

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, January 24, 2018 6:27 PM
To: Jake.Gibson@FOXNEWS.COM
Subject: 2018-1-24 Alleged abuse by DOJ and FBI in the FISA process (HPSCI) - Nunes.pdf
Attachments: 2018-1-24 Alleged abuse by DOJ and FBI in the FISA process (HPSCI) - Nunes.pdf; ATT00001.htm



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 24, 2018

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Recent news reports indicate a classified memorandum prepared by House Permanent Select Committee on Intelligence (HPSCI or Committee) staff alleges abuses at the Department of Justice (Department) and the Federal Bureau of Investigation (FBI) in the FISA process. We understand many members of the House of Representatives have viewed this memorandum and that it has raised concerns.

As you know, we have provided HPSCI with more than 1,000 pages of classified documents relating to the FBI's relationship, if any, with a source and its reliance, if any, on information provided by that source. Media reports indicate that the Committee's memorandum contains highly classified material confidentially provided by the Department to the Committee in a secure facility.¹

The Department takes any allegation of abuse of our justice system by Department employees seriously. Further, we assume that HPSCI members want to provide evidence of any specific allegation of misconduct to Department officials so that we may take appropriate action. The rule of law depends on the confidence of the American people that our prosecutors and investigators apply the law fairly and without bias or regard for political influence. Though we are currently unaware of any wrongdoing relating to the FISA process, we agree that any abuse of that system cannot be tolerated.

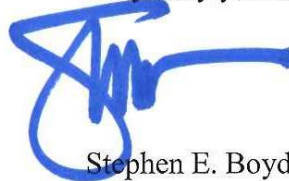
¹ To date, the Department has provided detailed briefings and made available to HPSCI documents requested as part of its investigation into Russian influence in the 2016 election. The terms of access stipulated that review of the documents would be limited to the Chairman or his designee, the Ranking Member or his designee, and two staff members each. (Mr. Gowdy reviewed the documents for the majority. Mr. Schiff reviewed the documents for the minority.) Other committees of jurisdiction—the Senate Select Committee on Intelligence, the Senate Committee on the Judiciary, and the House Committee on the Judiciary—have accepted similar procedural safeguards to protect against improper dissemination of information.

In addition, we have also heard that HPSCI is considering making the classified memorandum available to the public and the media, an unprecedented action. We believe it would be extraordinarily reckless for the Committee to disclose such information publicly without giving the Department and the FBI the opportunity to review the memorandum and to advise the HPSCI of the risk of harm to national security and to ongoing investigations that could come from public release. Indeed, we do not understand why the Committee would possibly seek to disclose classified and law enforcement sensitive information without first consulting with the relevant members of the Intelligence Community.

Seeking Committee approval of public release would require HPSCI committee members to vote on a staff-drafted memorandum that purports to be based on classified source materials that neither you nor most of them have seen. Given HPSCI's important role in overseeing the nation's intelligence community, you well understand the damaging impact that the release of classified material could have on our national security and our ability to share and receive sensitive information from friendly foreign governments. We know that committee members take this responsibility seriously, and would not risk damage to our intelligence community or the important work it does in safeguarding the American people. Additionally, we believe that wider distribution of the classified information presumably contained within your memorandum would represent a significant deviation from the terms of access negotiated in good faith by the Department, HPSCI, and the Office of Speaker Paul Ryan.

The Department renews its request—as previously made in a personal appeal by the Director of the FBI—for an opportunity to review the memorandum in question so that it may respond to the Committee before any vote on public release. In the alternative, should you wish not to provide the memorandum to the Deputy Attorney General and the FBI Director, we encourage you to provide it to Michael E. Horowitz, the Department's Inspector General. His office would appropriately investigate any alleged wrongdoing by the FBI or other Department personnel and independently assess whether prior public release of the memorandum would impair its ability to do so.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General

cc: The Honorable Adam Schiff
Ranking Member
House Permanent Select Committee on Intelligence

The Honorable Devin Nunes
Page Three

The Honorable Paul Ryan
Speaker of the House
U.S. House of Representatives

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives

The Honorable Trey Gowdy
U.S. House of Representatives

The Honorable Richard Burr
Chairman
Senate Select Committee on Intelligence

The Honorable Mark Warner
Vice Chairman
Senate Select Committee on Intelligence

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

Talarico, Julie

From: Talarico, Julie
Sent: Wednesday, January 24, 2018 5:17 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: America's Newsroom Request

Sure let's do next week!

Julie Talarico
Booker, America's Newsroom
(b)(6)

On Jan 24, 2018, at 5:12 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

So...I forgot I had told OT at 1 that I would be able to do them on Thursday. I'm very sorry and I'm traveling on Friday. Maybe we can look at next week?

xxx

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

From: Talarico, Julie [<mailto:Julie.Talarico@FOXNEWS.COM>]
Sent: Wednesday, January 24, 2018 1:56 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: America's Newsroom Request

Just checking in on this! Hoping to talk to you about the DOJ threatening to subpoena 23 jurisdictions over sanctuary city policies as well. Can make either hour work. Thanks!

Julie Talarico
Booker, America's Newsroom
(b)(6)

On Jan 23, 2018, at 8:23 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Yes—lets look at Thursday. (Sorry F&F was actually a reschedule from Monday bc of shutdown)

xxx

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

From: Talarico, Julie [<mailto:Julie.Talarico@FOXNEWS.COM>]
Sent: Tuesday, January 23, 2018 8:21 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: America's Newsroom Request

All good! If you're doing friends then you can't do Newsroom, unfortunately. Maybe another day this week?

Julie Talarico
Booker, America's Newsroom
(b)(6)

On Jan 23, 2018, at 7:37 PM, Flores, Sarah Isgur (OPA)
<Sarah.Isgur.Flores@usdoj.gov> wrote:

Not ignoring you! I was scheduled to do fox and friends tomorrow on something else—not sure if yall still have a policy of not doubling up guests on one day?

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

From: Talarico, Julie [<mailto:Julie.Talarico@FOXNEWS.COM>]
Sent: Tuesday, January 23, 2018 12:38 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: America's Newsroom Request

Hi Sarah –

Hope all is well! Any chance you're doing any interviews on the DOJ and the Strzok text message investigation? Would love to get you on Newsroom tomorrow if you were open to it. Let me know whenever you get a chance, thanks!

Julie Talarico
Associate Producer/Booker
America's Newsroom
Fox News Channel
Desk: (b)(6)
Mobile: (b)(6)
julie.talarico@foxnews.com

<image001.png> A News Corporation Company

=====

AMERICA has chosen....
FOX NEWS CHANNEL is # 1 in ratings, # 1 with viewers.

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Talarico, Julie

From: Talarico, Julie
Sent: Wednesday, January 24, 2018 10:03 AM
To: Flores, Sarah Isgur (OPA)
Subject: RE: America's Newsroom Request

Morning!

Great hit on Friends this morning. Do you think tomorrow is still a possibility? If so, let me know which hour you think will work best. Totally understand that it's still early in the day. Hoping it works! Thanks!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Tuesday, January 23, 2018 7:37 PM
To: Talarico, Julie <Julie.Talarico@FOXNEWS.COM>
Subject: RE: America's Newsroom Request

Duplicative Material

Talarico, Julie

From: Talarico, Julie
Sent: Tuesday, January 23, 2018 8:38 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: America's Newsroom Request

All good! I'll circle back tomorrow but let's plan on hopefully doing something Thursday!

Julie Talarico
Booker, America's Newsroom
(b)(6)

On Jan 23, 2018, at 8:23 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Duplicative Material



O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 24, 2018 4:37 PM
To: jake.gibson@foxnews.com
Subject: I know you can't control this

But nothing of what was discussed in this clip is correct:

<http://video.foxbusiness.com/v/5718729050001/>

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

Mansfield, Alyson

From: Mansfield, Alyson
Sent: Wednesday, January 24, 2018 1:34 PM
To: Ehram, Lauren (OPA); Prior, Ian (OPA)
Subject: Fox News - Brian Kilmeade Request from Virginia Beach on Friday

Hey Ian and Lauren,

I hope you are doing well! Rumor has it AG Sessions will be in Virginia Beach on Friday. As luck would have it, Brian will also be in Virginia Beach broadcasting from our affiliate WNIS. Is there any chance we can arrange an interview either in person or over the phone for some time on Friday morning between 9 and 12 AM ET?

I look forward to hearing from you. Please don't hesitate to call me on my cell: (b)(6).

Regards,
Alyson

Alyson Mansfield Scott
Fox News
Producer of Brian Kilmeade's Nationally Syndicated Radio Show
Desk: (b)(6)

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, January 24, 2018 12:14 PM
To: Fenton, Amy
Subject: Rachel on Dana again?

Hey Amy,

Next Friday we are hosting a human trafficking summit here at DOJ. We will be doing lots of press around this next week and was wondering if Dana would be interested in having Rachel on to talk about the human trafficking problem, what DOJ is doing about it, and what our goal is with the summit. Also noteworthy is that next week is Super Bowl week, which is said to have a high issue of human trafficking.

Please let me know if Dana is interested. One caveat, again – Rachel is not involved with Mueller investigation or any of the text issues so she won't/can't talk about that.

Thx!

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

Conti, Andrew

From: Conti, Andrew
Sent: Wednesday, January 24, 2018 12:13 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Hello Sarah-Laura Ingraham was asking about AG Session's interview

Would be great to discuss the sanctuary city press release that just went out

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, January 24, 2018 11:57 AM
To: Conti, Andrew <Andrew.conti@FOXNEWS.COM>
Subject: RE: Hello Sarah-Laura Ingraham was asking about AG Session's interview

At this point, we aren't scheduling any.

xxxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Conti, Andrew [mailto:Andrew.conti@FOXNEWS.COM]
Sent: Wednesday, January 24, 2018 11:05 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Hello Sarah-Laura Ingraham was asking about AG Session's interview

Hi Sarah,
Laura has been asking about the possibility of an interview with AG Sessions. The AG has done some interviews recently. Could you please let me know either way so I can pass the message along to Laura. This is for the Ingraham Angle/Fox News. thanks very much.
Andrew

Andrew P. Conti
Fox News Channel
(b)(6) - direct
(b)(6) - cell

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Conti, Andrew

From: Conti, Andrew
Sent: Wednesday, January 24, 2018 12:01 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Hello Sarah-Laura Ingraham was asking about AG Session's interview

Got it, thanks for getting back to us.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, January 24, 2018 11:57 AM
To: Conti, Andrew <Andrew.conti@FOXNEWS.COM>
Subject: RE: Hello Sarah-Laura Ingraham was asking about AG Session's interview

Duplicative Material

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 24, 2018 10:24 AM
To: Spinato, Eric
Subject: RE: Do you think Sunday a good shot ?

Totally understand for Sunday. Let me know about other days.

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

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

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
Sent: Wednesday, January 24, 2018 10:12 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: RE: Do you think Sunday a good shot ?

For the Sunday show, need AG
Especially he has never appeared with her, on either of her Fox network programs.
Will find a day for you soon

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

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, January 24, 2018 9:44 AM
To: Spinato, Eric <eric.spinato@FOXNEWS.COM>
Subject: Re: Do you think Sunday a good shot ?

Thank you. I know you would prefer the Ag--but I'm happy to go on Maria's show whenever y'all want.

> On Jan 24, 2018, at 5:49 AM, Spinato, Eric <eric.spinato@FOXNEWS.COM> wrote:

>

> Look forward to your hit today on f and f

>

> Sent from my iPhone

>

>> On Jan 23, 2018, at 7:34 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

--

>>
>> At this point, probably not. But I'll reup the ask for sure.
>>
>> ***
>> Sarah Isgur Flores
>> Director of Public Affairs
>> (b)(6)
>>
>>
>> -----Original Message-----
>> From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
>> Sent: Tuesday, January 23, 2018 4:12 PM
>> To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
>> Subject: Do you think Sunday a good shot ?
>>
>> Thank you
>> Eric
>>
>> Sent from my iPhone
>>
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>>
>

Spinato, Eric

From: Spinato, Eric
Sent: Tuesday, January 23, 2018 7:35 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Do you think Sunday a good shot ?

Thank you !

Sent from my iPhone

> On Jan 23, 2018, at 7:34 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Duplicative Material

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 24, 2018 8:40 AM
To: Gibson, Jake
Subject: Re: DIAL-IN INFORMATION FOR DOJ BACKGROUNDER AT 10:00 am TODAY

No...this was the plan all along. There's way more detail to go over in the briefing.

Sent from my iPhone

On Jan 24, 2018, at 8:39 AM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Sarah just spoke about 23 jurisdictions not cooperating on Fox n Friends.
I have editors asking about it now.
Is embargo broken?

—

On Jan 24, 2018, at 8:32 AM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Sounds good

Sent from my iPhone

On Jan 24, 2018, at 8:31 AM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

I may do this over the phone...

Thanks

On Jan 24, 2018, at 8:09 AM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Thank you all for your patience. The dial-in information is below. Please call a few minutes ahead and place your phones on mute. I will introduce the speaker, discuss attribution, address protocol, take any quick procedural questions, then turn it over to our briefer. Please remember to RSVP to Sarah Sutton (copied).

Dial-in:
Code:

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

Please let me know if you have any questions.

Devin

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

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 24, 2018 12:09 AM
To: 'devin.omalley@usdoj.gov'
<devin.omalley@usdoj.gov>
Cc: Sutton, Sarah E. (OPA) <sesutton@jmd.usdoj.gov>
Subject: RE: TOMORROW at 10:00 am | BACKGROUND
BRIEFING ON DEPARTMENT OF JUSTICE ACTION ON SO-
CALLED "SANCTUARY CITIES"

The following information is EMBARGOED UNTIL 12:00 pm EST on January 24th (today). I will provide the finalized letters (also under same embargo) in the AM. Sorry to piece meal. Sarah is working on finalizing the dial-in number.

**JUSTICE DEPARTMENT DEMANDS
DOCUMENTS AND THREATENS TO
SUBPOENA 23 JURISDICTIONS AS PART OF
8 U.S.C. 1373 COMPLIANCE REVIEW**

The Department of Justice today sent the attached letters to 23 jurisdictions, demanding the production of documents that could show whether each jurisdiction is unlawfully restricting information sharing by its law enforcement officers with federal immigration authorities.

All 23 of these jurisdictions were previously contacted by the Justice Department, when the Department raised concerns about laws, policies, or practices that may violate 8 U.S.C. 1373, a federal statute that promotes information sharing related to immigration enforcement and with which compliance is a condition of FY2016 and FY2017 Byrne JAG awards.

The letters also state that recipient jurisdictions that fail to respond, fail to respond completely, or fail to respond in a timely manner will be subject to a Department of Justice subpoena.

“I continue to urge all jurisdictions under review to reconsider policies that place the safety of their communities and their residents at risk,” said Attorney General Jeff Sessions. “Protecting criminal aliens from federal immigration authorities defies common sense and undermines the rule of law. We have seen too many examples of the threat to public safety represented by jurisdictions that actively thwart the federal government’s immigration enforcement—enough is enough.”

Failure to comply with section 1373 could result in the Justice Department seeking the return of FY2016 grants, requiring additional conditions for receipt of any FY2017 Byrne JAG funding, and/or jurisdictions being deemed ineligible to receive FY2017 Byrne JAG funding.

The following jurisdictions received the document request today:

- Chicago, Illinois;
- Cook County, Illinois;
- New York City, New York;
- State of California;
- Albany, New York;
- Berkeley, California;
- Bernalillo County, New Mexico;
- Burlington, Vermont;
- City and County of Denver, Colorado;
- Fremont, California;
- Jackson, Mississippi;
- King County, Washington;
- Lawrence, Massachusetts;
- City of Los Angeles, California;
- Louisville Metro, Kentucky;
- Monterey County, California;
- Sacramento County, California;
- City and County of San Francisco, California;
- Sonoma County, California;
- Watsonville, California;
- West Palm Beach, Florida;
- State of Illinois; and
- State of Oregon.

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

From: O'Malley, Devin (OPA)

Sent: Tuesday, January 23, 2018 9:26 PM

To: 'devin.omalley@usdoj.gov'

<devin.omalley@usdoj.gov>

Cc: Sutton, Sarah E. (OPA) <sesutton@jmd.usdoj.gov>;

Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>; Flores, Sarah

Isgur (OPA) <siflores@jmd.usdoj.gov>

Subject: TOMORROW at 10:00 am | BACKGROUND
BRIEFING ON DEPARTMENT OF JUSTICE ACTION ON SO-
CALLED "SANCTUARY CITIES"

Importance: High

Hi all-

Apologies for the late notice, but please see the
following provided to you off the record and for
planning purposes only:

WHO:	Senior DOJ Official
WHAT:	Background Briefing on Document Request of So-Called "Sanctuary Cities"
WHERE:	DOJ Andretta Room
WHEN:	10:00 am EST
OTHER:	Please RSVP to Sarah Sutton
DIAL-IN INFO:	We are in the process of finalizing the dial-in number, and we will send that out ASAP. I wanted you to have this notification for your planning purposes and did not want to wait on the dial-in info.

Additionally, I will provide all relevant documents to
you either this evening or in advance of the briefing
tomorrow AM. This is a newsworthy update on a topic
that you all are fairly well-versed in, so I don't expect
that this will be an exceptionally long backgrounder.

Please email or text with any questions you may have.

Thanks

Devin

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

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May, Kelly

From: May, Kelly
Sent: Wednesday, January 24, 2018 7:47 AM
To: Flores, Sarah Isgur (OPA)
Cc: Osmanski, Julie; Lewittes, Lee (Kushnir)
Subject: RE: F&F THIS MORNING

Thank you!

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Wednesday, January 24, 2018 7:46 AM
To: May, Kelly <Kelly.May@FOXNEWS.COM>
Cc: Osmanski, Julie <julie.osmanski@FOXNEWS.COM>; Lewittes, Lee (Kushnir) <Lee.lewittes@FOXNEWS.COM>
Subject: Re: F&F THIS MORNING

2. The AG has said we'll get to the bottom of these missing messages. And IG is investigating content.
3. AG sat down w special counsel's office last week. And then back to work!

On Jan 24, 2018, at 7:13 AM, May, Kelly <Kelly.May@FOXNEWS.COM> wrote:

Good morning Sarah,

Thank you for joining us at 8:20am ET. Here are your topics for today:

- 1) Immigration announcement (I already have your notes on this)
- 2) FBI/Text messages
- 3) Sessions interviewed as part of Mueller probe.

If you could send us your talking points, when you have a second, we'd really appreciate it.

Thank you!
Kelly

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Edwin Mora

From: Edwin Mora
Sent: Wednesday, January 24, 2018 12:23 AM
To: Flores, Sarah Isgur (OPA)
Cc: Prior, Ian (OPA)
Subject: Re: Breitbart News: FCSC Denies Group of WWII Vets/Former Pan-Am Pilots Libya-Supplied Funds for Lockerbie Victims

Thank you SO much. Take care looking forward to a response. If you need more time beyond 11 a.m. tomorrow, please let me know.

On Jan 23, 2018, at 7:31 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Hi sorry for delay. Adding Ian who can hopefully help you.

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

From: Edwin Mora [<mailto:emora@breitbart.com>]
Sent: Tuesday, January 23, 2018 4:46 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: Breitbart News: FCSC Denies Group of WWII Vets/Former Pan-Am Pilots Libya-Supplied Funds for Lockerbie Victims

Hello,

Wout I be able to get a response to my queries? Please let me know either way, Take care and welcome back.

On Jan 19, 2018, at 4:00 PM, Edwin Mora <emora@breitbart.com> wrote:

Hello,

I hope this finds you well. This week, the obscure Foreign Claims Settlement Commission (FCSC) issued its final verdict on the Abbot Group (dozens of former Pan/Am pilots that majority of whom are U.S. military vets), denying their claim to part of the \$1.5 Billion Fund paid for by Libya (not U.S. taxpayers) for American victims of the Lockerbie terror attack.

I've tried reaching out to the FCSC directly to no avail. Please help me.

By my account, a substantial portion [\[https://www.justice.gov/fcsc/current-programs#libya-claims\]](https://www.justice.gov/fcsc/current-programs#libya-claims) of the \$1.5 billion remains. Is not like the money is paid for by the American taxpayer, why not just award the former vets who gave so much for this country?

Why did the FCSC deny the claim?

How much of the \$1.5 billion that Libya paid to compensate U.S. victims is left over? How much does the government keep? Why?

What will happen to the remaining funds? Will the feds keep it or return it to Libya?

I am aware of the possible government shutdown, but the sun will rise again despite all the doomsday scenarios. My deadline is Monday at 11 a.m. — subject to change depending on what happens with shutdown. Take care and thank you so much for your time.

Edwin Mora
National Security
Breitbart News
(b)(6)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 23, 2018 8:23 PM
To: Murray, Andrew; Hadden, Gavin
Cc: Peikoff, Lauren
Subject: RE: Our announcement for tomorrow

Yes—your summary is perfect.

As for the jurisdictions, I'd prefer to hold those for when we release the all the letters after the show. But it includes several in California☺

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Murray, Andrew [mailto:Andrew.Murray@FOXNEWS.COM]
Sent: Tuesday, January 23, 2018 8:19 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM>
Cc: Peikoff, Lauren <lauren.peikoff@FOXNEWS.COM>
Subject: RE: Our announcement for tomorrow

Thanks can you please let us which jurisdictions on the list? And in layman's terms... this document the DOJ is sending is to find out if the officials of Sanctuary cities are in violation of federal immigration laws? And if they have...DOJ will strip them of their federal grant funds? And if they don't cooperate they will get served a subpoena?

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Tuesday, January 23, 2018 8:05 PM
To: Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM>; Murray, Andrew <Andrew.Murray@FOXNEWS.COM>
Subject: Our announcement for tomorrow

JUSTICE DEPARTMENT THREATENS 23 JURISDICTIONS WITH POTENTIAL SUBPOENAS REGARDING 8 U.S.C. 1373 COMPLIANCE

- The Justice Department today will send a formal document request to 23 jurisdictions asking for communication between the jurisdiction and their law enforcement employees that provides guidance on whether or not these employees may, or may not, communicate with DOJ, DHS, and/or ICE
- Any laws, policies, or practices that may have been communicated to law enforcement officials could be in violation of 8 U.S.C 1373, a federal statute that promotes information sharing related to immigration enforcement. Any recipient of a Byrne JAG grant administered by the DOJ was required to certify compliance with 1373 dating back to FY2016 (under the Obama administration)

- If it's determined that these jurisdictions are out of compliance with 1373, the Department may seek return of the FY2016 Byrne JAG funds, and could require additional conditions for receipt of any FY2017 Byrne JAG funds
- The Department is also introducing for the first time, the threat of subpoena if the recipient jurisdictions fail to respond to this document request completely and in a timely manner

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Hadden, Gavin

From: Hadden, Gavin
Sent: Tuesday, January 23, 2018 8:16 PM
To: Flores, Sarah Isgur (OPA)
Cc: Murray, Andrew
Subject: Re: Our announcement for tomorrow

Thank you Sarah.

Sent from my iPhone

On Jan 23, 2018, at 8:05 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Duplicative Material

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 23, 2018 8:11 PM
To: Fenton, Amy
Subject: RE: Dana Perino Request

Will keep in mind. He's actually traveling for the first half of next week.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Fenton, Amy [mailto:Amy.Fenton@FOXNEWS.COM]
Sent: Monday, January 22, 2018 3:46 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Dana Perino Request

Hi Sarah!

Hope you had a nice holiday and are doing well. I wanted to touch base since the shutdown seems to be coming to an end, the spotlight will be back on immigration policies. Dana would love to be able to chat with Atty Gen Sessions about this and other issues he is tackling at DOJ.

Dana will be down in DC next Tuesday. We will be live from 101 Constitution NW so that would be a great time to get them on set together. But considering how busy that day may be, we can always try to schedule something in advance so Dana can come down to DC or we can do something remotely.

Let me know if you have any questions. We would love to be able to get something on the calendar.

Happy Monday!

Amy Fenton
The Daily Briefing w/Dana Perino

(b)(6)

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Edwards, Jeremy M. (OPA)

From: Edwards, Jeremy M. (OPA)
Sent: Tuesday, January 23, 2018 6:37 PM
To: Schwartz, Brian
Cc: Kupec, Kerri (JMD)
Subject: Re: AT&T-Time Warner

Brian,

The DOJ declines to comment.

Best,
Jeremy

Sent from my iPhone

On Jan 23, 2018, at 3:02 PM, Schwartz, Brian <Brian.schwartz@FOXNEWS.COM> wrote:

Hey Jeremy,

We're being told the DOJ is talking to witnesses and focusing their depositions on executives from AT&T and Time Warner.

Brian

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 23, 2018 6:34 PM
To: Flores, Sarah Isgur (OPA); Prior, Ian (OPA); O'Malley, Devin (OPA)
Subject: Fwd: Johnson, Grassley Ask DOJ IG Horowitz about Missing FBI Text Messages

FYI

Sent from my iPhone

Begin forwarded message:

From: "Palke, Brittni (HSGAC)" <Brittni_Palke@hsgac.senate.gov>
Date: January 23, 2018 at 6:10:26 PM EST
To: "Palke, Brittni (HSGAC)" <Brittni_Palke@hsgac.senate.gov>
Subject: Johnson, Grassley Ask DOJ IG Horowitz about Missing FBI Text Messages



Senator Ron Johnson, Chairman

FOR IMMEDIATE RELEASE: Jan. 23, 2018

Contact:
[Brittni Palke](mailto:Brittni_Palke@hsgac.senate.gov) (Johnson) (202) 224-0382
[Taylor Foy](mailto:Taylor_Foy@hsgac.senate.gov) (Grassley) (202) 224-4224

Johnson, Grassley Ask DOJ IG Horowitz about Missing FBI Text Messages

<http://bit.ly/2G8W6z7>

WASHINGTON – U.S. Sen. Ron Johnson, chairman of the Homeland Security and Governmental Affairs Committee, and Sen. Chuck Grassley, chairman of the Senate Judiciary Committee, wrote a letter to the Justice Department Office of Inspector General Tuesday regarding the revelation that the FBI did not preserve text messages between Peter Strzok and Lisa Page for the time period between Dec. 14, 2016, and May 17, 2017.

In a previous letter to Sens Johnson and Grassley, IG Michael Horowitz stated his office obtained text messages from Nov. 30, 2016, through July 28, 2017 without disclosing the missing texts. The Senators' letter is asking the DOJ Inspector General (1) to explain why he did not previously disclose FBI's failure to provide the missing texts, and (2) to inform the committees about the steps the IG is taking to investigate the circumstances surrounding the missing texts.

the missing texts.

