

From: Barnes, Khaliah N (OPCL)
</o=exchange\labs/ou=exchange administrative group
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7251-barnes, kha>

To: Pustay, Melanie A (OIP)
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(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>; Wahdan, Rana S. (OLA)
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(fydibohf23spdlt)/cn=recipients/cn=93a88ecc92ee40ce84a58a0c0fc9
8429-wahdan, ran>; Aasen, Sean (OLC)
</o=exchange\labs/ou=exchange administrative group
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798e-aasen, sean>; Fiorillo, Andrew (OIP)
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Cc: Forrester, Nate (OLC)
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a0e7-nforrester>; Clarke, Conor (OLC)
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3b0d-hardy, liam>; Mitchell, Dyone (OLC)
</o=exchange\labs/ou=exchange administrative group
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6bfa-dmitchell>; Winn, Peter A. (OPCL)
</o=exchange\labs/ou=exchange administrative group
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(fydibohf23spdlt)/cn=recipients/cn=580f85bb0f3f4e50bcb7877e2d23
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</o=exchange\labs/ou=exchange administrative group
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62fe-harman-stok>; Mayer, Hannah J. (OPCL)
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1d63-mayer, hann>; Braswell, Beau (OPCL)
</o=exchange|abs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=36d1a67d1fb04fd68d84a3118932
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</o=exchange|abs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=c4174f3794cd4c58987f0665fc3c
59a8-breyan, jon>

Bcc:

Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Date: Mon Jun 11 2018 17:08:19 EDT

Attachments:

Dear Rana,

OPCL has no further comment.

Thank you,

Khaliah

Khaliah N. Barnes

Attorney Advisor

Office of Privacy and Civil Liberties (OPCL)

U.S. Department of Justice

1331 Pennsylvania Avenue, NW

Suite 1000

Washington, DC 20530

(b) (6) (office)

(b) (6) (mobile)

Khaliah.N.Barnes@usdoj.gov

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you received this email in error, please notify the sender immediately and destroy all copies.

From: Pustay, Melanie A (OIP)
Sent: Monday, June 11, 2018 3:53 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>; Aasen, Sean (OLC) (b)(6) per OLC
(b)(6); Barnes, Khaliah N (OPCL) (b)(6); Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC
(b)(6); Colborn, Paul P (OLC) (b)(6) per OLC; Harris, Sarah (OLC) (b)(6) per OLC
(b)(6); Hardy, Liam P. (OLC) (b)(6) per OLC; Mitchell, Dyone (OLC) (b)(6) per OLC
(b)(6); Winn, Peter A. (OPCL) <pawinn@jmd.usdoj.gov>; Colborn, Paul P (OLC) (b)(6) per OLC
(b)(6); Young, Brian A. (OPCL) (b)(6); Proia, Andrew (OPCL) (b)(6)
(b)(6); Harman-Stokes, Katherine M. (OPCL) (b)(6); Mayer, Hannah J. (OPCL) (b)(6)
(b)(6); Braswell, Beau (OPCL) (b)(6); Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

I inserted responses to the red highlighted comments and highlighted them in green for ease of reference.

Melanie

From: Wahdan, Rana S. (OLA)
Sent: Monday, June 11, 2018 3:17 PM
To: Aasen, Sean (OLC) (b)(6) per OLC; Barnes, Khaliah N (OPCL) (b)(6)
(b)(6); Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC
(b)(6); Colborn, Paul P (OLC) (b)(6) per OLC; Harris, Sarah (OLC) (b)(6) per OLC
(b)(6); Hardy, Liam P. (OLC) (b)(6) per OLC; Mitchell, Dyone (OLC) (b)(6) per OLC
(b)(6); Winn, Peter A. (OPCL) <pawinn@jmd.usdoj.gov>; Colborn, Paul P (OLC) (b)(6) per OLC
(b)(6); Young, Brian A. (OPCL) (b)(6); Proia, Andrew (OPCL) (b)(6)
(b)(6); Harman-Stokes, Katherine M. (OPCL) (b)(6); Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Mayer, Hannah J. (OPCL) (b)(6)
(b)(6); Braswell, Beau (OPCL) (b)(6); Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

There are a few spots where DOJ has not provided a response to OMB's passback, which are highlighted in red (four on page 1 and one on page 2). Can you please provide a response to these five

comments.

Thanks,

Rana

From: Aasen, Sean (OLC)
Sent: Tuesday, May 08, 2018 2:34 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jimd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC
(b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Harris, Sarah (OLC) (b)(6) per OLC
(b)(6) per OLC; Hardy, Liam P. (OLC) (b)(6) per OLC; Mitchell, Dyone (OLC) (b)(6) per OLC
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

OLC agrees with OPCL's edits and has nothing to add to the DOD views letter.

Thanks,

Sean Aasen

From: Wahdan, Rana S. (OLA)
Sent: Tuesday, May 8, 2018 1:33 PM
To: Aasen, Sean (OLC) (b)(6) per OLC
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC
(b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC; Harris, Sarah (OLC) (b)(6) per OLC
(b)(6) per OLC; Hardy, Liam P. (OLC) (b)(6) per OLC
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Sean,

Can you please confirm that OLC agrees with OPCL's edits. I also wanted to know if OLC had any comments on DOD's views letter, which is also attached.

From: Barnes, Khaliah N (OPCL)
Sent: Friday, May 04, 2018 12:10 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Winn, Peter A. (OPCL) (b) (6); Harman-Stokes, Katherine M. (OPCL) (b) (6); Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Colborn, Paul P (OLC) (b) (6) per OLC; Young, Brian A. (OPCL) (b) (6); Proia, Andrew (OPCL) (b) (6); Mayer, Hannah J. (OPCL) (b) (6); Braswell, Beau (OPCL) <(b) (6)>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Dear Rana,

Thank you for graciously providing OPCL an extension to allow us time to confer with OIP and OLC. Please find attached OPCL's redline edits, which OIP and OLC support. OPCL also concurs with OIP's comments on DOD's views letter.

Thank you,

Khaliah

Khaliah N. Barnes

Attorney Advisor

Office of Privacy and Civil Liberties (OPCL)

U.S. Department of Justice

1331 Pennsylvania Avenue, NW

Suite 1000

Washington, DC 20530

(b) (6) (office)

(b) (6) (mobile)

Khaliah.N.Barnes@usdoj.gov

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From: Wahdan, Rana S. (OLA)
Sent: Wednesday, May 02, 2018 10:26 AM
To: Barnes, Khaliah N (OPCL) (b) (6) >
Cc: Winn, Peter A. (OPCL) <(b) (6)>; Harman-Stokes, Katherine M. (OPCL) <(b) (6)>; Young, Brian A. (OPCL) (b) (6) Proia, Andrew (OPCL) (b) (6); Mayer, Hannah J. (OPCL) (b) (6); Braswell, Beau (OPCL) (b) (6) >
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Khaliah,

Looping you folks in on passback from OMB on the views letter and to also take a look at DOD's views letter.

Let me know if you have anything to add by no later than Thursday at 5pm.

From: Barnes, Khaliah N (OPCL)
Sent: Wednesday, March 14, 2018 4:30 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Winn, Peter A. (OPCL) (b) (6); Harman-Stokes, Katherine M. (OPCL) (b) (6); Young, Brian A. (OPCL) <(b) (6)>; Proia, Andrew (OPCL) (b) (6); Mayer, Hannah J. (OPCL) <(b) (6)>; Braswell, Beau (OPCL) (b) (6) >
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Dear Rana,

OPCL has no comment.

Thank you,

Khaliah

Khaliah N. Barnes

Attorney Advisor

Office of Privacy and Civil Liberties (OPCL)

U.S. Department of Justice

1331 Pennsylvania Avenue, NW

Suite 1000

Washington, DC 20530

(b) (6) (office)

(b) (6) (mobile)

Khaliah.N.Barnes@usdoj.gov

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From: Herbert, Jenelle R. (OLA)

Sent: Wednesday, March 14, 2018 2:35 PM

To: Clarke, Conor (OLC) (b) (6) per OLC; Forrester, Nate (OLC) (b) (6) per OLC; Hardy, Liam P. (OLC) (b) (6) per OLC; Koffsky, Daniel L (OLC) (b) (6) per OLC; Davis, Valorie A (OLP) <vadavis@jmd.usdoj.gov>; Matthews, Matrina (OLP) <mmatthews@jmd.usdoj.gov>; White, Cleo (OLP) <clwhite@jmd.usdoj.gov>; Dorsey, Cassandra (CIV) <CDorsey@CIV.USDOJ.GOV>; policy, civil (CIV) <cpolicy@CIV.USDOJ.GOV>; Soskin, Eric (CIV) <ESoskin@civ.usdoj.gov>; Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Barnes, Khaliah N (OPCL) (b) (6); Lane Scott, Kristi Z (OPCL) (b) (6); Mayer, Hannah J. (OPCL) (b) (6); Proia, Andrew (OPCL) (b) (6); Winn, Peter A. (OPCL) (b) (6); Wood, Alexander W (OPCL) (b) (6); Young, Brian A. (OPCL) <(b) (6)>; Zelman, Beth (OPCL) (b) (6); USAEO-Legislative (USA) <USAEO.Legislative@usdoj.gov>

Cc: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Wilson, Karen L (OLA) <kwilson@jmd.

usdoj.gov>; Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>; Ferrato, Katherine M. (ODAG) <kferrato@jmd.usdoj.gov>; Loveland, Daniel (ODAG) <dloveland@jmd.usdoj.gov>; Hall, Jeffrey (OASG) <jehall@jmd.usdoj.gov>; Parker, Rachel (OASG) <racparker@jmd.usdoj.gov>
Subject: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____
"Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

PLEASE PROVIDE COMMENTS TO RANA WAHDAN/OLA, BY NO LATER THAN 5:00PM TODAY, 3/14/2018.

*Note: Apologize for the short fuse, but this is a short bill that is planned to be on the markup calendar tomorrow. Please provide any drafting assistance in the form of stand alone comments.

From: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc:
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Mon Jun 11 2018 15:55:41 EDT
Attachments:

I didn't see a red comment either, but in the third comment on page 2 (from WHCO), our response is blank. So I was thinking that maybe that was it.

