

Ramer, Sam (OLA)

From: Ramer, Sam (OLA)
Sent: Monday, March 13, 2017 8:13 PM
To: Hanrahan, Peggi (OAG)
Cc: Cutrona, Danielle (OAG); Boyd, Stephen (JMD)
Subject: Materials for AG meeting with Chairman Goodlatte (3/14/2017)
Attachments: Talking points for AG - HJC Chmn Goodlatte meeting - 3.14.2017.docx

Peggi-

I had some talking points drafted for JBS's meeting tomorrow with Goodlatte. These are issues that are either important for us, or subjects that might come up. If you have any questions let me know.

Sam

COMMENTS REGARDING INVESTIGATION INTO
300 REFUGEES WHO HAVE ENTERED THE U.S.

Talking Points:

- (b) (5) [REDACTED]
[REDACTED]
- (b) (5) [REDACTED]
[REDACTED]

Background:

- (b) (5) [REDACTED]
[REDACTED]
[REDACTED]
- (b) (5) [REDACTED]
[REDACTED]
[REDACTED]

Non-Responsive Record

Bulletin Intelligence

From: Bulletin Intelligence
Sent: Tuesday, March 14, 2017 7:25 AM
To: USDOJ-Office.of.public.affairs@usdoj.gov
Subject: Attorney General's News Briefing and Clips for Tuesday, March 14, 2017
Attachments: agnb170314.pdf; agnb170314.doc; dojclips170314.pdf; dojclips170314.doc

Tuesday's Attorney General's News Briefing and Clips are attached.

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TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: TUESDAY, MARCH 14, 2017 7:30 AM EDT

TODAY'S EDITION

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Immigration

Justice Dept. Lays Out Defense Of Revised Travel Ban As Key
Court Hearings Loom (WP)..... 84

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IMMIGRATION:

Justice Dept. Lays Out Defense Of Revised Travel Ban As Key Court Hearings Loom

By Matt Zapotosky

[Washington Post](#), March 13, 2017

The Justice Department on Monday laid out its first significant legal defense of President Trump's revised travel ban, arguing in a court filing that the harms opponents say it causes are "speculative" and that the president was well within his authority to issue the directive.

Responding to a lawsuit from the state of Hawaii, Justice Department lawyers asserted that Trump's new executive order solved any possible legal problems that came with the first one, because it was narrower in scope and outlined a robust list of people who might be exempted.

"Plaintiffs therefore are not entitled to the sweeping relief they seek," Justice Department lawyers wrote.

Opponents of Trump's executive order have asked federal judges in several states to block the administration from enforcing the directive, and two judges have scheduled hearings Wednesday to hear arguments on the matter. The order — which suspends the U.S.'s refu-gee program and bars the issuance of new visas to citizens of six Muslim-majority countries — is set to take effect Thursday, unless a court intervenes.

Hawaii was the first state to sue over the directive, arguing the new executive order — much like the old — violates the establishment clause of the First Amendment because it is essentially a Muslim ban, hurts the ability of state businesses and universities to recruit top talent and damages the state's robust tourism industry.

They pointed particularly to the case of Ismail Elshikh, the imam of the Muslim Association of Hawaii, whose mother-in-law's application for an immigrant visa was still being processed. Under the new executive order, lawyers for Hawaii said, Elshikh feared that his mother-in-law would ultimately be banned from entering the United States.

Justice Department lawyers countered that the economic harms alleged by the state were "mere speculation" and that Elshikh's mother-in-law had no reason to sue yet because she had not been denied a waiver to come into the country. The new executive order, unlike the old, spelled out a list of people who might be granted exemptions, including those seeking to visit or live with family in the United States.

“The Order applies only to individuals outside the country who do not have a current visa, and even as to them, it sets forth robust waiver provisions,” Justice Department lawyers wrote. “Among other things, therefore, plaintiffs cannot show that any individual whom they seek to protect is in imminent risk of being denied entry due to the Order.”

The state will have to convince a judge that Trump’s ban is likely to be ultimately found unconstitutional and will impose immediate, irreparable harms unless it is stopped. A hearing in the case is scheduled for 3:30 p.m. Eastern time Wednesday.

Federal judges in Washington state and Maryland are also considering separate challenges to the new ban, and either could preempt the need for action in Hawaii. A hearing in the Maryland case is scheduled for 9:30 a.m. Wednesday, and Washington on Monday formally asked a judge to enforce his freeze of the previous ban on the new one. The judge told the government to respond by Tuesday.

“While the new section differs from the original by excluding Iraqis, lawful permanent residents, and visa-holders, it bars entry for virtually all other individuals from the listed countries, including: relatives of U.S. citizens, students who have been admitted to state universities, prospective employees of state universities and private businesses, and many others,” lawyers for the state of Washington wrote. “This Court’s original injunction protected these individuals and institutions, and the Ninth Circuit rejected Defendants’ request to narrow the injunction to exclude them.”

The administration has argued the ban is necessary for national security reasons, though many diplomatic and national security professionals have said they disagree with that assessment, and the new ban would probably not have kept out anyone responsible for a fatal terrorist attack since 2001.

In their filing, Justice Department lawyers pointed to 300 people who entered the United States as refugees and are under investigation for terrorism-related crimes and asserted that hundreds of foreign-born individuals have been convicted of such offenses. They attached a letter from Attorney General Jeff Sessions and Homeland Security Secretary John Kelly asking President Trump to direct a “temporary pause” on people entering the U.S. from certain countries.

“More fundamentally, plaintiffs miss the point,” Justice Department lawyers wrote. “The Order’s objective is to prevent future terrorist attacks before they occur. And that is precisely why the Order focuses on six countries that Congress and the prior Administration recently determined pose the greatest risk of terrorist infiltration in the future.”

A federal judge in Wisconsin recently blocked the administration from enforcing with respect to one family. In that case, a man who had successfully fled Syria and been granted asylum in the United States sued so that the ban would not be applied to his wife and 3-year-old daughter, who are still in Aleppo and have asylum applications being processed.

The judge ruled that the family had “some likelihood of success on the merits” and that the man was “at great risk of suffering irreparable harm” if the order was not blocked, so far as it applied to his family.

“The court appreciates that there may be important differences between the original executive order, and the revised executive order issued on March 6, 2017 — for example, the government points to a new waiver provision,” Judge William M. Conley wrote. “As the order applies to the plaintiff here, however, the court finds his claims have at least some chance of prevailing for the reasons articulated by other courts.”