The letter can be found [here](#) and below:

January 23, 2018

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dear Inspector General Horowitz:

The Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary are conducting oversight of the Federal Bureau of Investigation (FBI) and the FBI's investigation of classified information on former Secretary of State Hillary Clinton's private email server. We write to request information about the loss of FBI records connected to this investigation.

On January 12, 2017, the Department of Justice Office of Inspector General (DOJ OIG) announced an investigation of "allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016 and that certain underlying investigative decisions were based on improper considerations."

On December 6, 2017, we wrote to you concerning the DOJ OIG discovery of text messages between FBI employees Lisa Page and Peter Strzok. Your response, dated December 13, 2017, suggested that DOJ OIG received all text messages between Ms. Page and Mr. Strzok from November 30, 2016 to July 28, 2017. You wrote:

In gathering evidence for the OIG's ongoing 2016 election review, we requested, consistent with standard practice, that the FBI produce text messages from the FBI-issued phones of certain FBI employees involved in the Clinton email investigation based on search terms we provided. After finding a number of politically-oriented text messages between Page and Strzok, the OIG sought from the FBI all text messages between Strzok and Page from their FBI-issued phones through November 30, 2016, which covered the entire period of the Clinton e-mail server investigation. The FBI produced these text messages on July 20, 2017. Following our review of those text messages, **the OIG expanded our request to the FBI to include all text messages between Strzok and Page from November 30, 2016, through the date of the document request, which was July 28, 2017. The OIG received these additional messages on August 10, 2017.**

On January 19, 2018, the Department of Justice produced to Congress 384 pages of text messages exchanged between Ms. Page and Mr. Strzok. According to a cover letter accompanying the documents, the FBI did not preserve text messages between Ms. Page and Mr. Strzok between approximately December 14, 2016 and May 17, 2017. The cover letter explained:

The Department wants to bring to your attention that the FBI's technical system for retaining text messages sent and received on FBI mobile devices failed to preserve text messages for Mr. Strzok and Ms. Page from December 14, 2016 to approximately to May 17, 2017. The FBI has informed [the Department of Justice] that many FBI-

provided Samsung 5 mobile devices did not capture or store text messages due to misconfiguration issues related to rollouts, provisioning, and software upgrades that conflicted with the FBI's collection capabilities. The result was that data that should have been automatically collected and retained for long-term storage and retrieval was not collected.

These statements—that DOJ OIG requested “all text messages between Strzok and Page from November 30, 2016, [to] July 28, 2017,” received them on August 10, 2017, and that the FBI “failed to preserve text messages from Mr. Strzok and Ms. Page from December 14, 2016, to approximately May 17, 2017”—need to be reconciled. During a phone call on January 22, 2018, DOJ OIG staff indicated that the FBI did not produce text messages between Mr. Strzok and Ms. Page from December 14, 2016, to May 17, 2017.

Accordingly, to understand fully the scope of text messages in the possession of the DOJ OIG, we respectfully request that you please provide the following information and material:

1. Is it accurate that the FBI failed to provide to DOJ OIG text messages between Mr. Strzok and Ms. Page from December 14, 2016, to May 17, 2017 due to technical errors that prevented the texts from being archived in the FBI's records preservation system?
 - a. Has the FBI also been unable to provide the texts from any other source, such as the physical phones, carrier records, or any other source?
 - b. Has the OIG requested texts of other FBI personnel during the same time period? If so, has the FBI also been unable to produce texts of others as well or is the missing text problem limited to these two employees?
 - c. On what date did the OIG request access to messages for that time period from the FBI?
 - d. Did the FBI notify the OIG of the missing text messages between Mr. Strzok and Ms. Page? If so, on what date? If not, how and on what date did the OIG discover that messages were missing?
 - e. Did the DOJ OIG notify the office of the Deputy Attorney General of the missing text messages between Mr. Strzok and Ms. Page? If so, on what date?
 - f. Please explain why the DOJ OIG did not notify Congress of the missing text messages.
2. Please produce all communications between DOJ OIG, DOJ, and the FBI referring or relating to the missing text messages.
3. The Attorney General said in a statement yesterday that your office was already undertaking a review of the circumstances that led to the FBI's failure to preserve and provide texts to the OIG. On what date did that review begin, and what is the scope and methodology of that OIG review?
4. Has the DOJ OIG been successful in retrieving any of the missing text messages from any other source?

5. Does the OIG have the necessary authorities, resources, and capabilities to obtain the missing texts from another source? If not, please identify any gaps in your office's ability to do so.
6. In the most recent batch of texts, Mr. Strzok and Ms. Page frequently indicate that they are also communicating about work-related matters via apparently personal accounts on Apple's encrypted iMessage texting system, as well as through Gmail. Does the OIG have the necessary authorities, resources, and capabilities to obtain any federal records that may reside in those personal accounts? If not, please explain any gaps in your ability to do so.
7. Has the OIG asked Mr. Strzok or Ms. Page to voluntarily provide any information from their personal accounts? If so, have they been cooperative? If the OIG has not asked, please explain why not.
8. Has the DOJ OIG interviewed Mr. Strzok or Ms. Page?
9. Has the DOJ OIG interviewed employees of the FBI's Information Technology office regarding the loss of text messages?

Please respond to this letter as soon as possible but no later than January 29, 2018.

Thank you for your attention to this matter. If you have any questions about this request, please contact Kyle Brosnan or Brian Downey of the Senate Homeland Security and Governmental Affairs Committee staff at (202) 224-4751 or Josh Flynn-Brown of the Senate Judiciary Committee staff at (202) 224-5225.

Sincerely,

Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs

Charles E. Grassley
Chairman
Committee on the Judiciary

###

Brittni Palke
Press Secretary
Senate Homeland Security and Governmental Affairs Committee (Majority)
Chairman Ron Johnson
(b)(6)

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 23, 2018 4:00 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Take a look please

Got it.

Thanks!!

On Jan 23, 2018, at 3:58 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Good to go w below:

The Attorney General and Deputy Attorney General continue to instruct the Department, including the FBI, to turn over all appropriate documents and texts as quickly as possible during this process, including the request for up to 1.2 million documents. We continue to speak to committee staff on a daily basis and have provided over 1,000 pages of classified documents to the committees. As the Attorney General said last night a review is already underway to learn why these missing texts are not available and we will leave no stone unturned to determine whether the missing messages are recoverable from another source.

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

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

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]
Sent: Tuesday, January 23, 2018 3:01 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Take a look please

This is a line from Mike Emanuel's pkg tonight.

I think, for the sake of fairness, it screams out for another line like, "DOJ Officials tell Fox they have provided thousands of documents to the committee and "

committee and...

—

Top of piece...

REPUBLICAN SOURCES SAY THERE IS INCREASING ANGER AND FRUSTRATION AMONG GOP MEMBERS OF THE HOUSE INTELLIGENCE COMMITTEE WITH THE F-B-I AND DEPARTMENT OF JUSTICE.

SOME HAVE SUGGESTED THERE HAS BEEN STONEWALLING BY THE BUREAU AND DOJ REGARDING COMMITTEE REQUESTS FOR DOCUMENTS, TEXT MESSAGES, AND OTHER INFORMATION.

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 23, 2018 3:23 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Take a look please

I know you are crazy busy... but they will track this piece before... I'd say... 4:15.

I just want to make sure you have the chance to get your line in...

> On Jan 23, 2018, at 3:01 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:
>

Duplicative Material

Hadden, Gavin

From: Hadden, Gavin
Sent: Tuesday, January 23, 2018 3:49 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: FF TOMORROW...

Perfect. Deal!

Sent from my iPhone

> On Jan 23, 2018, at 3:48 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>

> I've got the all clear here. So that sounds good. Will want to make sure we get to talk about sanctuary cities and immigration. Will be able to send you draft press release soon. I assume we'll also do news of the day--but very important we hit immigration.

>

>> On Jan 23, 2018, at 3:45 PM, Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM> wrote:

>>

>> I can make 820 available for you.

>>

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

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

>> Sent: Tuesday, January 23, 2018 2:53 PM

>> To: Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM>

>> Subject: RE: FF TOMORROW...

>>

>> I'm hoping so--working on it over here. Theres a lot to talk about for sure!!!

>>

>> ***

>> Sarah Isgur Flores

>> Director of Public Affairs

>> (b)(6)

>>

>>

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

>> From: Hadden, Gavin [mailto:Gavin.Hadden@FOXNEWS.COM]

>> Sent: Tuesday, January 23, 2018 11:26 AM

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

>> Subject: FF TOMORROW...

>>

>> Good morning Sam. The same number suggested and I know Andrew has reached out. But Sam

>> Good morning Sara. I'm sure you're swamped and I know Andrew has reached out... but, any chance you would be available to join us tomorrow?

>>

>> I appreciate it.

>>

>> Gavin.

>>

>> Sent from my iPhone

>>

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 23, 2018 3:48 PM
To: Flores, Sarah Isgur (OPA)
Subject: Script

I want to get your side in here...
I have 20 mins until he voices the piece.
Gets hard to change it after that.

REPUBLICAN SOURCES SAY THERE IS INCREASING ANGER AND FRUSTRATION AMONG GOP MEMBERS OF THE HOUSE INTELLIGENCE COMMITTEE WITH THE F-B-I AND DEPARTMENT OF JUSTICE. SOME HAVE SUGGESTED THERE HAS BEEN STONEWALLING BY THE BUREAU AND DOJ REGARDING COMMITTEE REQUESTS FOR DOCUMENTS, TEXT MESSAGES, AND OTHER INFORMATION.

(((REP. TREY GOWDY (R-SC) SOT TC-15:08:01)))

"it's been tough. I mean we've been trying for months now to get the department to give us access to this information."

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From: Gibson, Jake
Sent: Tuesday, January 23, 2018 12:33 PM
To: Prior, Ian (OPA)
Subject: Fwd: Senator Johnson Reveals New FBI Text Messages
Attachments: Strzok Page text messages 5-19-17.pdf; ATT00001.htm

Subject: Senator Johnson Reveals New FBI Text Messages



FOR IMMEDIATE RELEASE: Jan. 23, 2018

Contact:

[Brittni Palke](#) (202) 224-0382

[Ben Voelkel](#) (202) 228-0071

Senator Johnson Reveals New FBI Text Messages

Peter Strzok: 'My gut sense and concern there's no big there there.'

<http://bit.ly/2n5yG4V>

WASHINGTON – During an appearance on The Jay Weber Show in Milwaukee, U.S. Sen. Ron Johnson (R-Wis.), chairman of the Senate Homeland Security and Governmental Affairs Committee, revealed new text message exchanges between Peter Strzok and Lisa Page, Federal Bureau of Investigation (FBI) employees who both worked at the FBI on the Clinton Investigation and then for Special Counsel Robert Mueller. Of note, one text message sent on May 19, 2017, shortly after the Deputy Attorney General appointed Mueller as special counsel, seems to imply Strzok was skeptical about the inquiry.

This new text message follows the revelation from this weekend that the [FBI does not have access to text messages](#) between Strzok and Page for the time period between Dec. 14, 2016 and May 17, 2017. Johnson [sent a letter](#) to FBI Director Christopher Wray Saturday seeking answers to questions about the missing communications from that period of time.

Excerpts from the interview are below, and the full segment can be found [here](#).

Johnson: “And then on May 19th we have a big gap—a five-month gap. And now the texts

begin again. This is two days after Mueller was appointed Special Counsel. Strzok writes—they're talking back and forth about their future at the FBI given the recent appointment of Mueller. They're talking about what they ought to do. And it indicates their considering joining that Mueller Special Counsel investigation.

Johnson: "Strzok says, quote, 'You and I both know the odds are nothing. If I thought it was likely, I'd be there no question. I hesitate in part because of my gut sense and concerned there's no big there there.' In other words, Peter Strzok was the FBI Deputy Assistant Director of the Counter Intelligence Division, and the man had a plan to do something, because he just couldn't abide Donald Trump being president."

Johnson: "It's saying that his gut sense that there's no big there there, when it comes to the Mueller Special Counsel investigation. He doesn't really want to join that because his gut sense is there's no big there there. I think that's kind of shocking."

Johnson: "The correct reaction is we need to see the five months of missing texts, because, who knows. Again, texts between two people having an extra-marital affair, and they're completely unguarded in their communication. And so we're getting insight into exactly what's happening inside the FBI at the highest levels."

Jay Weber: "Could you read again the passage? What Peter Strzok's message there was a couple of days after it was announced that Mueller was going to put together this team."

Johnson: "Yeah, they're wondering, and we think they're probably considering whether or not they want to join that team, Strzok says, quote, 'You and I both know the odds are nothing. If I thought it was likely, I'd be there no question. I hesitate in part because of my gut sense to be concerned there's no big there there.'"

For context, see additional text messages below:

Inbox = Strzok
Outbox = Page



###

Brittni Palke

Press Secretary

Senate Homeland Security and Governmental Affairs Committee (Majority)

Chairman Ron Johnson

202-224-0382

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Date UTC	Type of Message	Body	Type
2017-05-19 00:11:58, Fri	INBOX	And that's what I wanted to talk about!!!!\n\nMy answer is no way, sac then AD and lead the Division	sms
2017-05-19 00:12:09, Fri	INBOX	And then I think..	sms
2017-05-19 00:13:43, Fri	INBOX	A case which will be in the history books. A chapter - much like you tell me about my extra time in the field and all the cases ("would you trade it"?). \n\nA million people sit in AD and staff jobs. This is a chance to DO. In maybe the most important case of our lives.	sms
2017-05-19 00:13:54, Fri	INBOX	What did Andy say about [REDACTED] going?	sms
2017-05-19 00:19:05, Fri	OUTBOX	No way dude. I really don't think you should do it..	sms
2017-05-19 00:19:17, Fri	INBOX	You would obviously excel on the team. \n\nIn a thousand ways they need someone EXACTLY like you	sms
2017-05-19 00:19:43, Fri	OUTBOX	I don't really know what she meant when she said on the team. Full time, part time, I got home so our convo was cut short.	sms
2017-05-19 00:22:03, Fri	OUTBOX	Why? I don't understand what they need me for! Not when they have someone like Aaron. Or [REDACTED] or [REDACTED]	sms
2017-05-19 00:22:49, Fri	OUTBOX	And [REDACTED] said some really outrageous complements to me. I just don't get what she even means.	sms
2017-05-19 00:24:26, Fri	INBOX	Ok I obviously want to hear what [REDACTED] said	sms
2017-05-19 00:25:28, Fri	OUTBOX	I won't be able to repeat. Something about being the second smartest lawyer she has ever worked with besides come. It can't be true.	sms
2017-05-19 00:26:41, Fri	OUTBOX	And how I lean in and have a stronger work ethic than anyone she knows. And more but I don't remember.	sms
2017-05-19 00:29:27, Fri	INBOX	You're in an entirely different class than [REDACTED] or [REDACTED]	sms
2017-05-19 00:30:08, Fri	INBOX	You see the future. You assimilate and combine things in an uncanny way.	sms
2017-05-19 00:32:35, Fri	INBOX	And re your attorney image of yourself, that's because you equate brilliant lawyer with [REDACTED] or Trisha sitting in a room writing something as a clerk. \n\nREAL law is the application in a complex, dynamic environment. And you're astoundingly good at that	sms
2017-05-19 00:32:54, Fri	INBOX	Plus you have passion and curiosity, which is more than half of the battle anyway	sms
2017-05-19 00:33:34, Fri	OUTBOX	I am so not in a different class from [REDACTED] and [REDACTED] That is crazy.	sms
2017-05-19 00:35:40, Fri	INBOX	They don't get the big picture like you do [REDACTED] is operationally amazing. But scaling law up rapidly and with agility is something that makes you special. THAT'S the mark of a brilliant mind.	sms
2017-05-19 00:36:15, Fri	INBOX	For me, and this case, I personally have a sense of unfinished business. \n\nI unleashed it with MYE. Now i need to fix it and finish it	sms
2017-05-19 00:37:23, Fri	OUTBOX	What does that even mean, scaling up?	sms

Date UTC	Type of Message	Body	Type
2017-05-19 00:37:51, Fri	OUTBOX	You shouldn't take this on. I promise you, I would tell you if you should.	sms
2017-05-19 00:39:44, Fri	INBOX	It means you can see a small point of law and know it, rapidly understand the strategic importance of it not just on that issue but intuitively get the value or role of it in a much broader context. \n\nYou're not constrained to an issue. Your mind rapidly makes valid and important connections and associations in a way most people don't. Can't.	sms
2017-05-19 00:39:47, Fri	INBOX	Why not, re me?	sms
2017-05-19 00:40:50, Fri	INBOX	Who gives a f*ck, one more AD like [REDACTED] or whoever. \n\nAn investigation leading to impeachment?	sms
2017-05-19 00:41:45, Fri	INBOX	And with D gone, and Andy leaving, all these [REDACTED] \n\nWho says I get another promotion from DAD?!?	sms
2017-05-19 00:45:57, Fri	OUTBOX	We should stop having this conversation here. Just tell bill you need another day and we can discuss tomorrow.	sms
2017-05-19 00:47:33, Fri	OUTBOX	And certainly, that would certainly impact my thinking too. We can't work closely on another case again, though obviously, I want you to do what is right for you.	sms
2017-05-19 00:54:23, Fri	INBOX	A) ok. Though now I'm curious.\n\nB) sigh. Yeah I suppose that's right. But god we're a good team. \U0001f636\U0001f614 Is that playing into yur decision/your advice to me?	sms
2017-05-19 00:54:34, Fri	INBOX	Chaffetz stepping down June 30....	sms
2017-05-19 00:55:13, Fri	OUTBOX	No. Not at all. I just think we are both ready for a change. Truly.	sms
2017-05-19 00:55:59, Fri	OUTBOX	A) is just about the different realistic outcomes of this case.	sms
2017-05-19 00:56:37, Fri	INBOX	B) that's definitely true. I want/need you to give me your old resume. \n\nC) I think I'll wait and see what happens with sac wfo. I'm not expecting to get it, I just want to see what I feel like after the decision.	sms
2017-05-19 00:57:39, Fri	INBOX	A) you and I both know the odds are nothing. If I thought it was likely, I'd be there no question. I hesitate in part because of my gut sense and concern there's no big there there.	sms
2017-05-19 00:58:32, Fri	OUTBOX	A) Pete. Let's talk about this tomorrow. \U0001f621	sms
2017-05-19 00:58:59, Fri	INBOX	Regardless of the outcome, I think there's a certain savvy business decision for you to do it \n\n600k/year + doing white hat corporate investigations isn't a bad exit strategy.	sms
2017-05-19 00:59:12, Fri	OUTBOX	C) Is that going tomorrow?	sms
2017-05-19 00:59:52, Fri	INBOX	A) fine! Didn't think I said anything wrong. But fine. \n\nC) yep. Is Andy going to the board?	sms
2017-05-19 01:00:40, Fri	INBOX	C) I suppose he can't. He has to sign as D so I don't know if that means he can't chair the board.	sms

Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 23, 2018 12:30 PM
To: Prior, Ian (OPA)
Subject: Fwd: Senator Johnson Reveals New FBI Text Messages
Attachments: image001.jpg; ATT00001.htm; image002.png; ATT00002.htm; image003.png; ATT00003.htm; Strzok Page text messages 5-19-17.pdf; ATT00004.htm

Subject: Senator Johnson Reveals New FBI Text Messages

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FOR IMMEDIATE RELEASE: Jan. 23, 2018

Contact:

[Brittni Palke](#) (202) 224-0382

[Ben Voelkel](#) (202) 228-0071

Senator Johnson Reveals New FBI Text Messages

Peter Strzok: 'My gut sense and concern there's no big there there.'

<http://bit.ly/2n5yG4V>

WASHINGTON – During an appearance on The Jay Weber Show in Milwaukee, U.S. Sen. Ron Johnson (R-Wis.), chairman of the Senate Homeland Security and Governmental Affairs Committee, revealed new text message exchanges between Peter Strzok and Lisa Page, Federal Bureau of Investigation (FBI) employees who both worked at the FBI on the Clinton Investigation and then for Special Counsel Robert Mueller. Of note, one text message sent on May 19, 2017, shortly after the Deputy Attorney General appointed Mueller as special counsel, seems to imply Strzok was skeptical about the inquiry.

This new text message follows the revelation from this weekend that the [FBI does not have access to text messages](#) between Strzok and Page for the time period between Dec. 14, 2016 and May 17, 2017. Johnson [sent a letter](#) to FBI Director Christopher Wray Saturday seeking answers to questions about the missing communications from that period of time.

Excerpts from the interview are below, and the full segment can be found [here](#).

Johnson: “And then on May 19th we have a big gap—a five-month gap. And now the texts begin again. This is two days after Mueller was appointed Special Counsel. Strzok writes—they’re talking back and forth about their future at the FBI given the recent appointment of Mueller. They’re talking about what they ought to do. And it indicates their considering joining that Mueller Special Counsel investigation.

Johnson: “Strzok says, quote, ‘You and I both know the odds are nothing. If I thought it was likely, I’d be there no question. I hesitate in part because of my gut sense and concerned there’s no big there there.’ In other words, Peter Strzok was the FBI Deputy Assistant Director of the Counter Intelligence Division, and the man had a plan to do something, because he just couldn’t abide Donald Trump being president.”

Johnson: “It’s saying that his gut sense that there’s no big there there, when it comes to the Mueller Special Counsel investigation. He doesn’t really want to join that because his gut sense is there’s no big there there. I think that’s kind of shocking.”

Johnson: “The correct reaction is we need to see the five months of missing texts, because, who knows. Again, texts between two people having an extra-marital affair, and they’re completely unguarded in their communication. And so we’re getting insight into exactly what’s happening inside the FBI at the highest levels.”

Jay Weber: “Could you read again the passage? What Peter Strzok’s message there was a couple of days after it was announced that Mueller was going to put together this team.”

Johnson: "Yeah, they're wondering, and we think they're probably considering whether or not they want to join that team, Strzok says, quote, '**You and I both know the odds are nothing. If I thought it was likely, I'd be there no question. I hesitate in part because of my gut sense to be concerned there's no big there there.**'"

For context, see additional text messages below:

Inbox = Strzok

Outbox = Page

###

Brittini Palke

Press Secretary

Senate Homeland Security and Governmental Affairs Committee (Majority)

Chairman Ron Johnson

202-224-0382

Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 23, 2018 10:07 AM
To: Flores, Sarah Isgur (OPA)
Subject: Sessions interviewed by Mueller team last week?

NYT quotes you.

Would love to be able to report this without NYT please and Thanks much!

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Schwartz, Brian

From: Schwartz, Brian
Sent: Tuesday, January 23, 2018 10:01 AM
To: Prior, Ian (OPA)
Subject: Re: Sessions-Mueller

Was he subpoenaed? Was this voluntary?

From: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Sent: Tuesday, January 23, 2018 9:59:58 AM
To: Schwartz, Brian
Subject: FW: Sessions-Mueller

Yes

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

For information on office hours, access to media events, and standard ground rules for interviews, please [click here](#).

From: Edwards, Jeremy M. (OPA)
Sent: Tuesday, January 23, 2018 9:56 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: FW: Sessions-Mueller

From: Schwartz, Brian [<mailto:Brian.schwartz@FOXNEWS.COM>]
Sent: Tuesday, January 23, 2018 9:51 AM
To: Edwards, Jeremy M. (OPA) <jmedwards@jmd.usdoj.gov>
Subject: Sessions-Mueller

Hello,

Was Jeff Sessions questioned by Robert Mueller's special counsel last week?

Brian

<https://www.nytimes.com/2018/01/23/us/politics/jeff-sessions-special-counsel-russia.html?action=Click&contentCollection=BreakingNews&contentID=66405702&pgtype=Homepage>

Sessions Is Interviewed in Mueller's



SESSIONS IS INTERVIEWED IN RUSSIA'S

Russia Investigation

www.nytimes.com

The attorney general was questioned for hours as part of the inquiry into Russia's election interference and whether President Trump has obstructed justice.

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Spinato, Eric

From: Spinato, Eric
Sent: Tuesday, January 23, 2018 7:21 AM
To: Flores, Sarah Isgur (OPA)
Subject: AG Sessions

Good morning, Sarah

Sorry last weekend did not work out.

Can we try to set him up live for Sunday?
Maria will be in Davos, so pre-tape out of the question
Thank you
Eric

Eric Spinato

Senior Story Editor, Fox Business Network

W (b)(6)

C (b)(6)

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From: kwong@breitbart.com
Sent: Monday, January 22, 2018 8:15 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Fwd: Statement from the Attorney General

Thank you!!

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

From: "Flores, Sarah Isgur (OPA)" <Sarah.Isgur.Flores@usdoj.gov>
Sent: Monday, January 22, 2018 8:10pm
To: "kwong@breitbart.com" <kwong@breitbart.com>
Subject: Fwd: Statement from the Attorney General

[Please see attached transmittal letter that was sent on Friday to the committees]

Statement from the Attorney General:

"Six congressional committees made a request to the Department of Justice for FBI text messages between two FBI employees from July 1, 2015 to July 28, 2017, which the Department agreed to produce as quickly as possible. The Inspector General has been reviewing these texts based on "allegations that Department or FBI policies or procedures were not followed...and that certain underlying investigative decisions were based on improper considerations." The Department of Justice agreed to produce those records as quickly as possible. After reviewing the voluminous records on the FBI's servers, which included over 50,000 texts, the Inspector General discovered the FBI's system failed to retain text messages for approximately 5 months between December 14, 2016 to May 17, 2017.

"The Department apprised the congressional committees of the missing text messages on Friday in the transmittal letter when providing the available text messages to them. I have spoken to the Inspector General and a review is already underway to ascertain what occurred and to determine if these records can be recovered in any other way. If any wrongdoing were to be found to have caused this gap, appropriate legal disciplinary action measures will be taken.

"We will leave no stone unturned to confirm with certainty why these text messages are not now available to be produced and will use every technology available to determine whether the missing messages are recoverable from another source. If we are successful, we will update the congressional committees immediately."

XXX

Sarah Isgur Flores
Director of Public Affairs

(b)(6)



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Devin Nunes
Chairman
Permanent Selection Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

JAN 19 2018

Dear Chairman Nunes:

This responds to your request to the Department of Justice (Department) to provide the Committee with copies of text message communications between Federal Bureau of Investigation (FBI) employees Peter Strzok and Lisa Page.