From: Pustay, Melanie A (OIP)
Sent: Monday, June 11, 2018 3:53 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

It was hard to spot! I think I got them all, but I still didn't see one on page 2 . . .

From: Fiorillo, Andrew (OIP)
Sent: Monday, June 11, 2018 3:41 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Hi Melanie – if you enlarge the comment boxes (by clicking on them) the red highlights are in there.
Tricky to find.

- Andy

From: Pustay, Melanie A (OIP)
Sent: Monday, June 11, 2018 3:35 PM

To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Rana -- there is only one red highlight on the first page and none anywhere else. Can you clarify?

From: Wahdan, Rana S. (OLA)
Sent: Monday, June 11, 2018 3:17 PM
To: Aasen, Sean (OLC) (b)(6) per OLC >; Barnes, Khalliah N (OPCL) (b) (6) >; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC >; Clarke, Conor (OLC) <(b)(6) per OLC >; Colborn, Paul P (OLC) (b)(6) per OLC >; Harris, Sarah (OLC) (b)(6) per OLC >; Hardy, Liam P. (OLC) (b)(6) per OLC >; Mitchell, Dyone (OLC) (b)(6) per OLC >; Winn, Peter A. (OPCL) (b) (6) >; Colborn, Paul P (OLC) (b)(6) per OLC >; Young, Brian A. (OPCL) (b) (6) >; Proia, Andrew (OPCL) (b) (6) >; Harman-Stokes, Katherine M. (OPCL) (b) (6) >; Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Mayer, Hannah J. (OPCL) (b) (6) >; Braswell, Beau (OPCL) (b) (6) >; Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Wahdan, Rana S. (OLA)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=93a88ecc92ee40ce84a58a0c0fc9
8429-wahdan, ran>
Cc:
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Mon Jun 11 2018 15:36:48 EDT
Attachments:

Got it – thanks!

From: Wahdan, Rana S. (OLA)
Sent: Monday, June 11, 2018 3:36 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

You have to click on each of the comments of to the side. Some of them are quite long.

From: Pustay, Melanie A (OIP)
Sent: Monday, June 11, 2018 3:35 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material

From: Barnes, Khaliah N (OPCL)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=9e937e59b5d846edb653ab74dd11
7251-barnes, kha>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc: Colborn, Paul P (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=580f85bb0f3f4e50bcb7877e2d23
a4f3-pcolborn>; Winn, Peter A. (OPCL)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=0d4a2dc4d4224fea845577b658ec
bf6b-winn, peter>
Bcc:
Subject: RE: Draft DOJ views letter on H.R. 5253, the "Office of Government Information
Services Empowerment Act of 2018"
Date: Fri May 04 2018 11:51:50 EDT
Attachments:

Dear Melanie,

Thank you for that helpful edit. I will send the revised document to OLA, with a copy to you, Peter, and Paul.

Best regards,

Khaliah

Khaliah N. Barnes

Attorney Advisor

Office of Privacy and Civil Liberties (OPCL)

U.S. Department of Justice

1331 Pennsylvania Avenue, NW

Suite 1000

Washington, DC 20530

(b) (6) (office)

(b) (6) (mobile)

Khaliah.N.Barnes@usdoj.gov

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From: Pustay, Melanie A (OIP)
Sent: Friday, May 04, 2018 10:02 AM
To: Barnes, Khaliah N (OPCL) (b) (6) >
Cc: Colborn, Paul P (OLC) (b)(6) per OLC; Winn, Peter A. (OPCL) (b) (6) >
Subject: Re: Draft DOJ views letter on H.R. 5253, the "Office of Government Information Services Empowerment Act of 2018"

Thanks -- I like this addition and have only one small edit: (b) (5)

Thanks --

On May 3, 2018, at 5:41 PM, Barnes, Khaliah N (OPCL) (b) (6) > wrote:

Dear Melanie,

I am writing regarding the attached draft DOJ views letter on H.R. 5253, the "Office of Government Information Services Empowerment Act of 2018," which you and Peter Winn discussed earlier today.

Per OPCL's email exchange below with OLC, OPCL has included proposed edits (b) (5)

(b) (5)

(b) (5)

OPCL seeks OIP's feedback on our draft language before we respond to OLA.

Please feel free to let me know if you have any questions.

Best regards,

Khaliah

Khaliah N. Barnes

Attorney Advisor

Office of Privacy and Civil Liberties (OPCL)

U.S. Department of Justice

1331 Pennsylvania Avenue, NW

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Washington, DC 20530

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From: Colborn, Paul P (OLC)

Sent: Thursday, May 03, 2018 4:01 PM

To: Winn, Peter A. (OPCL) (b) (6) >

Cc: Barnes, Khaliah N (OPCL) (b) (6) >

Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Yes, I think it helps. It will be important to get Melanie on board with it too.

From: Winn, Peter A. (OPCL)
Sent: Thursday, May 03, 2018 3:41 PM
To: Colborn, Paul P (OLC) <(b)(6) per OLC >
Cc: Barnes, Khaliah N (OPCL) (b) (6) >
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Paul,

Turns out what I remembered was not a formal obligation from OMB, but an email to the Senior Agency Officials for Privacy (SAOPs) at all federal agencies, from the Senior Privacy Advisor to the Director of OMB. (b) (5)

I have attached a proposed edit to your letter making this point. If you think it helps, let Khaliah (copied) know, and she will forward the proposed edit to OLA.

Peter

<OMB_FOIA SORNs_OGIS Routine Use.pdf>

<(OPCL edits) 117143_OMB passback_DOJ views letter on HR 5253_OGIS empowe....docx>

From: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc:
Bcc:
Subject: RE: Draft DOJ views letter on H.R. 5253, the "Office of Government Information
Services Empowerment Act of 2018"
Date: Fri May 04 2018 10:28:57 EDT
Attachments:

Thank you!

From: Pustay, Melanie A (OIP)
Sent: Friday, May 04, 2018 10:03 AM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: Fwd: Draft DOJ views letter on H.R. 5253, the "Office of Government Information Services
Empowerment Act of 2018"

FYI

Begin forwarded message:

From: "Pustay, Melanie A (OIP)" <mpustay@jmd.usdoj.gov>
Date: May 4, 2018 at 10:01:48 AM EDT
To: "Barnes, Khaliah N (OPCL)" (b) (6)
Cc: "Collborn, Paul P (OLC)" (b)(6) per OLC, "Winn, Peter A. (OPCL)" (b) (6)
>
Subject: Re: Draft DOJ views letter on H.R. 5253, the "Office of Government Information Services
Empowerment Act of 2018"

Duplicative Material

From: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>; Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
Cc: Breyan, Jonathan (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=c4174f3794cd4c58987f0665fc3c
59a8-breyan, jon>
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Tue May 01 2018 15:26:21 EDT
Attachments:

Got it, thanks Melanie!

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 1, 2018 3:25 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

As to the DOD "response" (it's not actually "testimony"), we can say (b) (5)



From: Fiorillo, Andrew (OIP)
Sent: Tuesday, May 1, 2018 3:16 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Hi Melanie,

Just a quick follow-up – did we have any comment on the DOD draft testimony (attached)?

- Andy

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 1, 2018 3:09 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Here is the letter with our response to the comments received and additional edits made.

This can go to OLA.

(I did not add the (b) (5) [REDACTED])

Thanks --

From: Fiorillo, Andrew (OIP)
Sent: Tuesday, May 1, 2018 3:00 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Will do Melanie.

- Andy

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 1, 2018 2:59 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Please stand by one second while I make a quick edit to our letter. Then we can send it on to OLA as I know that the deadline is 3pm today.

From: Fiorillo, Andrew (OIP)
Sent: Monday, April 30, 2018 5:33 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

As for a deadline, OLA says tomorrow, Tuesday, at 3PM.

- Andy

From: Fiorillo, Andrew (OIP)
Sent: Monday, April 30, 2018 5:30 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Hi Melanie and Bobby,

These are comments on our letter re the OGIS Empowerment Act. I'm not sure exactly when OLA

needs these back, but I am checking.

I took a look and they are not particularly hard comments to sort through. Generally, everyone kind of added stuff specific to their own agencies. I can't really see an issue with that, but we may want to keep this more general and reject some of the comments to aid the main point. (b) (5)

(b) (5)

Also attached is DOD draft testimony (b) (5)

That's my synopsis, but I thought I would just send along asap because a lot of these comments are pretty straightforward to accept/reject. (b) (5)

Let me know if I can pull anything, etc. I can get our comments back to OLA also when you are finished.

- Andy

From: Wahdan, Rana S. (OLA)
Sent: Monday, April 30, 2018 5:00 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Attached, please find passback on DOJ draft views letter on HR 5253 which contains comments/edits from: DOE, HHS, Treasury, NARA, IGIS, and WHCO.

Also attached is DoD's response.

Can you please advise on OIP's Response?

From: Fiorillo, Andrew (OIP)
Sent: Wednesday, March 14, 2018 4:49 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Good Afternoon Rana,

(b) (5)



Please let me know if you have any questions.

Thank you.

Andrew Fiorillo

Senior Attorney

Office of Information Policy

Department of Justice

(202) 598-5074

From: Herbert, Jenelle R. (OLA)

Sent: Wednesday, March 14, 2018 2:35 PM

To: Clarke, Conor (OLC) (b)(6) per OLC >; Forrester, Nate (OLC) (b)(6) per OLC >; Hardy, Liam P. (OLC) (b)(6) per OLC >; Koffsky, Daniel L (OLC) (b)(6) per OLC >; Davis, Valorie A (OLP) <vadavis@jmd.usdoj.gov>; Matthews, Matrina (OLP) <mmatthews@jmd.usdoj.gov>; White, Cleo (OLP) <clwhite@jmd.usdoj.gov>; Dorsey, Cassandra (CIV) <CDorsey@CIV.USDOJ.GOV>; policy, civil (CIV) <cpolicy@CIV.USDOJ.GOV>; Soskin, Eric (CIV) <ESoskin@civ.usdoj.gov>; Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Barnes, Khalliah N (OPCL) <(b)(6)>; Lane Scott, Kristi Z (OPCL) (b)(6) >; Mayer, Hannah J. (OPCL) <(b)(6)>; Proia, Andrew (OPCL) (b)(6) >; Winn, Peter A. (OPCL) (b)(6) >; Wood, Alexander W (OPCL) <Alexander.W.Wood@usdoj.gov>; Young, Brian A. (OPCL) (b)(6) >; Zelman, Beth (OPCL) (b)(6) >; USAEO-Legislative (USA) <USAEO.Legislative@usdoj.gov>

Cc: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Wilson, Karen L (OLA) <kwilson@jmd.usdoj.gov>; Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>; Ferrato, Katherine M. (ODAG) <kferrato@jmd.usdoj.gov>; Loveland, Daniel (ODAG) <dloveland@jmd.usdoj.gov>; Hall, Jeffrey (OASG) <jehall@jmd.usdoj.gov>; Parker, Rachel (OASG) <racparker@jmd.usdoj.gov>

Subject: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Importance: High

Duplicative Material

From: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc:
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Tue May 01 2018 15:11:19 EDT
Attachments:

Excellent!!