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From: Bulletin Intelligence
Sent: Wednesday, March 15, 2017 7:26 AM
To: USDOJ-Office.of.public.affairs@usdoj.gov
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Attachments: agnb170315.pdf; agnb170315.doc; dojclips170315.pdf; dojclips170315.doc

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TODAY'S EDITION

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Lawyers Refocus Attack For Trump Travel Ban 2.0 (POLITICO)58
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Before It Takes Effect (WP)..... 60

Non-Responsive Record

IMMIGRATION:

Lawyers Refocus Attack For Trump Travel Ban 2.0

By Josh Gerstein

[Politico](#), March 14, 2017

Advocates head to court Wednesday to make last ditch-pleas to head off President Donald Trump's revised travel ban without some of their most potent weapons: scenes of chaos as travelers were detained at airports across the country during Trump's first attempt two months ago.

Apparently by design, Trump's narrowed executive order will have its most major impacts in refugee camps, grim hotels where visa applicants wait for appointments at U.S. embassies and in countries hostile to the U.S. or lacking any functioning government at all.

Lawyers pressing the case against the new Trump directive acknowledge the challenge they face in conveying the urgency and immediacy of the threat posed by Trump's redrafted order, set to kick in at 12:01 A.M. Thursday.

"The Trump administration may believe they've written a more palatable ban, but the intent remains the same," said Melissa Keaney of the National Immigration Law Center. "The roll-out may be less rushed or visibly catastrophic than the first one, but allowing more lead time to discriminate doesn't make the discrimination any less harmful or unlawful."

Rolling out the new order without the confusion, delays and deportations that surrounded the first one is clearly a top Trump administration priority — although it is solving a problem that the president has publicly denied exists.

"The roll-out was perfect," Trump told reporters last month last month.

Nevertheless, a senior Department of Homeland Security official pledged last week that the tangible effect of the order in the U.S. will be minimal.

"You should not see any chaos so to speak or alleged chaos at airports," said the official, who spoke on condition of anonymity.

"I know the government is trying to change that narrative," said Mark Doss of the International Refugee Assistance Project.

With Trump's travel ban order revised to exempt those with the closest ties to the U.S., such as permanent U.S. residents and existing visa-holders, attorneys attacking the new order are training most of their legal fire on Trump's repeated campaign trail pledges to enact a "Muslim ban."

Advocates handling the current flurry of litigation playing out in federal courts in Maryland, Hawaii and Washington state are now focusing their arguments even more sharply on claims that Trump's anti-Muslim rhetoric fatally infects any policy moves he makes to limit migration from countries in the Muslim world.

"No matter how far President Trump tries to run away from his initial statements that this was a ban on Muslims and discrimination against Muslims, he can't erase where this order originated," the American Civil Liberties Union's Cecilia Wang said. "I think the administration has actually proved itself incapable of being trusted to carry out this order in a way that doesn't discriminate on the basis of religion."

In new legal filings, Justice Department lawyers say little to defend or deny Trump's provocative campaign trail statements. Instead, they focus on Trump's broad authority over immigration and national security-and they warn against "judicial psychoanalysis" of the president.

"Using comments by political candidates to question the stated purpose of later action is particularly problematic. Candidates are not government actors, and statements of what they might attempt to achieve if elected...are often simplified and imprecise," Justice attorneys wrote in briefs filed in two of the suits this week.

“As the Supreme Court has made clear, official action must be adjudged by its ‘text, legislative history, and implementation of the statute or comparable official act[ion],’ not through ‘judicial psychoanalysis of a drafter’s heart of hearts.’... Measured against these standards, the Order falls well within the President’s lawful authority,” the briefs argue.

The Trump administration also argues that the redrafted travel ban order is so different from the “complete shutdown” of Muslim immigration Trump touted during the campaign that the new order can’t be an iteration of that promised policy.

The “complete shutdown” promise and “other proffered statements reveal nothing about the Order’s aim, because the Order does no such thing,” Justice lawyers wrote. “Far from banning Muslims indefinitely, the Order temporarily suspends the Refugee Program globally, and pauses for 90 days entry from just six countries previously identified as posing particular risks — both subject to religion-neutral exceptions and case-by-case waivers. There is a complete disconnect between plaintiffs’ imputed purpose and the Order’s actual effect.”

Critics say the halt of refugee admissions worldwide — a feature of both the original order and the revised one — simply shows the length Trump is willing to go to carry out his Muslim ban.

“This refugee ban is designed to keep Muslims out of the United States and the other refugees that will be kept out are basically collateral damage,” said Mark Hetfield of HIAS, a Jewish refugee aid and resettlement group. For this second go-round, the White House is also offering something it refused to give judges the first time: some insight into the policy process that led to development of the order.

To be sure, it’s only a glimpse behind the curtain, but in filings in the Hawaii suit, Justice Department attorneys included a two-page letter Attorney General Jeff Sessions and Homeland Security Secretary John Kelly delivered to Trump last Monday — the same day the president signed the revised order.

The letter describes urgent national security concerns that Sessions and Kelly argue necessitate a halt in refugee admissions and in travel from certain countries.

“We believe that it is imperative that we have a temporary pause on the entry of nationals from certain countries to allow this review to take place — a temporary pause that will immediately diminish the risk we face from application of our current vetting and screening programs for individuals seeking entry to the United States,” Sessions and Kelly wrote.

The two Cabinet officials also alleged some facts the administration is relying on to justify the new directive. “At present, more than 300 persons who came to the United States as refugees are under investigation for potential terrorism-related activities,” Sessions and Kelly wrote. “There are currently approximately 1,000 pending domestic terrorism-related investigations, and it is believed that a majority of those subjects are inspired, at least in part, by ISIS.”

The claims seem intended to rebut assertions by former national security officials, mostly from the Obama administration, that both travel ban orders were not tailored to any known security threat and are actually more likely to trigger a backlash against Americans.

Judges may be reluctant to weigh the competing national security claims, but advocates contend the assertions made by Sessions and Kelly — and by Trump himself in a preface to the new order — are misleading and incomplete.

For one thing, administration officials have declined to comment on how many of the ongoing investigations involve refugees from the six countries targeted in the new order: Iran, Libya, Somalia, Sudan, Syria and Yemen. They’ve also declined to indicate what fraction of the investigations involve recent arrivals versus people who’ve lived in the U.S. for a long time.

Refugee advocates say they know of only two instances where refugees were convicted of terrorism-related crimes. Neither resulted in any Americans being killed, Hetfield said.

Curiously, the FBI was not involved in the public roll-out of either of Trump’s travel ban orders and has declined to verify the figures about the investigations it is said to be conducting.

The State Department also seems to be trying to downplay the impact of the new order. In guidance posted online and submitted to the Hawaii court, officials emphasize that the new travel ban won’t shut down visa appointments the way the last one did and that waivers are available.