As you may know, on January 12, 2016, the Department's Office of Inspector General (OIG) publicly announced that the OIG would review "allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016,¹ and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations.²" As part of that review, the OIG obtained, among other things, text messages between Mr. Strzok and Ms. Page.

In December 2017, we provided you with an initial production of approximately 375 text message communications, dated August 16, 2015 to December 1, 2016. In response to the requests for the texts messages, the Department collected all text messages between Mr. Strzok and Ms. Page available from the FBI for the period July 1, 2015 to July 28, 2017,³ which was the same period requested by the OIG. The Department began reviewing those documents in an effort to provide you those messages that were either work-related or that provided any insight into the political views of the participants.

¹ On that date, then-FBI Director James B. Comey announced that the FBI was recommending to the Department of Justice that no charges should be filed relating to former Secretary of State Hillary Clinton's use of a private email server.

² DOJ OIG Announces Initiation of Review, January 12, 2017, available at: <https://oig.justice.gov/press/2017/2017-01-12.pdf>

³ Although the request included texts through July 28, 2017, there were no text messages between Mr. Strzok and Ms. Page after July 1, 2017, and the messages after June 25, 2017, were personal in nature.

The Department is not providing text messages that were purely personal in nature. Furthermore, the Department has redacted from some work-related text messages portions that were purely personal. The Department's aim in withholding purely personal text messages and redacting personal portions of work-related text messages was primarily to facilitate the Committee's access to potentially relevant text messages without having to cull through large quantities of material unrelated to either the investigation of former Secretary of State Hillary Clinton's use of a personal email server or the investigation into Russian efforts to interfere with the 2016 Presidential election. Also, the withholding of personal information in some instances avoids unnecessary embarrassment or harassment to third parties that could result from public release of such information. The Department redacted the names of employees who are not SES-level employees, and in some instances, redacted SES employees' names to avoid unwarranted attention to those individuals when comments were gratuitous and did not provide relevant information to ongoing Congressional inquiries.

In a few instances, the Department has redacted portions of work-related texts that concern other investigations. Finally, the Department consulted with the Special Counsel's Office (SCO) and made some redactions related to the structure, operation, and substance of the SCO investigation because it is ongoing.

To avoid any concern that the Department has withheld relevant information, if a Committee has specific questions about why a particular text was partially redacted or about the nature of personal text messages withheld, the Department will work with that Committee to either further describe or disclose redacted information in a closed setting. Although the original spreadsheet contained only what the Department believed to be work-related text messages, subsequent reviews identified some additional personal text messages within that document. Therefore, the document produced today contains a small number of fully redacted messages that were determined to be personal messages subsequent to their initial inclusion in the previously provided spreadsheet. The enclosed document also excludes columns of information that contained only technical information such as phone numbers or email addresses in an effort to provide a more readily reviewable set of documents. In the attached, the "Inbox" documents are from Mr. Strzok to Ms. Page, and the "Outbox" documents are from Ms. Page to Mr. Strzok.

The Department wants to bring to your attention that the FBI's technical system for retaining text messages sent and received on FBI mobile devices failed to preserve text messages for Mr. Strzok and Ms. Page from December 14, 2016 to approximately to May 17, 2017. The FBI has informed us that many FBI-provided Samsung 5 mobile devices did not capture or store text messages due to misconfiguration issues related to rollouts, provisioning, and software upgrades that conflicted with the FBI's collection capabilities. The result was that data that should have been automatically collected and retained for long-term storage and retrieval was not collected. This problem should have been corrected with the rollout of the Samsung 7s in 2017.

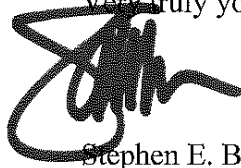
The Honorable Devin Nunes
Page Three

Mr. Strzok's Samsung 5 phone last connected to the storage system on June 18, 2016. He received his new Samsung 7 phone on or about July 5, 2017. Ms. Page's Samsung 5 phone last connected to the storage system on December 13, 2016. She received her new Samsung 7 phone on or about May 22, 2017.⁴

The Office of Inspector General pieced together the text messages between Mr. Strzok and Ms. Page from June 18, 2016, to December 13, 2016, using the data from Ms. Page's phone until the connection to the storage system stopped on December 13, 2016. On May 17, 2017, Ms. Page's data collection re-initiated when she received her new phone.

Please let this office know if you have any questions regarding this production.

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Boyd', with a large, stylized initial 'S'.

Stephen E. Boyd
Assistant Attorney General

cc: The Honorable Adam Schiff
Ranking Member

⁴ Although FBI identified May 22, 2017 as the issued date for Ms. Page's phone, collection resumed on May 18, 2017. The FBI has not yet been able to account for this discrepancy.

Sent from my iPhone

Kristina Wong

From: Kristina Wong
Sent: Monday, January 22, 2018 7:53 PM
To: Flores, Sarah Isgur (OPA)
Subject: Sessions statement on FBI texts, please!

Hi Sarah,

Can you please send Sessions' statement re: the FBI texts? I would appreciate it!

Cheers,
Kristina

--
Kristina Wong
Pentagon reporter, Breitbart News
(b)(6)
@kristina_wong

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, January 22, 2018 6:09 PM
To: Doherty, Brian
Subject: Re: THANK YOU FOR THE INTV LAST WEEK!!! YOU'RE THE BEST! HAVE A GREAT WEEK!

Lol u too:)

On Jan 22, 2018, at 6:01 PM, Doherty, Brian <Brian.Doherty@FOXNEWS.COM> wrote:

Brian Doherty

Coordinating Producer, *News @ Night* w/ Shannon Bream

Wk. (b)(6)

Cell: (b)(6)

brian.doherty@foxnews.com

=====

AMERICA has chosen....

FOX NEWS is # 1 in ratings, # 1 with viewers.

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

Sent: Monday, January 22, 2018 5:50 PM

Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>; Hornbuckle, Wyn (OPA)

<Wyn.Hornbuckle@usdoj.gov>

Subject: Statement from the Attorney General

[Please see attached transmittal letter that was sent on Friday to the committees]

Statement from the Attorney General:

"Six congressional committees made a request to the Department of Justice for FBI text messages between two FBI employees from July 1, 2015 to July 28, 2017, which the Department agreed to produce as quickly as possible. The Inspector General has been reviewing these texts based on "allegations that Department or FBI policies or procedures were not followed...and that certain underlying investigative decisions were based on improper considerations." The Department of Justice agreed to produce those records as quickly as possible. After reviewing the voluminous records on the FBI's servers, which included over 50,000 texts, the Inspector General discovered the FBI's system failed to retain text messages for approximately 5 months between December 14, 2016 to May 17, 2017.

"The Department apprised the congressional committees of the missing text messages on Friday in the transmittal letter when providing the available text messages to them. I have spoken to the Inspector General and a review is already underway to ascertain what occurred and to determine if these records can be recovered in any other way. If any wrongdoing were to be found to have

caused this gap, appropriate legal disciplinary action measures will be taken.

"We will leave no stone unturned to confirm with certainty why these text messages are not now available to be produced and will use every technology available to determine whether the missing messages are recoverable from another source. If we are successful, we will update the congressional committees immediately."

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

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Murray, Andrew

From: Murray, Andrew
Sent: Monday, January 22, 2018 5:53 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Statement from the Attorney General

Thanks! Do you want to reschedule that interview for Wednesday?

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Monday, January 22, 2018 5:50 PM
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>; Hornbuckle, Wyn (OPA) <Wyn.Hornbuckle@usdoj.gov>
Subject: Statement from the Attorney General

Duplicative Material

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, January 22, 2018 6:02 PM
To: chuck@dailycaller.com
Subject: Fwd: Statement from the Attorney General
Attachments: 20180122102454178.pdf; ATT00001.htm

[Please see attached transmittal letter that was sent on Friday to the committees]

Statement from the Attorney General:

"Six congressional committees made a request to the Department of Justice for FBI text messages between two FBI employees from July 1, 2015 to July 28, 2017, which the Department agreed to produce as quickly as possible. The Inspector General has been reviewing these texts based on "allegations that Department or FBI policies or procedures were not followed...and that certain underlying investigative decisions were based on improper considerations." The Department of Justice agreed to produce those records as quickly as possible. After reviewing the voluminous records on the FBI's servers, which included over 50,000 texts, the Inspector General discovered the FBI's system failed to retain text messages for approximately 5 months between December 14, 2016 to May 17, 2017.

"The Department apprised the congressional committees of the missing text messages on Friday in the transmittal letter when providing the available text messages to them. I have spoken to the Inspector General and a review is already underway to ascertain what occurred and to determine if these records can be recovered in any other way. If any wrongdoing were to be found to have caused this gap, appropriate legal disciplinary action measures will be taken.

"We will leave no stone unturned to confirm with certainty why these text messages are not now available to be produced and will use every technology available to determine whether the missing messages are recoverable from another source. If we are successful, we will update the congressional committees immediately."

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

Conti, Andrew

From: Conti, Andrew
Sent: Monday, January 22, 2018 5:59 PM
To: Flores, Sarah Isgur (OPA)
Subject: any chance the AG is avail for interview on the Ingraham Angle?

Hi Sarah-Got your press release, thanks. any chance we can set up an interview with AG Sessions please for the Ingraham Angle?

Thanks

Andrew

Andrew P. Conti
Fox News Channel
(b)(6) - direct
(b)(6) - cell

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Chuck Ross

From: Chuck Ross
Sent: Monday, January 22, 2018 5:52 PM
To: Flores, Sarah Isgur (OPA)
Subject: Sessions statement on missing texts

Sarah,

I saw that Fox has a statement from AG on the missing text messages. I was wondering if this was a prepared statement and you'd be able to send it to me as well.

Thank you for any help,
Chuck Ross
The Daily Caller

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, January 22, 2018 5:09 PM
To: Gibson, Jake
Subject: statement from the AG

Six congressional committees made a request to the Department of Justice for FBI text messages between two FBI employees from July 1, 2015 to July 28, 2017, which the Department agreed to produce as quickly as possible. The Inspector General has been reviewing these texts based on "allegations that Department or FBI policies or procedures were not followed...and that certain underlying investigative decisions were based on improper considerations." The Department of Justice agreed to produce those records as quickly as possible. After reviewing the voluminous records on the FBI's servers, which included over 50,000 texts, the Inspector General discovered the FBI's system failed to retain text messages for approximately 5 months between December 14, 2017 to May 17, 2017.

The Department apprised the congressional committees of the missing text messages on Friday in the transmittal letter when providing the available text messages to them. I have spoken to the Inspector General and a review is already underway to ascertain what occurred and to determine if these records can be recovered in any other way. If any wrongdoing were to be found to have caused this gap, appropriate legal disciplinary action measures will be taken.

We will leave no stone unturned to confirm with certainty why these text messages are not now available to be produced and will use every technology available to determine whether the missing messages are recoverable from another source. If we are successful, we will update the congressional committees immediately.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, January 22, 2018 5:08 PM
To: Jarrett, Laura; Gibson, Jake
Subject: FW: Letter
Attachments: 20180122102454178.pdf; ATT00001.htm

Chuck Ross

From: Chuck Ross
Sent: Monday, January 22, 2018 11:55 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: A couple questions on latest Strzok story

Thank you

On Mon, Jan 22, 2018 at 10:48 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

The letter spells out the text situation—the IG does not have additional texts.

All I know about the misconfiguration is what is in the letter—don't have numbers beyond that.

~~xxxx~~

Sarah Isgur Flores

Director of Public Affairs

(b)(6)

From: Chuck Ross [mailto:chuck@dailycaller.com]
Sent: Monday, January 22, 2018 11:23 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: A couple questions on latest Strzok story

Hi Sarah,

I'm covering the DOJ letter to Sen. Johnson regarding the Peter Strzok text messages and had a couple of questions. I've not had any luck w/ FBI or DOJ IG.

A source not in government but familiar with the IG's investigation tells me that FBI, IG, and DOJ do not have any of the missing Strzok/Page texts. I was hoping to get secondary confirmation on that, as there's been a bit of confusion on this question.

Also, I was wondering if you know how widespread the misconfiguration issue was with the Samsung 5 phones at FBI. The DOJ letter says that there were "many" agents. Do you guys have any other info in terms of how many were effected?

Thank you for any help,

Chuck Ross

The Daily Caller

(b)(6)

Kerry Picket

From: Kerry Picket
Sent: Friday, January 19, 2018 8:17 PM
To: Flores, Sarah Isgur (OPA)
Subject: AG Becerra

In light of Becerra's announcement to prosecute any employer who aids and abets ICE officials, is there any movement to at least penalize Becerra for such a threat?

--
Kerry Picket

Reporter

Kerry@DailyCaller.com

[@KerryPicket](#)

THE DAILY CALLER

Ian Mason

From: Ian Mason
Sent: Friday, January 19, 2018 3:43 PM
To: Prior, Ian (OPA)
Subject: RE: Comment on Shutdown procedure

Excellent, thank you.

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

From: "Prior, Ian (OPA)" <Ian.Prior@usdoj.gov>
Sent: Friday, January 19, 2018 3:35pm
To: "Ian Mason" <imason@breitbart.com>
Subject: RE: Comment on Shutdown procedure

The Department of Justice is comprised of about 40 components that have a broad array of national security, law enforcement, and criminal justice system responsibilities. Therefore, a significant portion of the Department's mission relates to the safety of human life and the protection of property, and primarily for this reason, the Department has a high percentage of activities and employees that are excepted from the Anti-deficiency Act restrictions and can continue during a lapse in appropriations. Other activities and employees are excepted because they are funded with multi-year or no-year appropriations.

The total number of agency employees on-board at the time of the Contingency Plan was 114,647.

The Special Counsel's Office is funded with a permanent indefinite appropriation, which is not dependent upon an enacted appropriation.

Here is the current contingency plan: <https://www.justice.gov/jmd/page/file/1015676/download> [justice.gov]

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: Ian Mason [mailto:imason@breitbart.com]
Sent: Friday, January 19, 2018 3:34 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Comment on Shutdown procedure

Hey Ian,

Would you guys be willing to comment on what the DOJ plans for a shut down would be? What services will be cut, which employees would be inactive, etc?

Thanks so much,
Ian Mason
Breitbart News

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, January 19, 2018 2:48 PM
To: Spinato, Eric
Subject: RE: If I want you on Monday 630am, possible?

Oh that's very nice of you to offer. I'll pass that along.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
Sent: Friday, January 19, 2018 2:44 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: If I want you on Monday 630am, possible?

Come back to me after you here

also we can send a truck to AG sessions if that makes it easier to get him on Sunday?

Sent from my iPhone

On Jan 19, 2018, at 2:30 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

I am supposed to do F&F Monday morning—if that gets the green light can we work on timing so I can do this right after?

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
Sent: Friday, January 19, 2018 6:38 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: If I want you on Monday 630am, possible?

Same topics

Also, add FISA to AG Sessions

Eric Spinato
Senior Story Editor, Fox Business Network
W (b)(6)
C (b)(6)

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, January 19, 2018 1:25 PM
To: Spinato, Eric
Subject: RE: Hi!

I hate to do this—but can we touch base tomorrow on this when we know about shut down? (b)(6).

[REDACTED] But he'd really like to do her show on immigration related issues and thinks its important!

S

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

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

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
Sent: Friday, January 19, 2018 12:45 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: RE: Hi!

This would be great.
Keep me posted and thank you, again!
Eric

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

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Friday, January 19, 2018 12:00 PM
To: Spinato, Eric <eric.spinato@FOXNEWS.COM>
Subject: RE: Hi!

Working on it! Trying to figure out shutdown issues.

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

(b)(6)

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

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]

Sent: Friday, January 19, 2018 11:45 AM

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

Subject: Hi!

Sunday possible for AG?

Sent from my iPhone

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Ehrsam, Lauren (OPA)

From: Ehrsam, Lauren (OPA)
Sent: Friday, January 19, 2018 9:50 AM
To: Charles Herring; Emerald Robinson
Cc: Chris Schickedanz; Kimberly Bennink; Victoria Metzel; Sutton, Sarah E. (OPA)
Subject: RE: Contacts and Schedule Question

Hi Charles,

Love the poster! Thank you so much for this! We will add the producers' emails to our lists to make sure that your team is up to date on what we are doing here at Justice.

Let me talk with my team and see if we have something coming up that would be a good fit for one of our principles to do a sit down for.

Thank you!
Lauren

From: Charles Herring [mailto:Charles@oann.com]
Sent: Thursday, January 18, 2018 6:50 PM
To: Emerald Robinson <Emerald.Robinson@oann.com>
Cc: Ehrsam, Lauren (OPA) <lehrsam@jmd.usdoj.gov>; Chris Schickedanz <Chris.Schickedanz@AWETv.com>; Kimberly Bennink <Kimberly.Bennink@oann.com>; Victoria Metzel <Victoria.Metzel@oann.com>
Subject: RE: Contacts and Schedule Question

Hi Lauren,

One America News Network produces 21 hours of live news per day. Our news producers can be reached at Producers@oann.com.

We have three key M-F programs that will provide broad national exposure, namely:

OAN Evening News (one hour news blocks) at 5 pm Eastern, anchored by Patrick Hussion. Sr. Producer is Chris Schickedanz, (b)(6).

The Daily Ledger, hosted by Graham Ledger, at 3 pm Eastern, producer/booker is Kimberly Bennink, (b)(6).

Tipping Point, hosted by Liz Wheeler, at 5 pm Eastern, producer/booker is Victoria Metzel, (b)(6).

Can you assist us with booking spokespersons for the DOJ and DOJ staff for interviewers on One America News Network?

I proudly have a signed "Faith and Freedom" poster signed by Senator Jeff Sessions and Candidate Donald Trump in my office. Needless to say, we would love to conduct a sit-down interview the Attorney General Sessions. Can you assist?

Kind regards,

Charles

Charles Herring
Herring Networks, Inc.
Dba One America News Network & AWE
4757 Morena Blvd
San Diego, CA 92117
Office: (858) 270-6900 x(b)(6)
Cell: (b)(6)



From: Emerald Robinson
Sent: Thursday, January 18, 2018 12:47 PM
To: Charles Herring <Charles@oann.com>
Cc: lauren.ehrsam@usdoj.gov
Subject: Fwd: Contacts and Schedule Question

Hi Charles-

Lauren Erhsam is a Spokeswoman and Media Affairs Specialist at the DOJ. She is looking for information regarding OAN's shows and show producers. Please see her email forwarded below.

Do we have a list with that information?

Thanks.

Best,

Emerald

Sent from my iPhone

Begin forwarded message:

From: "Ehrsam, Lauren (OPA)" <Lauren.Ehrsam@usdoj.gov>
Date: January 18, 2018 at 3:36:08 PM EST
To: Emerald Robinson <Emerald.Robinson@oann.com>
Subject: Contacts and Schedule Question

Hi Emerald,

Hope you're well! I'm working on building our producer list. Do you know if anyone at OANN could be so awesome as to send me a list of shows and producers?

Thank you!

Lauren

Lauren Ehram

Spokeswoman and Media Affairs Specialist

O: (202) 307-0046 C: (b)(6)

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

Spinato, Eric

From: Spinato, Eric
Sent: Friday, January 19, 2018 6:38 AM
To: Flores, Sarah Isgur (OPA)
Subject: DACA and sanctuary cities topics Sunday

Eric Spinato

Senior Story Editor, Fox Business Network

W (b)(6)

C (b)(6)

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McDonnell, Brigid Mary

From: McDonnell, Brigid Mary
Sent: Friday, January 19, 2018 12:07 AM
To: Flores, Sarah Isgur (OPA)
Cc: Doherty, Brian
Subject: Re: AG Sessions w/ Shannon Bream?

Thanks very much for making this work tonight!

Brigid Mary McDonnell
Fox News Channel
Cell: (b)(6)

On Jan 18, 2018, at 4:23 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

So would there be a 730ish option in a side studio?

xxx

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

From: Doherty, Brian [<mailto:Brian.Doherty@FOXNEWS.COM>]
Sent: Thursday, January 18, 2018 4:11 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: McDonnell, Brigid Mary <BrigidMary.McDonnell@FOXNEWS.COM>
Subject: Re: AG Sessions w/ Shannon Bream?

Well yes, of course! What time are we talking? We could do at 9 in studio pre tape or live at 11, and perhaps in camera in one of our side studios in one of the other hrs preceding

Sent from my iPhone

On Jan 18, 2018, at 4:06 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Any chance Shannon would want to talk immigration tonight and pretape w the AG?

xxx

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

From: McDonnell, Brigid Mary [<mailto:BrigidMary.McDonnell@FOXNEWS.COM>]
Sent: Tuesday, January 16, 2018 8:32 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Doherty, Brian <Brian.Doherty@FOXNEWS.COM>
Subject: AG Sessions w/ Shannon Bream?

Evening Sarah—

Just saw the AG on Fox. Can we lock down a date with him and Shannon sometime this month?

Brigid Mary McDonnell

Fox News @ Night w/ Shannon Bream

Cell: (b)(6)

@BrigidMaryMcD

BrigidMary.McDonnell@FoxNews.com

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Doherty, Brian

From: Doherty, Brian
Sent: Thursday, January 18, 2018 4:54 PM
To: Flores, Sarah Isgur (OPA)
Cc: McDonnell, Brigid Mary
Subject: we can do it from Studio 1 here at the bureau at 730pm--the special report studio

That work?
Thanks!
Brian

Brian Doherty

Coordinating Producer, *News @ Night* w/ Shannon Bream

Wk. (b)(6)

Cell: (b)(6)

brian.doherty@foxnews.com

=====

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From: Doherty, Brian
Sent: Thursday, January 18, 2018 4:26 PM
To: 'Flores, Sarah Isgur (OPA)' <Sarah.Isgur.Flores@usdoj.gov>
Cc: McDonnell, Brigid Mary <BrigidMary.McDonnell@FOXNEWS.COM>
Subject: RE: AG Sessions w/ Shannon Bream?

Yes I believe so—we're checking the crew is avail-hold on! Thanks

Brian Doherty

Coordinating Producer, *News @ Night* w/ Shannon Bream

Wk. (b)(6)

Cell: (b)(6)

brian.doherty@foxnews.com

=====

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From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Thursday, January 18, 2018 4:24 PM
To: Doherty, Brian <Brian.Doherty@FOXNEWS.COM>
Cc: McDonnell, Brigid Mary <BrigidMary.McDonnell@FOXNEWS.COM>
Subject: RE: AG Sessions w/ Shannon Bream?

Duplicative Material

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Thursday, January 18, 2018 9:11 PM
To: Gibson, Jake
Cc: Sutton, Sarah E. (OPA)
Subject: Re: DHS v. Regents (Pet.)

Yes

Sent from my iPhone

On Jan 18, 2018, at 8:56 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

What is this? The DACA filing to SCOTUS... correct?

On Jan 18, 2018, at 7:46 PM, Sutton, Sarah E. (OPA) <Sarah.E.Sutton@usdoj.gov> wrote:

[Justice Department Files Notice to Appeal and Intends to Petition for Immediate Supreme Court Review in DACA Lawsuit](#)

<DHS v Regents (Pet.).pdf>

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Kristina Wong

From: Kristina Wong
Sent: Thursday, January 18, 2018 8:45 PM
To: Flores, Sarah Isgur (OPA)
Cc: Press; Prior, Ian (OPA)
Subject: Re: Question re: shutdown — Breitbart

Will they be paid during a shutdown?

--
Kristina Wong
Pentagon reporter, Breitbart News
(b)(6)
@kristina_wong

On Jan 18, 2018, at 6:40 PM, Kristina Wong <kwong@breitbart.com> wrote:

Thanks! Is it because they are essential personnel, or not paid from appropriations? Why would they be exempted? And is it everyone on the team?

--
Kristina Wong
Pentagon reporter, Breitbart News
(b)(6)
@kristina_wong

On Jan 18, 2018, at 6:36 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

They are exempted

On Jan 18, 2018, at 6:35 PM, Kristina Wong <kwong@breitbart.com> wrote:

Hi Sarah and Ian,

Wanted to know how a shutdown would affect the operation of the Special Counsel?

Thank you,

Kristina

--
...

Kristina Wong
Pentagon reporter, Breitbart News
(b)(6)
@kristina_wong

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Thursday, January 18, 2018 7:29 PM
To: pete.williams@nbcuni.com; Laura.Jarrett@cnn.com;
Jake.Gibson@FOXNEWS.COM; SGurman@ap.org; Josh Gerstein;
ReidP@cbsnews.com
Subject: DHS v Regents (Pet.).pdf
Attachments: DHS v Regents (Pet.).pdf; ATT00001.txt

Driving but this is about to be sent out

Sent from my iPhone

No.

In the Supreme Court of the United States

UNITED STATES DEPARTMENT OF HOMELAND SECURITY,
ET AL., PETITIONERS

v.

REGENTS OF THE UNIVERSITY OF CALIFORNIA, ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI
BEFORE JUDGMENT TO THE UNITED STATES
COURT OF APPEALS FOR THE NINTH CIRCUIT*

**PETITION FOR A WRIT OF CERTIORARI
BEFORE JUDGMENT**

NOEL J. FRANCISCO
*Solicitor General
Counsel of Record*

CHAD A. READLER
*Acting Assistant Attorney
General*

JEFFREY B. WALL
Deputy Solicitor General

HASHIM M. MOOPAN
*Deputy Assistant Attorney
General*

JONATHAN Y. ELLIS
*Assistant to the Solicitor
General*

MARK B. STERN
ABBY C. WRIGHT
THOMAS PULHAM
Attorneys

*Department of Justice
Washington, D.C. 20530-0001
SupremeCtBriefs@usdoj.gov
(202) 514-2217*

Doherty, Brian

From: Doherty, Brian
Sent: Thursday, January 18, 2018 6:14 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: WAPO says Trump's claim that immigrants bring 'tremendous crime' is still wrong, 4 Pinocchios, but is their methodology flawed? John Lott says yes

copy

Brian Doherty

Coordinating Producer, *News @ Night* w/ Shannon Bream

Wk. (b)(6)

Cell: (b)(6)

brian.doherty@foxnews.com

=====

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From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Thursday, January 18, 2018 5:46 PM
To: Doherty, Brian <Brian.Doherty@FOXNEWS.COM>
Subject: RE: WAPO says Trump's claim that immigrants bring 'tremendous crime' is still wrong, 4 Pinocchios, but is their methodology flawed? John Lott says yes

We'll leave here at 7—so around 715

xxxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Doherty, Brian [mailto:Brian.Doherty@FOXNEWS.COM]
Sent: Thursday, January 18, 2018 5:45 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: RE: WAPO says Trump's claim that immigrants bring 'tremendous crime' is still wrong, 4 Pinocchios, but is their methodology flawed? John Lott says yes

What time should we expect the AG to arrive?