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 01, 2018 3:10 PM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Thanks – all set. Did it here at the computer in the Library at Main!

From: Talebian, Bobak (OIP)
Sent: Tuesday, May 1, 2018 3:01 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Let me know if you would like me to do something from here if it is easier!

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 01, 2018 2:59 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.
gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Colborn, Paul P (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=580f85bb0f3f4e50bcb7877e2d23
a4f3-pcolborn>
Cc: Forrester, Nate (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=498a50a73fd74073a8e082c1663a
a0e7-nforrester>; Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>; Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Tue May 01 2018 15:10:43 EDT
Attachments:

Sorry I missed you. We went ahead and sent our comments on to OLA.

Thanks--

From: Colborn, Paul P (OLC)
Sent: Tuesday, May 1, 2018 1:46 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

(b) (5)

Happy to talk with you but my mid-afternoon schedule is tight with meetings at 2:30 and 3:45.

From: Pustay, Melanie A (OIP)

Sent: Tuesday, May 01, 2018 1:12 PM
To: Colborn, Paul P (OLC) (b)(6) per OLC
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Paul -- (b)(5) (b)(5)

I will be over at Main for a 2pm meeting and can stop by to discuss this live afterward if that works with your schedule.

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 01, 2018 8:20 AM
To: Colborn, Paul P (OLC) (b)(6) per OLC
Cc: Forrester, Nate (OLC) (b)(6) per OLC; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Paul -- Here are my comments on the comments. I wanted to pass these along to you all first, prior to sending them to OLA. We would be happy to add in any other comments for OLC.

Thanks --

I will be out of pocket at a training from 9:30 to 12:30, but can talk to you after that.

From: Colborn, Paul P (OLC)
Sent: Monday, April 30, 2018 5:11 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

I haven't looked at this yet, Melanie. Just wanted to be sure you've received it.

From: Wahdan, Rana S. (OLA)
Sent: Monday, April 30, 2018 5:01 PM
To: Forrester, Nate (OLC) <(b)(6) per OLC >
Cc: Hardy, Liam P. (OLC) <(b)(6) per OLC >; Koffsky, Daniel L (OLC) (b)(6) per OLC
(b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
(b)(6) per OLC; Aasen, Sean (OLC) (b)(6) per OLC
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Attached, please find passback on DOJ draft views letter on HR 5253 which contains comments/edits from: DOE, HHS, Treasury, NARA, IGIS, and WHCO.

Also attached is DoD's response.

Can you please advise on OLC's Response?

From: Forrester, Nate (OLC)
Sent: Thursday, March 15, 2018 4:24 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Hardy, Liam P. (OLC) (b)(6) per OLC >; Koffsky, Daniel L (OLC) (b)(6) per OLC
(b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC >; Colborn, Paul P (OLC) (b)(6) per OLC
(b)(6) per OLC; Aasen, Sean (OLC) (b)(6) per OLC >
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Rana, just to follow up here, we do intend to work up a views letter on this bill, so per our earlier conversation it would be good to let OMB know that one is coming.

— Nate

Nathan A. Forrester

Office of Legal Counsel

W: (b)(6) per OLC | M: (b)(6)

(b)(6) per OLC

From: Forrester, Nate (OLC)
Sent: Wednesday, March 14, 2018 7:07 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Hardy, Liam P. (OLC) (b)(6) per OLC; Koffsky, Daniel L (OLC) (b)(6) per OLC
(b)(6) per OLC; Clarke, Conor (OLC) (b)(6) per OLC; Colborn, Paul P (OLC) (b)(6) per OLC
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____
"Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Rana, you should already have received a comment from OIP to which we contributed. Let us know if you haven't received it.

— Nate

Nathan A. Forrester

Office of Legal Counsel

W: (b)(6) per OLC M: (b)(6)

Nate.Forrester@usdoj.gov

From: Herbert, Jenelle R. (OLA)
Sent: Wednesday, March 14, 2018 2:35 PM
To: Clarke, Conor (OLC) (b)(6) per OLC; Forrester, Nate (OLC) (b)(6) per OLC
(b)(6) per OLC; Hardy, Liam P. (OLC) (b)(6) per OLC; Koffsky, Daniel L (OLC) (b)(6) per OLC
(b)(6) per OLC; Davis, Valorie A (OLP) <vadavis@jmd.usdoj.gov>; Matthews, Matriona (OLP) <mmatthews@jmd.usdoj.gov>; White, Cleo (OLP) <clwhite@jmd.usdoj.gov>; Dorsey, Cassandra (CIV) <CDorsey@CIV.USDOJ.GOV>; policy, civil (CIV) <cpolicy@CIV.USDOJ.GOV>; Soskin, Eric (CIV) <ESoskin@civ.usdoj.gov>; Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Barnes, Khaliah N (OPCL) (b)(6); Lane Scott, Kristi Z (OPCL) <Kristi.Z.Lane.Scott@usdoj.gov>; Mayer, Hannah J. (OPCL) (b)(6); Proia, Andrew (OPCL) <(b)(6)>; Winn, Peter A. (OPCL) (b)(6); Wood, Alexander W (OPCL) <Alexander.W.Wood@usdoj.gov>; Young, Brian A. (OPCL) (b)(6); Zelman, Beth (OPCL) (b)(6); USAEO-Legislative (USA) <USAEO.Legislative@usdoj.gov>
Cc: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Wilson, Karen L (OLA) <kwilson@jmd.usdoj.gov>; Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>; Ferrato, Katherine M. (ODAG) <kferrato@jmd.usdoj.gov>; Loveland, Daniel (ODAG) <dloveland@jmd.usdoj.gov>; Hall, Jeffrey (OASG) <jehall@jmd.usdoj.gov>; Parker, Rachel (OASG) <racparker@jmd.usdoj.gov>
Subject: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____
"Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Duplicative Material

From: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc:
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Tue May 01 2018 09:49:06 EDT
Attachments:

Hi Melanie,

Sorry for not taking a look and responding sooner! I, of course, think it is all great! (b) (5)

From: Pustay, Melanie A (OIP)
Sent: Monday, April 30, 2018 8:13 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

I will confer with Bobby in the morning. I went thru this and made a few edits and I think we can add something in the end (b) (5)

Here is my revised version.

From: Fiorillo, Andrew (OIP)
Sent: Monday, April 30, 2018 5:30 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Duplicative Material



From: Colborn, Paul P (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=580f85bb0f3f4e50bcb7877e2d23
a4f3-pcolborn>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc: Forrester, Nate (OLC)
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(fydibohf23spdlt)/cn=recipients/cn=498a50a73fd74073a8e082c1663a
a0e7-nforrester>; Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>; Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Tue May 01 2018 09:17:17 EDT
Attachments:

Thanks, Melanie. We'll review this while you're at training.

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 01, 2018 8:20 AM
To: Colborn, Paul P (OLC) <(b)(6) per OLC >
Cc: Forrester, Nate (OLC) <(b)(6) per OLC >; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material

From: O'Neill, Sean (OIP)
<soneill@jmd.usdoj.gov>
To: Pustay, Melanie A (OIP)
<mpustay@jmd.usdoj.gov>; Mallon, Carmen L
(OIP)
<cmallon@jmd.usdoj.gov>
Cc:
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Tue May 01 2018 09:05:14 EDT
Attachments:

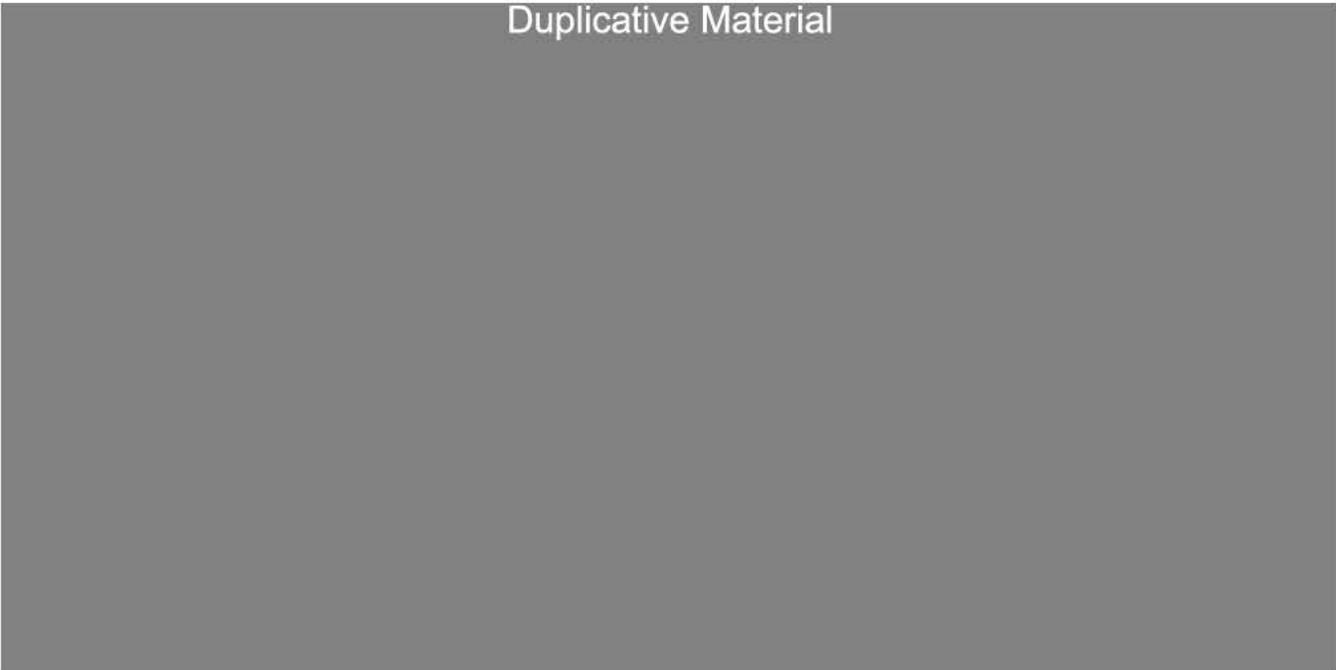
Thanks, interesting reading.

