gary (OAG); Newman, Ryan D. (OAG); Michel, Christopher (OAG); Sofer, Gregg (USATXW); Kupec, Kerri (OPA)
Cc:	Bissex, Rachel (OAG)
Subject:	Memos
Attachments:	Memo Index.docx

Hello Counselors and Former Counselors,

Rachel asked me to put together a collection of all the memos sent out by AG Barr. I have attached a list of all the memos that I have collected thus far, organized chronologically. Could you please let me know if there is anything you've worked on that you could send my way or if there is any area in particular that I am missing?

Thank you so much,

Theo Clement
Office of the Attorney General
(b) (6) (desk)

Clement, Theodore (OAG)

From:	Clement, Theodore (OAG)
Sent:	Wednesday, November 18, 2020 10:23 AM
To:	Metcalf, David (OAG)
Subject:	Memos
Attachments:	Memo Index.docx

Hi David,

Rachel asked me to put together a collection of all the memos sent out by AG Barr. I have attached a list of all the memos that I have collected thus far, organized chronologically. Could you please let me know if there is anything you've worked on that you could send my way or if there is any area in particular that I am missing?

Thank you so much,

Theo Clement
Office of the Attorney General
(b) (6) (desk)

O'Neill, Sean (OIP)

From:	O'Neill, Sean (OIP)
Sent:	Wednesday, November 18, 2020 11:16 AM
To:	Fiorillo, Andrew (OIP)
Cc:	Talebian, Bobak (OIP)
Subject:	Oct 31 new decisions
Attachments:	New Decisions Received Week Ending October 31 2020 SRO edits.docx

Excellent, excellent work on this.

Sean R. O'Neill
Acting Chief of Staff
Office of Information Policy
(202) 305-2137 (office)
(b) (6) (cell)

New Decisions Received Week Ending October 31, 2020

Circuit Courts

1. Leytman v. United States, No. 19 3929, 2020 WL 6297440 (2d Cir. Oct. 28, 2020) (per curiam)

Re: Requests for records concerning plaintiff

Disposition: Vacating district court's dismissal of requester's FOIA claim; remanding with instructions to rule on FOIA claim

- **Litigation Considerations:** The Court of Appeals for the Second Circuit holds that "[o]n remand, the district court also should address [the requester's] FOIA claim." "Before the district court, [the requester] twice complained that TSA violated FOIA by failing to fully disclose requested materials." "Neither the district court's order dismissing [the requester's] first complaint nor its order dismissing [the requester's] amended complaint specifically mentioned these allegations." "Thus, we do not know whether the district court intended to dismiss [the requester's] FOIA claim or, if it did, the grounds for that decision."

District Courts

1. The Protect Democracy Project v. DOJ, No. 20 2810, 2020 WL 6381936 (D.D.C. Oct. 30, 2020) (Sullivan, J.)

Re: Request for "'[a]ny and all communications with individuals in the United States Postal Inspection Service regarding participation in any DOJ voting or voting fraud task force'"

Disposition: Granting in part and denying in part plaintiff's motion for preliminary injunction

- **Litigation Considerations, Preliminary Injunctions:** "[T]he Court finds that the balance of the equities and the public interest favor an injunction." First, "the Court concludes that [plaintiff] has shown a likelihood of success on the merits of its request for expedited processing." Regarding plaintiff's first argument on this point, "[t]he Court finds that [plaintiff] has 'misconstrue[d] the consequences of an agency's failure to meet' its FOIA deadlines." The court holds that "'[i]f the agency does not adhere to FOIA's explicit timelines, the "penalty" is that the agency cannot rely on the administrative exhaustion requirement to keep cases from getting into court.'" "'Standing alone, however, this fact does not conclusively demonstrate that the plaintiff is likely to prevail in its underlying effort to accelerate the processing of its FOIA requests and the ultimate production of any responsive, non exempt records.'" However, "[t]he Court next

