Begin forwarded message:

From: "Gauhar, Tashina (ODAG)" <tagauhar@jmd.usdoj.gov>
Date: February 17, 2017 at 6:03:56 PM EST
To: "Tucker, Rachael (OAG)" <ratucker@jmd.usdoj.gov>, "Cutrona, Danielle (OAG) (JMD)" <Danielle.Cutrona@usdoj.gov>, "Hunt, Jody (OAG)" <johunt@jmd.usdoj.gov>
Cc: "Crowell, James (ODAG)" <jcrowell@jmd.usdoj.gov>
Subject: FW: FBI tasking

Please see attached response from the FBI. We just received and FBI confirmed they are also sending to Gene at DHS.

FBI flagged two points for us:

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

Thanks,
Tash
Let me check in on this and get back to you.

On Feb 24, 2017, at 6:30 PM, Gannon, Curtis E. (OLC) (b)(6) per OLC wrote:

From: Gauhar, Tashina (ODAG)
Sent: Friday, February 24, 2017 6:24 PM
To: Gannon, Curtis E. (OLC) (b)(6) per OLC
Cc: Crowell, James (ODAG); Hunt, Jody (OAG); Tucker, Rachael (OAG)
Subject: Fwd: New Language

Hi Curtis - please see below from FBI.

Thanks.

Begin forwarded message:

From: "Rybicki, James E. (DO) (FBI)" (b)(7)(E) per FBI
Date: February 24, 2017 at 5:17:42 PM EST
To: "Gauhar, Tashina (ODAG) (JMD)" <Tashina.Gauhar2@usdoj.gov>
Subject: Fwd: New Language
Subject: RE: New Language

(b) (5)

--- Original message ---
From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Date: 2/24/17 4:19 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" - (b)(7)(E) per FBI
Subject: New Language

I'm going to ask Andy about this new language now.

(b)(5) per FBI
Thanks, Curtis. I went back to FBI and NSD with the suggested language below.

Let me know if you need more on this. We can get folks on a call to discuss if helpful.

Thanks.
Begin forwarded message:

From: "Gauhar, Tashina (ODAG)" <tagauhar@jmd.usdoj.gov>
Date: February 17, 2017 at 6:03:56 PM EST
To: "Tucker, Rachael (OAG)" <ratucker@jmd.usdoj.gov>, "Cutrona, Danielle (OAG) (JMD)" <Danielle.Cutrona@usdoj.gov>, "Hunt, Jody (OAG)" <johunt@jmd.usdoj.gov>
Cc: "Crowell, James (ODAG)" <jcrowell@jmd.usdoj.gov>
Subject: FW: FBI tasking

Duplicative Material (Document ID: 0.7.1336.18486)
I confirmed with the FBI: the 300 were identified as individuals who entered the US as refugees. When and how the investigation started may vary within that group. The bucket is identified as who entered under that status and became, at some point, the subject of a CT investigation.
From: Tucker, Rachael (OAG)  
Sent: Friday, February 17, 2017 8:29 PM  
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>  
Cc: Crowell, James (ODAG) <jcrowell@jmd.usdoj.gov>  
Subject: Re: bad news

I spoke to Curtis and Noel and we agree this may not be worth it. Can you ask them to clarify whether (b)(5)

On Feb 17, 2017, at 8:22 PM, Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov> wrote:

I don’t believe so. Also, it will likely take a lot of operational folks off-line. Also, to clarify -- the number below is just a guess and includes lots of different types of things – not an actual number for obvious reasons.

From: Crowell, James (ODAG)  
Sent: Friday, February 17, 2017 8:04 PM  
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>; Tucker, Rachael (OAG) <ratucker@jmd.usdoj.gov>  
Subject: RE: bad news

There’s no way they can do that before Monday I would suspect?

From: Gauhar, Tashina (ODAG)  
Sent: Friday, February 17, 2017 7:54 PM  
To: Tucker, Rachael (OAG) <ratucker@jmd.usdoj.gov>; Crowell, James (ODAG) <jcrowell@jmd.usdoj.gov>  
Subject: bad news

I just talked to the FBI. (b)(7)(E) per FBI, (b)(5) (b)(7)(E) per FBI, (b)(5) (b)(7)(E) per FBI, (b)(5) That would mean a manual review of all of their cases. This would be a very heavy lift and not sure how long it would take.

Wanted to check in with both of you about next steps considering the above.
Okay I'll handle.

Yes, please do.

I wanted to talk to you about this (b) (5)

On Feb 28, 2017, at 4:48 PM, Tucker, Rachael (OAG) wrote:

Duplicative Material (Document ID: 0.7.1336.19536)
Got it.

Marc Raimondi
National Security Division
U.S. Department of Justice
O: 202-514-1153

On Feb 28, 2017, at 2:53 PM, Tucker, Rachael (OAG) <ratucker@jmd.usdoj.gov> wrote:

Actually, Jody just told me to reach out to them. So I'm going to do that Marc. No need to give them Jody's info.
Flores, Sarah Isgur. (OPA)

From: Flores, Sarah Isgur. (OPA)
Sent: Wednesday, March 1, 2017 2:36 PM
To: Hunt, Jody (OAG)
Subject: FW: Draft talking points and brief remarks on new executive order
Attachments: 20170301 talking points for AG Sessions on new executive order.docx; 20170301 Remarks for Attorney General Sessions on Second Executive Order.docx

Here’s where the EO draft comments for the AG currently stand:

From: Bockhorn, Lee F. (OPA)
Sent: Tuesday, February 28, 2017 6:46 PM
To: Flores, Sarah Isgur. (OPA) <siflores@jmd.usdoj.gov>; Carr, Peter (OPA) <pcarr@jmd.usdoj.gov>
Cc: Sarah Isgur Flores <b>(6)<br>(b)(5)<br>
Subject: Draft talking points and brief remarks on new executive order

Sarah and Peter,

Attached are:

1) Draft talking points on the revised executive order and the various issues surrounding it
2) Brief remarks (just over 3 minutes, so probably more than he needs) for the 3:00pm event. This is<br>(b)(5)

Heading home now, but let me know if you have any questions and we can revisit in the morning.