“We do not plan to cancel any previously scheduled visa appointments,” State’s Q&A posting says. “After the new Executive Order goes into effect, any individual who believes he or she is eligible for a waiver or exemption should apply for a visa and disclose during the visa interview any information that might qualify the individual for a waiver/exemption.”

The White House has said it is confident the new order will be allowed to take effect, but it’s unclear how much weight to give to that assertion since Trump famously declared on Twitter last month that upholding the original directive “should be EASY D!”

It proved not to be, with about half a dozen judges entering restraining orders or injunctions against parts of the original directive. A three-judge 9th Circuit appeals court panel refused to disturb the broadest injunction, effectively dooming Trump’s first travel ban foray.

Still, some conservative legal scholars predict eventual victory for Trump. They say the law is clear that he has the power to select individual countries and suspend immigration from those nations.

“Presidential power is at its peak when the president acts with the authorization of Congress, and at its lowest ebb when he acts in defiance of Congress,” said Temple University law professor Jan Ting, a top immigration official under President George H.W. Bush. “In this case the president is acting with specific authorization of Congress. End of story.”

Non-Responsive Record

(b)(6): Jody Hunt personal email

From: (b)(6): Jody Hunt personal email
Sent: Thursday, March 30, 2017 8:21 PM
To: Jody Hunt
Subject: Fwd: Gannons white house memo
Attachments: memo .docx

Sent from my iPhone

Begin forwarded message:

From: (b) (6)
Date: March 22, 2017 at 10:28:41 PM EDT
To: (b)(6): Jody Hunt personal email
Subject: Gannons white house memo

Sent from my iPad

Hunt, Jody (OAG)

From: Hunt, Jody (OAG)
Sent: Thursday, March 30, 2017 9:48 PM
To: (b)(6): Jody Hunt personal email
Attachments: Hunt.Gannon.Memo.0331.docx

Tucker, Rachael (OAG)

From: Tucker, Rachael (OAG)
Sent: Wednesday, September 20, 2017 11:56 AM
To: Cutrona, Danielle (OAG)
Subject: RE: for NSC response

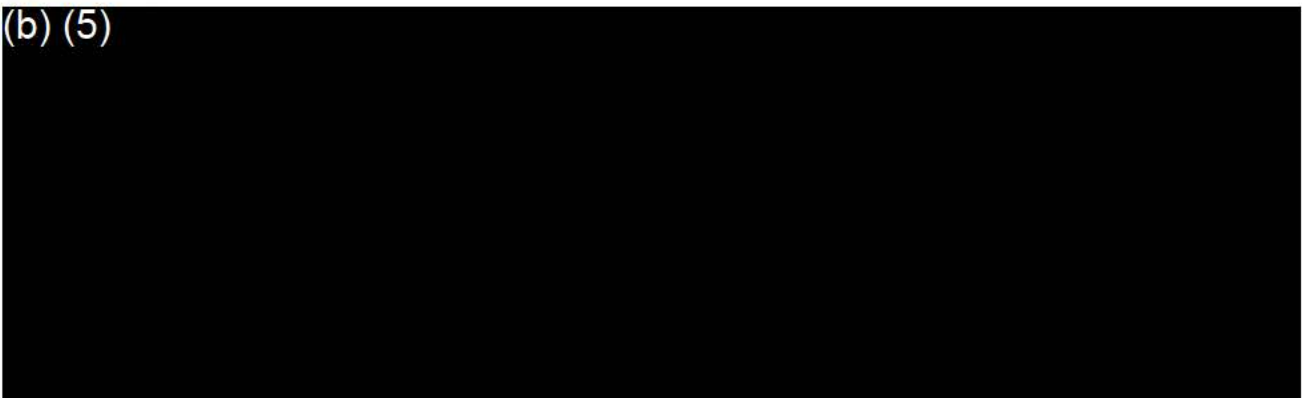
Yeah I'm down here.

From: Cutrona, Danielle (OAG)
Sent: Wednesday, September 20, 2017 11:56 AM
To: Tucker, Rachael (OAG) <ratucker@jmd.usdoj.gov>
Subject: RE: for NSC response

OK can we talk about this

From: Tucker, Rachael (OAG)
Sent: Wednesday, September 20, 2017 11:53 AM
To: Cutrona, Danielle (OAG) <dcutrona@jmd.usdoj.gov>
Subject: for NSC response

(b) (5)



Barnett, Gary E. (OAG)


From: Barnett, Gary E. (OAG)
Sent: Wednesday, September 20, 2017 1:37 PM
To: Tucker, Rachael (OAG)
Cc: Cutrona, Danielle (OAG)
Subject: Re: for NSC response

JBS said he is ok with this response

On Sep 20, 2017, at 9:47 AM, Tucker, Rachael (OAG) <ratucker@jmd.usdoj.gov> wrote:

The Department of Justice recommends (b) (5)

(b) (5)



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From: Bulletin Intelligence
Sent: Wednesday, December 20, 2017 7:21 AM
To: USDOJ-Office of Public Affairs (SMO)
Subject: Attorney General's News Briefing and Clips for Wednesday, December 20, 2017
Attachments: agnb171220.pdf; agnb171220.doc; dojclips171220.pdf; dojclips171220.doc

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TO: THE ATTORNEY GENERAL AND SENIOR STAFF

DATE: WEDNESDAY, DECEMBER 20, 2017 7:30 AM EST

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Terrorism News

Non-Responsive Record

Houston ISIS Supporter's Crime Was His Intention, Judge Says
In Doling Out 16 Year Sentence (HC)..... 62

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Houston ISIS Supporter's Crime Was His Intention, Judge Says In Doling Out 16 Year Sentence

By Gabrielle Banks

[Houston Chronicle](#), December 18, 2017

Omar Faraj Saeed Al Hardan admitted he associated with jihadis, swore an oath to Islamic State terrorists, lied on a passport application and stockpiled materials to make remote detonators at his west Houston apartment. And he discussed decapitating Americans for the cause.

But he drew the line at bombs.

"I am not a bombmaker," the defendant told a federal judge. "I have no experience with electronics."

U.S. District Judge Lynn N. Hughes said it was his intent, and not his skillset, that qualified the Iraqi born refugee for 16 years in prison. The judge explained the sentence was for "what you planned and attempted to do, however inept you may have been at executing that plan."

"Clumsy bombmakers, stupid planners have killed a lot of people," the judge added.

Assistant U.S. Attorney Ted Imperato asked Hughes to give him a 20-year term based on sentences that had been given to other U.S. defendants convicted of making plans to go overseas for ISIS.

However, defense attorney David Adler asked the judge to stay within sentencing guidelines.