addresses [plaintiff's] argument that it is likely to succeed on the merits of its claim that DOJ improperly denied its request for expedited treatment." The court finds that "[i]n [plaintiff's] FOIA request, it stated that it intended to 'disseminate information and analysis about this request and any information obtained in response through its website . . . ; its Twitter feed . . . , which has more than 36,000 followers; its email list of approximately 30,000 people; and sharing information with other members of the press.'" "It noted that its 'purpose' was to 'gather information of potential interest to a segment of the public, use its editorial skills to turn the raw materials into distinct work, and distribute that work to an audience.'" "It also listed examples of previous instances when it 'disseminate[d] information about its FOIA requests to a wide audience.'" "In addition, at least one other court in this District has recently found that [plaintiff] 'easily' satisfies the requirement that the organization is 'primarily engaged in disseminating information' based on similar statements made in a prior FOIA request." Additionally, "the Court finds that [plaintiff's] statements in its FOIA letter likely establish that the subject matter of its requested information DOJ's potential interference with postal services was a matter of 'current exigency,' particularly given the imminence of Election Day and the widespread media attention to the issue of voter fraud and slowed postal service deliveries." Also, "[t]he Court finds that [plaintiff] has established a likelihood of irreparable harm absent a preliminary injunction." "As stated above, the Court has concluded that the subject matter of [plaintiff's] FOIA request is time sensitive due to the impending election, in which voting is already underway." "While the Court does not conclude at this time that any responsive communications must be processed prior to Election Day after all, new voter fraud investigations may commence subsequent to that day, particularly in view of the state laws providing that certain mail in ballots may be received and counted up to several days after Election Day . . . Plaintiff has established that the American public has a need to know information regarding investigations into matters potentially affecting voting rights while the inquiries are still ongoing." Finally, the court finds that "the balance of the equities and the public interest favor an injunction." "The public interest is best 'served by the expedited release of the requested documents because it furthers FOIA's core purpose of "shed[ding] light on an agency's performance of its statutory duties."'" "[G]iven that Election Day is days away, that a large portion of voters have already submitted their ballots by mail, and that there is significant media attention and public debate on the topic of alleged voter fraud, the public interest is particularly well served by the timely release of the requested documents." "There is no doubt that the subject matter of the FOIA request concerns a matter of great importance." Responding to defendant's argument, the court finds that "'[v]ague suggestions that inadvertent release of exempted documents *might* occur are insufficient to outweigh the very tangible benefits that FOIA seeks to further government openness and accountability.'"

(b) (5) [redacted]

2. Brennan Ctr. for Justice at NYU School of Law, No. 20 2674, 2020 WL 6381949 (D.D.C. Oct. 30, 2020) (Kelly, J.)

Re: Request for records concerning 2020 United States census

Disposition: Granting in part plaintiff's motion for preliminary injunction

- **Litigation Considerations, Preliminary Injunctions:** The court holds that "Plaintiff's Motion for Preliminary Injunction . . . will be granted in part." First, the court finds that "[plaintiff] has established a likelihood of success that its requests are entitled to expedited processing based on either the 'widespread and exceptional interest' or the 'urgency to inform the public' ground." The court notes that "Defendants do not contest [the majority of] [plaintiff's] assertion . . . they only contest it as to Part 4 [of the request which seeks] . . . records 'relating to the 2020 Census' to the extent 'there is any mention of, involvement in, or communication with' a list of individuals and organizations [plaintiff] believes may have been involved in the matters . . . ." "Defendants argue that this request is 'far broader' than any 'widespread and exceptional' interests at stake." "The Court disagrees." "Although this part will capture a broader set of documents, it still seeks records 'relating to the 2020 Census,' . . . ." Second, the court finds that "[plaintiff] has also shown a likelihood of success on the merits of the 'urgency to inform the public' ground for expedited processing of all parts of its requests." "Defendants do not dispute [plaintiff's] status as an organization 'primarily engaged in disseminating information,' . . . and other courts have found that similar organizations meet this standard." The court relates that "Defendants argue that [plaintiff] has not demonstrated there is 'urgency to inform the public concerning actual or alleged Federal Government activity' because [plaintiff] did not make its requests earlier, closer to when the President issued Executive Order 13880 . . . in July 2019." "But the Court declines to weigh this timing against [plaintiff]." "As [plaintiff] points out, if it had requested records shortly after the President issued that order, few responsive records would have existed." 'And nothing in the record suggests that [plaintiff] would have received expedited treatment a year ago and be much closer to receiving the records at issue had it requested them then."

