

From: "Morse, Jodie (OASG)" (b) (6)

To: "Maltby, Jeremy (ODAG)" (b) (6)

Subject: Fwd: Hirono Huddle

Date: Mon, 26 Jun 2023 02:52:04 +0000

Importance: Normal

Attachments: DRAFT TPs for Hirono Staff Discussion - 2023-06-25.docx

I think this is very well done and gives a lot to work with and think about.

Sent from my iPhone

Begin forwarded message:

From: "Hanson, Matthew B. (OLA)" (b) (6)

Date: June 25, 2023 at 10:15:43 AM EDT

To: "Maltby, Jeremy (ODAG)" (b) (6)

Cc: "Morse, Jodie (OASG)" (b) (6); "Zdeb, Sara (OLA)" (b) (6)

"Forbes, Carlton (ODAG)" (b) (6)

Subject: RE: Hirono Huddle

Hi, everyone –

Here is a draft of some TPs that we might use in a conversation with Hirono's staff on this topic. Conscious that Jeremy and Jodie continue to address this with CDT, I also wonder if these could be a basis for conversations with other stakeholder beyond just the Hirono staff – just a thought.

I look forward to your feedback. You'll notice these don't acknowledge any consideration of changes in the works. The draft does, however, point to some of the CDT's blog posts with criticisms and recommendations. I welcome input from anyone who knows of more specific ways we have/are responding to the CDT points.

Timing-wise, I will be out of pocket this week. An OLA colleague will be connecting with WH OLA, and we will get any update coming out of that around to this group as soon as possible.

Best,
Matt

From: Maltby, Jeremy (ODAG) (b) (6)

Sent: Friday, June 23, 2023 2:41 PM

To: Hanson, Matthew B. (OLA) (b) (6)

Cc: Morse, Jodie (OASG) (b) (6); Zdeb, Sara (OLA) (b) (6); Forbes, Carlton (ODAG) (b) (6)

Subject: RE: Hirono Huddle

Thanks, Matt! Since Jodie has now gotten pulled into a call at 4, let's find a time next week. Best, Jeremy

From: Hanson, Matthew B. (OLA) (b) (6)

Sent: Friday, June 23, 2023 2:31 PM

To: Maltby, Jeremy (ODAG) (b) (6)
Cc: Morse, Jodie (OASG) (b) (6); Zdeb, Sara (OLA) (b) (6); Forbes, Carlton (ODAG) (b) (6)
Subject: RE: Hirono Huddle

Hi, Jeremy –

I've not had a chance to polish up the TPs as of yet, but have some time this afternoon and tomorrow to work on them (and will also see if there are points from the materials the FBI sent this week that are worth including). And then DOJ OLA will talk to WH OLA on Monday. Happy to still meet this afternoon, if helpful, with that context in mind.

Best,
Matt

From: Maltby, Jeremy (ODAG) (b) (6)
Sent: Thursday, June 22, 2023 7:50 PM
To: Hanson, Matthew B. (OLA) (b) (6)
Cc: Morse, Jodie (OASG) (b) (6); Zdeb, Sara (OLA) (b) (6); Forbes, Carlton (ODAG) (b) (6)
Subject: Re: Hirono Huddle

Hi Matt - thanks for the outreach. Separate from (but if course related to) the letter, I think we also need to be focused on the talking points for Senator Hirono's staff. (Jodie and I had a call today with the CDT folks who have point on this issue, and it's clear that they are going to be pushing this). I think you were going to take a first stab at the talking points, based on our conversations with the folks from the FBI. Are you able to move forward on that before we talk? If so, we can certainly defer the call until after you speak to WH OLA.

Best,

Jeremy

Sent from my iPhone

On Jun 22, 2023, at 7:45 PM, Hanson, Matthew B. (OLA) (b) (6) wrote:

Hi, Jeremy – OLA has a regular touchpoint with WH OLA on Mondays. Our plan was to raise this letter with them at that point. Do you think it would be helpful to schedule this call for later next week, so we have the benefit of that conversation first?