Brian Doherty

Coordinating Producer, *News @ Night* w/ Shannon Bream

Wk. (b)(6)

Cell: (b)(6)

brian.doherty@foxnews.com

=====

AMERICA has chosen....

FOX NEWS is # 1 in ratings, # 1 with viewers.

From: Doherty, Brian

Sent: Thursday, January 18, 2018 5:07 PM

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

Subject: WAPO says Trump's claim that immigrants bring 'tremendous crime' is still wrong, 4 Pinocchios, but is their methodology flawed? John Lott says yes

Here is a copy of the research.

https://ssrn.com/abstract_id=3099992

And here is the Fact Check today in the Washington Post

<https://washingtonpost.com/news/fact-checker/wp/2018/01/18/trumps-claim-that-immigrants-bring-tremendous-crime-is-still-wrong/>

By the way, since the Washington Post piece notes regarding my study that "prisoner statistics in a state [Arizona] with a history of making headlines for its tough immigration enforcement policies," I should mention that my research directly addresses this as a possible explanation for my results (bottom of page 10 and top of page 11) and finds that it can't explain the results.

John R. Lott, Jr., Ph.D.

President

Crime Prevention Research Center

<http://crimeresearch.org>

johnrlott@crimeresearch.org

Undocumented Immigrants, U.S. Citizens, and Convicted Criminals in Arizona

40 Pages Posted:

[John R. Lott](#)

Crime Prevention Research Center

Date Written: January 11, 2018

Abstract

Using newly released detailed data on all prisoners who entered the Arizona state prison from January 1985 through June 2017, we are able to separate non-U.S. citizens by whether they are illegal or legal residents. These data do not rely on self-reporting by criminals. Undocumented immigrants are at least 142% more likely to be convicted of a crime than other Arizonans. They also tend to commit more serious crimes and serve 10.5% longer sentences, more likely to be classified as dangerous, and 45% more likely to be gang members than U.S. citizens. Yet, there are several reasons that these numbers are likely to underestimate the share of crime committed by undocumented immigrants. There are dramatic differences between in the criminal histories of convicted who are U.S. citizens and undocumented immigrants.

criminal histories of convicts who are U.S. citizens and undocumented immigrants.

Young convicts are especially likely to be undocumented immigrants. While undocumented immigrants from 15 to 35 years of age make up slightly over two percent of the Arizona population, they make up about eight percent of the prison population. Even after adjusting for the fact that young people commit crime at higher rates, young undocumented immigrants commit crime at twice the rate of young U.S. citizens. These undocumented immigrants also tend to commit more serious crimes.

If undocumented immigrants committed crime nationally as they do in Arizona, in 2016 they would have been responsible for over 1,000 more murders, 5,200 rapes, 8,900 robberies, 25,300 aggravated assaults, and 26,900 burglaries.

Fact Checker
Analysis

Trump's claim that immigrants bring 'tremendous crime' is still wrong

By Salvador Rizzo January 18 at 3:00 AM

https://www.washingtonpost.com/news/fact-checker/wp/2018/01/18/trumps-claim-that-immigrants-bring-tremendous-crime-is-still-wrong/?utm_term=.bb52c2f43115

"The Democrats are really looking at something that is very dangerous for our country. They are looking at shutting down. They want to have illegal immigrants; in many cases, people that we don't want in our country. They want to have illegal immigrants pouring into our country, bringing with them crime, tremendous amounts of crime."

— **President Trump, in remarks at the White House, Dec. 6**

Trump earned Four Pinocchios [the last time we looked into his claim](#) that immigrants cause crime rates to rise in the United States. Fresh data and several new studies have been released since that fact-check in 2015, and we took another look at the body of knowledge to see how the president's view holds up. When we fact-checked him as a candidate in 2015, Trump spoke of immigrants

when we fact-checked him as a candidate in 2015, Trump spoke of immigrants generally and without distinguishing between legal and unauthorized residents. But in his most recent statements on Dec. 6, the president narrowed it down to “illegal immigrants ... bringing with them crime, tremendous amounts of crime.” (We’re not evaluating Trump’s claim that Democrats “want to have illegal immigrants.”)

Is Trump on solid ground now when he says unauthorized immigrants make the country less safe?

The Facts

As we found in 2015, it’s all but impossible to determine whether Trump’s statement is accurate concerning either legal or undocumented immigrants.

The Department of Justice says [90 percent of prisoners are housed at the state or local levels](#). That’s because almost all crimes are prosecuted by state and local law enforcement agencies, not the federal government.

States generally do not track how many of their prisoners are undocumented immigrants. But most states do report their total number of noncitizen prisoners every year to the Justice Department, without breaking down their legal status.

Noncitizens accounted for 4 percent of the total prison population in the states, according to reports from the Bureau of Justice Statistics from 2013 to 2016, the most recent year for which data are available. (This figure excludes California and a handful of other states that did not provide data on noncitizen prisoners to the Justice Department.)

At the federal level, noncitizens made up 11 percent to 12 percent of the total prison population from 2013 to 2015, the reports show. The Bureau of Justice Statistics changed its methodology in 2018 at the request of the Justice Department, said Elizabeth Ann Carson, the bureau’s statistician. So [in the 2016 report](#), the number of noncitizen federal prisoners jumped from 21,479 to 39,956, or from 11 percent of the federal prison population to 21 percent, because of this methodology change, she said.

The difference is that the Bureau of Justice Statistics previously reported the

number of noncitizens housed in federal prisons, but now it adds those in privately run or community correctional facilities. The BJS data do not factor in persons detained by the Department of Homeland Security, which enforces immigration laws.

The 21 percent rate now appears to track with separate data from the [U.S. Sentencing Commission](#), which found that noncitizens accounted for 20 percent of total federal prison sentences in fiscal year 2016, excluding immigration offenses.

Trump's campaign pointed to Sentencing Commission data to support its claims in 2015. The White House did not respond to a request for comment.

Some experts say the BJS data are unreliable because, among other reasons, state officials ask prisoners to self-report whether they are legal or undocumented residents. As we noted, a handful of states do not report their number of noncitizen prisoners to the Justice Department, which means the BJS data undercount the total.

But since it's the closest thing to a yardstick provided by the federal government, it's worth analyzing the data. (Incidentally, the Homeland Security and Justice departments "are working to develop a reliable methodology for estimating the status of state and local incarcerated populations in future reports," according to a [December report](#) they released.)

Excluding five states that did not provide data, state and federal correctional facilities in 2016 housed 1.3 million prisoners, of which 83,556, or 6 percent, were noncitizens, according to the latest BJS report. The total immigrant population stood at [43.7 million in 2016](#), or 13.5 percent, according to Census data.

A comparison of these figures shows that noncitizens are far underrepresented in the prison population at the state level (4 percent), overrepresented at the federal level after excluding immigration offenses (21 percent), and far below their share of the population when combining both state and federal prisons (6 percent).

Let's move on to the new research studies released since our fact-check from 2015.

The majority of the research available on this question continues to show that immigrants are less likely to commit crimes than the native-born and that overall crime rates decline in areas where immigrants settle. However, many of these studies use statistical modeling in the absence of reliable and standardized state-level data about immigrant prisoners or convicts.

A March 2017 study by the pro-immigration Cato Institute found that “all immigrants are less likely to be incarcerated than natives relative to their shares of the population” and that “even illegal immigrants are less likely to be incarcerated than native-born Americans.”

Analyzing Census data from the 2014 American Community Survey, authors Michelangelo Landgrave and Alex Nowrasteh found that 2,194,435 individuals were incarcerated in 2014. The imprisonment rate for unauthorized immigrants was 0.85 percent, and 0.47 percent for legal immigrants, they found. Subtracting immigration-related offenses, the rate was lower for unauthorized immigrants: 0.5 percent.

The American Immigration Council, another pro-immigration group, estimated that there were 11.2 million undocumented immigrants in 2013. The total population that year was 316.2 million, according to the Census, which means illegal immigrants made up 3.5 percent of the total population when using the council’s estimate.

Cato’s study suggests that unauthorized immigrants are dramatically underrepresented in the U.S. prison population, including or excluding immigration offenses. Meanwhile, 45 percent of Americans say immigrants make the crime situation worse, 9 percent say they make the crime situation better, and 43 percent say there is not much effect, according to a Gallup survey from 2017. “We’re running against the popular current,” Nowrasteh said. “We’re not running against the weight of empirical evidence on this claim. Our findings are actually pretty consistent with those in peer-reviewed journals as well as other scholarly publications.”

According to “The Integration of Immigrants into American Society,” a 2015 peer-

[reviewed study](#) or years of academic research, the perception that immigrants bring crime to the United States has been popular for nearly a century and “is perpetuated by ‘issue entrepreneurs’ who promote the immigrant-crime connection in order to drive restrictionist immigration policy.”

“Far from immigration increasing crime rates, studies demonstrate that immigrants and immigration are associated inversely with crime,” the study, published by the National Academy of Sciences, concludes. “Immigrants are less likely than the native-born to commit crimes, and neighborhoods with greater concentrations of immigrants have much lower rates of crime and violence than comparable nonimmigrant neighborhoods. However, crime rates rise among the second and later generations, perhaps a negative consequence of adaptation to American society.”

But, once again pointing to the dearth of good data, the authors added: “While the research is conclusive on the statistical relation between immigration and crime, there is still a lot to be learned because of limitations in the available data. The extent to which this relationship is truly generalizable or robust for all immigrant groups needs further study.”

As the Fact Checker [reported in 2015](#), one study showed that between 1990 and 2013, “the foreign-born share of the U.S. population grew from 7.9 percent to 13.1 percent and the number of unauthorized immigrants more than tripled from 3.5 million to 11.2 million.

“During the same period, FBI data indicate that the violent crime rate declined 48 percent — which included falling rates of aggravated assault, robbery, rape, and murder. Likewise, the property crime rate fell 41 percent, including declining rates of motor vehicle theft, larceny/robbery, and burglary,” according to [the American Immigration Council](#).

In short, the violent crime rate was cut nearly by half during a period in which unauthorized immigrants tripled, according to the council.

Some experts caution that this study and Cato’s — which are based on Census data — and the Bureau of Justice Statistics figures should all be taken with a heavy dose of salt. State authorities and census workers are relying on offenders to self-report whether they are legal residents or undocumented, which is not an

to even report whether they are legal residents or undocumented, which is not an easy proposition for those facing possible deportation.

“Is the ACS doing a good job of capturing the foreign-born? It didn’t in the past,” said Steven A. Camarota, the research director at the Center for Immigration Studies, which [has documented several issues with the quality of Census data](#) on immigrant prisoners. “The question is, How good is it now? ... What I can say is that the incarceration data in the ACS looks more consistent over time, but that sometimes means it could be consistently undercounting.”

Across the spectrum, experts agree that Trump’s claims are nearly impossible to verify without reliable and standardized data on state-level offenders who are undocumented immigrants.

Camarota’s group opposes sanctuary city policies and advocates for less legal immigration. He added that without solid data from the states, it’s not possible to reach sound conclusions on immigrant crime rates. “It is not our contention that the data is clear that immigrants commit a disproportionate share of crime,” Camarota said.

John R. Lott of the Crime Prevention Research Center in December released [a study of prisoner data](#) from the Arizona Department of Corrections. “The murder and manslaughter rate for illegal immigrants is 2.7 times higher than the average for U.S. citizens,” Lott said of the study, which maps 32 1/2 years of prisoner statistics in a state with a history of making headlines for its tough immigration enforcement policies.

“While undocumented immigrants from 15 to 35 years of age make up a little over 2 percent of the Arizona population, they make up almost 8 percent of the prison population,” Lott found. “These immigrants also tend to commit more serious crimes.”

He added that undocumented immigrants in the Arizona data, which cover 1985 to 2017, had the highest incarceration rate compared with legal immigrants and U.S. citizens. Legal immigrants had a lower rate than U.S. citizens, he said.

“What we’re finding is that people who are legal immigrants tend to be extremely law-abiding,” Lott said. “But illegal immigrants commit crimes at extremely high

... bringing, not only, but legal immigrants commit crimes at relatively high rates. And when you lump them together you get something in the middle.”

The Arizona figures are “great data in the sense that it doesn’t lump the two together” and because they do not rely on offenders self-reporting their immigration status, Lott said.

Lott’s review appears to be unique — no other comparable research on state correctional data has been conducted — and an outlier, since the majority of other studies have come to diametrically opposite conclusions, including those in peer-reviewed publications.

The Pinocchio Test

Trump for years has argued that immigrants pose a threat to public safety, bringing higher crime to the communities where they settle. When we last fact-checked his statements in 2015, Trump was speaking about immigrants generally and without separating legal residents from unauthorized ones. Most recently, on Dec. 6, the president said “illegal immigrants” were “bringing with them crime, tremendous amounts of crime.”

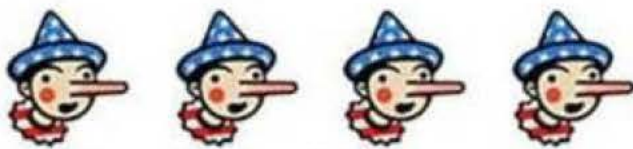
The Justice Department reports that 90 percent of U.S. prisoners are housed in state or local institutions, and because states generally do not report data breaking down how many of their prisoners are undocumented immigrants, experts on several sides of the immigration debate say it is not possible to verify Trump’s claim. The admittedly incomplete data that the Justice Department does publish on noncitizen prisoners does not support Trump’s claims.

Almost all the independent research on this question — do immigrants bring more crime? — contradicted Trump in 2015 and continues to do so today as we look at newer studies. One report based on Arizona reaches a different conclusion: that undocumented immigrants do commit crimes at higher rates than U.S. citizens or legal immigrants. But it’s not scientific to extrapolate Arizona’s figures to form nationwide conclusions.

The bottom line is that a great majority of research on this question contradicts

Trump's claim, even in its narrower form focused only on "illegal immigrants." There is a possibility that Census data on which many of these studies are based could be giving an inaccurate count of who is and is not undocumented. But there is no way to prove it because of the lack of reliable, standardized data from the states, where 90 percent of prisoners are housed. As always, the burden of proof rests with the speaker, so the president once again earns Four Pinocchios.

Four Pinocchios



(About our rating scale)

Brian Doherty

Coordinating Producer, *News @ Night* w/ Shannon Bream

Wk. (b)(6)

Cell: (b)(6)

brian.doherty@foxnews.com

=====

AMERICA has chosen....

FOX NEWS is # 1 in ratings, # 1 with viewers.

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 18, 2018 5:09 PM
To: Doherty, Brian
Subject: RE: WAPO says Trump's claim that immigrants bring 'tremendous crime' is still wrong, 4 Pinocchios, but is their methodology flawed? John Lott says yes

Awesome possum

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Doherty, Brian [mailto:Brian.Doherty@FOXNEWS.COM]
Sent: Thursday, January 18, 2018 5:07 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: WAPO says Trump's claim that immigrants bring 'tremendous crime' is still wrong, 4 Pinocchios, but is their methodology flawed? John Lott says yes

Duplicative Material



Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 18, 2018 5:25 PM
To: Spinato, Eric
Subject: RE: Maria Bartiromo

Topics?

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
Sent: Thursday, January 18, 2018 9:14 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Maria Bartiromo

Sarah, hello

Can AG Sessions join Maria live this Sunday or for a pre-tape tomorrow morning?

Thank you,
Eric

Eric Spinato

Senior Story Editor, Fox Business Network

W (b)(6)

C (b)(6)

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 18, 2018 5:11 PM
To: Spinato, Eric
Subject: RE: FYI

Ah! Thanks.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Spinato, Eric [mailto:eric.spinato@FOXNEWS.COM]
Sent: Thursday, January 18, 2018 5:09 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: FYI

Was a hit this morning

Sent from my iPhone

On Jan 18, 2018, at 5:06 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Any details on what all this is about?

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

Maria Bartiromo Verified account @MariaBartiromo

Following Following @MariaBartiromo

DOJ staffers trying to protect Hillary Clinton's legacy? Jessie Jane Duff, Marine Corps. gunnery sergeant (Ret.), on the Hillary Clinton email scandal.

[@MorningsMaria](#) [@FoxBusiness](#)

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the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

From: Flores, Sarah Isgur (OPA)
Sent: Thursday, January 18, 2018 5:05 PM
To: Doherty, Brian
Subject: couple releases i mentioned

Justice Department Files Notice to Appeal and Intends to Petition for Immediate Supreme Court Review in DACA Lawsuit

The Department of Justice today filed a notice of appeal in *The Regents of the University of California and Janet Napolitano v. U.S. Department of Homeland Security and Elaine Duke* seeking review before the U.S. Court of Appeals for the Ninth Circuit. The Department also intends later this week to take the rare step of filing a petition for a writ of certiorari before judgment, seeking direct review in the Supreme Court.

"It defies both law and common sense for DACA—an entirely discretionary non-enforcement policy that was implemented unilaterally by the last administration after Congress rejected similar legislative proposals and courts invalidated the similar DAPA policy—to somehow be mandated nationwide by a single district court in San Francisco," said Attorney General Jeff Sessions. "It is clear that Acting Secretary Duke acted within her discretion to rescind this policy with an orderly wind down. This was done both to give Congress an opportunity to act on this issue and in light of ongoing litigation in which the injunction against DAPA had already been affirmed by the Supreme Court. We are now taking the rare step of requesting direct review on the merits of this injunction by the Supreme Court so that this issue may be resolved quickly and fairly for all the parties involved."

And then the sec 11 one is here w the full report: <https://www.justice.gov/opa/pr/doj-dhs-report-three-out-four-individuals-convicted-international-terrorism-and-terrorism>

DOJ, DHS Report: Three Out of Four Individuals Convicted of International Terrorism and Terrorism-Related Offenses were Foreign-Born

Departments of Justice and Homeland Security Release Data for the First Time on Terrorism-Related Activity

Today, the Department of Justice (DOJ) and the Department of Homeland Security (DHS) released a report, revealing that three out of every four, or 402, individuals convicted of international terrorism-related charges in U.S. federal courts between September 11, 2001, and December 31, 2016 were foreign-born. Over the same period, U.S. Immigration and Customs Enforcement removed approximately 1,716 aliens with national security concerns. Further, in 2017 alone DHS had 2,554 encounters with individuals on the terrorist watch list (also known as the FBI's Terrorist Screening Database) traveling to the United States.

This report was required by Section 11 of President Trump's [Executive Order 13780, Protecting the Nation from Foreign Terrorist Entry into the United States](#), which declared that "it is the policy of the United States to protect its citizens from terrorist attacks, including those committed by foreign nationals," directed a series of actions to enhance the security and safety of the American people. The actions directed by Executive Order have raised the baseline for the vetting and screening of foreign nationals, prevented the entry of malicious actors, and enhanced the safety and security of the American people.

"This report reveals an indisputable sobering reality—our immigration system has undermined our national security and public safety," said Attorney General Sessions. "And the information in this report is only the tip of the iceberg: we currently have terrorism-related investigations against thousands of people in the

United States, including hundreds of people who came here as refugees. Our law enforcement professionals do amazing work, but it is simply not reasonable to keep asking them to risk their lives to enforce the law while we admit thousands every year without sufficient knowledge about their backgrounds. The pillars of President Trump's immigration policy—securing our porous borders, moving to a merit-based immigration system that ends the use of diversity visas and chain migration, and enforcing our nation's laws—will make their jobs easier and make the United States a safer place.”

“My top priority as Secretary of Homeland Security is to ensure the safety and security of the American people,” said Secretary Nielsen. “This report is a clear reminder of why we cannot continue to rely on immigration policy based on pre-9/11 thinking that leaves us woefully vulnerable to foreign-born terrorists, and why we must examine our visa laws and continue to intensify screening and vetting of individuals traveling to the United States to prevent terrorists, criminals, and other dangerous individuals from reaching our country. Without legislative change, DHS will continue to see thousands of terrorists a year attempt to enter the United States, and while we must be right every time, the terrorists only need to be lucky once. Therefore, DHS has personnel deployed around the world and along our borders working with our global and domestic law enforcement partners to stop terrorists before they enter the homeland.”

The report reveals that at least 549 individuals were convicted of international terrorism-related charges in U.S. federal courts between September 11, 2001, and December 31, 2016. An analysis conducted by DHS determined that approximately 73 percent (402 of these 549 individuals) were foreign-born. Breaking down the 549 individuals by citizenship status at the time of their respective convictions reveals that:

- 254 were not U.S. citizens;
- 148 were foreign-born, naturalized and received U.S. citizenship; and,
- 147 were U.S. citizens by birth.

According to information available to U.S. Immigration and Customs Enforcement (ICE), since September 11, 2001, there were approximately 1,716 removals of aliens with national security concerns.

As mentioned above, in FY 2017, DHS encountered 2,554 individuals on the terrorist watchlist (also known as the FBI's Terrorist Screening Database) traveling to the United States. Of those individuals, 335 were attempting to enter by land, 2,170 were attempting to enter by air, and 49 were attempting to enter by sea. Where consistent with the law, such individuals are denied entry into the United States, while in some cases law enforcement authorities are notified and can take appropriate action.

From October 1, 2011, to September 30, 2017, a total of 355,345 non-U.S. citizen offenders, were administratively arrested after previously being convicted of an aggravated felony, as defined in 8 U.S.C. § 1101(a)(43), or two or more crimes each punishable by more than one year (felony offenses). During that same period, a total of 372,098 non-U.S. citizen offenders were removed from the United States after conviction of an aggravated felony or two or more felonies.

Data from U.S. Citizenship and Immigration Services' Fraud Detection and National Security Directorate shows that between 2007 and 2017, USCIS referred 45,858 foreign nationals who applied for immigration benefits to ICE for criminal or civil enforcement action, based on information indicating that such foreign nationals had committed egregious public safety-related offenses within the United States.

Between FY 2010 and FY 2016, CBP identified and prevented the boarding of 73,261 foreign travelers on flights destined for the United States, who may have presented an immigration or security risk.

In October, the Trump Administration sent to Congress a list of legislative priorities that would enhance our national security—such as eliminating the diversity visa lottery and extended family chain migration, funding the wall, closing loopholes in our asylum system, combatting visa overstays, and closing other loopholes in existing law that potentially benefit aliens who pose threats to our national security.

Background on the Executive Order

Section 11 of Executive Order requires the Secretary of Homeland Security, in consultation with the Attorney General, to collect and make publicly available the following information:

- i. Information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation with or provision of material support to a terrorism-related organization, or any other national-security-related reasons;
- ii. Information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and who have engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States;
- iii. Information regarding the number and types of acts of gender-based violence against women, including so-called "honor killings," in the United States by foreign nationals; and,
- iv. Any other information relevant to public safety and security as determined by the Secretary of Homeland Security or the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

Laco, Kelly (OPA)

From: Laco, Kelly (OPA)
Sent: Thursday, January 18, 2018 9:36 AM
To: jake.gibson@foxnews.com
Subject: Fox engineer

Hi Jake—do you have the contact of someone on your team who can put me in touch with setting up a time for a FOX engineer to come and make sure everything is ok w/ Great Hall connection?

Thanks! Hoping to do it early next week once I coordinate w/ the AV folks at Justice.

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

Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Wednesday, January 17, 2018 5:37 PM
To: Jake.Gibson@FOXNEWS.COM
Subject: More Preet

Preet Bharara's statements to Politico's Edward-Isaac Dove on his Off Message podcast 10/31/17 (20:45 – 21:06 of podcast): "I am not faulting in any way the people who have agreed when asked for the meeting [with the President] to go do the meeting. I'm not casting aspersions on their integrity or on their ethics or on their independence because its lawful when someone decides to say I want to talk to you, I think it's not crazy to go talk to that person."

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 17, 2018 4:43 PM
To: Michelle Diana Moons
Subject: RE: Question on DHS Report - FGM/Honor Killing Stats

Re: honor killings- there was actually a DOJ commissioned report that is cited, which is how they got the 23-27 average per year. I'm certain the methodology is in that report.

With re: to your second questions- I would point you in the direction of the Secretary's and Attorney General's quotes about the need for President Trump's immigration policy provided in the press release.

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

From: Michelle Diana Moons [mailto:m moons@breitbart.com]
Sent: Wednesday, January 17, 2018 4:40 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: Question on DHS Report - FGM/Honor Killing Stats

Thanks Devin. I realize that there's no specific federal statute against honor killings, but can't they still be prosecuted as murder? Or are you just saying it's harder to track because there's not a separate federal statute that defines a particular murder as an honor killing? How did DHS go about determining which cases it classified as honor killings?

Also, what does the department plan to do with these numbers aside from reporting them? What is the course of action taken to combat the issue of FGM and honor killings in the U.S.? Will there be any additional screening done since the connection was made between foreign nationals who come to the U.S. from countries where FGM is practiced and the exponential increase of the practice in the U.S.?

Thank you,

Michelle

Sent from my iPhone

On Jan 17, 2018, at 4:29 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Hi Michelle-

On background (DOJ official)- these statistics will continue to be included in future Section 11 reports, and the department will continue to explore ways to compile data for honor killings despite the lack of a federal statute prohibiting them.

Devin M. O'Malley

Department of Justice
Office of Public Affairs
Office: (202) 353-8763
Cell: (b)(6)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 17, 2018 2:23 PM
To: Michelle D Moons <mmoons@breitbart.com>
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: RE: Question on DHS Report - FGM/Honor Killing Stats

Hey Michelle! Sorry you didn't get to ask it. Would have been worthwhile for everyone to hear for sure. Adding Devin to get you a good answer.

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

From: Michelle D Moons [<mailto:mmoons@breitbart.com>]
Sent: Wednesday, January 17, 2018 2:13 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Question on DHS Report - FGM/Honor Killing Stats
Importance: High

Hi Sarah,

This is Michelle Moons with Breitbart news. I was trying to get a question in to Ed O'Callaghan during today's White House briefing but did get to ask it. I was wondering if you or he could address please.

The question is about the DHS report released yesterday (<https://www.dhs.gov/news/2018/01/16/dhs-doj-report-three-out-four-individuals-convicted-international-terrorism-and>). The report points to an exponential increase in the risk of female genital mutilation (FGM) in the U.S. from 1990 to 2012, it noted that this has not been well tracked, is likely underreported, and "although further research is necessary to gather scientifically valid data with respect to the practice in the United States, the estimated increase "was wholly a result of rapid growth in the number of immigrants from FGM/C-practicing countries living in the United States."