  Moreover, the court finds that "this is the rare case where after a date certain, the value of the information sought by [plaintiff] to inform the public about these matters would be materially lessened or lost." "And without a preliminary injunction ordering production by that date certain, based on the estimates provided by Defendants, [plaintiff] will not receive responses to its requests in time to contribute to the public debate and discussion." "In contrast, [plaintiff] has not made the same showing as to Part 4 of its requests, even if Part 4 meets the statutory and regulatory requirements for expedition." The court explains that "it has not shown that it is likely that a document responsive to Part 4 that is not responsive to Parts 1 3 would materially contribute to the debate and discussion about the topics they have identified." "Thus, under these circumstances, and given Defendants' representations described below concerning the many other demands on their ability to process expedited FOIA requests, [plaintiff] has not shown that the 'as soon as practicable' standard requires processing of Part 4 by any date certain." "Most importantly, Defendants' argument that the burdens of other FOIA requests prevent it from processing [plaintiff's] requests more quickly assumes that the requests remain in the 'first in first out' expedited processing queue." "But given that [plaintiff] has met its burden of showing that it is entitled to processing of its requests by a date certain, Defendants may, if necessary, move its requests to the front of the expedited processing line to comply with the Court's order that they be processed by then."

(b) (5) [redacted]

Regarding irreparable harm, the court finds that "[plaintiff] has not shown that it will suffer irreparable harm if its requests are not processed by November 2, 2020, but it *has* shown that such harm will occur if it does not receive responses to Parts 1 3 of its requests in time to use them by January 25, 2021." "This is so because . . . the records it seeks will become stale when the 2020 census and reapportionment process ends, upon the Clerk of the House of Representatives sending reapportionment certificates to the States." "Thus, the harm would be beyond remediation because under current law the census and the reapportionment process and the opportunity for the public to be informed about them while they are ongoing would be over." However, the court finds that "[plaintiff] has not shown that it will suffer irreparable harm if the Court does not order Defendants' processing of its requests to conclude months in advance of the 'staleness date' to account for potential litigation over Defendants' withholdings." Additionally, as described above, the court finds that "[plaintiff] has not carried its burden to show that it will suffer irreparable harm if Part 4 of its requests is not expedited or processed in time for it to use responsive records by January 25, 2021."

Finally, the court finds that "[t]he balance of equities and the public interest here weigh in [plaintiff's] favor." "Although Defendants will have to process and produce these records quickly, and face substantial backlogs, their burden is outweighed by [plaintiff's] pressing need for the information and the public interest in being informed on a matter the 2020 census and reapportionment of seats in the House of Representatives that is of 'the highest national concern.'" Also, the court finds that "Defendants' suggestions that inadvertent release of exempted documents *might* occur are insufficient to tip the balance in its favor, especially when the Court is ordering processing to occur on a much more extended timeline than [plaintiff] requested."

3. Schneider v. DOJ, No. 18 2294, 2020 WL 6318407 (D.D.C. Oct. 28, 2020) (Friedrich, J.)

Re: Request for records concerning plaintiff's 2003 CIA employment application

Disposition: Granting defendant's second renewed motion for summary judgment

- **Exemption 5, Deliberative Process Privilege:** "The government properly invoked Exemption 5's deliberative process privilege to withhold [a] criminal referral document." "First, [the court finds that] the CIA's sworn declarations show that the criminal referral document was predecisional because it did not constitute a final decision by the CIA, but instead 'initiated and served as a preliminary step in DOJ's larger analysis as to whether or not a criminal investigation and/or prosecution was warranted.'" "Second, [the court finds that] the declarations show that the document was deliberative because it 'represents an interim step in a much broader interagency process,' . . . and it 'indicates a preliminary determination by the CIA that a certain incident or activity merits further consideration by the DOJ.'" "But the DOJ 'ultimately decides whether or not to open a criminal investigation based on information provided in the [document].'" "In invoking Exemption 5, the government has demonstrated that revealing the contents of the document would 'inhibit the frank communications and the free exchange of ideas between federal agencies.'"

- **Exemption 7(E):** "Because the government has sufficiently detailed both the information's law enforcement purpose and the risk that disclosure would circumvent the law, the CIA properly invoked FOIA Exemption 7(E) to withhold the criminal referral document." "[S]pecifically, polygraph programs and techniques that the CIA uses to 'assess the suitability of applicants and current employees who may be entrusted with classified information' . . . ." The court finds that "[t]his Circuit has recognized that '[b]ackground investigations conducted to assess an applicant's qualification . . . inherently relate to law enforcement.'" The court also finds that "[t]hese programs and techniques 'are designed with an eye toward ensuring the protection of sensitive national security information and the workforce as a whole.'" "As such, the criminal referral document contains information about 'the methods and techniques used by the [CIA] in screening applicants,' . . . and revealing its contents 'would tend to show what types of disclosures to the Agency are deemed problematic and what triggers the Agency's crimes reporting obligations.'" "Disclosing the document also may enable 'future applicants and those with intent to harm the government [to] tailor their responses during polygraph sessions and screening interviews to circumvent security procedures.'" "'These individuals could then make unauthorized disclosures of such information and cause serious harm to national security.'"