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 01, 2018 8:29 AM
To: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

FYI

From: Pustay, Melanie A (OIP)
Sent: Tuesday, May 01, 2018 8:20 AM
To: Colborn, Paul P (OLC) (b)(6) per OLC <mailto:(b)(6) per OLC >>
Cc: Forrester, Nate (OLC) (b)(6) per OLC <mailto:(b)(6) per OLC >>; Talebian,
Bobak (OIP) <btalebian@jmd.usdoj.gov<mailto:btalebian@jmd.usdoj.gov>>; Fiorillo, Andrew (OIP)
<afiorillo@jmd.usdoj.gov<mailto:afiorillo@jmd.usdoj.gov>>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material



From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Colborn, Paul P (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=580f85bb0f3f4e50bcb7877e2d23
a4f3-pcolborn>
Cc: Forrester, Nate (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=498a50a73fd74073a8e082c1663a
a0e7-nforrester>
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Mon Apr 30 2018 19:21:54 EDT
Attachments:

Thanks – we got it and will take a look

From: Colborn, Paul P (OLC)
Sent: Monday, April 30, 2018 5:11 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) (b)(6) per OLC >
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material

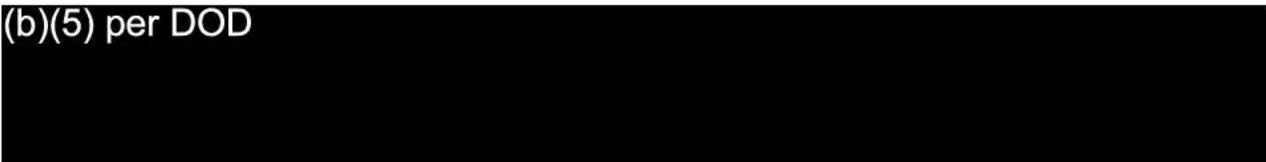


From: Hogan, James P (Jim) CIV OSD ODCMO (US)
<james.p.hogan4.civ@mail.mil>
To: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
Cc: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>; Allard, Cindy L CIV OSD ODCMO (US)
<cindy.l.allard.civ@mail.mil>; Walker, Melissa S CIV OSD ODCMO
(US) <melissa.s.walker.civ@mail.mil>; Williams, Darrell M CIV
OSD ODCMO (US) <darrell.m.williams.civ@mail.mil>
Bcc:
Subject: RE: DOD treatment of Form 86 (UNCLASSIFIED)
Date: Thu Apr 19 2018 15:55:18 EDT
Attachments: smime.p7s
DoD Comments HR 5253.docx

CLASSIFICATION: UNCLASSIFIED

Melanie,

(b)(5) per DOD



Jim

From: Pustay, Melanie A (OIP) [mailto:Melanie.A.Pustay@usdoj.gov]
Sent: Thursday, April 19, 2018 3:33 PM
To: Hogan, James P (Jim) CIV OSD ODCMO (US) <james.p.hogan4.civ@mail.mil>
Cc: Talebian, Bobak (OIP) <Bobak.Talebian@usdoj.gov>
Subject: [Non-DoD Source] DOD treatment of Form 86

Jim –

Does DOD have a policy on the handling of Form 86 for an individual who is deceased?

Thanks –

Melanie

CLASSIFICATION: UNCLASSIFIED

Document ID: 0.7.22277.5234

From: Pustay, Melanie A (OIP)
<mpustay@jmd.usdoj.gov>
To: Kellner, Kenneth E. (OLA)
<kkellner@jmd.usdoj.gov>
Cc: Talebian, Bobak (OIP)
<btalebian@jmd.usdoj.gov>; Fiorillo, Andrew (OIP)
<afiorillo@jmd.usdoj.gov>
Bcc:
Subject: OGIS bill
Date: Wed Mar 21 2018 12:29:44 EDT
Attachments: OGIS empowerment Act of 2018 DOJ views letter 3.21.2018.docx

Ken -- we will be sending thru the normal channels this draft views letter, which incorporates OLC's comments. Just wanted to share with you directly.

Thanks -

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc:
Bcc:
Subject: FW: OGIS Legislation
Date: Wed Mar 21 2018 12:28:01 EDT
Attachments:

Fyi --

From: Colborn, Paul P (OLC)
Sent: Wednesday, March 21, 2018 12:12 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Shapiro, Elizabeth (CIV) (b)(6) per CIV [REDACTED]; Aasen, Sean (OLC) <(b)(6) per OLC [REDACTED]>
[REDACTED] Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Forrester, Nate (OLC) <(b)(6) per OLC [REDACTED]>
>
Subject: Re: OGIS Legislation

Melanie, the letter looks great. (b) (5) [REDACTED]

On Mar 21, 2018, at 11:35 AM, Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov> wrote:

Here is OIP's draft views letter, with the OLC para's inserted.

We'll send this down to OLA later today. Let us know if you have any comments --

From: Colborn, Paul P (OLC)
Sent: Tuesday, March 20, 2018 6:19 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Shapiro, Elizabeth (CIV) <(b)(6) per OLC [REDACTED]>
Cc: Aasen, Sean (OLC) <(b)(6) per OLC [REDACTED]>

Subject: RE: OGIS Legislation

Could we see your part before you send it to OLA?

From: Pustay, Melanie A (OIP)
Sent: Tuesday, March 20, 2018 6:01 PM
To: Colborn, Paul P (OLC) <(b)(6) per OLC >; Shapiro, Elizabeth (CIV) <(b)(6) per OLC >
>
Cc: Aasen, Sean (OLC) <(b)(6) per OLC >
Subject: RE: OGIS Legislation

Thanks -- this looks great. I will be circulating shortly our OIP letter with this inserted.

From: Colborn, Paul P (OLC)
Sent: Tuesday, March 20, 2018 5:58 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Shapiro, Elizabeth (CIV) <(b)(6) per OLC >
>
Cc: Aasen, Sean (OLC) <(b)(6) per OLC gov>
Subject: RE: OGIS Legislation

Here's a draft of OLC's bill comment (in the form of an insert to the views letter being drafted by OIP). Any comments on it before we send it to OLA in the morning?

From: Pustay, Melanie A (OIP)
Sent: Thursday, March 15, 2018 12:58 PM
To: Colborn, Paul P (OLC) <(b)(6) per OLC >; Shapiro, Elizabeth (CIV) <(b)(6) per OLC >
>
Subject: FW: OGIS Legislation

FYI from OLA

From: Kellner, Kenneth E. (OLA)
Sent: Thursday, March 15, 2018 11:47 AM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

As expected, the Committee voted out the bill. Members from both sides spoke in favor. I will ask our clearance team to recirculate the bill more broadly.

From: Kellner, Kenneth E. (OLA)
Sent: Thursday, March 15, 2018 9:44 AM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

Any time, although at 10 I will be watching the mark-up.

From: Pustay, Melanie A (OIP)
Sent: Thursday, March 15, 2018 8:34 AM
To: Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>
Cc: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

Thanks Ken -- let me know when is a good time to talk today and I will give you a call.

From: Kellner, Kenneth E. (OLA)
Sent: Wednesday, March 14, 2018 7:23 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

I spoke to Katy. Doubtful this will be pulled, but I can fill you in more tonight or tomorrow morning.

At my desk until 7:30 pm, but can stay if you call. Otherwise we can discuss tonight or tomorrow am.
My cell is (b) (6)

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 6:14 PM
To: Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

Yes, Bobby and I will call you now.

From: Kellner, Kenneth E. (OLA)
Sent: Wednesday, March 14, 2018 6:06 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>
Subject: FW: OGIS Legislation

Are you around to discuss now?

From: Rother, Katy [mailto:(b) (6)]
Sent: Wednesday, March 14, 2018 5:59 PM
To: Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Nabity, Caroline <(b) (6)>
<(b) (6)>
Cc: Armstrong, Alexa <(b) (6)>; Stephenson, Mark <Mark.(b) (6)>; Boyd, Krista <(b) (6)>
Subject: RE: OGIS Legislation

Hi Ken –

Thanks for the feedback. We look forward to hearing more from DOJ about this issue. I had a couple of questions:

- (1) How soon can we sit down to discuss further?
- (2) Given that DOJ has had two weeks' notice and we met with you and Melanie just last week, is there any reason why DOJ has been unable to provide this feedback until the night before the markup? I only ask because it seems like this is such a simple bill and DOJ is situated such that the concepts that you mention below seem like they would have been fairly easy to identify, given the agency's expertise in FOIA and national security, law enforcement, and privacy.
- (3) Rather than pull Reps. Farenthold & Cartwright's bill from the markup, is there any reason why we can't continue to discuss these concerns after the markup?

I'm honestly a little confused as to why DOJ thinks that the language as drafted creates unfettered access to "sensitive matters." The bill allows OGIS to access records necessary to assess FOIA compliance. It doesn't allow OGIS to access any record whatsoever or to share any sensitive information or access anything unrelated to FOIA. Any existing requirements to have security clearances would still apply. We really need additional information to better understand DOJ's concerns before we can address them.

Any additional information you can provide tonight would be greatly appreciated.