Are there plans to more closely monitor these types of metrics, as well as "honor killings", in the future? and are there plans to take more proactive action on this problem?

I appreciate your time in addressing this.

Thank you,

Michelle

Michelle D Moons
White House Correspondent
Breitbart News
mmons@breitbart.com
(b)(6)

Singman, Brooke

From: Singman, Brooke
Sent: Wednesday, January 17, 2018 10:22 AM
To: O'Malley, Devin (OPA); Gibson, Jake
Subject: RE: Article

Thanks, Devin!

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Wednesday, January 17, 2018 10:21 AM
To: Singman, Brooke <brooke.singman@FOXNEWS.COM>; Gibson, Jake <Jake.Gibson@FOXNEWS.COM>
Subject: Article

Thanks for spinning something up, and I think you captured the problem (and our solution well).

Let me know if you guys need anything.

Devin

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

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, January 16, 2018 11:16 PM
To: Gibson, Jake
Subject: RE: EMBARGOED UNTIL 8:45 am TOMORROW

Month	Pending	Absolute Change from Previous Month	% Change from Previous Month
September 2016	519,604		
October 2016	526,549	6,945	1.3%
November 2016	532,453	5,904	1.1%
December 2016	542,446	9,993	1.9%
January 2017	553,112	10,666	2.0%
February 2017	572,067	18,955	3.4%
March 2017	591,968	19,901	3.5%
April 2017	605,869	13,901	2.3%
May 2017	618,016	12,147	2.0%
June 2017	628,697	10,681	1.7%
July 2017	637,555	8,858	1.4%
August 2017	644,131	6,576	1.0%
September 2017	651,337	7,206	1.1%
October 2017	657,900	6,563	1.0%
November 2017	663,235	5,335	0.8%
December 2017	667,292	4,057	0.6%

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

From: O'Malley, Devin (OPA)
Sent: Tuesday, January 16, 2018 11:16 PM
To: 'Gibson, Jake' <Jake.Gibson@FOXNEWS.COM>
Subject: RE: EMBARGOED UNTIL 8:45 am TOMORROW

Also additional statistics here showing that the policies we are implementing are already working to slaw the backlog growth to a halt.

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

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]
Sent: Tuesday, January 16, 2018 10:48 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: EMBARGOED UNTIL 8:45 am TOMORROW

Gimme your headline.
What is this about?

DOJ Memo to Immigration Judges Says.....?

On Jan 16, 2018, at 9:12 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Sorry I am getting this to you know. Unnecessary delays! Everything attached and contained in this email is embargoed until 8:45 am tomorrow. The attached memo will be posted online at that time. Please let me know if you have any questions.

Here are relevant on the record statements from DOJ spokesman Devin O'Malley:

Re: Priorities

"Some policies implemented in the immigration court system in recent years have contributed to a three-fold increase of the courts' pending caseload. Certain 'prioritization' practices actually made the caseload worse by continuing cases that could be resolved more quickly in favor of cases that often actually take longer to complete—the immigration court equivalent of fiddling while Rome burned. Any designation of a case as a 'priority' should mean it is simply a priority to complete the case in an expeditious manner that serves the national interest and does not compromise due process."

Re: Benchmarks

"In 2010, longstanding immigration court benchmarks for non-detained cases were abruptly abandoned, and since that time—perhaps not coincidentally—the caseload has tripled. Reintroducing court-based goals or benchmarks—something that was recommended by both the Justice Department Inspector General and the GAO and is used by nearly every adjudicatory system in some form—will assist in properly managing cases, increase productivity, and reduce the pending caseload."

Re: Individual Immigration Judge Benchmarks

"EOIR and the NAIJ agreed this fall to eliminate a prohibition on measuring and evaluating immigration judge performance, and both parties should be applauded for their compromise in the best interest of the nation. Because negotiations are still ongoing, the Justice Department cannot comment specifically on metrics."

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

<Case Priorities and Immigration Court Performance Measures.01.17.18.pdf>

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that this email or its attachments are without defect.

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, January 16, 2018 10:53 PM
To: Gibson, Jake
Subject: Re: EMBARGOED UNTIL 8:45 am TOMORROW

This is really about a new, common sense, and efficient way of conducting businessmen

"new DOJ immigration court policies: no more 'fiddling while Rome burns'"

Sent from my iPhone

On Jan 16, 2018, at 10:48 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Gimme your headline.
What is this about?

DOJ Memo to Immigration Judges Says.....?

On Jan 16, 2018, at 9:12 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Duplicative Material





U.S. Department of Justice

Executive Office for Immigration Review


Office of the Director

5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

Director

January 17, 2018

MEMORANDUM TO: The Office of the Chief Immigration Judge
All Immigration Judges
All Court Administrators
All Immigration Court Staff

FROM: James R. McHenry III 
Director

SUBJECT: Case Priorities and Immigration Court Performance Measures

This memorandum is effective immediately, applies prospectively to all new cases filed and to all immigration court cases reopened, recalendared, or remanded, and serves to rescind the January 31, 2017, memorandum entitled "Case Processing Priorities" and all other prior memoranda establishing case processing or docketing priorities.

I. Background

On December 6, 2017, the Attorney General issued a memorandum to all Executive Office for Immigration Review (EOIR) employees outlining several principles to follow to ensure that the adjudication of immigration court cases serves the national interest. It also provided that the Director of EOIR may issue further guidance to ensure the achievement of those principles. Pursuant to 8 C.F.R. § 1003.0(b)(1)(ii) and (iv), the EOIR Director has the authority to "[d]irect the conduct of all EOIR employees to ensure the efficient disposition of all pending cases, including the power, in his discretion, to set priorities or time frames for the resolution of cases and otherwise to manage the docket of matters to be decided by the immigration judges" and to "[e]valuate the performance of the Office of the Chief Immigration Judge (OCIJ) and take corrective action where needed."

Accordingly, pursuant to that authority and in accordance with the Attorney General's principles, this memorandum lays out EOIR's specific priorities and goals in the adjudication of immigration court cases.

II. Case Prioritization

EOIR has always designated detained cases as priorities for completion. In 2014, EOIR began designating other types of “priority” cases for docketing and processing purposes, and those priority designations have been subsequently modified three times—most recently on January 31, 2017.

The repeated changes in case prioritization have caused confusion and created difficulty in comparing and tracking case data over time. But, most importantly, the frequent shifting priority designations did not enhance docket efficiency. Not only were cases repeatedly moved to accommodate new priorities without a clear plan for resolving both the new and older cases, but also the designations did not adequately stress the importance of completing all cases in a timely manner.

For example, less than 10% of cases currently pending meet the definition of “priority” outlined in the January 31, 2017, memorandum—a statistic that conveys a potentially mistaken impression regarding the importance of completing the other 600,000-plus pending cases that do not bear a “priority” designation.

Accordingly, to address concerns and confusion, it is appropriate to clarify EOIR’s priorities and goals to ensure that the adjudication of cases serves the national interest consistent with the principles outlined by the Attorney General.

All cases involving individuals in detention or custody, regardless of the custodian, are priorities for completion.¹ Likewise, cases subject to a statutory or regulatory deadline, cases subject to a federal court-ordered deadline, and cases otherwise subject to an established benchmark for completion, including those listed in Appendix A, are also priorities. As developments warrant, other priority designations may be established as appropriate, and other categories of cases may be tracked regardless of whether they reflect a priority designation.

The designation of a category of cases as priority is an indication of an expectation that such cases should be completed expeditiously and without undue delay consistent with due process. Because the designations outlined in this memorandum apply prospectively, it is not intended to require the rescheduling of currently-docketed cases. The designation of priority cases is also not intended to diminish or reduce the significance of other cases. Indeed, the timely completion of *all* cases consistent with due process remains a matter of the utmost importance for the agency. Finally, the designation of a case as a priority is not intended to limit the discretion afforded an immigration judge under applicable law, nor is it intended to mandate a specific outcome in any particular case.

¹Cases of aliens in the custody of the Department of Homeland Security and aliens in the care and custody of the Department of Health and Human Services who do not have a sponsor identified were priorities under prior policy and remain so under this new policy.

III. Immigration Court Benchmarks and Performance Metrics

Apart from designated case priorities, EOIR's case processing has also involved other types of evaluative measures over time, such as statutory or regulatory deadlines for the completion of certain types of cases, including under the Immigration and Nationality Act (INA), the Government Performance and Results Act (GPRA) of 1993, and the GPRA Modernization Act of 2010. Although these case completion goals have not previously denoted case priorities *per se*, they do serve as indicators of the importance of completing certain classes of cases in a timely manner.

Historically, EOIR also utilized case completion measures for non-detained cases from FY 2002 to FY 2009, but it eliminated those measures in FY 2010, leading to confusion regarding the extent to which the timely completion of non-detained cases was perceived as a priority for the agency. The abolition of non-detained case completion benchmarks was also subsequently criticized by both the Department of Justice (DOJ) Office of Inspector General and the Government Accountability Office, both of whom recommended that EOIR reinstate goals for the completion of non-detained cases. In 2016 and 2017, the House Committee on Appropriations also directed EOIR to establish a goal that the median length of detained cases be no longer than 60 days and the median length of non-detained cases be no longer than 365 days.

Although EOIR has previously stated that case completion goals are statements of agency priorities and has tracked performance relative to those goals, it has not expressly designated cases subject to such measures as priorities, unless they happened to fall into another category that was a priority (*e.g.* detained cases). This has led to even further confusion regarding the interaction between case priorities and case resolution goals, especially because the overwhelming majority of pending cases in recent years were neither designated as a priority nor subject to a performance goal.

Almost every trial court system utilizes performance measures or case completion metrics to ensure that it is operating efficiently and appropriately. Some of these are established by statute or regulation whereas others are set by policy; nevertheless, trial court performance measures are an essential and widely-recognized tool for ensuring healthy and effective court operations.

In the federal system, for example, the Civil Justice Reform Act of 1990 requires semiannual reporting of the number of certain types of civil cases and motions pending beyond a particular date with the intent of reducing litigation delays in federal district courts. Many administrative adjudicatory systems also feature case processing time standards, either by statute,

regulation, or policy.² At the state level, most states have adopted court case processing time standards, many of which follow model standards approved by the American Bar Association (ABA).³

In fact, over 25 years ago, the ABA recognized the importance of establishing court performance standards to ensure effective case management and to avoid undue delay; in doing so, it outlined seven essential elements for managing cases, including several that are now being implemented by EOIR such as “[p]romulgation and monitoring of time and clearance standards for the overall disposition of cases,” “[a]doption of a trial-setting policy which schedules a sufficient number of cases to ensure efficient use of judge time while minimizing resettings caused by overscheduling,” “[c]ommencement of trials on the original date scheduled with adequate advance notice,” and “[a] firm, consistent policy for minimizing continuances.”⁴ In short, court performance measures and case completion goals are common, well-established, and necessary mechanisms for evaluating how well a court is functioning at performing its core role of adjudicating cases.

EOIR is no exception to the rule that court performance measures are a necessary accountability tool to ensure that a court is operating at peak efficiency, nor is there anything novel or unique about applying performance measures to EOIR’s immigration courts.⁵ Rather, a review of such measures is vital to ensure that the immigration court system is performing strongly, that EOIR is adjudicating cases fairly, expeditiously, and uniformly consistent with its mission, and that it is addressing its pending caseload in support of the principles established by the Attorney General.

Accordingly, to ensure that EOIR is meeting these goals, the court-based performance measures outlined in Appendix A to this memorandum will be tracked by EOIR, and court

² See, e.g., 42 U.S.C. § 1395ff (establishing hearing deadlines for cases before administrative law judges at the Department of Health and Human Services); Fed. Energy Regulatory Comm’n, Summary of Procedural Time Standards for Hearing Cases, <https://www.ferc.gov/legal/admin-lit/time-sum.asp> (last updated Mar. 10, 2017) (outlining time standards for administrative law judges hearing cases at the Federal Energy Regulatory Commission).

³ See *Case Processing Time Standards*, Nat’l Ctr. for State Courts, <http://www.ncsc.org/cpts> (last visited January 9, 2018); *Model Time Standards for State Trial Courts* (Nat’l Ctr. for State Courts 2011), <http://www.ncsc.org/Services-and-Experts/Technology-tools/~media/Files/PDF/CourtMD/Model-Time-Standards-for-State-Trial-Courts.ashx>.

⁴ See Judicial Admin. Div., Am. Bar Ass’n, *Standards Relating to Trial Courts* § 2.51 (vol. II 1992), available at <https://www.americanbar.org/content/dam/aba/migrated/divisions/Judicial/MO/MemberDocuments/trialcourtstandards.authcheckdam.pdf>.

⁵ EOIR’s other adjudicatory components, the Board of Immigration Appeals and the Office of the Chief Administrative Hearing Office, are also subject to performance measures.

performance in meeting them will be regularly audited. These goals are intended to help determine which courts are operating in a healthy and efficient manner, and which courts may be in need of more specialized attention in the form of additional resources, training, court management, creative thinking and planning, and/or other action as appropriate.

As published here in Appendix A, these court-based goals are not intended to apply specifically to any individual employee; rather, these goals apply to the court as a whole, and all court employees accordingly share responsibility for working together to successfully meet them.⁶

OCIJ will provide additional “not-to-exceed” guidelines for each goal, as appropriate. Further, some cases may be subject to more than one goal. EOIR will also track the clearance rate (the ratio of new cases filed to cases completed) and the age of existing cases at each court and may announce future goals for those statistics at a later date.

Many of these measures derive from statutory or regulatory mandates, including the INA; others derive from EOIR’s goals developed under GPRA. Still others, such as a goal of ensuring file completion and accuracy, are simply reflections of the standard that a professional administrative court system should endeavor to attain. Although many of these goals have already existed for several years at EOIR, their current designation clarifies that cases subject to a goal should be considered priority cases and reiterates that the goals themselves reflect considered policy judgments regarding optimal court performance and functioning that EOIR’s immigration courts should strive to achieve.

EOIR is already meeting, or close to meeting, some of these goals; for instance, the median length of time a detained case is pending at the immigration court level is currently less than 60 days. For other goals, they may appear merely aspirational at first, and the agency is cognizant that it may take time for them to be fully realized. Nevertheless, as a professional administrative court system within the DOJ exercising the Attorney General’s delegated authority, EOIR should strive to become the preeminent administrative adjudicatory agency in the federal government and to fulfill its mission at the highest level possible. Further, by making you aware of these goals, you can begin thinking about how, with these goals in mind, EOIR’s day-to-day activities can be streamlined to improve efficiency while maintaining due process. Moreover, there is no doubt that as the agency puts into place additional resources, training, and

⁶ In autumn 2017, following collective bargaining, EOIR and the National Association of Immigration Judges jointly agreed to remove language from Article 22 of their labor agreement that had limited EOIR’s ability to measure and evaluate immigration judge performance. Although many of the policy considerations relevant for setting court performance goals are also relevant for setting performance metrics for individual immigration judges, especially regarding goals that have existed in some form at EOIR already for several years, the implementation of those metrics specifically for immigration judges is subject to an ongoing process and is beyond the scope of this memorandum.

more efficient processes, you will continue impress with your dedication to our mission. As the Attorney General indicated, every employee at EOIR can contribute something to improve the system, and your creative suggestions regarding more effective case management are welcome.

IV. Conclusion

Thank you for your dedication and professionalism as we work together as a team to ensure that the adjudication of immigration court cases serves the national interest in accordance with the principles outlined by the Attorney General.

Please contact your Assistant Chief Immigration Judge with any questions you may have concerning this memorandum.

This guidance is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person. Nothing in this memorandum should be construed as mandating a particular outcome in any specific case.

Attachment

APPENDIX A

IMMIGRATION COURT PERFORMANCE MEASURES

1. Eighty-five percent (85%) of all non-status⁷ detained removal⁸ cases should be completed⁹ within 60 days of filing of the Notice to Appear (NTA), reopening or recalendaring of the case, remand from the Board of Immigration Appeals (BIA), or notification of detention.
2. Eighty-five percent (85%) of all non-status non-detained removal cases should be completed within 365 days (1 year) of filing of the NTA, reopening or recalendaring of the case, remand from the BIA, or notification of release from custody.
3. Eight-five percent (85%) of all motions should be adjudicated within 40 days of filing.
4. Ninety percent (90%) of all custody redeterminations should be completed within 14 days of the request for redetermination.
5. Ninety-five percent (95%) of all hearings should be completed on the initial scheduled individual merits hearing date.
6. One hundred percent (100%) of all credible fear reviews should be completed within seven (7) days of the initial determination by an asylum officer that an alien does not have a credible fear of persecution. *See* INA § 235(b)(1)(B)(iii)(III). One hundred percent (100%) of all reasonable fear reviews should be completed within 10 days of the filing of the negative reasonable fear determination as reflected in Form I-863. *See* 8 C.F.R. § 1208.31(g).
7. One hundred percent (100%) of all expedited asylum cases should be completed within the statutory deadline and consistent with established EOIR policy. *See* INA 208(d)(5)(A)(iii); OPPM 13-02.
8. Eighty-five percent (85%) of all Institutional Hearing Program (IHP) removal cases should be completed prior to the alien's release from detention by the IHP custodian.
9. One hundred percent (100%) of all electronic and paper records should be accurate and complete.

⁷ A status case is (1) one in which an immigration judge is required to continue the case pursuant to binding authority in order to await the adjudication of an application or petition by U.S. Citizenship and Immigration Services, (2) one in which the immigration judge is required to reserve a decision rather than completing the case pursuant to law or policy, or (3) one which is subject to a deadline established by a federal court order.

⁸ A "removal" case includes a case in removal proceedings, in addition to any reopened, recalendared, or remanded cases in exclusion or deportation proceedings.

⁹ A completed removal case is one in which a final decision has been rendered concluding the case at the immigration court level and encompasses an order of removal, an order of voluntary departure, an order terminating proceedings, or an order granting protection or relief from removal. For other types of cases, a completed case is one in which a final decision has been rendered appropriate for the specific type of case proceeding.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 16, 2018 8:47 PM
To: Fanning, Elizabeth
Subject: Re: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

No thank YOU

On Jan 16, 2018, at 8:22 PM, Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM> wrote:

Thank you!

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Tuesday, January 16, 2018 3:34 PM
To: Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM>
Subject: RE: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

yes

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Fanning, Elizabeth [<mailto:Elizabeth.Fanning@FOXNEWS.COM>]
Sent: Tuesday, January 16, 2018 3:32 PM
To: Flores, Sarah Isgur (OPA) <siflores@imd.usdoj.gov>
Subject: RE: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

He will be on set with Tucker, right?

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Tuesday, January 16, 2018 2:05 PM
To: Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM>
Subject: RE: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

Perfecto!

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Fanning, Elizabeth [<mailto:Elizabeth.Fanning@FOXNEWS.COM>]
Sent: Tuesday, January 16, 2018 2:01 PM
To: Flores, Sarah Isgur (OPA) <siflores@imd.usdoj.gov>
Subject: RE: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

Yes ma'am. That is the plan! If anything else comes up I will let you know.

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Tuesday, January 16, 2018 1:46 PM
To: Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM>
Subject: Re: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

As long as it's on this report. And we're announcing appealing data momentarily so can talk about that too. Can you make sure Justin is good w those topics? And let me know any other topics Tucker wants to cover.

On Jan 16, 2018, at 1:35 PM, Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM> wrote:

Ok, we are good to go. Hit time will be about 815 (give or take a few mins) . Does that work for you?

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Tuesday, January 16, 2018 12:26 PM
To: Fanning, Elizabeth <Elizabeth.Fanning@FOXNEWS.COM>
Subject: RE: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

yes

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

From: Fanning, Elizabeth [<mailto:Elizabeth.Fanning@FOXNEWS.COM>]
Sent: Tuesday, January 16, 2018 12:18 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

Could AG do live tonight?

Sent from my iPhone

On Jan 16, 2018, at 11:35, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Havent heard back from Justin—should have cc'ed you anyway

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

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 16, 2018 10:11 AM
To: 'Justin.Wells@FOXNEWS.COM' <Justin.Wells@FOXNEWS.COM>
Subject: FW: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

Want to discuss AG for tonight on this topic?

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

From: USDOJ-Office of Public Affairs [<mailto:USDOJ-OfficeofPublicAffairs@public.govdelivery.com>]
Sent: Tuesday, January 16, 2018 9:41 AM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

[img alt="USDOJ logo" data-bbox="187 800 279 815"/>](#)

FOR IMMEDIATE RELEASE

TUESDAY, JANUARY 16, 2018

NOTE: The report can be found [here](#).

DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

Departments of Justice and Homeland Security Release Data for the First Time on Terrorism Activity

WASHINGTON – Today, the Department of Justice (DOJ) and the Department of Homeland Security (DHS) released a [report](#), revealing that three out of every four, or 402, individuals convicted of international terrorism-related charges in federal courts between September 11, 2001, and December 31, 2016 were foreign-born. Over the same period, DHS and Immigration and Customs Enforcement removed approximately 1,716 aliens with national security concerns. Furthermore, DHS had 2,554 encounters with individuals on the terrorist watch list (also known as the FBI's Terrorist Screening Database) traveling to the United States.

This report was required by Section 11 of President Trump's [Executive Order 13780, Protecting the Nation from Terrorist Entry into the United States](#), which declared that "it is the policy of the United States to protect its citizens from terrorist attacks, including those committed by foreign nationals," directed a series of actions to enhance the national security of the American people. The actions directed by Executive Order have raised the baseline for the vetting of foreign nationals, prevented the entry of malicious actors, and enhanced the safety and security of the American people.

"This report reveals an indisputable sobering reality—our immigration system has undermined our national security and public safety," said Attorney General Sessions. "And the information in this report is only the tip of the iceberg: DHS has terrorism-related investigations against thousands of people in the United States, including hundreds of people here as refugees. Our law enforcement professionals do amazing work, but it is simply not reasonable to keep as risk their lives to enforce the law while we admit thousands every year without sufficient knowledge about their backgrounds. The pillars of President Trump's immigration policy—securing our porous borders, moving to a merit-based immigration system that ends the use of diversity visas and chain migration, and enforcing our nation's laws—will make their country safer and make the United States a safer place."

"My top priority as Secretary of Homeland Security is to ensure the safety and security of the American people," said Secretary Nielsen. "This report is a clear reminder of why we cannot continue to rely on immigration policy based on the assumption that leaving us woefully vulnerable to foreign-born terrorists, and why we must examine our visa laws to intensify screening and vetting of individuals traveling to the United States to prevent terrorists, criminals, and dangerous individuals from reaching our country. Without legislative change, DHS will continue to see thousands of individuals attempt to enter the United States, and while we must be right every time, the terrorists only need to be let in once. Therefore, DHS has personnel deployed around the world and along our borders working with our global and domestic law enforcement partners to stop terrorists before they enter the homeland."

The report reveals that at least 549 individuals were convicted of international terrorism-related charges in U.S. federal courts between September 11, 2001, and December 31, 2016. An analysis conducted by DHS determined that a 73 percent (402 of these 549 individuals) were foreign-born. Breaking down the 549 individuals by citizenship at the time of their respective convictions reveals that:

- 254 were not U.S. citizens;
- 148 were foreign-born, naturalized and received U.S. citizenship; and,
- 147 were U.S. citizens by birth.

According to information available to U.S. Immigration and Customs Enforcement (ICE), since September 11, 2001, DHS removed approximately 1,716 aliens with national security concerns.

As mentioned above, in FY 2017, DHS encountered 2,554 individuals on the terrorist watchlist (also known as the Terrorist Screening Database) traveling to the United States. Of those individuals, 335 were attempting to enter the United States by land, 2,170 were attempting to enter by air, and 49 were attempting to enter by sea. Where consistent with the law, DHS denies entry into the United States, while in some cases law enforcement authorities are notified to take appropriate action.

From October 1, 2011, to September 30, 2017, a total of 355,345 non-U.S. citizen offenders, were administratively removed after previously being convicted of an aggravated felony, as defined in 8 U.S.C. § 1101(a)(43), or two or more crimes punishable by more than one year (felony offenses). During that same period, a total of 372,098 non-U.S. citizen offenders were removed from the United States after conviction of an aggravated felony or two or more felonies.

Data from U.S. Citizenship and Immigration Services' Fraud Detection and National Security Directorate shows that between 2007 and 2017, USCIS referred 45,858 foreign nationals who applied for immigration benefits to ICE for criminal enforcement action, based on information indicating that such foreign nationals had committed egregious public safety offenses within the United States.

Between FY 2010 and FY 2016, CBP identified and prevented the boarding of 73,261 foreign travelers on flights to the United States, who may have presented an immigration or security risk.

In October, the Trump Administration sent to Congress a list of legislative priorities that would enhance our national security, such as eliminating the diversity visa lottery and extended family chain migration, funding the wall, closing loopholes in the asylum system, combatting visa overstays, and closing other loopholes in existing law that potentially benefit alien threats to our national security.

Background on the Executive Order

Section 11 of Executive Order requires the Secretary of Homeland Security, in consultation with the Attorney General,

collect and make publicly available the following information:




1. Information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; removed from the United States based on terrorism-related activity, affiliation with or provision of material support to a terrorism-related organization, or any other national-security-related reasons;
2. Information regarding the number of foreign nationals in the United States who have been radicalized after entering the United States and who have engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States;
3. Information regarding the number and types of acts of gender-based violence against women, including so-called "honor killings," in the United States by foreign nationals; and,
4. Any other information relevant to public safety and security as determined by the Secretary of Homeland Security or the Attorney General, including information on the immigration status of foreign nationals charged with terrorism-related offenses.

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AG

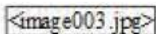
18-38

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Fanning, Elizabeth

From: Fanning, Elizabeth
Sent: Tuesday, January 16, 2018 11:49 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: DOJ, DHS REPORT: THREE OUT OF FOUR INDIVIDUALS CONVICTED OF INTERNATIONAL TERRORISM AND TERRORISM-RELATED OFFENSES WERE FOREIGN-BORN

Hey! Hope all is well. Checking on this. Stand by. Thanks!