Al Hardan, 25, is a Palestinian who came to the U.S. as a refugee in 2009. He was able to become a legal permanent resident, and lived in Houston and Dallas where he cared for his medically compromised parents, and had a wife and a child. To earn money, he drove an Uber and performed state inspections on cars.

But that wasn't all he did.

"He made some very bad decisions," his attorney Adler acknowledged, but said he had been isolated from society at the time.

Isolated from society

The Houston refugee was ultimately snared as a result of various conversations he had, including with informants the FBI had introduced. He also participated in training with a fully automatic AK-47 at a remote location near Houston.

Since he was jailed two years ago, Al Hardan had developed an appreciation of how fortunate he and his family were to settle in the U.S., Adler said. Before, Al Hardan “had very little contact outside his family, very little contact with English-speaking Americans and that led him to believe a lot of things he saw online that he no longer believes,” the lawyer said.

Adler said his client had strong support from his parents and wife, but his family had chosen to stay away from the sentencing to avoid media attention.

Al Hardan is one of three Houston-area men and eight defendants statewide who have been charged with plans to support ISIS, according to Seamus Hughes, an expert on ISIS cases at George Washington University’s Program on Extremism. The program has tracked 149 people charged in 28 states and the District of Columbia since March of 2014 with attempting or providing material support to ISIS, which in many cases means an allegation of offering up oneself for the cause.

Those accused of becoming radicalized come from an array of ethnic, social, economic and educational backgrounds, according to Hughes’ analysis. The nearly 90 defendants who have pleaded guilty have been given prison terms of 13.5 years on average. Some defendants have been charged with attempting to join the jihadist fight overseas and others with trying to organize attacks on U.S. soil.

Al Hardan, a Palestinian born in Iraq who had lived in refugee camps in Iraq and Jordan, had contemplated both avenues of material support while living in Houston, according to court records. He was indicted on Jan. 6, 2016, on allegations he had offered himself up to ISIS as an explosive expert, hoping he could go overseas and join the terrorist cause.

During testimony at a detention hearing, an agent from Homeland Security Investigations mentioned Al Hardan had talked about bombing a military base in Grand Prairie. The agent said the defendant discussed with an informant steps he would take to he would carry out a local attack -- including disguising his appearance.

When investigators searched his home, they confiscated circuitry components, a soldering iron, wireless remotes and several unactivated cellphones in the west Houston apartment where he lived with his parents, 18-year-old wife and infant son.

He pleaded guilty on Oct. 17, 2016, to attempting to provide support to ISIS.

Years of planning

According to court documents, Al Hardan communicated online in April 2013 with Aws Mohammed Younis Al-Jayab, an Al-Nusra recruit in Sacramento who is charged with related federal offenses in California and Illinois. Al-Jayab said he’d been to the front and wanted to return. Al Hardan said he wanted to go with him.

But while Al Hardan’s communication with Al-Jayab and two Al-Nusra leaders petered out, he continued buying bombmaking materials on eBay and made multiple statements that he wanted to be a martyr for the ISIS cause, according to his plea.

In one social media post, he stated, “I want to blow myself up. I want to travel with the Mujahidin. I want to travel to be with those who are against America. I am against America.”

In June 2014, the FBI introduced a confidential source who met in person with Al Hardan 17 times, according to court documents. The pair discussed going overseas to engage in activities Al Hardan knew were considered in terrorism by the U.S. government.

In November 2014, he met with the source and swore a loyalty oath, according to court documents.

Two days after that meeting they met for a one-hour tactical training in a remote area outside Houston, where Al Hardan practiced with a fully automatic AK-47. He told this source in 2014 and early 2015 that he wanted to learn to use cellphones as detonators to set off improvised bombs abroad for ISIS. He told the informant he would train using online videos and a manual he had obtained on a CD, according to his plea. He also showed the source a circuit board he built to be used as a remote detonator.

On Aug. 18, 2014, Al Hardan checked the box on an application to become a naturalized U.S. citizen indicating that he didn’t associate with any terrorist organizations, according to court documents. But from the time of his application until 2015, he continued to buy electronic components to make circuitry and the tools to assemble bomb detonators.

Crime was ‘checking that box’

After nearly two years in federal detention, Al Hardan appeared in court Monday in an olive green jail uniform, his hair parted and slicked back. He wore earphones to hear the Arabic court translator.

Judge Hughes gave him a chance to speak, but questioned him throughout the sentencing.

“I want to apologize for the wrong I’ve done,” he told the judge in accented English, reading from notes, saying he had been “foolish” and he would never do it again.

“I didn’t plan to attack any place or plan to hurt someone,” he said, emphasizing that the informant had been the one who suggested specific places to attack. “Your honor, I’m not trying to make any excuses, but I didn’t plan to hurt nobody.”

“Did you vehemently disassociate yourself from that suggestion?” the judge asked.

Al Hardan’s lawyer jumped in, saying it was a mistake for his client not to end contact immediately with the informant.

The judge said it wasn’t a crime to say stupid or violent things on social media “or we’d have to fill half the country with prisons,” he said.

People are free to own an ISIS flag, they’re free to watch videos about making bombs and improvised devices, the judge noted. Al Hardan’s crime was in checking that box, lying on his passport so he could carry out his plan to go to Syria and be a bombmaker for ISIS. It was planning and training.

Al Hardan was ordered to serve 16 years in prison followed by a lifetime of supervised release, if immigration authorities allow him to remain in the country.

Non-Responsive Record

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 17, 2018 8:34 AM
To: O'Callaghan, Edward (NSD)
Cc: O'Malley, Devin (OPA); Hamilton, Gene (OAG)
Subject: Re: prep tomorrow

Good idea! And thanks again for doing this. I promise it will be somewhere between 'not as bad as you think' and 'almost fun.'

On Jan 17, 2018, at 8:30 AM, O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov> wrote:

Got it. Thanks. For prep (b) (5)

(b) (5)

(b) (5)

Edward C. O'Callaghan
202-353-8513

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 17, 2018 8:23 AM
To: O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov>
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>
Subject: Re: prep tomorrow

I'm good w your edits (b) (5)

(b) (5)

(b) (5)

But we can discuss at 1130.

On Jan 17, 2018, at 12:42 AM, O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov> wrote:

(b) (5)

I think the below edits make it better, (b) (5)

(b) (5)

+++++

(b) (5)

(b) (5)

(b) (5)

Edward O'Callaghan

202-353-8513

From O'Malley, David (ORA)

From: O'Malley, Devin (OPA)

Sent: Tuesday, January 16, 2018 10:57 PM

To: O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov>; Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>

Cc: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>

Subject: RE: prep tomorrow

These are not approve (i.e., they are with Sarah and Gene for review/approval), but I wanted to give you a sense of where this is likely headed:

(b) (5)

(b) (5)

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

From: O'Callaghan, Edward (NSD)
Sent: Tuesday, January 16, 2018 6:08 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: RE: prep tomorrow

Will there be approved opening remarks?