- **Litigation Considerations, In Camera Inspection:** "[T]he Court denies [plaintiff's] request for *in camera* review" because "[t]he government has met its burden of establishing the exemptions' applicability with its sworn declarations."

- **Litigation Considerations, "Reasonably Segregable" Requirements:** The court holds that "the CIA has satisfied its segregability obligations." "While [plaintiff] does not contest the sufficiency of the segregability determination, the Court has an affirmative duty to consider whether the agency has complied with FOIA's segregability requirement." The court relates that "the CIA submitted three sworn declarations, each of which represented that the CIA staff reviewed the criminal referral document and 'conducted a page by page, line by line review and released all non exempt, reasonably segregable information.'"

4. Connell~~, III~~ v. U.S. S. Command, No. 18 1813, 2020 WL 6287467 (D.D.C. Oct. 27, 2020) (Moss, J.)

Re: Request for records concerning "'conference call made on or about January 24, 2018 between Admiral Kurt Tidd and Harvey Rishikof'"

Disposition: Granting in part and denying in part defendant's motion for summary judgment; denying plaintiff's cross motion for partial summary judgment

- **Exemption 3:** "The Court will . . . grant summary judgment in favor of the Southern Command with respect to the redaction of personally identifying information from the twenty three records at issue." The court relates that "[h]ere, the Southern Command relies on 10 U.S.C. § 130b(a)(1), which provides that, 'notwithstanding [the FOIA],' the

Secretary of Defense may 'authorize to be withheld from disclosure to the public personally identifying information regarding (1) any member of the armed forces assigned to an overseas unit, a sensitive unit, or a routinely deployable unit.'" "The statute defines 'personally identifying information' to mean 'the person's name, rank, duty address, and official title and information regarding the person's pay.'" "It defines 'overseas unit' to mean 'a unit that is located outside the United States and its territories.'" The court finds that "[h]ere, the Southern Command has established that it was authorized to redact the names of individuals assigned to the unit in Guantanamo Bay."

- **Exemption 6:** The court holds that, largely, "[it] lacks the necessary information to engage in the balancing of 'the private interest involved . . . against the public interest,' which FOIA requires." "[T]he Court first concludes that the withheld 'names, email addresses, phone numbers, or fax numbers of junior personnel,' . . . are 'similar files' to the 'personnel and medical files' that are explicitly referenced in Exemption 6." Second, "[g]iven Plaintiff's express concession, the Court will enter summary judgment in favor of the Southern Command with respect to any Exemption 6 redactions relating to military personnel below the rank of Major, Lieutenant Colonel, or Colonel." "Because Southern Command seeks to withhold only personal information identifying low level employees, which it apparently defines as officers 'at the military rank of Captain/Colonel (O 6) or below and at the rank of GS 15 or below,' . . . this leaves a relatively narrow area of dispute." "Even as narrowed in this manner, however, the Court cannot decide on the present record whether the privacy interests at issue here are outweighed by the public's interest in disclosure." "The possibility that the publicly available information *might* not include the individuals at issue here, and the conclusory assertion that none of the redactions pertain to individuals with policymaking authority, does not satisfy the Southern Command's burden on summary judgment." "Among other things, the Court needs to know whether their names are, in fact, publicly available on the Southern Command website and the basis for Zimmerman's conclusion that none held policymaking positions." "Beyond these deficiencies, the Southern Command has yet to demonstrate that the line between policymaking and non policymaking officials is dispositive." "[T]he Court cannot rest its decision, without more, on a declarant's unexplained and unsupported assurance that none of these officers performed any policymaking functions."

5. McConnell v. Carvajal, No. 20 02204, 2020 WL 6318436 (D.D.C. Oct. 26, 2020) (Contreras, J.)

Re: Request for records concerning disciplinary matter that BOP referred to the FBI

Disposition: Granting plaintiff's application for leave to proceed *in forma pauperis*; dismissing plaintiff's mandamus petition without prejudice

- **Litigation Considerations:** "The court finds . . . that alternatives to mandamus do, in fact, exist, and that mandamus is improper given the other available avenues." The court explains that "petitioner may seek review of the FBI's final FOIA determination, or he may seek records from the BOP itself pursuant to FOIA."