Sent from my iPhone

On Jan 16, 2018, at 11:35, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Duplicative Material



Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Monday, January 15, 2018 12:44 PM
To: Alex.Pfeiffer@FOXNEWS.COM
Subject: Fwd: ATTORNEY GENERAL SESSIONS APPLAUDS CHINA FOR RESTRICTING TWO FENTANYL PRECURSORS

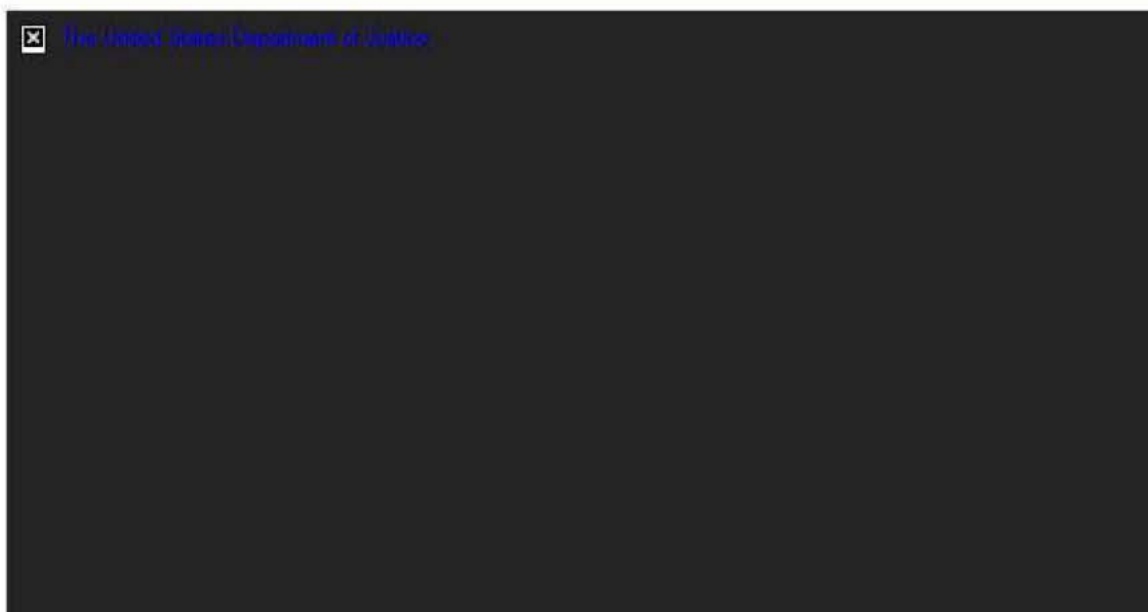
Also here is this which came after that Vice Story.

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

Begin forwarded message:

From: USDOJ-Office of Public Affairs <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>
Date: January 5, 2018 at 4:58:35 PM EST
To: <ian.prior@usdoj.gov>
Subject: ATTORNEY GENERAL SESSIONS APPLAUDS CHINA FOR RESTRICTING TWO FENTANYL PRECURSORS
Reply-To: <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>



FOR IMMEDIATE RELEASE
FRIDAY, JANUARY 5, 2018

ATTORNEY GENERAL SESSIONS APPLAUDS CHINA FOR RESTRICTING TWO FENTANYL PRECURSORS

WASHINGTON – Today Attorney General Jeff Sessions applauded the Chinese government for announcing that it would restrict two chemical precursors to fentanyl.

“Synthetic opioids are killing thousands of people in communities across this nation, and we know that many of these substances originated in China,” Attorney General Sessions said. “President Trump and I have repeatedly brought up this issue with the Chinese government, and we are working to restrict the flow of these drugs to our country. I am pleased to see China taking steps that will protect not just their own people from this poison, but the American people, too. I hope that China will continue to take steps like this and eventually schedule all fentanyl analogues, just as the DEA is doing.”

In 2017, China scheduled a number of fentanyl-class substances, including carfentanil, furanyl fentanyl, valeryl fentanyl, acryl fentanyl, U-47700, MT-45, PMMA, and 4,4’ DMAR. Last week, China’s Ministry of Public Security announced that, effective Feb. 1, NPP and 4ANPP, substances that can be used to make illicit fentanyl, would also be scheduled.

U.S. Department of Justice and Chinese officials maintain frequent contact to collaborate and share data on the threat from fentanyl-class substances. Information-sharing includes scientific data, trafficking trends, and sample exchanges. This dialogue has resulted in more effective methods for identifying deadly substances for government control.

Attorney General Sessions and Deputy Attorney General Rosenstein both requested China’s scheduling action in meetings with then-State Councilor Guo Shengkun of the Chinese Ministry of Public Security. Deputy Attorney General Rosenstein met with then-State Councilor Guo in Beijing, China on Sept. 25, 2017.

and the Attorney General met with him in Washington, D.C. on Oct. 3 and 4, 2017.

In October, Deputy Attorney General Rosenstein [announced](#) the first-ever indictment of Chinese nationals for attempting to distribute massive quantities of synthetic opioids in two different regions of the United States.

It is estimated that, in 2016, [more than 20,000 Americans](#) were killed by overdoses of fentanyl or fentanyl analogues, making these the deadliest drugs in America. According to [the U.S.-China Commission](#), a majority of the fentanyl products in the United States originated in China.

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AG

18-14

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Tuesday, January 16, 2018 5:47 PM
To: Jarrett, Laura; Gibson, Jake
Subject: SCO exemption

"All employees with the Special Counsel's Office are considered exempt and would continue their operations in the case of a lapse in appropriations."

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, January 16, 2018 4:19 PM
To: Gibson, Jake
Subject: RE: Want another immigration story embargoed until tomorrow AM?

Off the record- it's a memo from EOIR director to all IJs and court staff that addresses case "prioritization," immigration court benchmarks and performance metrics, etc.

Let me know.

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

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Tuesday, January 16, 2018 4:13 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: Want another immigration story embargoed until tomorrow AM?

Sure... what do u have?

On Jan 16, 2018, at 4:11 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

I will likely give to an immigration reporter as well.

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

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Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Tuesday, January 16, 2018 2:33 PM
To: Prior, Ian (OPA)
Cc: O'Malley, Devin (OPA)
Subject: Re: Fentanyl indictments from Oct

It doesn't look like this would be for tonight. I will keep you updated regarding this, but the segment would be in the future.

On Jan 16, 2018, at 11:31 AM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

Okay, thanks

Sent from my iPhone

On Jan 16, 2018, at 11:30 AM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Will check

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: Pfeiffer, Alex [<mailto:Alex.Pfeiffer@FOXNEWS.COM>]
Sent: Tuesday, January 16, 2018 10:15 AM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: Fentanyl indictments from Oct

Hey - Would someone from DOJ, say DAG Rosenstein come on to discuss fentanyl and China?

Sent from my iPhone

On Jan 16, 2018, at 9:56 AM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

Thanks Ian. I'll let you know if I have any followups.

Sent from my iPhone

On Jan 16, 2018, at 9:54 AM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

"While we do not discuss ongoing matters, we can say as a general matter that we provide our foreign counterparts, including

general matter that we provide our foreign counterparts, including those in China, with sufficient evidence to justify our criminal charges, and to warrant their own action under their domestic criminal law.”

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: Pfeiffer, Alex [<mailto:Alex.Pfeiffer@FOXNEWS.COM>]
Sent: Monday, January 15, 2018 1:37 PM
To: Prior, Ian (OPA) <Prior@jmd.usdoj.gov>
Cc: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: Fentanyl indictments from Oct

Awesome. Thanks, enjoy the day off

Sent from my iPhone

On Jan 15, 2018, at 1:32 PM, Prior, Ian (OPA)
<Ian.Prior@usdoj.gov> wrote:

Ok will figure something out tomorrow on this.

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

On Jan 15, 2018, at 1:01 PM, Pfeiffer, Alex
<Alex.Pfeiffer@FOXNEWS.COM> wrote:

No worries, I don't need this for tonight.

Sent from my iPhone

On Jan 15, 2018, at 12:42 PM, Prior, Ian (OPA) <Ian.Prior@usdoj.gov> wrote:

Hey Alex,

This involves multiple parties within DOJ so not sure I can get an answer tonight honestly. Will try, but (b)(6) and can't guarantee. Do you need for tonight? Or can I track this down tomorrow?

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

On Jan 15, 2018, at 12:20 PM, O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov> wrote:

Duplicative
Material - See
next page

Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Monday, January 15, 2018 12:21 PM
To: O'Malley, Devin (OPA)
Cc: Prior, Ian (OPA)
Subject: Re: Fentanyl indictments from Oct

Thanks

Sent from my iPhone

On Jan 15, 2018, at 12:20 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Adding Ian who knows this better than I

Sent from my iPhone

On Jan 15, 2018, at 12:05 AM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

Hey - It is Martin Luther King Day, but I still got an inquiry for you.

So, on October 17, Deputy AG Rosenstein held a press conference and made a significant announcement, the indictments of two Chinese nationals for "separate conspiracies to distribute large quantities of fentanyl and fentanyl analogues."

These men are Xiaobing Yan and Jian Zhang.

The Deputy AG was asked about Chinese cooperation and said, "We are seeking additional support from the Chinese government, cracking down on those labs, making sure they take this issue as serious as we do. And if it were the other way around, if tens of thousands of Chinese nationals were dying as a result of poison shipped from the United States, we would be proactive."

However, in little noticed comments, a Chinese official told Vice News, that nah, China won't be proactive.

Yu Haibin, of China's National Narcotics Control Commission, told Vice News, "We don't have evidence indicating them breaking Chinese law. Our counterparts in the U.S. have also failed to provide such evidence. Therefore regarding these two suspects, we haven't reached a point to indict or arrest them yet."

Here is the December news clip where those comments were made.

<https://www.youtube.com/watch?v=kbPlnRJQGrc>

So what's the deal?

Has the U.S. provided China evidence? Is it still working on this matter? Is the DOJ disappointed in China's reaction to the indictments?

Let me know!

Thanks,
Alex Pfeiffer
Associate Producer
Tucker Carlson Tonight

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Kupec, Kerri (JMD)

From: Kupec, Kerri (JMD)
Sent: Tuesday, January 16, 2018 12:52 PM
To: Kupec, Kerri (JMD)
Bcc: 'Adam Liptak'; 'Alex Swoyer'; 'Amy Howe'; 'Andrew Chung'; 'Ariane DeVogue'; 'Audrey Taylor'; 'Bob Barnes'; 'Brent Kendall'; 'Chris Geidner'; 'David Savage'; 'Greg Stohr'; 'Jan Crawford'; 'Jess Bravin'; 'Jessica Gresko'; 'Ken Guggenheim'; 'Ken Jost'; 'Kimberly Robinson'; 'Lawrence Hurley'; 'Marcia Coyle'; 'Mark Anderson'; 'Mark Sherman'; 'Mark Walsh'; 'Nina Totenberg'; 'Patrick Gregory'; 'Patricia McCabe Estrada'; 'Pete Williams'; 'Richard Wolf'; 'Shannon Bream'; 'Todd Ruger'; 'Tony Mauro'
Subject: Trump v. Hawaii (Reply Brief attached)
Attachments: 17-965 Trump v. Hawaii (Reply) - REVISED.PDF

Hi, all – see attached for our reply brief (cert stage) in *Trump v. Hawaii* filed today.

Best,
Kerri

Kerri Kupec
U.S. Department of Justice
Office of Public Affairs

(b)(6)
(b)(6) (office)
(b)(6) (cell)

No. 17-965

In the Supreme Court of the United States

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES
ET AL., PETITIONERS

v.

STATE OF HAWAII, ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT*

REPLY BRIEF FOR THE PETITIONERS

NOEL J. FRANCISCO
*Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
SupremeCtBriefs@usdoj.gov
(202) 514-2217*

Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 16, 2018 12:49 PM
To: Flores, Sarah Isgur (OPA)
Subject: DACA draft?

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Conti, Andrew

From: Conti, Andrew
Sent: Tuesday, January 16, 2018 11:00 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: IMPT: LAURA INGRAHAM REQUEST/FOX NEWS FOR AG SESSIONS

Thanks. Much appreciated

From: Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov>
Sent: Tuesday, January 16, 2018 10:50:26 AM
To: Conti, Andrew
Subject: Re: IMPT: LAURA INGRAHAM REQUEST/FOX NEWS FOR AG SESSIONS

Let me circle back on this!

On Jan 16, 2018, at 10:31 AM, Conti, Andrew <Andrew.conti@FOXNEWS.COM> wrote:

Hi Sarah,
Really big news in your press release – “DHS, DOJ Report: Three Out of Four Individuals Convicted Of International Terrorism and Terrorism-Related Offenses Were Foreign-Born” - is there any chance Laura Ingraham can interview AG Sessions about this tonight? We are live from 10p-11p ET but we can also see if we can find a time to pretape if needed. We can also set up the interview from DOJ if needed to accommodate the AG’s busy schedule. Thanks very much for the consideration.
Andrew

Andrew P. Conti
Fox News Channel
(b)(6) - direct
(b)(6) - cell

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Joost, Nathalie

From: Joost, Nathalie
Sent: Monday, January 15, 2018 9:17 PM
To: Laco, Kelly (OPA)
Subject: Re: Hi Kelly - FOX is your pool tomorrow...

Thanks so much!

Sent from my iPhone

On Jan 15, 2018, at 6:40 PM, Laco, Kelly (OPA) <Kelly.Laco@usdoj.gov> wrote:

9:30 works. I'll pick them up from visitors center then. Thanks.

On Jan 15, 2018, at 5:26 PM, Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM> wrote:

Thanks very much Kelly,
Our crew will be (b)(6) and (b)(6). Please let us know if we
could arrive at 0930 to give us time to go through the clearance process.
N

From: Laco, Kelly (OPA) [<mailto:Kelly.Laco@usdoj.gov>]
Sent: Monday, January 15, 2018 5:00 PM
To: Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM>
Cc: Maltas, Mike <Mike.Maltas@FOXNEWS.COM>; 531-DCDeskOps
<DCdeskops@foxnews.com>
Subject: Re: Hi Kelly - FOX is your pool tomorrow...

Thanks! Please send over names once you have them.

Please have the crew arrive at 10am at the Visitors Center, they will have the plug
ins needed in the mult.

Thanks!

On Jan 15, 2018, at 3:58 PM, Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM>
wrote:

...for the AG MLK remarks in the Great Hall. What time would you
like our crew to arrive (I'll suggest 0900 if you don't have a
preference.) And could you please make the required patch for Fox?
Many thanks!

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Joost, Nathalie

From: Joost, Nathalie
Sent: Monday, January 15, 2018 5:07 PM
To: Laco, Kelly (OPA)
Subject: RE: Hi Kelly - FOX is your pool tomorrow...

Could we please arrive closer to 0930 since it take so much time to get cleared in?

From: Laco, Kelly (OPA) [mailto:Kelly.Laco@usdoj.gov]
Sent: Monday, January 15, 2018 5:00 PM
To: Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM>
Cc: Maltas, Mike <Mike.Maltas@FOXNEWS.COM>; 531-DCDeskOps <DCdeskops@foxnews.com>
Subject: Re: Hi Kelly - FOX is your pool tomorrow...

Thanks! Please send over names once you have them.

Please have the crew arrive at 10am at the Visitors Center, they will have the plug ins needed in the mult.

Thanks!

On Jan 15, 2018, at 3:58 PM, Joost, Nathalie <Nathalie.Joost@FOXNEWS.COM> wrote:

...for the AG MLK remarks in the Great Hall. What time would you like our crew to arrive (I'll suggest 0900 if you don't have a preference.) And could you please make the required patch for Fox?
Many thanks!

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Gibson, Jake

From: Gibson, Jake
Sent: Monday, January 15, 2018 11:35 AM
To: Flores, Sarah Isgur (OPA)
Cc: Laco, Kelly (OPA); Prior, Ian (OPA)
Subject: Re: AG Sessions MLK Day speech is tomorrow correct?

Thanks

On Jan 15, 2018, at 11:34 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Tomorrow

On Jan 15, 2018, at 11:28 AM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Week ahead says tomorrow...

But some CBS article has it as today...

AG Sessions speaks at DOJ program marking MLK Day

Attorney General Jeff Sessions is delivering remarks at the Justice Department's program marking the birth of Dr. Martin Luther King, Jr. on Monday. The program is part of the Trump administration's commemoration of MLK Day as the nation honors Dr. King's 89th birthday.

Earlier, Department of Interior Secretary Ryan Zinke, FBI Director Christopher Wray and King's son, Martin Luther King III, participated in a wreath laying ceremony at the MLK Jr. Memorial in Washington, D.C. in honor of the civil rights champion.

Sessions will make his MLK Day remarks after coming under fire for [halting a majority of discrimination investigations as part of his DOJ's Civil Rights division](#). He most recently rebuffed questions by CBS News legal correspondent Paula Reid regarding the DOJ's involvement in a lawsuit against Harvard University for discriminating against Asian-American students.

Sessions has been critical of affirmative action, and in 2015, when

sessions has been critical or affirmative action, and in 2015, then-candidate Trump suggested it might be time to end the practice.

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Sunday, January 14, 2018 11:38 PM
To: pfeiffer@dailycaller.com
Cc: Kupec, Kerri (JMD)
Subject: Can we chat?

Later tomorrow or Tuesday on the college stuff? There's some nuance here that we are dealing with, and I don't want to make promises on helping with stuff before I talk to people (which won't happen until Tuesday).

Thanks for your patience.

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

Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Saturday, January 13, 2018 6:00 PM
To: O'Malley, Devin (OPA)
Cc: Kupec, Kerri (JMD)
Subject: Re: DOJ Antitrust investigation into colleges

Thanks. And I'm having an awesome weekend. The news never stops and I love it. Hope yours is going well.

Sent from my iPhone

On Jan 13, 2018, at 5:48 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Adding Kerri

Hope you're having a good weekend man!

Sent from my iPhone

On Jan 13, 2018, at 4:21 PM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

Hey - Anyway I could see a copy of the DOJ letter referenced in this Inside Higher Ed story? <https://www.insidehighered.com/news/2018/01/10/department-justice-investigating-antitrust-issues-regard-nacacs-ethics-code>

Thanks,
Alex Pfeiffer
Associate Producer
Tucker Carlson Tonight

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Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Sunday, January 14, 2018 11:35 AM
To: Kupec, Kerri (JMD)
Subject: Re: DOJ Antitrust investigation into colleges

I'm at (b)(6)

Sent from my iPhone

> On Jan 14, 2018, at 11:28 AM, Kupec, Kerri (JMD) (b)(6) wrote:

>

> Hey Alex, what's your number?

>

> Sent from my iPhone

>

> On Jan 14, 2018, at 10:47 AM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM<mailto:Alex.Pfeiffer@FOXNEWS.COM>> wrote:

>

> Just following up here. I think we would want to do a segment on this. Tucker is no fan of rising tuition costs.

>

> Sent from my iPhone

>

> On Jan 13, 2018, at 5:48 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov<mailto:Devin.O'Malley@usdoj.gov>> wrote:

Duplicative Material



Robbins, Christina

From: Robbins, Christina
Sent: Saturday, January 13, 2018 4:56 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: (b)(6)

Thank you!!
So sweet!

Sent from my iPhone

> On Jan 13, 2018, at 12:58 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>
>

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Friday, January 12, 2018 1:05 PM
To: Gibson, Jake
Subject: Gillibrand

Here is what I said via phone that may be more clear. Will work on someone who will say that this is abnormal.

From DOJ official: "It's very disappointing to hear the Senator's remarks. We certainly hope that she will reconsider the offer we made to the Senator in September to set up an in-person meeting with Mr. Berman where she could raise any concerns she may have."

Also from DOJ official: "It's notable that Senator Gillibrand did not put out a statement condemning Preet Bharara when he met with President Trump shortly after the election about staying on as United States Attorney."

Lastly, you can say Doj official confirmed Schumer met with him.

Schumer on Preet meeting with the President:

"President-elect Trump called me last week and asked me what I thought about Preet Bharara continuing his role as U.S. Attorney. I told him I thought Preet was great, and I would be all for keeping him on the job and fully support it," Schumer said.

"I am glad they met and am glad Preet is staying on. He's been one of the best U.S Attorneys New York has ever seen," the new Senate minority leader said.

<https://nypost.com/2016/11/30/bharara-accepts-trumps-offer-to-stay-on-as-us-attorney/>

Don Verilli quote (Obama Solicitor General): "Based on my time at DOJ and White House Counsel's Office, it doesn't strike me as especially unusual to have a brief meeting (assuming that's what happened here) with the President for candidates for the leading US attorney positions,"
<http://www.cnn.com/2017/07/20/politics/donald-trump-jessie-liu-dc-us-attorney/index.html>

Bill Barr quote: "It is not surprising at all that a President would take a moment to meet a candidate for a major DOJ post, including key US Attorney positions, before nominating. This is no cause for concern. Based on my own experience in Bush 41's Administration, this is not unusual and makes sense where the President is not personally familiar with the candidate. Unless something inappropriate was discussed the nominee should be judged on his or her merits and qualifications. This is what happened with Jessie Liu, who met with President Trump prior to her nomination and was subsequently confirmed by the Senate."

Lastly note the opening para where it talks about Kamala Harris not interviewing anyone either:
<http://www.sandiegouniontribune.com/news/courts/sd-me-interim-usattorney-20171116-story.html>

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

Cell. (b)(6)

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

siflores@jmd.usdoj.gov

From: siflores@jmd.usdoj.gov
Sent: Thursday, January 11, 2018 8:47 AM
To: Gavin.Hadden@FOXNEWS.COM
Subject: Judge N had lots of facts just wrong on 702

Causes massive problems to have false info out there. As just a couple examples, he said current bill allows using 702 for normal criminal inquiries--it's actually the exact opposite. Couldn't have been used on Trump campaign bc it's on us soil. Bill wasn't made "tougher" than current law--is in fact more restricted.

Not sure what to do about this but we really can't have someone claiming to be a legal expert that has no clue what 702 does and has the bill exactly wrong.

Spinato, Eric

From: Spinato, Eric
Sent: Thursday, January 11, 2018 5:28 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Hello, Sarah

Thank you :)

Sent from my iPhone

On Jan 10, 2018, at 8:15 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Funny timing—I just pitched her for something over here. No promises but I'm hoping we'll be getting something on the books!

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

From: Spinato, Eric [<mailto:eric.spinato@FOXNEWS.COM>]
Sent: Wednesday, January 10, 2018 8:10 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: Hello, Sarah

Okay
If you see a day this month, much appreciated
Maria will be in DC Jan 30 and 31
Hosting our show from the DC Bureau

Sent from my iPhone

On Jan 10, 2018, at 8:08 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Sorry—will pass this time

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

From: Spinato, Eric [<mailto:eric.spinato@FOXNEWS.COM>]
Sent: Wednesday, January 10, 2018 12:19 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Hello, Sarah

If AG Sessions can join Maria Sunday, on her FNC program, to discuss the
The President's meeting yesterday with various leaders, discussing his

immigration policy and building the wall

If he can't join us live, could he pre-tape with her on Friday, after 9a?

Thank you,

Eric

Eric Spinato

Senior Story Editor, Fox Business Network

W (b)(6)

C (b)(6)

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Ehrsam, Lauren (OPA)

From: Ehrsam, Lauren (OPA)
Sent: Wednesday, January 10, 2018 8:42 PM
To: Gibson, Jake
Cc: Kupec, Kerri (JMD)
Subject: Re: Tonight's CFPB ruling

Just forwarded the decision to you! USDC and the other info is in the ruling. Administration won.

> On Jan 10, 2018, at 8:30 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

>

> What happened in the ruling?

> Who ruled? Where?

> USDC?

>

>> On Jan 10, 2018, at 7:46 PM, Ehrsam, Lauren (OPA) <Lauren.Ehrsam@usdoj.gov> wrote:

>>

>> Wanted to make sure you had DOJ's response to the court's CFPB ruling tonight and intro you to Kerri Kupec who will be taking over CIV, ATR, and OSG for OPA.

>>

>> Attributable to spokeswoman Lauren Ehrsam:

>>

>> "We are pleased the court vindicated the President's authority to appoint Mick Mulvaney as Acting Director of CFPB, finding that Ms. English had not shown a substantial likelihood of success on the merits, and is unlikely to suffer irreparable harm."

>

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Gibson, Jake

From: Gibson, Jake
Sent: Wednesday, January 10, 2018 8:42 PM
To: O'Malley, Devin (OPA)
Subject: Re: EMBARGOED UNTIL 6:00 AM TOMORROW

Sorry... saw that (right up top) after I sent that.

Thanks much.

On Jan 10, 2018, at 8:40 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

I'm fine with 8 am

Sent from my iPhone

On Jan 10, 2018, at 8:19 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

What time will you give this to everyone else?

0700?

On Jan 10, 2018, at 7:40 PM, O'Malley, Devin (OPA)
<Devin.O'Malley@usdoj.gov> wrote:

We will send the press release out at 8:00 am. Let me know if you have any questions.

**ATTORNEY GENERAL SESSIONS ANNOUNCES
HEZBOLLAH FINANCING AND NARCOTERRORISM
TEAM**

WASHINGTON – Attorney General Jeff Sessions today announced the creation of the Hezbollah Financing and Narcoterrorism Team (HFNT), a group of experienced international narcotics trafficking, terrorism, organized crime, and money laundering prosecutors. HFNT prosecutors and investigators are tasked with investigating individuals and networks providing support to Hezbollah, and pursuing prosecutions in any appropriate cases. The HFNT will begin by assessing the evidence in existing investigations, including cases stemming from Project Cassandra, a law enforcement initiative targeting Hezbollah's drug trafficking and related operations.

Acting Assistant Attorney General John P. Cronan of the Justice Department's Criminal Division will supervise the HFNT and will

Department's Criminal Division will supervise the HFNT, and will convene a coordination meeting focused on identifying and combatting such support to Hezbollah. The HFNT will coordinate with, among others, investigators from the Drug Enforcement Administration (DEA), including the DEA's Special Operations Division; Federal Bureau of Investigation; Homeland Security Investigations; Assistant United States Attorneys; and attorneys from the Justice Department's Criminal Division and National Security Division.

"The Justice Department will leave no stone unturned in order to eliminate threats to our citizens from terrorist organizations and to stem the tide of the devastating drug crisis," said Attorney General Sessions. "In an effort to protect Americans from both threats, the Justice Department will assemble leading investigators and prosecutors to ensure that all Project Cassandra investigations as well as other related investigations, whether past or present, are given the needed resources and attention to come to their proper resolution. The team will initiate prosecutions that will restrict the flow of money to foreign terrorist organizations as well as disrupt violent international drug trafficking operations."

"The investigation and prosecution of terrorist organizations that contribute to the growing drug crisis are a priority for this administration," said Acting Assistant General Cronan. "At the Attorney General's direction, the HFNT will use all appropriate tools to aggressively investigate and prosecute those who provide financial support to Hezbollah in an effort to eradicate the illicit networks that fuel terrorism and the drug crisis."