Thank you,

Katy

From: Kellner, Kenneth E. (OLA) [mailto:Kenneth.E.Kellner@usdoj.gov]

Sent: Wednesday, March 14, 2018 5:40 PM

To: Nabity, Caroline <(b) (6)>

Cc: Armstrong, Alexa <(b) (6)>; Rother, Katy <(b) (6)>

<(b) (6)>; Stephenson, Mark <(b) (6)>; Boyd, Krista <(b) (6)>

<(b) (6)>

Subject: OGIS Legislation

Caroline:

Thank you very much for alerting me to tomorrow's markup.

As we discussed earlier this afternoon, we are requesting additional time to review this bill before it is taken up by the full Committee. The early feedback I have received is that the Department is concerned about preserving the integrity of the many existing statutes that restrict dissemination of sensitive records unless strict requirements are met. These important legal safeguards ensure protection of sensitive matters connected with national security, law enforcement, and personal privacy. Unfettered access to such records, with no criteria, or need to know standards, puts many vital interests at risk. Additional concerns may be raised after we have had the opportunity to consider the legislation further.

Thanks again.

Ken

Kenneth E. Kellner

Attorney Advisor

Office of Legislative Affairs

U.S. Department of Justice

(202) 514-3752

<OGIS empowerment Act of 2018 DOJ views letter 3.21.2018.docx>



From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
Bcc:
Subject: views letter
Date: Wed Mar 21 2018 12:27:53 EDT
Attachments: OGIS empowerment Act of 2018 DOJ views letter 3.21.2018.docx

Andy – here is the latest version, with the one sentence deleted from OLC's part (as they requested).
Can you send this down to OLA?

Thanks –

Document ID: 0.7.22277.5323

From: Pustay, Melanie A (OIP)
<mpustay@jmd.usdoj.gov>
To: Colborn, Paul P (OLC)
(b)(6) per OLC >
Cc: Shapiro, Elizabeth (CIV)
<eshapiro@civ.usdoj.gov>; Aasen, Sean (OLC)
(b)(6) per OLC ; Talebian, Bobak (OIP)
<btalebian@jmd.usdoj.gov>; Forrester, Nate (OLC)
(b)(6) per OLC
Bcc:
Subject: RE: OGIS Legislation
Date: Wed Mar 21 2018 12:23:48 EDT
Attachments:

Super -- I am happy to delete that last sentence as I had the same reaction. Thanks -- I will send this on to OLA and Betsy and others can weigh in when it goes around.

From: Colborn, Paul P (OLC)
Sent: Wednesday, March 21, 2018 12:12 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Shapiro, Elizabeth (CIV) (b)(6) per OLC >; Aasen, Sean (OLC) (b)(6) per OLC
(b)(6) per OLC Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Forrester, Nate (OLC) (b)(6) per OLC
(b)(6) per OLC
Subject: Re: OGIS Legislation

Duplicative Material



Document ID: 0.7.22277.5242

From: Pustay, Melanie A (OIP)
<mpustay@jmd.usdoj.gov>
To: Talebian, Bobak (OIP)
<btalebian@jmd.usdoj.gov>; Fiorillo, Andrew (OIP)
<afiorillo@jmd.usdoj.gov>
Cc:
Bcc:
Subject: views letter
Date: Wed Mar 21 2018 11:38:08 EDT
Attachments: OGIS empowerment Act of 2018 DOJ views letter 3.21.2018.docx
OGIS empowerment Act of 2018 DOJ views letter draft 1.docx

Thank you both so much for the excellent draft views letter!!! I just sent it on to OLC to see if they have any comments before we send to OLA.

I just fussed a bit with it and so include here both a track change and a clean version so you can see my edits.

This was very strong and I appreciate the quick, comprehensive approach!!

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>; Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc: Breyan, Jonathan (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=c4174f3794cd4c58987f0665fc3c
59a8-breyan, jon>; Mallon, Carmen L (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=318ad563d2c248e0819a071df737
f891-cmallon>; O'Neill, Sean (OIP) </o=exchange\labs/ou=exchange
administrative group
(fydibohf23spdlt)/cn=recipients/cn=c5b5b7b077f54342821b2f5cf990
1e0f-soneill>
Bcc:
Subject: RE: OGIS bill
Date: Tue Mar 20 2018 16:19:32 EDT
Attachments:

I look forward to diving into this!! Thanks so much. I will be back in touch once I review.

From: Talebian, Bobak (OIP)
Sent: Tuesday, March 20, 2018 3:58 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: RE: OGIS bill

Hi Melanie,

Please find attached for your consideration the draft views letter we worked on in response to the proposed amendments to Subsection h of the FOIA. We included all the ideas that were floated around when this was briefly circulated and every relevant point we could think of with a placeholder for OLC's argument. Please don't hesitate to let us know if you have any questions or concerns, or if there are any changes you would like us to make.

Thanks so much!

Bobby

From: Pustay, Melanie A (OIP)
Sent: Friday, March 16, 2018 7:01 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: RE: OGIS bill

And I don't think it has to be very long -- after all it is just one little provision!! :-)

From: Fiorillo, Andrew (OIP)
Sent: Friday, March 16, 2018 4:54 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: RE: OGIS bill

OK thanks Melanie, will do! I'll talk to Bobby about how to proceed. Thanks for grabbing that letter!

- Andy

From: Pustay, Melanie A (OIP)
Sent: Friday, March 16, 2018 4:44 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: RE: OGIS bill

Andy -- here is a sample views letter that you could use as a model. If you and Bobby could coordinate to flush out our comments into more of a narrative for a views letter. You can leave a place holder for OLC's section. No need to go to OLA now!

From: Fiorillo, Andrew (OIP)
Sent: Friday, March 16, 2018 2:17 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Hi Melanie,

This concerns the "Office of Government Information Services Empowerment Act of 2018." (b) (5) (b) (5). I just got this request from OLA (see below). I've never done one of these before, so just wanted to check-in about how to proceed. Would you like me to draft something up based on the comments that we sent to OLA?

I sent an acknowledgment to OLA that we received their request and would review.

- Andy

From: Wahdan, Rana S. (OLA)
Sent: Thursday, March 15, 2018 4:55 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Andrew,

After speaking with OLC, we would like to prepare a views letter on this bill. Can you have something we can circulate to other components by the middle of next week.

From: Fiorillo, Andrew (OIP)
Sent: Wednesday, March 14, 2018 4:49 PM
To: Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Duplicative Material

From: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdft)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
To: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdft)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc:
Bcc:
Subject: RE: OGIS bill
Date: Tue Mar 20 2018 15:51:38 EDT
Attachments:

Thanks so much Andy!! I just tweaked a little here and there – you really made it easy with what you drafted. It was really awesome and I like what we have now. I think it is strong and hopefully resonates. It is always so great to work with you – you're awesome!! I'll send this to MAP now.

From: Fiorillo, Andrew (OIP)
Sent: Tuesday, March 20, 2018 3:45 PM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: OGIS bill

Hi Bobby,

That reads much better! Thanks for cleaning it up. I really didn't have anything to add back to you. I just put some comments in the doc really just to support what you did (attached). I like it! My version was a little skeletal – (b) (5)

Not overkill at all. (b) (5)

You learn something new every day!

But I think this looks great.

- Andy

From: Talebian, Bobak (OIP)
Sent: Tuesday, March 20, 2018 2:51 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: OGIS bill

Thanks so much for this draft – it was really great! Take a look at my suggested edits and see what you think. Can hop on a quick skype to discuss.

From: Fiorillo, Andrew (OIP)
Sent: Monday, March 19, 2018 9:59 AM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: OGIS bill

Hi Bobby,

Here's my draft. The HR is also attached. Thanks for letting me take a crack at it. I figured, since my views ultimately matter the least!, that I could take a shot at drafting at the start. So thanks for letting me try that!

I obviously have no clue how to do one of these since we rarely get them, but I tried to match the tone of the example that MAP provided. I saw that there was a lot of legislative analysis attached to the MAP example, but I can't think of what that would be here since this is such a short provision. If we need anything for attachments, let me know and I can work on those.

I left an OLC placeholder in there, but tried to put it into the body of the whole letter so it's not just 'OIP's views, OLC's views, and summary para.'

It's also on our letterhead and I wasn't sure who to address it to so that's empty as well. I just focused on the text at this point.

I think that's all that I've got. Feel free to tear this thing up. I'm chalking this draft up as a leaning effort, so I'm looking forward to your edits!

Thanks again and I'll stand by if you need any support efforts.

- Andy

From: Talebian, Bobak (OIP)
Sent: Friday, March 16, 2018 6:18 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: OGIS bill

Actually, (b) (5)

...

From: Talebian, Bobak (OIP)
Sent: Friday, March 16, 2018 6:06 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Subject: RE: OGIS bill

(b) (5)

From: Fiorillo, Andrew (OIP)
Sent: Friday, March 16, 2018 5:02 PM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: FW: OGIS bill

Hi Bobby,

I can draft up something this weekend and have it to you by Monday AM if that works. That way, you can just edit/change/delete(hopefully not this one!) at your leisure. I figure my comments are secondary to yours, so maybe I can get something on paper and then you can kind of edit/finalize it before it continues its way up the chain to MAP. OLA was looking for mid-week, so if I have something to you by Monday first thing (or really Sunday evening sometime), you'll have a few days.

- Andy

From: Breyan, Jonathan (OIP)
<jbreyan@jmd.usdoj.gov>
To: Talebian, Bobak (OIP)
<btalebian@jmd.usdoj.gov>; Fiorillo, Andrew
(OIP)
<afiorillo@jmd.usdoj.gov>
Cc:
Bcc:
Subject: RE: OGIS bill
Date: Mon Mar 19 2018 13:41:49 EDT
Attachments:

Good afternoon: I was out of the office on Friday. If either of you need my help, please do not hesitate to ask. Thanks.

From: Pustay, Melanie A (OIP)
Sent: Friday, March 16, 2018 7:57 PM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Cc: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: Re: OGIS bill

All good!!
Sent from my iPhone

On Mar 16, 2018, at 7:09 PM, Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov<mailto:btalebian@jmd.usdoj.gov>> wrote:
Of course, we will draft it concise but very strong! Andy and I connected briefly over e-mail and we should have no problem having it done first thing next week.