Daukas, John (CRT)

From:	Daukas, John (CRT)
Sent:	Wednesday, November 18, 2020 1:03 PM
To:	Murray, Claire M. (OASG)
Cc:	Dickey, Jennifer B. (OASG); Day, Sean (OASG); McCotter, Trent (OASG); Freeman, Lindsey (OASG)
Subject:	FW: Voting Safe Harbor Guidance
Attachments:	Voting Safe Harbor Guidance 11-17-20 clean.docx; Voting Safe Harbor Guidance 11-17-20 redline.docx

As discussed.

John B. Daukas
Principal Deputy Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
Washington, DC 20530
Office (b) (6)
Cell (b) (6)
(b) (6)

From: Daukas, John (CRT)
Sent: Tuesday, November 17, 2020 2:57 PM
To: Rosen, Jeffrey A. (ODAG (b)(5) per CRT >; Donoghue, Richard (ODAG) (b)(5) per CRT >; Moran, John (ODAG (b) (6) >; Levi, William (OAG) (b) (6) >; Bissex, Rachel (OAG (b) (6)
Cc: Dreiband, Eric (CR (b) (6) (b) (6)
Subject: Voting Safe Harbor Guidance

Attached for your review and comment is revised draft Voting Safe Harbor Guidance. The document provides guidance to the Department concerning situations where a jurisdiction determines to return to prior, legal voting procedures.

Also attached is a redline showing changes from the prior version we shared with ODAG.

Thanks

John

John B. Daukas
Principal Deputy Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
Washington, DC 20530
Office (b) (6)
Cell (b) (6)
(b) (6)

(b) (6)

From: (b) (6)
Sent: Thursday, November 19, 2020 12:48 PM
To: attorney.generalo@usdoj.gov
Cc: Boyd, Stephen E. (OLA)
Subject: MINNESOTA VOTING FRAUD********** AND ILHAN OMAR FRAUD

WE THE PEOPLE OF MINNESOTA NEED HELP! WE ARE BEING IGNORED AND HELD HOSTAGE BY A DEMOCRATIC TYRANT GOVERNOR WALZ!

WE HAVE HAD "LOCKDOWNS" SINCE MARCH, ORIGINALLY TOLD 2 WEEKS. EVERY 30 DAYS HE EXTENDS IT FOR ANOTHER 30 DAYS. WE ARE THREATENED THAT IF WE "GO OUT" WE WILL BE ARRESTED AND CHARGED, AND THAT EVEN COUNTY PROSECUTORS WILL FINE US UP TO $25,000.

EVERY HOLIDAY IS WORSE! WE WERE TOLD WE CANNOT GET TOGETHER WITH FAMILY OR FRIENDS OVER MEMORIAL DAY, 4TH OF JULY, LABOR DAY, AND NOW THEY SAY WE HAVE TO CANCEL THANKSGIVING AND CHRISTMAS.

OUR BARS AND RESTAURANTS ARE CLOSING, EVEN THOUGH WALMART, TARGET, (and Walz' buddy's candy store) ARE ALLOWED TO STAY OPEN.

OUR KIDS HAVE NOT HAD ANY KIND OF EDUCATION AT HOME, THEIR SPORTS ARE ALL CANCELED (even though many parents have spent a LOT of money paying the tuition). I HAVE NOT SEEN MY MOTHER SINCE FEBRUARY (b) (6). WILL I EVER GET TO SEE HER AGAIN, OR DOES OUR TYRANT GOVERNOR GET TO ORDER US AROUND. WE ARE BEING TOLD WHERE WE CANNOT GO, WE ARE BEING TOLD WE HAVE TO STAY HOME, WE ARE BEING TOLD WE CANNOT HAVE THANKSGIVING DINNER WITH OUR FAMILIES AND MAYBE NOT CHRISTMAS. HE EVEN SET UP A "SNITCH HOT LINE" FOR NEIGHBORS TO TURN PEOPLE IN!