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

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 10, 2018 7:42 PM
To: Gibson, Jake
Subject: RE: EMBARGOED UNTIL 6:00 AM TOMORROW

Forgot to add context: <https://www.justice.gov/opa/pr/attorney-general-sessions-reiterates-support-dea-efforts-investigate-hezbollah-s-drug>

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

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 10, 2018 7:41 PM
To: 'Gibson, Jake' <Jake.Gibson@FOXNEWS.COM>
Subject: EMBARGOED UNTIL 6:00 AM TOMORROW

Duplicative Material



Kupec, Kerri (JMD)

From: Kupec, Kerri (JMD)
Sent: Wednesday, January 10, 2018 12:27 PM
To: (b)(6)
Bcc: Adam Liptak; Alex Swoyer; Amy Howe; Andrew Chung; Ariane DeVogue; Audrey Taylor; Bob Barnes; Brent Kendall; Chris Geidner; David Savage; Greg Stohr; Jan Crawford; Jess Bravin; Jessica Gresko; Ken Guggenheim; Ken Jost; Kimberly Robinson; Lawrence Hurley; Marcia Coyle; Mark Anderson; Mark Sherman; Mark Walsh; Nina Totenberg; Patrick Gregory; Patricia McCabe Estrada; Pete Williams; Richard Wolf; Shannon Bream; Todd Ruger; Tony Mauro
Subject: Hello from DOJ

Hi, everyone –

My new contact info:

Kerri Kupec
U.S. Department of Justice
Office of Public Affairs

(b)(6)

(b)(6) (office)

(b)(6) (cell)

As a reminder, I will be handling public affairs for the SG's office, civil division, and antitrust. And thanks to everyone's kind words re: last week's farewell email – appreciate the congrats on the new gig, and I look forward to continuing to work with you all.

Best,
Kerri

Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Wednesday, January 10, 2018 8:12 AM
To: Sutton, Sarah E. (OPA)
Cc: O'Malley, Devin (OPA); Prior, Ian (OPA)
Subject: Re: Daca decision

Thanks for the statement and adding me to the list and any chance if you know if either the AG or DAG will discuss this on TV?

Sent from my iPhone

On Jan 10, 2018, at 7:42 AM, Sutton, Sarah E. (OPA) <Sarah.E.Sutton@usdoj.gov> wrote:

Will do!

Sent from my iPhone

On Jan 10, 2018, at 7:30 AM, O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov> wrote:

Sarah- can we add Alex's new email to the Press regulars list, please?

From me:

"Today's order doesn't change the Department of Justice's position on the facts: DACA was implemented unilaterally after Congress declined to extend these benefits to this same group of illegal aliens. As such, it was an unlawful circumvention of Congress, and was susceptible to the same legal challenges that effectively ended DAPA. The Department of Homeland Security therefore acted within its lawful authority in deciding to wind down DACA in an orderly manner. Promoting and enforcing the rule of law is vital to protecting a nation, its borders, and its citizens. The Justice Department will continue to vigorously defend this position, and looks forward to vindicating its position in further litigation."

Sent from my iPhone

On Jan 10, 2018, at 7:28 AM, Prior, Ian (OPA) <IPrior@jmd.usdoj.gov> wrote:

Adding Devin

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

On Jan 9, 2018, at 11:24 PM, Pfeiffer, Alex
<Alex.Pfeiffer@FOXNEWS.COM> wrote:

Any comment?

Sent from my iPhone

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Wednesday, January 10, 2018 7:31 AM
To: Pfeiffer, Alex
Cc: Prior, Ian (OPA); O'Malley, Devin (OPA)
Subject: Re: Daca decision

Devin has it

> On Jan 10, 2018, at 3:16 AM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

>

> Hey - We would also welcome AG Sessions or DAG Rosenstein on to discuss the decision if that would be possible. Let me know.

>

> Thanks,

> Alex Pfeiffer

> Associate Producer

> Tucker Carlson Tonight

>

> Sent from my iPhone

>

>> On Jan 9, 2018, at 11:24 PM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

>>

>> Any comment?

>>

>> Sent from my iPhone

>

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>

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 10, 2018 12:15 AM
To: Gibson, Jake; Flores, Sarah Isgur (OPA)
Cc: Ehram, Lauren (OPA); Prior, Ian (OPA)
Subject: RE: URGENT - judge ruling on DACA - anyone have info/admin reaction? Thx

Attributable to me:

"Today's order doesn't change the Department of Justice's position on the facts: DACA was implemented unilaterally after Congress declined to extend these benefits to this same group of illegal aliens. As such, it was an unlawful circumvention of Congress, and was susceptible to the same legal challenges that effectively ended DAPA. The Department of Homeland Security therefore acted within its lawful authority in deciding to wind down DACA in an orderly manner. Promoting and enforcing the rule of law is vital to protecting a nation, its borders, and its citizens. The Justice Department will continue to vigorously defend this position, and looks forward to vindicating its position in further litigation."

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

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Tuesday, January 9, 2018 11:15 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Cc: Ehram, Lauren (OPA) <lehram@jmd.usdoj.gov>; O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: URGENT - judge ruling on DACA - anyone have info/admin reaction? Thx

Copy.
Thanks much.
Shannon interested and on air now.

Thanks again.

On Jan 9, 2018, at 10:55 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Devins on it

On Jan 9, 2018, at 10:53 PM, Gibson, Jake <Jake.Gibson@FOXNEWS.COM> wrote:

Any DOJ read!

From: "Bream, Shannon" <shannon.bream@FOXNEWS.COM>
Date: January 9, 2018 at 10:42:17 PM EST
To: 194 -FOX DC Assign <foxdc.assign@FOXNEWS.COM>, 164 -
NationalDesk <NationalDesk@FOXNEWS.COM>, 069 -Politics
<politics3@FOXNEWS.COM>, 041-WHUNIT <41-WHUNIT@FOXNEWS.COM>
Cc: "Gibson, Jake" <Jake.Gibson@FOXNEWS.COM>
Subject: URGENT - judge ruling on DACA - anyone have info/admin
reaction? Thx

**BC-U.S. JUDGE GRANTS PRETRIAL
INJUNCTION WHICH BARS TRUMP
ADMINISTR
U.S. JUDGE GRANTS PRETRIAL
INJUNCTION WHICH BARS TRUMP
ADMINISTRATION
FROM RESCINDING OBAMA-ERA DACA
IMMIGRATION PROGRAM - RULING
REUTERS**

Shannon D. Bream
Anchor, *Fox News @ Night*
Chief Legal Correspondent
Fox News Channel

Assistant: Anna Willey
anna.willey@foxnews.com

(b)(6)

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Nestande, Francesca

From: Nestande, Francesca
Sent: Tuesday, January 9, 2018 4:02 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Hannity Friday?

No unfortunately not! Hopefully another time!

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Tuesday, January 9, 2018 3:57 PM
To: Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM>
Subject: RE: Hannity Friday?

Oh good! I don't suppose you'll be with him? Would be fun to say hi!

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Nestande, Francesca [<mailto:Francesca.Nestande@FOXNEWS.COM>]
Sent: Tuesday, January 9, 2018 3:46 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: RE: Hannity Friday?

Copy!

Yes that is still set. Sean is planning to come to DC that day for an 11A convo.

From: Flores, Sarah Isgur (OPA) [<mailto:Sarah.Isgur.Flores@usdoj.gov>]
Sent: Tuesday, January 9, 2018 3:40 PM
To: Nestande, Francesca <Francesca.Nestande@FOXNEWS.COM>
Subject: RE: Hannity Friday?

I don't think we'll be able to do an interview—but I was hoping they'd get the chance to talk off the record that day. Is that still the plan?

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Nestande, Francesca [<mailto:Francesca.Nestande@FOXNEWS.COM>]
Sent: Tuesday, January 9, 2018 3:19 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: RE: Hannity Friday?

Hey circling back on the email below!

From: Nestande, Francesca
Sent: Monday, January 8, 2018 7:09 PM
To: 'Sarah.Isgur.Flores@usdoj.gov' <Sarah.Isgur.Flores@usdoj.gov>
Subject: Hannity Friday?

Hi Sarah!

Hannity will be in DC Friday and we are wondering if the AG has any time for an interview.

Between 12-130P ET works best for us.

Thank you!
Francesca

Francesca Nestande •Hannity • Fox News Channel

1211 AVENUE OF THE AMERICAS | 18th FL • NEW YORK, NY 10036 • (W) (b)(6) • (C) (b)(6)

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Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Tuesday, January 9, 2018 3:21 PM
To: O'Malley, Devin (OPA)
Subject: Re: Obama commutations

Got it. Thanks.

> On Jan 9, 2018, at 3:13 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

>

> NAAUSA has some good info on people who were release early after the reduced sentencing push in the Obama admin

>

> Sent from my iPhone

>

>> On Jan 9, 2018, at 2:43 PM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

>>

>> Okay. I randomly google some of the names from time to time maybe one day I'll get lucky...just thought with so many commuted there would be one arrested again.

>>

>> Thanks for checking.

>>

>>> On Jan 9, 2018, at 2:40 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

>>>

>>> Not sure we have any new ones. Tracking down a few previously reported but not on a large scale, I don't think.

>>>

>>> Sent from my iPhone

>>>

>>>> On Jan 9, 2018, at 11:54 AM, Pfeiffer, Alex <Alex.Pfeiffer@FOXNEWS.COM> wrote:

>>>>

>>>> Any chance you guys know of people commuted by Obama that have since been arrested? Preferably cases that haven't gotten reported out.

>>>>

>>>> Thanks,

>>>> Alex Pfeiffer

>>>> Associate Producer

>>>> Tucker Carlson Tonight

>>>>

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>>

Pfeiffer, Alex

From: Pfeiffer, Alex
Sent: Tuesday, January 9, 2018 12:13 PM
To: O'Malley, Devin (OPA)
Subject: Re: Obama commutations

Things are going great, I get to sleep in a bit, which is a dream come true. Hope things are going well for you.

And awesome, I appreciate it.

> On Jan 9, 2018, at 11:59 AM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

>

> Hey man.....hope things are going well over there. Let me see about this.

>

> Devin M. O'Malley

> Department of Justice

> Office of Public Affairs

> Office: (202) 353-8763

> Cell: (b)(6)

>

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

> From: Pfeiffer, Alex [mailto:Alex.Pfeiffer@FOXNEWS.COM]

> Sent: Tuesday, January 9, 2018 11:54 AM

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

> Subject: Obama commutations

Duplicative Material



Herridge, Catherine

From: Herridge, Catherine
Sent: Tuesday, January 9, 2018 12:58 PM
To: Flores, Sarah Isgur (OPA); Gibson, Jake
Cc: Prior, Ian (OPA)
Subject: RE: Bruce Ohr

It is not a priority item, but if you get some clarity please let us know.
Appreciated.

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Tuesday, January 09, 2018 12:13 PM
To: Gibson, Jake <Jake.Gibson@FOXNEWS.COM>; Herridge, Catherine <Catherine.Herridge@FOXNEWS.COM>
Cc: Prior, Ian (OPA) <Ian.Prior@usdoj.gov>
Subject: RE: Bruce Ohr

I don't know either fact—was told hes in the criminal division. Will have to call around and check.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Gibson, Jake [mailto:Jake.Gibson@FOXNEWS.COM]
Sent: Tuesday, January 9, 2018 12:09 PM
To: Herridge, Catherine <Catherine.Herridge@FOXNEWS.COM>
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: Re: Bruce Ohr

I also have from a separate source that he is at Office of International Affairs... dealing with extraditions.

I don't have anything on SES.

On Jan 9, 2018, at 11:05 AM, Herridge, Catherine <Catherine.Herridge@FOXNEWS.COM> wrote:

Good morning –

We understand Bruce Ohr is now assigned to the DOJ office of international affairs, maintains SES 16 status, and he is looking forward to his Hill testimony scheduled later this month.

Can you confirm the information about his reassignment and SES status are accurate.

Many thanks
Catherine

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Tuesday, January 9, 2018 12:36 PM
To: Gibson, Jake
Subject: Denatz article was well done

Thanks

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

From: O'Malley, Devin (OPA)
Sent: Monday, January 8, 2018 6:20 PM
To: Gibson, Jake
Subject: EMBARGOED UNTIL 6:00 am TOMORROW
Attachments: Dkt 8 Opinion 1-5-18.pdf; Dkt 9 Order 1-5-18.pdf

Hey Jake-

Everything in and attached to this email is embargoed until 6:00 am tomorrow.

**JUSTICE DEPARTMENT SECURES FIRST DENATURALIZATION AS A RESULT OF
OPERATION JANUS**

On January 5, Judge Stanley R. Chesler of the U.S. District Court for the District of New Jersey entered an order revoking the naturalized U.S. citizenship of Baljinder Singh aka Davinder Singh, and canceling his Certificate of Naturalization, the Justice Department announced.

Following Judge Chesler's order, Singh's immigration status reverted from naturalized citizen to lawful permanent resident, rendering him potentially subject to removal proceedings at the Department of Homeland Security's discretion.

Singh's denaturalization is the first arising out of a growing body of cases referred to the Department of Justice by United States Citizenship and Immigration Services (USCIS) as part of [Operation Janus](#). The action against Singh was filed contemporaneously with two other Operation Janus cases, as [announced](#) by the Justice Department on September 19, 2017.

A Department of Homeland Security initiative, Operation Janus, identified about 315,000 cases where some fingerprint data was missing from the centralized digital fingerprint repository. Among those cases, some may have sought to circumvent criminal record and other background checks in the naturalization process. These cases are the result of an ongoing collaboration between the two departments to investigate and seek denaturalization proceedings against those who obtained citizenship unlawfully.

"The defendant exploited our immigration system and unlawfully secured the ultimate immigration benefit of naturalization, which undermines both the nation's security and our lawful immigration system," said Acting Assistant Attorney General Chad Readler of the Justice Department's Civil Division. "The Justice Department will continue to use every tool to protect the integrity of our nation's immigration system, including the use of civil denaturalization."

USCIS dedicated a team to review these Operation Janus cases, and the agency has stated its intention to refer approximately an additional 1,600 for prosecution.

"We appreciate the dedication of our Justice Department partners as we work together to ensure the integrity of our nation's legal immigration system," said USCIS Director L. Francis Cissna. "I hope this case, and those to follow, send a loud message that attempting to fraudulently obtain U.S. citizenship will not be tolerated. Our nation's citizens deserve nothing less."

Baljinder Singh aka Davinder Singh, 43, a native of India, arrived at San Francisco International Airport on September 25, 1991, without any travel documents or proof of identity. He claimed his name was

on September 23, 1991, without any travel documents or proof of identity. He claimed his name was Davinder Singh. He was placed in exclusion proceedings, but failed to appear for his immigration court hearing and was ordered excluded and deported on January 7, 1992. Four weeks later, on February 6, 1992, he filed an asylum application under the name Baljinder Singh. He claimed to be an Indian who entered the United States without inspection. Singh abandoned that application after he married a U.S. citizen, who filed a visa petition on his behalf. Singh naturalized under the name Baljinder Singh on July 28, 2006. Singh has been residing in Carteret, New Jersey.

This case was investigated by USCIS and the Civil Division's Office of Immigration Litigation, District Court Section (OIL-DCS). The case was prosecuted by Counsel for National Security Aaron Petty of OIL-DCS's National Security and Affirmative Litigation Unit, with support from Deputy Chief Patrice Rodman of USCIS's Office of the Chief Counsel, Northeast Law Division and Immigration Services Officer Caroline D'Angelo of USCIS's Field Operations Directorate.

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

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NOT FOR PUBLICATION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BALJINDER SINGH, a/k/a Davinder
Singh,

Defendant.

Civil Action No. 17-7214 (SRC)

OPINION

CHESLER, District Judge

This matter comes before the Court upon Plaintiff's filing of a motion for summary judgment (Docket No. 7) pursuant to Federal Rule of Civil Procedure 56(c), to seek an order of denaturalization against Defendant Baljinder Singh a/k/a Davinder Singh¹ under 8 United States Code § 1451(a). Defendant has not opposed the motion, nor has he responded to the complaint filed on September 19, 2017 (Docket No. 1). The Court has reviewed the Plaintiff's unopposed motion and proceeds to rule without oral argument. See Fed. R. Civ. P. 78(b). For the reasons set forth below, Plaintiff's motion will be granted.

¹ Plaintiff has submitted a laboratory report by the Homeland Security Investigations-Forensic Laboratory of the U.S. Immigration and Customs Enforcement, which compares a January 24, 1992 fingerprint card bearing the name Baljinder Singh to a September 25, 1991 fingerprint card bearing the name Davinder Singh. (Docket No. 7-2.) Based on a comparative analysis of the friction ridge details of each fingerprint, the report concludes that the fingerprints match and belong to the same individual. Plaintiff relies on this report to contend that Baljinder Singh and Davinder Singh are, in fact, the same individual. (Plaintiff's Statement of Undisputed Material Fact ("SUMF") ¶ 4.) Having received no opposition to this motion from Defendant to impeach the credibility of this scientific fingerprint analysis, this Court finds that there is no genuine issue as to the fact that Davinder and Baljinder Singh are the same individual. Accordingly, the Court refers to both names interchangeably as 'Defendant.'

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NOT FOR PUBLICATION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BALJINDER SINGH, a/k/a Davinder
Singh,

Defendant.

Civil Action No. 17-72146648 (SRC)

ORDER

CHESLER, District Judge

This matter comes before the Court upon Plaintiff's filing of a motion for summary judgment (Docket No. 7) pursuant to Federal Rule of Civil Procedure 56(c), to seek an order of denaturalization against Defendant Baljinder Singh a/k/a Davinder Singh under 8 United States Code § 1451(a).

The Court has reviewed Plaintiff's unopposed submission, and for the reasons set forth in the accompanying Opinion; and for good cause shown;

IT IS on this 5th day of January, 2018;

ORDERED that the Plaintiff's motion for summary judgment (Docket No. 7) is

GRANTED; and further

ORDERED that Defendant's naturalization is revoked in accordance with 8 United States Code § 1451(a); and further

ORDERED that the Certificate of Naturalization No. 29916157 issued to Defendant on July 28, 2006 is hereby canceled.

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Monday, January 8, 2018 5:20 PM
To: Gibson, Jake
Subject: SF Chronicle

<http://www.sfchronicle.com/news/article/Lee-slams-Mirkarimi-for-not-talking-to-6373929.php?t=1d63d13250972bc8cd>

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

Gibson, Jake

From: Gibson, Jake
Sent: Monday, January 8, 2018 4:58 PM
To: O'Malley, Devin (OPA)
Subject: Re: Are you here? Can you come down to my office?

Cool

Be there in 10

On Jan 8, 2018, at 4:55 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Have something to show you per our previous conversation.

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

From: Gibson, Jake [<mailto:Jake.Gibson@FOXNEWS.COM>]
Sent: Monday, January 8, 2018 4:55 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: Re: Are you here? Can you come down to my office?

Headed back to DOJ now.
What's up?

On Jan 8, 2018, at 4:09 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

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

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OF ITS ATTACHMENTS ARE WITHOUT EFFECT.

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, January 8, 2018 3:53 PM
To: Herridge, Catherine; Prior, Ian (OPA)
Cc: Gibson, Jake
Subject: RE: House intelligence records

That's mostly correct. I believe it was just the 1023s on Friday.

xxx

Sarah Isgur Flores
Director of Public Affairs

(b)(6)

From: Herridge, Catherine [mailto:Catherine.Herridge@FOXNEWS.COM]
Sent: Monday, January 8, 2018 1:22 PM
To: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>; Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Cc: Gibson, Jake <Jake.Gibson@FOXNEWS.COM>
Subject: House intelligence records

Good morning –

Per the January 4 Nunes/Rosenstein letter, we understand house intel investigators got access to the remaining Russia documents on Friday, including 302s and 1023s, during a classified session held at the Justice Department. Investigators were able to read the records, and take notes but not take copies.

Please let us know if there is more to add.
Appreciated. Catherine

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Monday, January 8, 2018 2:44 PM
To: Chuck Ross
Subject: Re: Inquiry on Bruce Ohr

I can confirm he's no longer head of OCDETF.

> On Jan 8, 2018, at 2:32 PM, Chuck Ross <chuck@dailycaller.com> wrote:
>
> Hi Sarah,
>
> I just saw something from a Fox News reporter regarding Bruce Ohr. They say he's out at OCDETF.
>
> Are you able to confirm and perhaps give any background on whether this is a termination, a
resignation, etc.?
>
> Thanks very much for any help,
> Chuck Ross
> The Daily Caller
> (b)(6)

Joel B. Pollak

From: Joel B. Pollak
Sent: Friday, February 16, 2018 10:23 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Interview request

Dear Sarah,

Thank you again. Today's piece:

<http://www.breitbart.com/big-government/2018/02/16/exclusive-jeff-sessions-ending-executive-branch-legal-activism/>

Joel

Sent from my iPhone

On Feb 15, 2018, at 11:01 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

OBE? <https://apnews.com/f05eb6dab77e4366a76d41c811cfb3a4>

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

From: jpollak@breitbart.com [<mailto:jpollak@breitbart.com>]
Sent: Thursday, February 15, 2018 1:55 PM
To: jpollak@breitbart.com
Cc: Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov>
Subject: Re: Interview request
Importance: High

Dear Sarah,

Thank you very much for the opportunity today.

Here is the article on the shooting:

<http://www.breitbart.com/big-government/2018/02/15/exclusive-jeff-sessions-florida-high-school-shooting-mental-health/>

I did have one more pressing question, and it was about marijuana. Is there any way I could possibly have an answer to this one, to add to the interview?

"Q: What is Attorney General Sessions's response to Sen. Cory Gardner (R-CO) and his threat to hold up DOJ personnel over the new marijuana policy? Is the new policy on marijuana an attempt to crack down on states that have legalized it, or does it aim

to give them some room? Democrats charge that Republicans aren't interested in federalism when it comes to social issues like marijuana -- is that fair?"

Many thanks,

Joel

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

From: jpollak@breitbart.com

Sent: Wednesday, February 14, 2018 10:00pm

To: "Flores, Sarah Isgur (OPA)" <sarah.isgur.flores@usdoj.gov>

Subject: Re: Interview request

P.S. Maybe a question or two about the Florida shooting -- how can DOJ and law enforcement help to stop these incidents that seem to happen with alarming frequency? Etc.

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

From: jpollak@breitbart.com

Sent: Wednesday, February 14, 2018 9:40pm

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

Subject: Re: Interview request

Hi Sarah,

My overall goal is to get a picture of how he is changing the Department of Justice -- back, in my view, to what it ought to be, rather than allowing it to be a political weapon, or a tool of "social justice." (Perhaps he could talk about how he would define "justice.")

To that end, I would like to ask things like:

- How has the Department of Justice made an impact on enforcing federal immigration law? Is there a reasonable chance that DOJ would prosecute state and local officials in "sanctuary" jurisdictions, as the Department of Homeland Security has requested?
- The Black Lives Matter movement attacked law enforcement, and the previous DOJ seemed to support the protests against police. Are those efforts still ongoing? Does the Attorney General attribute the new drop in crime rates to this administration's policies?
- The Attorney General has been outspoken in defense of law enforcement. Does he have a message to members of communities that have deep suspicions of uniformed police and peace officers? How and why should they trust this Department of Justice?
- The previous administration was accused of politicizing the Department of Justice -- chasing ideological goals and protecting favored friends. How is the Attorney General repairing that political bias -- or at least preparing the perception of bias?
- So much of what this Department of Justice has tried to do is now tied up in litigation. Does the Attorney General expect that the changes he and President Trump have made will last more than one administration? If some do not, which *must* survive?

Survive?

- Democrats charge that Republicans aren't interested in federalism when it comes to social issues like marijuana -- is that fair? Is the new policy on marijuana an attempt to crack down on states that have legalized it, or does it aim to give them some room?

- Given the Attorney General's long career in the law, prior to his political career, was there anything about the job that surprised him or was at odds with his expectations? We see many political positions still unfilled -- is that an obstacle to the Attorney General?

- Attorney General Eric Holder began by calling America a "nation of cowards" because we would not talk about race. Is there any way to heal the divisions of this country? How does the Attorney General see himself contributing to that healing process?

*** Then there are "newsy" questions... ***

- Senator Grassley accused the Attorney General of interfering in the legislative process with his comments on criminal justice reform. Is that a fair criticism? Or do the people who are going to enforce the laws have a right to have input into the legislative process?

- The system appears to have worked with regard to the Attorney General's recusal from the Russia investigation. But there are some cases where it does not seem to be in place -- for example, it seems odd that Rod Rosenstein is a witness in an inquiry he is running.

Joel

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

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

Sent: Wednesday, February 14, 2018 8:25pm

To: "Joel B. Pollak" <jpollak@breitbart.com>

Subject: Re: Interview request

What all topics do you want to cover?

On Feb 14, 2018, at 8:15 PM, Joel B. Pollak <jpollak@breitbart.com> wrote:

We can talk tomorrow and publish Friday, no problem. How much time can you give us?

Joel

Sent from my iPhone

On Feb 14, 2018, at 5:08 PM, Flores, Sarah Isgur (OPA)

<Sarah.Isgur.Flores@usdoj.gov> wrote:

The latter. But if you want to push phone call a day or two we can do that either. I just don't want a story to come out as we're talking about a national tragedy.

On Feb 14, 2018, at 10:05 PM, Joel B. Pollak

On Feb 14, 2018, at 8:05 PM, Joel B. Pollak
<jpollak@breitbart.com> wrote:

Sure. You mean interview Friday? Or keep
interview tomorrow but publish Friday?
J

Sent from my iPhone

On Feb 14, 2018, at 5:01 PM, Flores, Sarah Isgur
(OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

Given the shooting, can we embargo
tomorrow interview for a day?

On Feb 13, 2018, at 3:13
PM, "jpollak@breitbart.com"
<jpollak@breitbart.com> wrote:

That is perfect.

Shall I call you or would you
like to call me? (b) (6)

Are there any materials you
would like me to consider
in advance?