From: Pustay, Melanie A (OIP)
Sent: Friday, March 16, 2018 7:01 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov<mailto:afiorillo@jmd.usdoj.gov>>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov<mailto:btalebian@jmd.usdoj.gov>>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov<mailto:jbreyan@jmd.usdoj.gov>>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov<mailto:cmallon@jmd.usdoj.gov>>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov<mailto:soneill@jmd.usdoj.gov>>
Subject: RE: OGIS bill

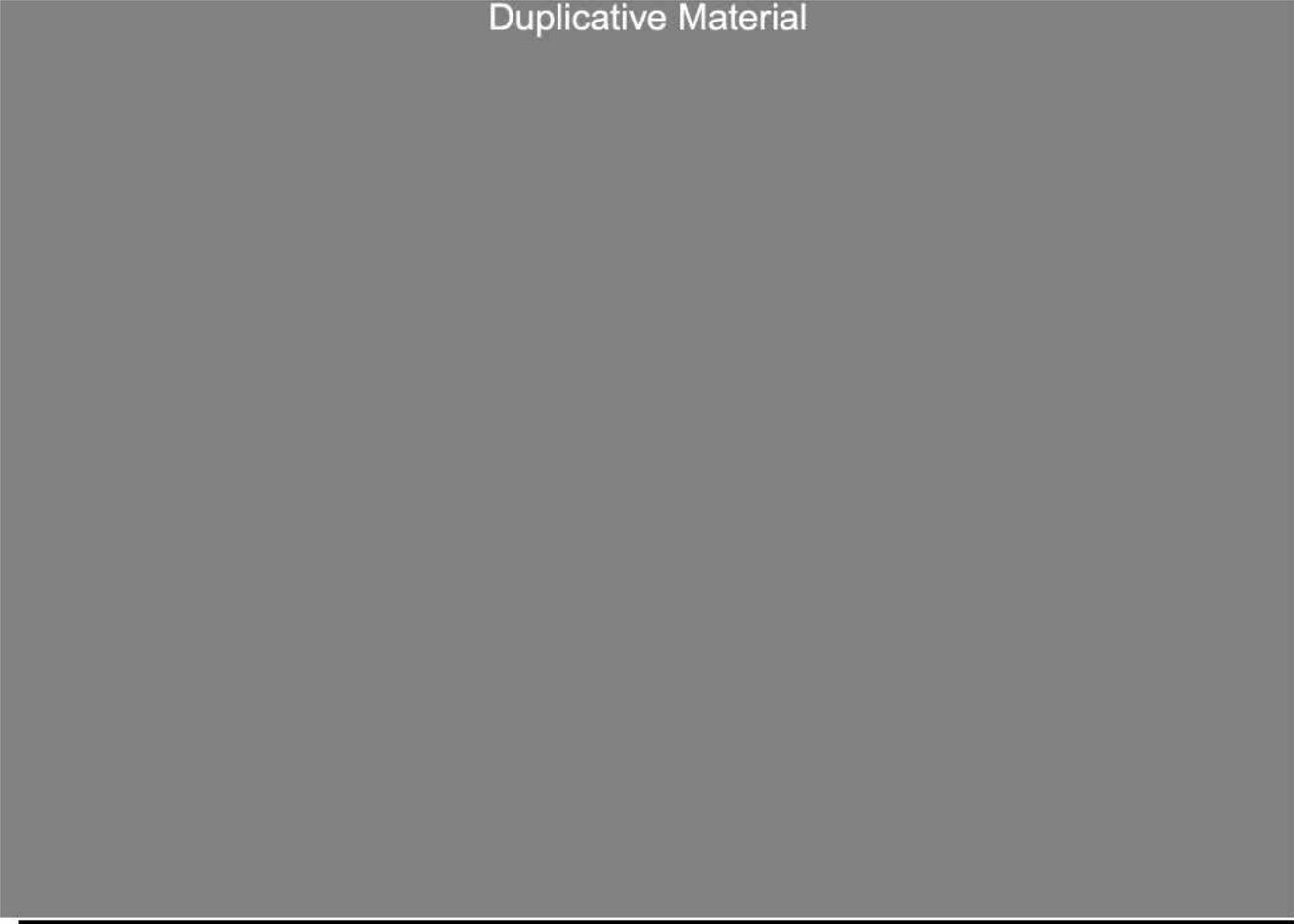
Duplicative Material

From: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
To: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc:
Bcc:
Subject: RE: OGIS bill
Date: Fri Mar 16 2018 17:12:55 EDT
Attachments:

Thanks so much, Andy! That sounds good, but totally understand if you need more time. I'll take a look as soon as you have something, and if you want to discuss before then just let me know. Appreciate your taking the pen on this!

From: Fiorillo, Andrew (OIP)
Sent: Friday, March 16, 2018 5:02 PM
To: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: FW: OGIS bill

Duplicative Material



From: O'Neill, Sean (OIP)
<soneill@jmd.usdoj.gov>
To: Pustay, Melanie A (OIP)
<mpustay@jmd.usdoj.gov>; Fiorillo, Andrew
(OIP)
<afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP)
<jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP)
<btalebian@jmd.usdoj.gov>; Mallon, Carmen L (OIP)
<cmallon@jmd.usdoj.gov>
Bcc:
Subject: RE: OGIS bill
Date: Fri Mar 16 2018 16:42:48 EDT
Attachments:

Wow.

From: Pustay, Melanie A (OIP)
Sent: Friday, March 16, 2018 4:39 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; O'Neill, Sean (OIP) <soneill@jmd.usdoj.gov>
Subject: RE: OGIS bill

Andy – Can you ask OLA what they are looking for from us in terms of the format? I am thinking that is the best way to proceed on that part! (I believe that we just write up our concerns in a Word document with a bit more detail, background, context, etc.) You could ask OLA for a sample so go by. And as to the merits, that would be great if you would take the pen based on the comment we already provided. You can also share with Bobby who will want to work on it as well.

Just so you know, this morning OLC asked to meet with me about (b) (5) [REDACTED] and I will be doing so on Monday. We can just leave a place holder in the views letter for the OLC portion. I will also look at what we did last time the FOIA was amended and see if I have a views letter. I very well might!!!

Thanks!!

From: Fiorillo, Andrew (OIP)
Sent: Friday, March 16, 2018 2:17 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov<mailto:mpustay@jmd.usdoj.gov>>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov<mailto:jbreyan@jmd.usdoj.gov>>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Hall, Jeffrey (OASG)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=e8cc68e3411c46ada9b7e8569f3b
8a2a-hall, jeffr>
Cc:
Bcc:
Subject: OGIS Legislation
Date: Thu Mar 15 2018 12:57:46 EDT
Attachments: SLW_027_xml Introduced Text.pdf
CWEmbed1.xml

OLA has advised that this bill was voted out of Committee, with both sides speaking favorable about it. In light of that OLA will ask that the bill be circulated more broadly for comment as we believe other agencies will likewise be concerned. Here is what I passed on as our concerns. OLC provided me the sentence re (b) (5) [REDACTED] We can discuss when we next meet.

(b) (5) [REDACTED]

From: Kellner, Kenneth E. (OLA)
Sent: Thursday, March 15, 2018 11:47 AM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

Duplicative Material

.....
(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. _____

To amend section 552(h) of title 5, United States Code, to require agencies provide records to the Director of the Office of Government Information Services.

IN THE HOUSE OF REPRESENTATIVES

Mr. FARENTHOLD introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 552(h) of title 5, United States Code, to require agencies provide records to the Director of the Office of Government Information Services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Office of Government
5 Information Services Empowerment Act of 2018”.

1 **SEC. 2. FREEDOM OF INFORMATION ACT AMENDMENTS.**

2 Section 552(h) of title 5, United States Code is
3 amended by adding at the end the following new para-
4 graph:

5 “(7) Each agency shall make any record avail-
6 able to the Director of the Office of Government In-
7 formation Services for purposes of carrying out this
8 subsection, upon request of the Director.”.

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc:
Bcc:
Subject: RE: Andy -- please stand by re OGIS matter, I am consolidating our comments.
URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____ "Office of
Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Wed Mar 14 2018 16:27:46 EDT
Attachments:

Thanks! I sent the consolidated version to OLC so I am waiting to see if they have anything further to add.

From: Fiorillo, Andrew (OIP)
Sent: Wednesday, March 14, 2018 4:26 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Subject: RE: Andy -- please stand by re OGIS matter, I am consolidating our comments. URGENT!
DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____ "Office of
Government Information Services Empowerment Act of 2018" (FOIA Amendments)

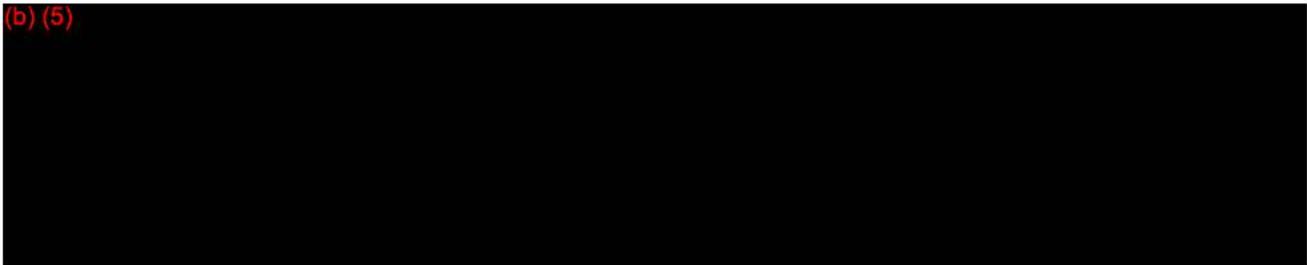
Standing by Melanie

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 4:18 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: Andy -- please stand by re OGIS matter, I am consolidating our comments. URGENT!
DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____ "Office of
Government Information Services Empowerment Act of 2018" (FOIA Amendments)

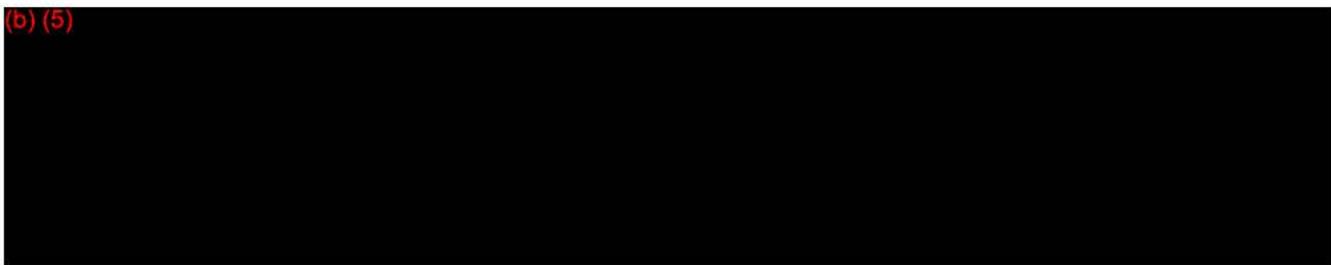
From: Fiorillo, Andrew (OIP)
Sent: Wednesday, March 14, 2018 3:50 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>

Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

(b) (5)



(b) (5)



- Andy

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 3:38 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

I definitely do have comments and I urgently noted to OLA earlier today that this needed to be circulated. That must be why it is going around now. Here is what I have, but do you or Bobby or Jonathan have any further thoughts on this?