Edward C. O'Callaghan
202-353-8513

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 16, 2018 6:05 PM
To: O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov>
Cc: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: prep tomorrow

Can we do 1130 and then just leave from our prep for the WH?

On Jan 16, 2018, at 5:59 PM, O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov> wrote:

Is the plan still to meet at 10:30?

Edward C. O'Callaghan
202-353-8513

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 16, 2018 5:47 PM
To: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; O'Callaghan, Edward (NSD) <eocallaghan@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: prep tomorrow

Briefing is at 1:30ish tomorrow. So we will need to arrive around 1245pm. Let's leave plenty of time to talk through issues ahead of time.

Devin: can you send Ed all the documents we have and any questions that kept popping up tonight so he can start familiarizing.

S

XXXX

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

Miller, Stephen EOP/WHO

From: Miller, Stephen EOP/WHO
Sent: Wednesday, January 17, 2018 10:01 AM
To: Flores, Sarah Isgur (OPA); O'Malley, Devin (OPA)
Cc: Shah, Raj S. EOP/WHO; Hahn, Julia A. EOP/WHO; Hamilton, Gene (OAG)
Subject: RE: RE: RE:

I rather (b) (5) anyhow.

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

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, January 17, 2018 10:00 AM
To: Miller, Stephen EOP/WHO (b) (6); O'Malley, Devin (OPA)
<Devin.O'Malley@usdoj.gov>
Cc: Shah, Raj S. EOP/WHO (b) (6); Hahn, Julia A. EOP/WHO
(b) (6); Hamilton, Gene (OAG) <Gene.Hamilton@usdoj.gov>
Subject: RE: RE: RE:

Yeah we can work on that w him.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

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

From: Miller, Stephen EOP/WHO (b) (6)
Sent: Wednesday, January 17, 2018 9:56 AM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Flores, Sarah Isgur (OPA)
<siflores@jmd.usdoj.gov>
Cc: Shah, Raj S. EOP/WHO (b) (6); Hahn, Julia A. EOP/WHO
(b) (6); Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>
Subject: RE: RE: RE:

A few suggested edits --

(b) (5)

(b) (5)

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

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]

Sent: Wednesday, January 17, 2018 9:31 AM

To: Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov>; Miller, Stephen EOP/WHO

(b) (6)

Cc: Shah, Raj S. EOP/WHO (b) (6) Hahn, Julia A. EOP/WHO

(b) (6) Hamilton, Gene (OAG) <Gene.Hamilton@usdoj.gov>

Subject: RE: RE: RE:

Below and attached.

(b) (5)

(b) (5)

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

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

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 17, 2018 9:26 AM
To: Miller, Stephen EOP/WHO (b) (6)
Cc: Shah, Raj S. EOP/WHO (b) (6); Hahn, Julia A. EOP/WHO
(b) (6); Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; O'Malley, Devin
(OPA) <domalley@jmd.usdoj.gov>
Subject: Re: RE: RE:

Right now it's w ed for edits. Devin can send you latest draft.

> On Jan 17, 2018, at 9:11 AM, Miller, Stephen EOP/WHO (b) (6) wrote:

>

> Who's working on his opening?

>

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

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

> Sent: Wednesday, January 17, 2018 8:58 AM

> To: Shah, Raj S. EOP/WHO (b) (6)

> Cc: Miller, Stephen EOP/WHO (b) (6); Hahn, Julia A. EOP/WHO

(b) (6); Hamilton, Gene (OAG) <Gene.Hamilton@usdoj.gov>

> Subject: Re: RE:

>

> We were planning to be there at 1230 so we could do some separate prep over here w a larger
group. Would that work?

>

>> On Jan 17, 2018, at 8:51 AM, Shah, Raj S. EOP/WHO (b) (6) wrote:

>>

>> I'm flex, have TV at 1. If you want to do at 12, just come here at that point

>>

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

>> From: Miller, Stephen EOP/WHO

>> Sent: Wednesday, January 17, 2018 8:50 AM

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

>> Cc: Shah, Raj S. EOP/WHO (b) (6); Hahn, Julia A. EOP/WHO

(b) (6); Gene.Hamilton@usdoj.gov

>> Subject: Re:

>>

>> Adding McLaurine for my schedule. Gene -- can you start working on an outline?
>>
>> Sent from my iPhone
>>
>>> On Jan 17, 2018, at 8:25 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>>>
>>> Ed O'Callaghan
>>>
>>> Raj--what time are y'all available? Could do call at noon?
>>>
>>>> On Jan 17, 2018, at 12:16 AM, Miller, Stephen EOP/WHO (b) (6) wrote:
>>>>
>>>> We also want to mention the other remarkable stats in the report and the recent BOP report.
>>>>
>>>> Sent from my iPhone
>>>>
>>>>> On Jan 17, 2018, at 12:15 AM, Shah, Raj S. EOP/WHO (b) (6) wrote:
>>>>>
>>>>> Ya
>>>>> Sarah what's the persons name? We can do a murderboarding call in am
>>>>>
>>>>> Sent from my iPhone
>>>>>
>>>>>> On Jan 17, 2018, at 12:12 AM, Miller, Stephen EOP/WHO (b) (6) wrote:
>>>>>>
>>>>>> Are we set for tomorrow's briefing?
>>>>>>
>>>>>> Sent from my iPhone
>>>>>>
>>>>>>
>>>>>>
>>>>>>

Escalona, Prim F. (OLA)

From: Escalona, Prim F. (OLA)
Sent: Tuesday, April 3, 2018 3:42 PM
To: Hamilton, Gene (OAG); Wetmore, David H. (ODAG); Percival, James (OASG)
Cc: Pickell, Lindsay A. (OLA)
Subject: AG QFRs - immigration
Attachments: Document1.docx

All,

We are working on responses to the AG's QFRs from his hearing before the Senate Judiciary Committee last fall. Chad had agreed to draft responses to the attached questions last December, but I can't find where he sent me the draft responses before he left. Could one (or more) of you provide draft responses by the end of the week? Perhaps Dave could take the first stab?

Thanks (and sorry for the tight timeframe- I didn't realize that we didn't have these until today).

Prim

Durbin 13:

1.