J

-----Original Message-----
From: "Flores, Sarah Isgur
(OPA)"
<Sarah.Isgur.Flores@usdoj.gov>
Sent: Tuesday, February
13, 2018 2:34pm
To: "jpollak@breitbart.com"
<jpollak@breitbart.com>
Subject: RE: Interview
request

Thursday? Maybe noonish
ET?

xxxx

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

From: jpollak@breitbart.com
[<mailto:jpollak@breitbart.com>]
J
Sent: Tuesday, February 13,

Sent: Tuesday, February 13,
2018 2:24 PM
To: Flores, Sarah Isgur (OPA)
<siflores@jmd.usdoj.gov>
Subject: RE: Interview request

Dear Sarah,

Absolutely. What days
work for you?

Thank you for following up.

Joel

-----Original Message-----
From: "Flores, Sarah Isgur
(OPA)"
<Sarah.Isgur.Flores@usdoj.gov>
Sent: Tuesday, February
13, 2018 2:16pm
To: "jpollak@breitbart.com"
<jpollak@breitbart.com>
Subject: RE: Interview
request

Want to hop on the phone
and talk immigration and
your other rule of law
issues this week with the
AG?

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

From: Flores, Sarah Isgur
(OPA)
Sent: Tuesday, February 6,
2018 6:52 PM
To: 'jpollak@breitbart.com'
<jpollak@breitbart.com>
Subject: RE: Interview request

I think were going to lay low
a little longer—but will you
ping me again before you
get here? Could be great
timing.

xxx

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

From: jpollak@breitbart.com
[mailto:jpollak@breitbart.com]
]

Sent: Tuesday, February 6,
2018 3:01 PM
To: Flores, Sarah Isgur (OPA)
<siflores@jmd.usdoj.gov>
Subject: RE: Interview request

Hi Sarah!

Just checking in!

I'll be in DC in person on
March 4-6, if that helps.

Joel

-----Original Message-----
From: "Flores, Sarah Isgur
(OPA)"
<Sarah.Isgur.Flores@usdoj.gov>
Sent: Tuesday, January 16,
2018 3:29pm
To: "jpollak@breitbart.com"
<jpollak@breitbart.com>
Subject: RE: Interview
request

I want to send you a picture
of my list—you're on it! Ha.

xxx

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

From: jpollak@breitbart.com
[mailto:jpollak@breitbart.com]
]

Sent: Tuesday, January 16,
2018 9:15 AM
To: Flores, Sarah Isgur (OPA)
<siflores@jmd.usdoj.gov>
Subject: RE: Interview request

Hi Sarah!

Circling back on this. No

pressure, just checking in.

Joel

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

From: "Flores, Sarah Isgur (OPA)"

<Sarah.Isgur.Flores@usdoj.gov>

Sent: Wednesday, January 10, 2018 8:10pm

To: "jpollak@breitbart.com"

<jpollak@breitbart.com>
Subject: RE: Interview request

I haven't been ignoring this btw. VERY interested. Circling back w you soon.

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: jpollak@breitbart.com
[<mailto:jpollak@breitbart.com>]
]

Sent: Thursday, December 28, 2017 10:32 PM

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

Subject: Interview request

Hi Sarah,

I hope you are enjoying the holidays.

I'd like to make a sincere request to interview Attorney General Sessions. Unlike many of his critics (including at Breitbart), I actually think he's doing an outstanding job. (I also think he did the right thing by recusing himself from the Russia investigation.)

I would love to ask him about the things he is doing to reform and restore

going to reform and restore
the institution of justice in
the United States. It would
be a collegial conversation,
lawyer-to-lawyer, not
just public-official-to-
journalist.

Please let me know.

Also, see attached... we
know each other from the
campaign trail.

Joel



jpollak@breitbart.com

From: jpollak@breitbart.com
Sent: Thursday, February 15, 2018 2:07 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Interview request

LOL... there you go...

Perhaps he could answer the question about how the new policy on marijuana relates to his views on federalism?

Many thanks -- and hope we can do another interview soon,

Joel

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

From: "Flores, Sarah Isgur (OPA)" <Sarah.Isgur.Flores@usdoj.gov>
Sent: Thursday, February 15, 2018 2:01pm
To: "jpollak@breitbart.com" <jpollak@breitbart.com>
Subject: RE: Interview request

Duplicative Material

jpollak@breitbart.com

From: jpollak@breitbart.com
Sent: Tuesday, February 13, 2018 3:50 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Interview request

Thank you! This is very helpful.

Joel

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

From: "Flores, Sarah Isgur (OPA)" <Sarah.Isgur.Flores@usdoj.gov>
Sent: Tuesday, February 13, 2018 3:34pm
To: "jpollak@breitbart.com" <jpollak@breitbart.com>
Subject: RE: Interview request

We'll call you! Some links to peruse but let me know if you need more on any specifics

Speeches

Example LE Speeches--

NOBLE: <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-41st-annual-national-organization-black>

IACP: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-international-association-chiefs-police>

OK Sheriffs: <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-oklahoma-sheriffs-association>

FOP: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-63rd-biennial-conference-national-fraternal>

Topic Speeches--

Violent Crime: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-administration-s-strategies-fight-violent>

Gangs: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-2017-gangs-across-carolinas-training-symposium>

Sanctuary Cities: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-federal-law-enforcement-authorities-about>

Asylum Reform: <https://www.justice.gov/opa/speech/attorney-general-jeff-sessions-delivers-remarks-executive-office-immigration-review>

Human Trafficking: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-department-justice-s-human-trafficking-summit>

Opioids: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-department-justice-s-efforts-combat-drug>

Rule of Law

Fed Soc: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-federalist-society-2017-national-lawyers>

Heritage Foundation: <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-heritage->

[foundation-s-legal-strategy-forum](#)

Free Speech on Campus: <https://www.justice.gov/opa/speech/attorney-general-sessions-gives-address-importance-free-speech-college-campuses>

xxx

Sarah Isgur Flores
Director of Public Affairs

(b) (6)

From: jpollak@breitbart.com [mailto:jpollak@breitbart.com]

Sent: Tuesday, February 13, 2018 3:13 PM

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

Subject: RE: Interview request

Duplicative Material

jpollak@breitbart.com

From: jpollak@breitbart.com
Sent: Wednesday, January 10, 2018 9:56 PM
To: Flores, Sarah Isgur (OPA)
Subject: RE: Interview request

Thank you, Sarah. Looking forward.

Joel

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

From: "Flores, Sarah Isgur (OPA)" <Sarah.Isgur.Flores@usdoj.gov>
Sent: Wednesday, January 10, 2018 8:10pm
To: "jpollak@breitbart.com" <jpollak@breitbart.com>
Subject: RE: Interview request

Duplicative Material

Gibson, Jake

From: Gibson, Jake
Sent: Thursday, January 18, 2018 5:18 PM
To: O'Malley, Devin (OPA)
Subject: Re: HEADS UP: Attorney General Sessions on Shannon Bream Tonight at 11:00 pm

Nice!

On Jan 18, 2018, at 5:17 PM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

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

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O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Wednesday, January 17, 2018 11:49 AM
To: Jake.Gibson@FOXNEWS.COM
Subject: Fwd: ICYMI: Fox News: DOJ issues new immigration court policies, addressing Obama-era caseload backup

Can you edit to say James McHenry, not John?

Thanks!

Sent from my iPhone

Begin forwarded message:

From: "Devin O'Malley, USDOJ Office of Public Affairs" <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>
Date: January 17, 2018 at 10:29:32 AM EST
To: <devin.o'malley@usdoj.gov>
Subject: ICYMI: Fox News: DOJ issues new immigration court policies, addressing Obama-era caseload backup
Reply-To: <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>



[http://www.burnsjournal.com/4-11-18](#)

Please find the memo referenced below [here](#).

ICYMI: Fox News: DOJ issues new immigration court policies, addressing Obama-era caseload backup

DOJ issues new immigration court policies, addressing Obama-era caseload backup

Fox News

By Brooke Singman

The Justice Department issued new measures on Wednesday that will prioritize certain immigration cases in an effort to streamline a system that nearly tripled the caseload of judges during the Obama administration.

A memo listing guidelines for all new cases filed and an order that all immigration court cases that are reopened must establish case priorities was sent by John McHenry, the director of the Justice Department's Executive Office for Immigration Review, to the Office of Chief Immigration Judge, all immigration judges, all court administrators and all immigration court staff.

"In 2010, immigration court benchmarks for non-detained cases were abruptly abandoned, and since that time -- perhaps non-coincidentally -- the caseload has tripled," Justice Department spokesman Devin O'Malley said in a statement to Fox News, noting that the reintroduction of court-based goals and benchmarks would "assist in properly managing cases, increase productivity, and reduce the pending caseload."

"Some policies implemented in the immigration court system in recent years have contributed to a three-fold increase of the courts' pending caseload," O'Malley said to Fox News, noting that certain "prioritization practices" made the caseload "worse" by continuing cases that could be resolved more quickly in favor of cases that often took longer to complete.

It was "the immigration court equivalent of fiddling while Rome burned," O'Malley said.

McHenry's memo is part of a larger push led by Attorney General Jeff Sessions, who issued a broader memo late last year outlining principles to ensure that the "adjudication of immigration court cases serves the national interest," and gave McHenry the "authority" to set time frames for the resolution of cases, and to evaluate the performance of immigration judges and "take corrective action where needed."

Currently, less than 10 percent of immigration cases pending meet the definition of "priority," according to McHenry, leading him to address "confusion" and "clarify" the department's priorities. That statistic, however, conveys a "potentially mistaken impression" of the importance of completing the other 600,000-plus pending cases that do not bear a "priority" designation, according to McHenry.

"All cases involving individuals in detention or custody, regardless of the custody status, are priorities for completion," McHenry wrote, but noted that "the

custodian, are priorities for completion, McHenry wrote, but noted that the designation of a case as a priority is not intended to mandate a specific outcome in any particular case.”

Other measures McHenry ordered were new benchmarks for courts, and for immigration judges.

The new measures require that 85 percent of all non-status detained removal cases be completed within 60 days of filing; 85 percent of all non-status non-detained removal cases be completed within 1 year of filing; and 85 percent of all motions adjudicated within 14 days of the request.

McHenry also required 90 percent of custody redeterminations to be completed within 14 days of the request, and 95 percent of all hearings to be completed on their initial scheduled hearing date.

Another new rule requires 100 percent of “all credible fear reviews” to be completed within seven days.

#

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 16, 2018 2:27 PM
To: Flores, Sarah Isgur (OPA)
Subject: Re: Question on DOJ/dreamers

Thanks much!

Sent from my iPhone

> On Jan 16, 2018, at 2:26 PM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:
>
> Yes—we file the notice first and then the brief later. Then the other side gets to file a brief. Etc. But the notice of appeal is how you know its being appealed.

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 16, 2018 2:21 PM
To: Flores, Sarah Isgur (OPA)
Subject: Fwd: Question on DOJ/dreamers

?

Sent from my iPhone

Begin forwarded message:

From: "Kenny, Ryan" <Ryan.Kenny@FOXNEWS.COM>
Date: January 16, 2018 at 2:18:55 PM EST
To: "Gibson, Jake" <Jake.Gibson@FOXNEWS.COM>
Subject: Question on DOJ/dreamers

Hey Jake,

This may be a dumb question, but is a notice to appeal the same as actually appealing?

Asking for script and banner purposes.

Thank you.

Ryan

(b) (6)

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 16, 2018 10:38 AM
To: O'Malley, Devin (OPA)
Subject: Re: For Planning Purposes Only

Awesome.

Thanks much!

On Jan 16, 2018, at 9:55 AM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Off the record, for planning purposes only:

There's a high likelihood that DOJ will have an update on DACA litigation today. I will do my best to make sure you (our DOJ Beat Reporters) get the update first.

Thanks

Devin

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

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Gibson, Jake

From: Gibson, Jake
Sent: Tuesday, January 16, 2018 7:58 AM
To: O'Malley, Devin (OPA)
Subject: Re: Background Briefing by Senior Administration Official

Dude....
Manafort Hearing at exact same time.

On Jan 16, 2018, at 7:40 AM, O'Malley, Devin (OPA) <Devin.O'Malley@usdoj.gov> wrote:

Morning all!

The following is off the record, for planning purposes only:

Background Briefing by Senior Administration Official

On Tuesday, January 16, 2018, a senior administration official will hold a background briefing that will be conducted via conference call at 9:30 AM. The topic of the call will be a new report from DOJ and DHS regarding terrorism, immigration, and national security. The information will be embargoed until the conclusion of the briefing. Please find the dial-in information below.

Participant Dial-In: (b) (6)
Access Code: (b) (6)

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

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Weber, Joseph

From: Weber, Joseph
Sent: Wednesday, January 10, 2018 1:43 PM
To: O'Malley, Devin (OPA)
Subject: RE: media request FOX News

Thank you sir!

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Wednesday, January 10, 2018 1:42 PM
To: Weber, Joseph <Joseph.Weber@FOXNEWS.COM>
Subject: RE: media request FOX News

DOJ source: "Congress can change the law; the Department of Justice cannot."

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

From: Weber, Joseph [mailto:Joseph.Weber@FOXNEWS.COM]
Sent: Wednesday, January 10, 2018 1:40 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: RE: media request FOX News

For sure.

From: O'Malley, Devin (OPA) [mailto:Devin.O'Malley@usdoj.gov]
Sent: Wednesday, January 10, 2018 1:39 PM
To: Weber, Joseph <Joseph.Weber@FOXNEWS.COM>
Cc: Gibson, Jake <Jake.Gibson@FOXNEWS.COM>
Subject: RE: media request FOX News

Hi Joe-

Can I respond as "a DOJ source?"

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

From: Press
Sent: Wednesday, January 10, 2018 12:40 PM
To: O'Malley, Devin (OPA) <domalley@jmd.usdoj.gov>
Subject: FW: media request FOX News

Subject: Re: media request on news

Thank you - Kristen

From: Weber, Joseph [<mailto:Joseph.Weber@FOXNEWS.COM>]

Sent: Wednesday, January 10, 2018 12:20 PM

To: Press <Press@jmd.usdoj.gov>

Subject: media request

We are going to publish an online story later today saying some congressional Republicans are worried that Attorney General Sessions' recent memo on marijuana will hurt their reelection bids. Would like to give the department an opportunity to comment.

Thanks,

Joe

Joseph Weber
National Politics Reporter
FoxNews.com

(C) (b) (6)

(D) (b) (6)

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Prior, Ian (OPA)

From: Prior, Ian (OPA)
Sent: Monday, January 8, 2018 10:37 AM
To: Gibson, Jake
Subject: FW: ATTORNEY GENERAL SESSIONS REITERATES SUPPORT OF DEA EFFORTS TO INVESTIGATE HEZBOLLAH'S DRUG TRAFFICKING AND RELATED ACTIVITIES AND ORDERS REVIEW OF PRIOR DEA INVESTIGATIONS

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

For information on office hours, access to media events, and standard ground rules for interviews, please click [here](#).

From: USDOJ-Office of Public Affairs [mailto:USDOJ-OfficeofPublicAffairs@public.govdelivery.com]
Sent: Friday, December 22, 2017 6:11 PM
To: Prior, Ian (OPA) <IPrior@jmd.usdoj.gov>
Subject: ATTORNEY GENERAL SESSIONS REITERATES SUPPORT OF DEA EFFORTS TO INVESTIGATE HEZBOLLAH'S DRUG TRAFFICKING AND RELATED ACTIVITIES AND ORDERS REVIEW OF PRIOR DEA INVESTIGATIONS

✕ [No Attachments \(Maximum of 10\)](#)

FOR IMMEDIATE RELEASE

FRIDAY, DECEMBER 22, 2017

**ATTORNEY GENERAL SESSIONS REITERATES SUPPORT OF
DEA EFFORTS TO INVESTIGATE HEZBOLLAH'S DRUG
TRAFFICKING AND RELATED ACTIVITIES AND ORDERS
REVIEW OF PRIOR DEA INVESTIGATIONS**

WASHINGTON – Attorney General Jeff Sessions today directed a review of the handling of Project Cassandra, a law enforcement initiative targeting Hezbollah's drug trafficking and related operations in the United States and abroad, to evaluate allegations that certain matters were not properly prosecuted and to

ensure all matters are appropriately handled.

“Protecting our citizens from terrorist organizations and combatting the devastating drug crisis gripping our nation are two of the Justice Department’s top priorities,” said Attorney General Sessions. “Operations designed to investigate and prosecute terrorist organizations that are also fueling that drug crisis must be paramount in this administration. The DEA has worked tirelessly on this front. I am committed to giving our hard working and dedicated DEA agents all the tools that they need to allow them to shut down these drug rings.

“While I am hopeful that there were no barriers constructed by the last administration to allowing DEA agents to fully bring all appropriate cases under Project Cassandra, this is a significant issue for the protection of Americans. We will review these matters and give full support to investigations of violent drug trafficking organizations

“The Department of Justice is absolutely committed to investigating and prosecuting international drug trafficking organizations and with the assistance of our DEA and FBI agents we will leave no stone unturned as we work to making America safer.”

#

AG

17-1475

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

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Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Friday, January 5, 2018 5:51 PM
To: Hadden, Gavin
Subject: Re: F&F this am?!

Ditto!

> On Jan 5, 2018, at 5:49 PM, Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM> wrote:

>

> Sarah,

>

> Thank you for calling and chatting with me. I appreciate it. Dialogue is important.

>

> Sent from my iPhone

>

>> On Jan 5, 2018, at 9:02 AM, Flores, Sarah Isgur (OPA) <Sarah.Isgur.Flores@usdoj.gov> wrote:

>>

>> She said she was hearing he **was** stepping down not that people were **asking** him to. That's a totally different statement.

>>

>> As for Jordan and Meadows--why aren't you asking what they want? We're investigating Hillary. We're turning over all the docs. So aside from enjoying being on your show--what do they want? I haven't seen anyone push them on that now.

>>

>>

>>> On Jan 5, 2018, at 8:56 AM, Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM> wrote:

>>>

>>> Good morning Sarah,

>>>

>>> Thank you for reaching out.

>>>

>>> Ainsley was referencing wide-ranging reports that people, including members of congress are calling for the AG to step down. Sarah Sanders clearly pushed back on that and knocked it down.

>>>

>>> Jordan and Meadows are making news based on their POV on the DOJ.

>>>

>>> We invited you on yesterday and were denied.

>>>

>>> Have a great weekend.

>>>

>>> Best,

>>> Gavin

>>>

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

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

>>> Sent: Friday, January 05, 2018 9:22 AM

/// Sent: Friday, January 03, 2016 8:22 AM

>>> To: Gibson, Jake <Jake.Gibson@FOXNEWS.COM>; Petterson, Lauren <Lauren.Petterson@FOXNEWS.COM>; Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM>; Groman, Sean <sean.groman@FOXNEWS.COM>

>>> Subject: F&F this am?!

>>>

>>> Ainsley on F&F just said to Sarah Sanders "we're hearing sessions might step down." From where? Are we just making things up? And instead of covering this story--which seems like what F&F has been wanting for months--you have Jordan on AGAIN to talk about DOJ. And Nunes letter (below) just said hes completely satisfied with what we've turned over. Given there's now reports we've been investigating Hillary *for months now* and that we've turned over every single thing the Hill has asked for...WHAT DO YOU WANT?

>>>

>>> https://urldefense.proofpoint.com/v2/url?u=http-3A__thehill.com_homenews_campaign_367541-2Dfbi-2Dlaunches-2Dnew-2Dclinton-2Dfoundation-2Dinvestigation&d=DwIFAg&c=cnx1hdOQtepEQkpermZGwQ&r=YVsYLhj4tVNYJ9VpHY3lwfv-FFd7VVeLe03-t70foak&m=RP-eT_3MejOvZs3NUmuetdiLitKGds36OJQpSSuMm5k&s=bCLFBAHMDhxQzNrd6ozKliPICY1AGqUs8VsbZPUbRmU&e=

>>>

>>> https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_PoliticalShort_status_949072079449595905_photo_1&d=DwIFAg&c=cnx1hdOQtepEQkpermZGwQ&r=YVsYLhj4tVNYJ9VpHY3lwfv-FFd7VVeLe03-t70foak&m=RP-eT_3MejOvZs3NUmuetdiLitKGds36OJQpSSuMm5k&s=xPegxUUY2ihtpIBCiJOstShkO8HD2PY3Y4ecinodrP4&e=

>>>

>>>

>>> ***

>>> Sarah Isgur Flores

>>> Director of Public Affairs

>>> (b) (6)

>>>

>>>

>>>

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Hadden, Gavin

From: Hadden, Gavin
Sent: Friday, January 5, 2018 9:04 AM
To: Flores, Sarah Isgur (OPA)
Cc: Gibson, Jake; Petterson, Lauren; Groman, Sean
Subject: RE: F&F this am?!

Im happy to continue this conversation with you on the phone if you would like.

Thank you.

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

From: Flores, Sarah Isgur (OPA) [mailto:Sarah.Isgur.Flores@usdoj.gov]
Sent: Friday, January 05, 2018 8:59 AM
To: Hadden, Gavin <Gavin.Hadden@FOXNEWS.COM>
Cc: Gibson, Jake <Jake.Gibson@FOXNEWS.COM>; Petterson, Lauren <Lauren.Petterson@FOXNEWS.COM>; Groman, Sean <sean.groman@FOXNEWS.COM>
Subject: Re: F&F this am?!

Duplicative Material

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Friday, January 5, 2018 5:03 PM
To: Gibson, Jake
Subject: 2/4
Attachments: Dkt 9 Order 1-5-18.pdf

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

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NOT FOR PUBLICATION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BALJINDER SINGH, a/k/a Davinder
Singh,

Defendant.

Civil Action No. 17-72146648 (SRC)

ORDER

CHESLER, District Judge

This matter comes before the Court upon Plaintiff's filing of a motion for summary judgment (Docket No. 7) pursuant to Federal Rule of Civil Procedure 56(c), to seek an order of denaturalization against Defendant Baljinder Singh a/k/a Davinder Singh under 8 United States Code § 1451(a).

The Court has reviewed Plaintiff's unopposed submission, and for the reasons set forth in the accompanying Opinion; and for good cause shown;

IT IS on this 5th day of January, 2018;

ORDERED that the Plaintiff's motion for summary judgment (Docket No. 7) is

GRANTED; and further

ORDERED that Defendant's naturalization is revoked in accordance with 8 United States Code § 1451(a); and further

ORDERED that the Certificate of Naturalization No. 29916157 issued to Defendant on July 28, 2006 is hereby canceled.

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Friday, January 5, 2018 5:03 PM
To: Gibson, Jake
Subject: 3/4
Attachments: Dkt 1 Complaint 9-19-17.pdf

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

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Director, District Court Section
Office of Immigration Litigation
DAVID DAUENHEIMER
Assistant U.S. Attorney
TIMOTHY M. BELSAN
Deputy Chief, National Security &
Affirmative Litigation Unit
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(202) 532-4542 (phone); (202) 305-7000 (fax)
Aaron.R.Petty@usdoj.gov

Counsel for the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

BALJINDER SINGH, a/k/a Davinder
Singh,

Defendant.

**COMPLAINT TO REVOKE
NATURALIZATION**

O'Malley, Devin (OPA)

From: O'Malley, Devin (OPA)
Sent: Friday, January 5, 2018 5:03 PM
To: Gibson, Jake
Subject: trying four different emails
Attachments: Dkt 8 Opinion 1-5-18.pdf

I may still do a release on this on Monday since I'm getting a little pressure from the attorneys.

<https://www.justice.gov/opa/pr/united-states-files-denaturalization-complaints-florida-connecticut-and-new-jersey-against>

On background (DOJ official)-

- This case took 108 days from filing to order of denaturalization—abnormally quick for federal civil litigation.

From the opinion:

- “There is no genuine dispute that Defendant misrepresented or concealed facts related to his immigration history in his Form N-400 naturalization form, including facts related to the prior use of a different name (Part 1, Question C); having committed a prior crime or previously been arrested or detained (Part 10, Section D, Questions 15 and 16); giving false information in an immigration proceeding and lying to a U.S. official to gain entry into the United States (Part 10, Section D, Questions 23 and 24); and previously being ordered to be removed, excluded, or deported from the U.S and applying for relief from such an order (Part 10, Section E, Questions 27 and 28).” – Opinion at 10

- “Defendant procured his naturalization as a result of these misrepresentations and concealments. If Defendant had not made these misrepresentations in the Form N-400 or in his naturalization interview, it is fair to infer that he would not have been granted naturalization. Indeed, he was not eligible for naturalization under the name Davinder Singh, due to the in absentia exclusion order against him. By not disclosing this information, Defendant was able to successfully naturalize under the name Baljinder Singh. As such, Defendant’s naturalization was procured as a result of these misrepresentations and concealments. Since the Government has demonstrated, through clear and convincing evidence, that all four denaturalization requirements in Kungys are satisfied, this Court will grant its motion for summary judgment and enter an order to revoke Defendant’s naturalization and cancel his certificate of naturalization.” -- Opinion at 12.

- See also FN 1 noting that an expert report established that the fingerprints matched for “Davinder Singh” and “Baljinder Singh.”

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

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NOT FOR PUBLICATION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BALJINDER SINGH, a/k/a Davinder
Singh,

Defendant.

Civil Action No. 17-7214 (SRC)

OPINION

CHESLER, District Judge

This matter comes before the Court upon Plaintiff's filing of a motion for summary judgment (Docket No. 7) pursuant to Federal Rule of Civil Procedure 56(c), to seek an order of denaturalization against Defendant Baljinder Singh a/k/a Davinder Singh¹ under 8 United States Code § 1451(a). Defendant has not opposed the motion, nor has he responded to the complaint filed on September 19, 2017 (Docket No. 1). The Court has reviewed the Plaintiff's unopposed motion and proceeds to rule without oral argument. See Fed. R. Civ. P. 78(b). For the reasons set forth below, Plaintiff's motion will be granted.

¹ Plaintiff has submitted a laboratory report by the Homeland Security Investigations-Forensic Laboratory of the U.S. Immigration and Customs Enforcement, which compares a January 24, 1992 fingerprint card bearing the name Baljinder Singh to a September 25, 1991 fingerprint card bearing the name Davinder Singh. (Docket No. 7-2.) Based on a comparative analysis of the friction ridge details of each fingerprint, the report concludes that the fingerprints match and belong to the same individual. Plaintiff relies on this report to contend that Baljinder Singh and Davinder Singh are, in fact, the same individual. (Plaintiff's Statement of Undisputed Material Fact ("SUMF") ¶ 4.) Having received no opposition to this motion from Defendant to impeach the credibility of this scientific fingerprint analysis, this Court finds that there is no genuine issue as to the fact that Davinder and Baljinder Singh are the same individual. Accordingly, the Court refers to both names interchangeably as 'Defendant.'