(b) (5)



(b) (5)

From: Fiorillo, Andrew (OIP)
Sent: Wednesday, March 14, 2018 3:26 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: FW: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Importance: High

Hi Melanie,

I just got this and our comments are due by 5PM today. This is the "Office of Government Information Services Empowerment Act for 2018" which would amend section 552(h) of the FOIA. The amendment adds a section (7) to 552(h) which reads as follows:

"(7) Each agency shall make any record available to the Director of the Office of Government Information Services for purposes of carrying out this subsection, upon request of the Director."

It's pretty straightforward, but I'm not sure how you feel about that addition, so I wanted to check-in and see if you had comments.

- Andy

From: Herbert, Jenelle R. (OLA)
Sent: Wednesday, March 14, 2018 2:35 PM
To: Clarke, Conor (OLC) (b)(6) per OLC [REDACTED]; Forrester, Nate (OLC) (b)(6) per OLC [REDACTED]; Hardy, Liam P. (OLC) (b)(6) per OLC [REDACTED]; Koffsky, Daniel L (OLC) (b)(6) per OLC [REDACTED]; Davis, Valorie A (OLP) <vadavis@jmd.usdoj.gov>; Matthews, Matrina (OLP) <mmatthews@jmd.usdoj.gov>; White, Cleo (OLP) <clwhite@jmd.usdoj.gov>; Dorsey, Cassandra (CIV) <CDorsey@CIV.

USDOJ.GOV>; policy, civil (CIV) <cpolicy@CIV.USDOJ.GOV>; Soskin, Eric (CIV) <ESoskin@civ.usdoj.gov>; Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>; Barnes, Khaliah N (OPCL) (b) (6) Lane Scott, Kristi Z (OPCL) <Kristi.Z.Lane.Scott@usdoj.gov>; Mayer, Hannah J. (OPCL) <(b) (6)>; Proia, Andrew (OPCL) (b) (6); Winn, Peter A. (OPCL) (b) (6) Wood, Alexander W (OPCL) <Alexander.W.Wood@usdoj.gov>; Young, Brian A. (OPCL) (b) (6) Zelman, Beth (OPCL) (b) (6); USAEO-Legislative (USA) <USAEO.Legislative@usdoj.gov>

Cc: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Wilson, Karen L (OLA) <kwilson@jmd.usdoj.gov>; Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>; Ferrato, Katherine M. (ODAG) <kferrato@jmd.usdoj.gov>; Loveland, Daniel (ODAG) <dloveland@jmd.usdoj.gov>; Hall, Jeffrey (OASG) <jehall@jmd.usdoj.gov>; Parker, Rachel (OASG) <racparker@jmd.usdoj.gov>

Subject: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ____
"Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

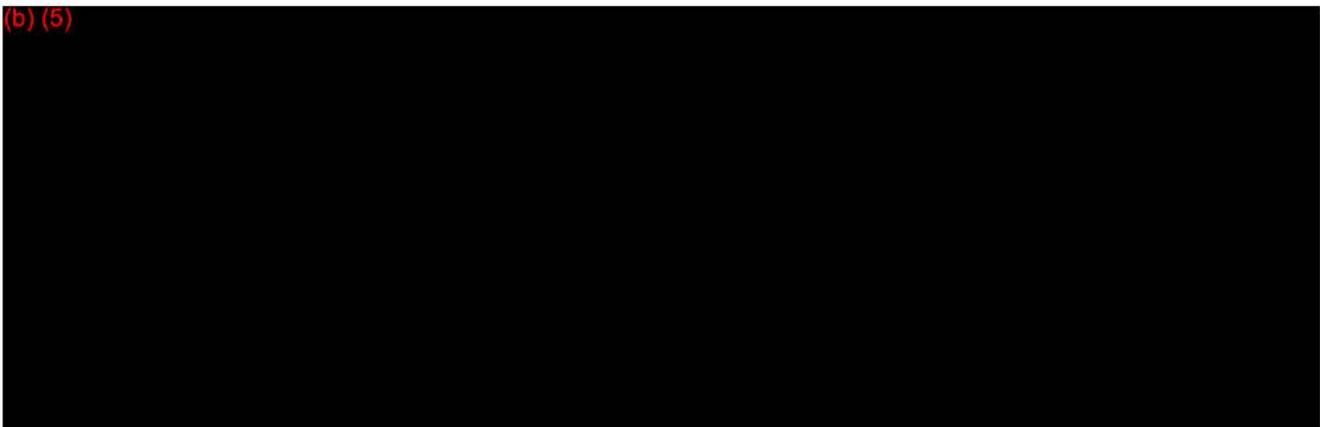
Importance: High

Duplicative Material



From: None
To: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
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</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc: Breyan, Jonathan (OIP)
</o=exchange\labs/ou=exchange administrative group
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59a8-breyan, jon>
Bcc:
Subject: RE: Consolidated response re OGIS bill
Date: Wed Mar 14 2018 16:24:17 EDT
Attachments:

(b) (5)



From: Talebian, Bobak (OIP)
Sent: Wednesday, March 14, 2018 4:09 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Hi Melanie,

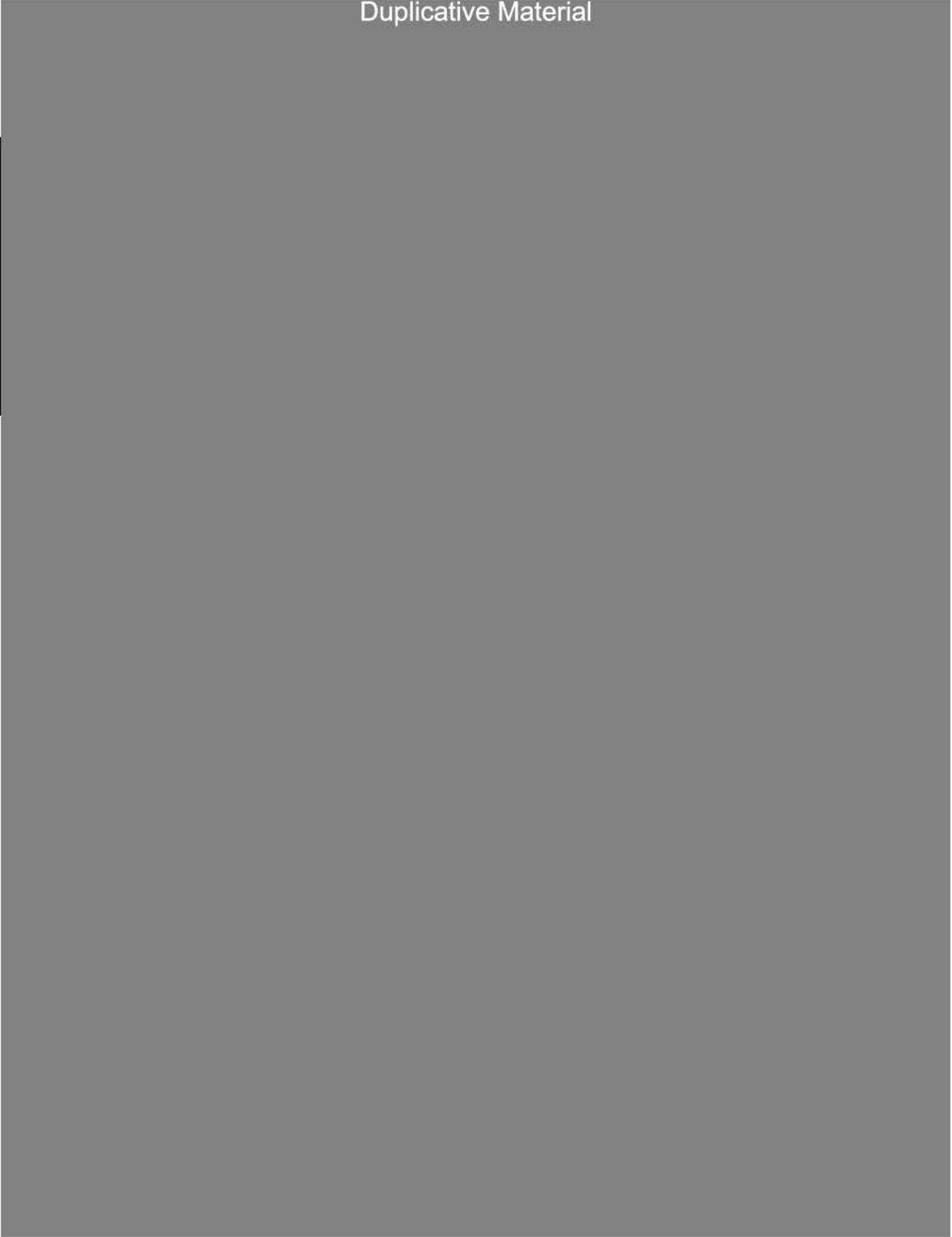
Sorry for the delay, I just saw your e-mail. (b) (5)



From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 3:38 PM
To: Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>

Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR
___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material



From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>; Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>; Breyan, Jonathan (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=c4174f3794cd4c58987f0665fc3c
59a8-breyan, jon>
Cc:
Bcc:
Subject: FW: OGIS Legislation
Date: Wed Mar 14 2018 16:16:45 EDT
Attachments: SLW_027_xml Introduced Text.pdf
CWEmbed1.xml

Here is a great comment from OLC> Please advise that we are passing along OIP's comment along with input from OLC. I now think we go with my original comment, coupled with OLC's. They are more weighty and our other comments might dilute them.