Non-Responsive Record

Durbin 17:

2. Since our tragic failure to help Jewish refugees fleeing Hitler, we have had a bipartisan history of accepting refugees. In safely and successfully resettling 3.3 million refugees from conflict zones around the world since 1975 the United States has not been dissuaded by fear.

President Ronald Reagan said in 1981, "Our nation is a nation of immigrants. More than any other country, our strength comes from our own immigrant heritage and our capacity to welcome those from other lands." He added, "We shall continue America's tradition as a land that welcomes peoples from other countries. We shall also, with other countries, continue to share in the responsibility of welcoming and resettling those who flee oppression."

- a. Do you agree with President Reagan about our nation's immigrant tradition and welcoming attitude toward refugees fleeing oppression?

RESPONSE:

- b. You said earlier this year that more than 300 people who came here as refugees are under FBI investigation for potential terrorism-related activities. See <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-revised-executive-order-protecting-nation>. What is the source of this information?

RESPONSE:

- c. Can you provide any information regarding how many of these investigations have resulted in criminal charges or convictions against refugees?

RESPONSE:

- d. Michael Hayden, former director of the CIA and NSA, and James Stavridis, former NATO Supreme Allied Commander, have stated that hostility to refugees helps ISIS. By contrast, they stated, “Welcoming refugees regardless of their religion, nationality, or race exposes the falseness of terrorist propaganda and counters the warped vision of extremists.”

I asked you to respond to this statement in a written question subsequent to your confirmation hearing. You responded that you had not yet been briefed about all aspects of the US Refugee Admissions Program. Presumably you have since been briefed. Please respond.

RESPONSE:

Hirono 17:

1

Non-Responsive Record

Hirono 18:

Escalona, Prim F. (OLA)

From: Escalona, Prim F. (OLA)
Sent: Thursday, April 5, 2018 12:36 PM
To: Percival, James (OASG); Hamilton, Gene (OAG); Wetmore, David H. (ODAG)
Cc: Pickell, Lindsay A. (OLA); Bylund, Jeremy (OASG)
Subject: RE: AG QFRs - immigration
Attachments: AG QFR _ Immigration.docx

Thanks, Jimmy. I've added in the DHS referral responses and the litigation response. The remaining questions are for Dave and Gene. If everyone could work off the attached version, that would be great. Thank you for getting these back to us by tomorrow!

Best,
Prim

From: Percival, James (OASG)
Sent: Thursday, April 5, 2018 10:25 AM
To: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>; Bylund, Jeremy (OASG) <jbylund@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

All,

I went ahead and filled this in to the extent information is within OASG's control. I also flagged who I think is best situated to answer the other questions. Many of these seem like questions for DHS, so I'm not sure a response from us is required. Where they asked for information on criminal prosecutions, I noted that Dave/ODAG should answer. Where they asked for a specific response to something the AG said, I sometimes suggested an answer but also flagged it for Gene.

Jimmy

—
James H. Percival
Counsel
Office of the Associate Attorney General
Department of Justice
Office: 202-616-1589
Mobile: (b) (6)

From: Escalona, Prim F. (OLA)
Sent: Wednesday, April 4, 2018 6:13 PM
To: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>; Percival, James (OASG) <jpercival@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Circling back on this in case I missed any emails. Are y'all good with getting a draft back to us by Friday?

Thanks!

From: Escalona, Prim F. (OLA)
Sent: Tuesday, April 3, 2018 3:42 PM
To: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>; Percival, James (OASG) <jpercival@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: AG QFRs - immigration

Duplicative Material (Document ID: 0.7.1336.24164)

Non-Responsive Record

Durbin 13:

Non-Responsive Record

Durbin 17:

2. Since our tragic failure to help Jewish refugees fleeing Hitler, we have had a bipartisan history of accepting refugees. In safely and successfully resettling 3.3 million refugees from conflict zones around the world since 1975 the United States has not been dissuaded by fear.

President Ronald Reagan said in 1981, “Our nation is a nation of immigrants. More than any other country, our strength comes from our own immigrant heritage and our capacity to welcome those from other lands.” He added, “We shall continue America's tradition as a land

that welcomes peoples from other countries. We shall also, with other countries, continue to share in the responsibility of welcoming and resettling those who flee oppression.”

- a. Do you agree with President Reagan about our nation’s immigrant tradition and welcoming attitude toward refugees fleeing oppression?

RESPONSE (b) (5)

[REDACTED]

- b. You said earlier this year that more than 300 people who came here as refugees are under FBI investigation for potential terrorism-related activities. See <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-revised-executive-order-protecting-nation>. What is the source of this information?

RESPONSE: (b) (5)

[REDACTED]

- c. Can you provide any information regarding how many of these investigations have resulted in criminal charges or convictions against refugees?

RESPONSE (b) (5)

- d. Michael Hayden, former director of the CIA and NSA, and James Stavridis, former NATO Supreme Allied Commander, have stated that hostility to refugees helps ISIS. By contrast, they stated, “Welcoming refugees regardless of their religion, nationality, or race exposes the falseness of terrorist propaganda and counters the warped vision of extremists.”

I asked you to respond to this statement in a written question subsequent to your confirmation hearing. You responded that you had not yet been briefed about all aspects of the US Refugee Admissions Program. Presumably you have since been briefed. Please respond.

RESPONSE: (b) (5)

Hirono 17:

1.

Non-Responsive Record

[REDACTED]

Escalona, Prim F. (OLA)

From: Escalona, Prim F. (OLA)
Sent: Friday, April 13, 2018 4:31 PM
To: Percival, James (OASG); Hamilton, Gene (OAG); Wetmore, David H. (ODAG)
Cc: Pickell, Lindsay A. (OLA)
Subject: RE: AG QFRs - immigration
Attachments: AG QFR _ Immigration JHP Edits.docx

Thanks, Jimmy.

Dave – I think the rest of the outstanding responses are yours. I'm attaching an updated version for you to work from.

Thanks!
Prim

From: Percival, James (OASG)
Sent: Friday, April 13, 2018 12:56 PM
To: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

My piece, in track.

—
James H. Percival
Counsel
Office of the Associate Attorney General
Department of Justice
Office: 202-616-1589
Mobile: (b) (6)

From: Escalona, Prim F. (OLA)
Sent: Friday, April 13, 2018 11:55 AM
To: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>; Percival, James (OASG) <jpercival@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Thanks, Gene.

Dave and Jimmy – could you please review Gene's comments and provide QFR responses reflecting his comments/directions? Just to make sure that we are all on the same page, please include written draft responses in the attached document and email it back to me. You can use tracked changes or not – whichever you prefer. It appears that the following questions are outstanding:

Dave:

Sasse 2a
Sasse 2b
Crapo 2(b)
Feinstein 37b
Feinstein 37c
Feinstein 37d
Durbin 13a
Durbin 17d

Jimmy:

Sasse 2c
Hirono 19

If we could get written responses (that Gene will need to review) by Wednesday, April 18th, that would be ideal. Please let me know if you have any questions.