MINNESOTA HAS BEEN A BLUE STATE IN THE PAST AND WE BELIEVE WE HAVE BEEN ROBBED OF TURNING RED! ON ELECTION NIGHT IT TOOK THEM ONLY 20 MINUTES TO CALL MINNESOTA FOR BIDEN, AND THE VOTES WERE NOT EVEN ALL COUNTED! WE HAD TONS OF TRUMP PARADES, BOAT PARADES, PARADES ALL THE WAY INTO WISCONSIN! THERE WERE SIX DEMOCRATIC GOVERNORS IN NORTHERN MINNESOTA/IRON RANGE WHO ENDORSED TRUMP. TRUMP'S RALLYS DREW 30,000 AND 40,000 EVERYWHERE THEY WERE HELD. WHEN BIDEN CAME, THE ONLY ONES WHO SHOWED UP WERE TRUMP SUPPORTERS, AND IT IS TRUE.

ILHAN OMAR IS ANOTHER CHEATER. SHE BUYS HER VOTES FROM THE SOMALIAN COMMUNITY AS YOU WILL SEE IN PROJECT VERITAS VIDEOS WHICH WAS ON OUR NEWS. MINNESOTA ATTORNEY GENERAL (DEMOCRAT) ELLISON IGNORED IT AND STATED "HE SAW NO EVIDENCE." PROBABLY HOW HE HIMSELF WAS ELECTED. EVERYONE KNOWS SHE BUYS HER VOTES AND THERE ARE PEOPLE ON VIDEO STATING

THIS. SHE GOT AN OVERWHELMINGLY (LIKE BIDEN) AMOUNT OF VOTES, IMPOSSIBILITY.

MINNESOTA ALWAYS HEARS ABOUT THE DEMOCRATIC TYRANT GOVERNORS IN CHICAGO, NEW YORK, SEATTLE, MICHIGAN GOVERNOR, BUT YOU NEVER EVER HEAR ABOUT M I N N E S O T A EVER!

OUR REPRESENTATIVES HAVE TRIED TO TAKE HIS EMERGENCY POWERS AWAY AS NON-CONSTITUTIONAL MORE THAN THREE TIMES, BUT THE DEMOCRATS ALWAYS VOTE IT DOWN. WE THE PEOPLE OF MINNESOTA ARE TIRED OF HIS SO-CLAIMED "EMERGENCY POWERS." HE EXTENDS THEM EVERY 30 DAYS AND HE HAS SINCE MARCH! WE HEARD THE FEDERAL GOVERNMENT GIVES HIM $50 MILLION PER MONTH WHILE HE HAS EMERGENCY POWER. IS THIS TRUE?

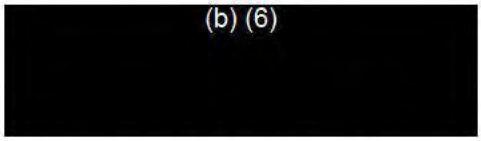
MINNESOTA TURNED RED AND IT WAS STOLEN FROM US! WE WANT IT BACK! WE WANT OUR VOTES LOOKED INTO AND AUDITED TOO! I CALLED SECRETARY OF STATE (DEMOCRAT) SIMON'S OFFICE BUT HE IGNORED MY PHONE CALLS AND EMAILS. SOMEONE THERE DID TELL ME THEY "WERE AWARE OF PROBLEMS FOR A WHILE, AND IT IS ON THE AGENDA, BUT NOT NOW, AS THEY DON'T HAVE THE RESOURCES FOR IT AT THIS TIME."

THE SOCIAL MEDIA CHATTER REGARDING THESE ISSUES ARE OVERWHELMING, FRUSTRATING, AND LEAVES YOU WITH A DISTRAUGHT FEELING. THERE IS NO ONE WHO CAN HELP THE PEOPLE OF MINNESOTA.

I DO NOT KNOW IF YOU OR ANYONE WHO CAN ACT ON THIS WILL EVER SEE THIS, BUT I FEEL BETTER KNOWING I TRIED.

1. RECOUNT, AUDIT OUR VOTES AND DECLARE MINNESOTA FLIPPED TO RED!
2. PUT SOME WEIGHT ON GOVERNOR WALS - TAKE AWAY EMERGENCY POWERS!
3. INVESTIGATE THE VOTES AND "CASH FOR BALLOTS" REGARDING ILHAN OMAR

THANK YOU, THANK YOU, THANK YOU (AND PRESIDENT TRUMP WHO MINNESOTA LOVES!)



P.S. BIDEN TOLD ALL OF MINNESOTA THAT TRUMP SAID HE WAS "NEVER COMING BACK TO MINNESOTA EVERY AGAIN, THAT WE LET HIM DOWN." THAT IS UNTRUE! TRUMP WON MINNESOTA BY A LANDSLIDE, AND WE WANT WHAT WE RIGHTFULLY WON!