--Lee
Those all seem like fair questions since I sent you a random photo! Haha.

This is from the EO for tomorrow. I thought you might know what that language refers to bc I think it's also in his remarks tomorrow. But it's also possible you have no idea what I'm talking about:)

> On Mar 5, 2017, at 10:54 PM, Tucker, Rachael (OAG) <ratucker@jmd.usdoj.gov> wrote:
> 
> Hey what's this from? And what do you mean details? Sorry. Gimme some more context.
> 
> >> On Mar 5, 2017, at 10:50 PM, Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov> wrote:
> >>
> >> Mainly details on the 300 refugees being investigated??
> >>
> >> <image1.JPG>
> >>
They have included not just persons who came here legally on visas but also individuals who first entered the country as refugees. For example, in January 2013, two Iraqi nationals admitted to the United States as refugees in 2009 were sentenced to 40 years and to life in prison, respectively, for multiple terrorism-related offenses. And in October 2014, a native of Somalia who had been brought to the United States as a child refugee and later became a naturalized U.S. citizen was sentenced to 30 years in prison for attempting to use a weapon of mass destruction as part of a plot to detonate a bomb at a crowded Christmas-tree-lighting ceremony in Portland, Oregon. The Attorney General has reported to me that more than 300 persons who entered the United States as refugees are currently the subjects of counterterrorism investigations by the Federal Bureau of Investigation.

(i) Given the foregoing, the entry into the United States of foreign nationals who may commit, aid, or support acts of terrorism remains a matter of grave concern. In light of the Ninth Circuit’s observation that the political branches are better suited to determine the appropriate policy decisions than are the courts, and in order to avoid spending additional time in court, the President determined that it would be in the national interest to establish a travel ban, which
See revised paper with additional talking points.

Also, is there a specific edit on the issue you raised last night? (b)(5)  
(b)(5)

Thanks forwarded message:

--- Original Message ---
From: Rybicki, James E. (DO) (FBI) [mailto:Rybicki.JamesE@fbi.gov]
Sent: Monday, March 06, 2017 2:34 PM
To: Gauhar, Tashina (ODAG)<Tashina.Gauhar2@usdoj.gov>
Cc: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: SAC Guidance on Immigration EO

Tash - Please see attached for a slightly updated set of TPs for our SACs. (b)(5) per FBI (b)(5) per FBI We hope to send these out as soon as possible.

Thanks!

--- Original Message ---
From: Gauhar, Tashina (ODAG) [mailto:Tashina.Gauhar2@usdoj.gov]
Sent: Monday, March 06, 2017 2:35 PM
To: Rybicki, James E. (DO) (FBI) <Rybicki.JamesE@fbi.gov>
Cc: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: SAC Guidance on Immigration EO

Will do. Thanks, Jim.
Can you please take a look and let me know if there are any concerns from DOJ's perspective?

(b)(5) per FBI

(c) and let me know if there are any concerns from DOJ's perspective? (cc'd)

is coordinating comments.

Thanks,

Jim
I think it’s fine. Defer to her on this.

Hi - wanted to loop back with you on this too. Was there someone on substance that should also look at this?

I’d also say including this...
FYSA, below.

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, March 07, 2017 6:34 PM
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>
Subject: RE: SAC Guidance on Immigration EO

Yep, feel free to connect us if need be. But as I said, these are suggestions.

***
Sarah Isgur Flores
Director of Public Affairs

From: Gauhar, Tashina (ODAG)
Sent: Tuesday, March 7, 2017 6:22 PM
To: Flores, Sarah Isgur (OPA) <sifl ores@jmd.usdoj.gov>
Subject: RE: SAC Guidance on Immigration EO

Thanks. If need be, can I connect you directly with the FBI on this? I am not sure what you are referring to below (questions they may not want to answer yet). I think the second statement

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, March 07, 2017 6:02 PM
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>
Subject: RE: SAC Guidance on Immigration EO

Perfect! Thanks :)
Hi Sarah. Please see the below and the attached. The FBI has added (b)(5) to this document and is asking for our review. Can you let me know if you have any comments/suggestions to their new questions?

Thanks,
Tash

-----Original Message-----
From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Wednesday, March 08, 2017 7:14 PM
To: Gauhar, Tashina (ODAG) (JMD) <Tashina.Gauhar2@usdoj.gov>
Cc: Rybicki, James E. (DO) (FBI) (b)(7)(E) per FBI
Subject: RE: SAC Guidance on Immigration EO

Tash,

I apologize that we haven't closed this one out yet (b)(5) per OIP and FBI (b)(5) per OIP and FBI (b)(5) per OIP and FBI. Could you please let me know as soon as possible if Sarah Flores or anyone else has any concerns. I've highlighted the new info in yellow.

Thanks,