Thanks,
Prim

From: Hamilton, Gene (OAG)
Sent: Friday, April 13, 2018 10:28 AM
To: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Here are some edits/comments from me.

Thanks!

Gene P. Hamilton
Counselor to the Attorney General
U.S. Department of Justice

From: Escalona, Prim F. (OLA)
Sent: Wednesday, April 11, 2018 9:38 AM
To: Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Tomorrow (or Friday) would be fine if you are both slammed. Thanks for your help!

From: Wetmore, David H. (ODAG)
Sent: Wednesday, April 11, 2018 9:34 AM
To: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

I have, but I'm waiting to hear back from EOUSA re whether they have some of the data requested before circulating proposed responses.

Dave

DAVID H. WETMORE
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Office: (202) 514-9340
Mobile: (b) (6)

From: Hamilton, Gene (OAG)
Sent: Wednesday, April 11, 2018 9:30 AM
To: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Dave, have you had a chance to review? I've been slammed and can hopefully work on it on the flight home tonight.

Gene P. Hamilton
Counselor to the Attorney General
U.S. Department of Justice

From: Escalona, Prim F. (OLA)
Sent: Monday, April 9, 2018 10:10 AM
To: Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: FW: AG QFRs - immigration

Dave and Gene,
I am attaching the draft QFR responses that require your attention. We have attempted to assign them based on the question and your portfolio. I needed these by last Friday, but if you could get them to me by Wednesday, I would appreciate it. Please work off of the attached draft (which includes OLA and OASG responses).

Thanks!
Prim

From: Escalona, Prim F. (OLA)
Sent: Thursday, April 5, 2018 12:36 PM
To: Percival, James (OASG) <jpercival@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>; Bylund, Jeremy (OASG) <jbylund@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Duplicative Material (Document ID: 0.7.1336.24215)

Non-Responsive Record

Durbin 17:

2. Since our tragic failure to help Jewish refugees fleeing Hitler, we have had a bipartisan history of accepting refugees. In safely and successfully resettling 3.3 million refugees from conflict zones around the world since 1975 the United States has not been dissuaded by fear.

President Ronald Reagan said in 1981, "Our nation is a nation of immigrants. More than any other country, our strength comes from our own immigrant heritage and our capacity to welcome those from other lands." He added, "We shall continue America's tradition as a land that welcomes peoples from other countries. We shall also, with other countries, continue to share in the responsibility of welcoming and resettling those who flee oppression."

- a. Do you agree with President Reagan about our nation's immigrant tradition and welcoming attitude toward refugees fleeing oppression?

RESPONSE (b) (5)

[REDACTED]

- b. You said earlier this year that more than 300 people who came here as refugees are under FBI investigation for potential terrorism-related activities. See <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-revised-executive-order-protecting-nation>. What is the source of this information?

RESPONS (b) (5)

- c. Can you provide any information regarding how many of these investigations have resulted in criminal charges or convictions against refugees?

RESPONSE:

- d. Michael Hayden, former director of the CIA and NSA, and James Stavridis, former NATO Supreme Allied Commander, have stated that hostility to refugees helps ISIS. By contrast, they stated, "Welcoming refugees regardless of their religion, nationality, or race exposes the falseness of terrorist propaganda and counters the warped vision of extremists."

I asked you to respond to this statement in a written question subsequent to your confirmation hearing. You responded that you had not yet been briefed about all aspects of the US Refugee Admissions Program. Presumably you have since been briefed. Please respond.

RESPONSE (b) (5)

Wetmore, David H. (ODAG)

From: Wetmore, David H. (ODAG)
Sent: Friday, April 13, 2018 5:19 PM
To: Escalona, Prim F. (OLA); Hamilton, Gene (OAG); Percival, James (OASG)
Cc: Pickell, Lindsay A. (OLA)
Subject: RE: AG QFRs - immigration
Attachments: AG QFR _ Immigration JHP Edits [DHW].docx

New version attached.

Dave

DAVID H. WETMORE
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Office: (202) 514-9340
Mobile: (b) (6)

From: Escalona, Prim F. (OLA)
Sent: Friday, April 13, 2018 4:55 PM
To: Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>; Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>; Percival, James (OASG) <jpercival@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Dave (b) (5)
(b) (5), that would be great.

Thanks,
Prim

From: Hamilton, Gene (OAG)
Sent: Friday, April 13, 2018 4:53 PM
To: Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>; Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Percival, James (OASG) <jpercival@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Can you write that out in the responses?

Gene P. Hamilton
Counselor to the Attorney General
U.S. Department of Justice

From: Wetmore, David H. (ODAG)
Sent: Friday, April 13, 2018 4:52 PM
To: Escalona, Prim F. (OLA) <pfescalona@jmd.usdoj.gov>; Percival, James (OASG)

From: Escalona, Prim F. (OLA) <fpescalona@jmd.usdoj.gov>; Percival, James (OAG) <jpercival@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Hi Prim,

We lack the data to answer most of the ODAG-designated questions, as I note in the comments.

Dave

DAVID H. WETMORE
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Office: (202) 514-9340
Mobile: (b) (6)

From: Escalona, Prim F. (OLA)
Sent: Friday, April 13, 2018 4:31 PM
To: Percival, James (OAG) <jpercival@jmd.usdoj.gov>; Hamilton, Gene (OAG) <ghamilton@jmd.usdoj.gov>;
Wetmore, David H. (ODAG) <dhwetmore@jmd.usdoj.gov>
Cc: Pickell, Lindsay A. (OLA) <lapickell@jmd.usdoj.gov>
Subject: RE: AG QFRs - immigration

Duplicative Material (Document ID: 0.7.1336.15932)

Non-Responsive Record

Durbin 17:

2. Since our tragic failure to help Jewish refugees fleeing Hitler, we have had a bipartisan history of accepting refugees. In safely and successfully resettling 3.3 million refugees from conflict zones around the world since 1975 the United States has not been dissuaded by fear.

President Ronald Reagan said in 1981, "Our nation is a nation of immigrants. More than any other country, our strength comes from our own immigrant heritage and our capacity to welcome those from other lands." He added, "We shall continue America's tradition as a land that welcomes peoples from other countries. We shall also, with other countries, continue to share in the responsibility of welcoming and resettling those who flee oppression."

- a. Do you agree with President Reagan about our nation's immigrant tradition and welcoming attitude toward refugees fleeing oppression?