From: Colborn, Paul P (OLC)
Sent: Wednesday, March 14, 2018 4:12 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Forrester, Nate (OLC) <(b)(6) per OLC >; Kaprove, Jared (OLC) <jkaprove@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: FW: OGIS Legislation

Melanie, we've added (b)(5) sentence to your comment. See red below. Good enough given the 5:00 p.m. deadline?

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 2:51 PM
To: Colborn, Paul P (OLC) <(b)(6) per OLC >
Cc: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: OGIS Legislation

Paul – (b)(5)

(b) (5) I wanted to also forward to you in case you have any other quick reaction I could pass along. It is going to be included tomorrow in markup.

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 2:43 PM
To: Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

We definitely should be providing feedback! (b) (5)

Here is something we can provide in the meantime though:

(b) (5)

From: Kellner, Kenneth E. (OLA)
Sent: Wednesday, March 14, 2018 1:59 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Subject: FW: OGIS Legislation

Any informal feedback we should be providing?

From: Nabity, Caroline [mailto:(b) (6)]
Sent: Wednesday, March 14, 2018 1:55 PM
To: Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>
Cc: Rother, Katy <(b) (6)>; Armstrong, Alexa <(b) (6)>
(b) (6) >

Subject: RE: OGIS Legislation

Ken,

I just wanted to make sure that you are aware we are planning to include this bill on our markup tomorrow. I have attached the text.

Caroline Nabity

Oversight and Government Reform Committee

(202) 225-(b) (6)

From: Kellner, Kenneth E. (OLA) [mailto:Kenneth.E.Kellner@usdoj.gov]
Sent: Wednesday, February 28, 2018 1:14 PM
To: Rother, Katy <(b) (6)>
Cc: Nabity, Caroline <(b) (6)>
Subject: RE: OGIS Legislation

Thank you Katy. We will follow up with you and Caroline.

Ken

Kenneth E. Kellner

Attorney Advisor

Office of Legislative Affairs

U.S. Department of Justice

(202) 514-3752

From: Pustay, Melanie A (OIP)

Sent: Wednesday, February 28, 2018 1:10 PM

To: Rother, Katy <(b) (6)>

Cc: Nabity, Caroline <(b) (6)> Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>

Subject: RE: OGIS Legislation

Adding my contact in DOJ's OLA.

Thanks –

From: Rother, Katy [mailto:(b) (6)]

Sent: Wednesday, February 28, 2018 11:53 AM

To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>

Cc: Nabity, Caroline <(b) (6)>

Subject: FW: OGIS Legislation

Hi Melanie –

We just sent the text below to DOJ leg affairs for TA. I assume they'll circulate to you for your feedback, so I just wanted to give you a heads up it was coming. We're hoping to finalize the text for introduction either next week or very early in the week of Sunshine Week.

Please let us know if you have any questions or comments.

Thanks,

Katy

Katy Rother

Senior Counsel for Legislation

Committee on Oversight and Gov't Reform

Rep. Trey Gowdy, Chairman

(202) 225-(b) (6)

From: Nabity, Caroline
Sent: Wednesday, February 28, 2018 11:25 AM
To: Kellner, Kenneth E. (OLA) <Kenneth.E.Kellner@usdoj.gov>
Cc: Rother, Katy <(b) (6)>
Subject: OGIS Legislation

Ken,

I would like DOJ's feedback on another piece of legislation. I have copied the text below. Please let me know if you have any feedback or comments.

SEC. 2. FREEDOM OF INFORMATION ACT AMENDMENTS.

Section 552(h) of title 5, United States Code is amended by adding at the end the following new paragraph —

“(7) Each agency shall make all records available to the Director of the Office of Government Information Services for purposes of this subsection, upon request of the Director.”

Thank you,

Caroline Nabity

Caroline Nabity

Counsel | Subcommittee on Government Operations

Oversight and Government Reform Committee | Chairman Trey Gowdy

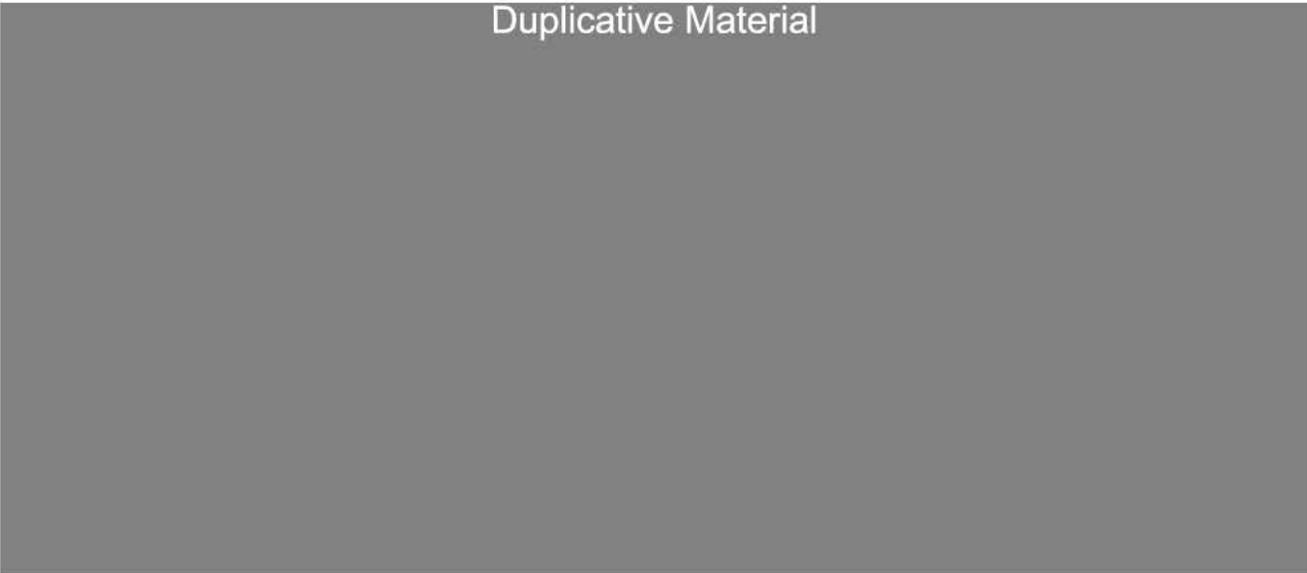
(202) 225-(b) (6)

From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
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Cc: Breyan, Jonathan (OIP)
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59a8-breyan, jon>
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Wed Mar 14 2018 16:12:01 EDT
Attachments:

Thanks Bobby – Yes, let's use all the comments.

From: Talebian, Bobak (OIP)
Sent: Wednesday, March 14, 2018 4:09 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>; Fiorillo, Andrew (OIP) <afiorillo@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material



From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Fiorillo, Andrew (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=f56a5777cb5747c78bac570824bc
a860-afiorillo>
Cc: Breyan, Jonathan (OIP)
</o=exchange\labs/ou=exchange administrative group
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59a8-breyan, jon>; Talebian, Bobak (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=b38cc47ea119450ca7174a77dc17
697c-btalebian>
Bcc:
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views
on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)
Date: Wed Mar 14 2018 16:10:25 EDT
Attachments:

Let's just go with the text I supplied then – thanks!

From: Fiorillo, Andrew (OIP)
Sent: Wednesday, March 14, 2018 3:50 PM
To: Pustay, Melanie A (OIP) <mpustay@jmd.usdoj.gov>
Cc: Breyan, Jonathan (OIP) <jbreyan@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: RE: URGENT! DUE BY 5PM TODAY, 3/14/2018! (OLA WF 117143) Request for Views on HR ___ "Office of Government Information Services Empowerment Act of 2018" (FOIA Amendments)

Duplicative Material



From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Colborn, Paul P (OLC)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=580f85bb0f3f4e50bcb7877e2d23
a4f3-pcolborn>
Cc: Kaprove, Jared (OLC)
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(fydibohf23spdlt)/cn=recipients/cn=bfebd3eac86f41caabd6d97004cd
abd5-kaprove, ja>
Bcc:
Subject: Update on : OGIS Legislation
Date: Wed Mar 14 2018 15:45:00 EDT
Attachments: SLW_027_xml Introduced Text.pdf
CWEmbed1.xml

Update: OLA has now sent this around for comment – due at 5pm today. I would hope OLC could give its views.

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 2:49 PM
To: Colborn, Paul P (OLC) (b) (6) per OLC >
Cc: Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>
Subject: OGIS Legislation

Duplicative Material



From: Pustay, Melanie A (OIP)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=134c5167a215487288f5fa41c0fb
967f-mpustay>
To: Hall, Jeffrey (OASG)
</o=exchange\labs/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=e8cc68e3411c46ada9b7e8569f3b
8a2a-hall, jeffr>
Cc:
Bcc:
Subject: update on OGIS Legislation
Date: Wed Mar 14 2018 15:39:34 EDT
Attachments: SLW_027_xml Introduced Text.pdf
CWEmbed1.xml

This is going around now for component comment.

From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 2:52 PM
To: Hall, Jeffrey (OASG) <jehall@jmd.usdoj.gov>
Subject: FW: OGIS Legislation

Jeff -- (b) (5)



From: Pustay, Melanie A (OIP)
Sent: Wednesday, March 14, 2018 2:43 PM
To: Kellner, Kenneth E. (OLA) <kkellner@jmd.usdoj.gov>; Talebian, Bobak (OIP) <btalebian@jmd.usdoj.gov>; Mallon, Carmen L (OIP) <cmallon@jmd.usdoj.gov>; Wahdan, Rana S. (OLA) <rswahdan@jmd.usdoj.gov>
Subject: RE: OGIS Legislation

Duplicative Material