RESPONSE (b) (5)

[REDACTED]

- b. You said earlier this year that more than 300 people who came here as refugees are under FBI investigation for potential terrorism-related activities. See <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-revised-executive-order-protecting-nation>. What is the source of this information?

RESPONS (b) (5)

- c. Can you provide any information regarding how many of these investigations have resulted in criminal charges or convictions against refugees?

RESPONSE:

- d. Michael Hayden, former director of the CIA and NSA, and James Stavridis, former NATO Supreme Allied Commander, have stated that hostility to refugees helps ISIS. By contrast, they stated, “Welcoming refugees regardless of their religion, nationality, or race exposes the falseness of terrorist propaganda and counters the warped vision of extremists.”

I asked you to respond to this statement in a written question subsequent to your confirmation hearing. You responded that you had not yet been briefed about all aspects of the US Refugee Admissions Program. Presumably you have since been briefed. Please respond.

RESPONSE (b) (5)

[REDACTED]

Tucker, Rachael (OAG)

From: Tucker, Rachael (OAG)
Sent: Friday, October 20, 2017 8:18 AM
To: (b)(6), (b)(7)(C) per FBI OTD) (FBI)
Cc: Barnett, Gary E. (OAG); Darden, Silas V. (OAG)
Subject: Additional materials for 11:45 call
Attachments: PC on Section 6 - Prep Materials.docx

Hi all,

Attached are additional materials to be given to the AG for the 11:45 call. Sorry we couldn't get it to you last night. Took time to get everyone's views on this. Thanks for your help!

Rachael

Rachael Tucker
Counselor to the Attorney General
U.S. Department of Justice
202.616.7740

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, November 1, 2017 8:03 PM
To: Tucker, Rachael (OAG)
Subject: Fwd: CONUS Terrorism Investigations

This is what we asked.

The White House is asking whether they can confirm publicly the number of international terrorism investigations based in the United States.

And director confirmed below as accurate and unclassified. So WH and we have used this publicly since then.

Begin forwarded message:

On Sep 22, 2017, at 1:51 PM, Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov> wrote:

Hi Sarah. I just got off the phone with FBI leadership. They discussed the following with the Director and Deputy Director and are comfortable with the following as accurate and unclassified:

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

(b)(5), (b)(7)(E) per FBI Of those, the FBI has approximately 300 terrorism cases involving individuals who came into the US as refugees.

For clarification: (b)(5), (b)(7)(E) per FBI

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

Available to discuss if helpful. (b) (6)

Thanks,
Tash

From: Rybicki, James E. (DO) (FBI) (b)(7)(E) per FBI
Sent: Friday, September 22, 2017 11:01 AM
To: Hill, John L. (ODAG) <jhill@jmd.usdoj.gov>
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Mendenhall, Bradley G. (CTD) (FBI) (b)(7)(E) per FBI Gauhar, Tashina (ODAG)

<tagauhar@jmd.usdoj.gov>; Ghattas, Carl (CTD) (FBI) (b)(7)(E) per FBI Kortan,
Michael P. (DO) (FBI) (b)(7)(E) per FBI
Subject: RE: CONUS Terrorism Investigations

Adding EAD Ghattas and AD Kortan for action.

From: Hill, John L. (ODAG) [mailto:John.L.Hill@usdoj.gov]
Sent: Friday, September 22, 2017 10:26 AM
To: Rybicki, James E. (DO) (FBI) (b)(7)(E) per FBI
Cc: Flores, Sarah Isgur (OPA) (JMD) <Sarah.Isgur.Flores@usdoj.gov>; Mendenhall,
Bradley G. (CTD) (FBI) (b)(7)(E) per FBI Gauhar, Tashina (ODAG) (JMD)
<Tashina.Gauhar2@usdoj.gov>
Subject: CONUS Terrorism Investigations

Jim,

Good morning again (b)(5) per FBI

(b)(5) per FBI

(b)(5) per FBI

b)(5) per FBI; (b)(6) (b)(5) per FBI

(b)(5) per FBI

Best,
John

015: Comey announces 900 open in all 50 states
<https://www.google.com/amp/nypost.com/2015/11/22/obamas-isis-strategy-only-increases-risk-of-a-us-attack/amp/>

2016: The FBI has investigated about 1,000 cases — up from 900 a year or so ago — to determine whether a suspect is consuming terrorist propaganda, or acting on it, Comey said.
<https://www.google.com/amp/www.latimes.com/nation/la-na-comey-fbi-20160511-snap-story,amp.html>

<https://homeland.house.gov/wp-content/uploads/2015/11/November-Terror-Threat-Snapshot.pdf>

John L. Hill
Counsel to the Deputy Attorney General

U.S. Department of Justice
202-353-3030

Cutrona, Danielle (OAG)

From: Cutrona, Danielle (OAG)
Sent: Wednesday, March 1, 2017 12:58 PM
To: Hunt, Jody (OAG)
Cc: Gannon, Curtis E. (OLC); Tucker, Rachael (OAG)
Subject: FW: DRAFT letter
Attachments: Letter.to.President.DRAFT.0228.rev gph edits.docx

I think these changes are fine, though I'm curious as to (b) (5)

(b) (5)

From: Hamilton, Gene (b)(6) per DHS
Sent: Tuesday, February 28, 2017 11:42 PM
To: Hunt, Jody (OAG) <Jody.Hunt@usdoj.gov>; Katsas, Gregory G. EOP/WHO

(b) (6)

Cc: Cutrona, Danielle (OAG) <Danielle.Cutrona@usdoj.gov>; Tucker, Rachael (OAG) <Rachael.Tucker@usdoj.gov>; Gannon, Curtis E. (OLC) (b)(6) per OLC
Subject: RE: DRAFT letter

Duplicative Material (Document IDs 0.7.1336.5140 and 0.7.1336.5145)

Gannon, Curtis E. (OLC)

From: Gannon, Curtis E. (OLC)
Sent: Monday, March 6, 2017 9:31 AM
To: Tucker, Rachael (OAG)
Subject: RE: CIV narrative
Attachments: EO Support Doc - DRAFT 02-23 745 pm.docx

I think the last version that existed was the one that reflected your and my quick edits on what CIV did. Here it is, though I haven't looked to see if it's responsive.

From: Tucker, Rachael (OAG)
Sent: Monday, March 6, 2017 9:29 AM
To: Gannon, Curtis E. (OLC) (b)(6) per OLC
Subject: CIV narrative

Morning!

Jody says he thinks that the litigator's narrative (b)(5): DPP & AWP had some examples in it that we may be able to use for the EO rollout today. He said he could be mistaken. I don't have a copy of the last narrative draft that circulated. Do you?