Best,
Matt

-----Original Appointment-----

From: Maltby, Jeremy (ODAG) (b) (6)
Sent: Thursday, June 22, 2023 5:45 PM
To: Hanson, Matthew B. (OLA); Morse, Jodie (OASG); Zdeb, Sara (OLA); Forbes, Carlton (ODAG)
Subject: Hirono Huddle
When: Friday, June 23, 2023 4:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Hi everyone – Feels like we are overdue for a catch-up on these issues. This time seems to work. Best, Jeremy

Microsoft Teams meeting

Join on your computer, mobile app or room device

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(b) (6) United States, Non Geographic

Phone Conference ID: (b) (6)

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

From: "Reich, Mitchell (OAG)" (b) (6)

To: "Morse, Jodie (OASG)" (b) (6)

Cc: "Maltby, Jeremy (ODAG)" (b) (6)

Subject: RE:

Date: Fri, 23 Jun 2023 14:49:28 -0000

Importance: Normal

Looks like both corrections have been made:

[FACT SHEET: Biden-Harris Administration Highlights Commitment to Defending Reproductive Rights and Actions to Protect Access to Reproductive Health Care One Year After Overturning of Roe v. Wade | The White House](#)

From: Morse, Jodie (OASG) (b) (6)

Sent: Friday, June 23, 2023 8:58 AM

To: Reich, Mitchell (OAG) (b) (6)

Cc: Maltby, Jeremy (ODAG) (b) (6)

Subject: RE:

DOJ will defend any VA providers for appropriately carrying out their duties under VA's interim final rule whom states attempt to prosecute for violations of state abortion laws.

From: Morse, Jodie (OASG)

Sent: Friday, June 23, 2023 8:42 AM

To: Reich, Mitchell (OAG) (b) (6)

Cc: Maltby, Jeremy (ODAG) (b) (6)

Subject: RE:

This is the statement from the Hirono letter: “

Consistent with that commitment, the Department will support and provide representation to VA employees who are subject to legal actions for appropriately carrying out their duties under VA's interim final rule.”

This is the broader statement from our Fact Sheet: “the department has made [clear](#) that it will support and provide representation to any federal employees who are subject to legal actions for appropriately carrying out their duties under federal law.”

Call me when you can. I think we should ask them to correct it.

From: Reich, Mitchell (OAG) (b) (6)

Sent: Friday, June 23, 2023 8:26 AM

To: Morse, Jodie (OASG) (b) (6)

Cc: Maltby, Jeremy (ODAG) (b) (6)

Subject: Re:

It is concerning that they would make all of these statements about DOJ without allowing us to review. I think the statements about EMTALA, HIPAA, and the AG statement on travel are accurate. But I'm concerned about this:

DOJ will defend any VA providers whom states attempt to prosecute for violations of state abortion laws.

We have been much more careful in our wording, saying only that we'd defend providers prosecuted for appropriately carrying out their duties. And I don't think the WH should be announcing who DOJ will defend. I would be strongly inclined to ask them to correct this to: "DOJ has stated that it will defend any VA providers whom states attempt to prosecute for appropriately carrying out their duties," although I'd pull the exact language of our prior statements first. (In the car now so I can't do it.)

On Jun 23, 2023, at 7:50 AM, Morse, Jodie (OASG) (b) (6) wrote:

WH has this out this morning: <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/23/fact-sheet-biden-harris-administration-highlights-commitment-to-defending-reproductive-rights-and-actions-to-protect-access-to-reproductive-health-care-one-year-after-overturning-of-roe-v-wade/>

We really should have been shown more of this instead of just the two discrete bullets that we cleared. I don't see anything glaringly wrong but I think we would have made some edits to the EMTALA discussion as well as the pharmacy guidance (which we have argued in litigation has nothing to do with abortion and have a hearing on next week). The description of the HIPAA rule is very broad (although I can't remember what went out previously). There is also mention of the AG's statement and right to travel.

Mitch, can you take a quick look and tell me what you think?

From: "Weiner, Robert (CRT)" (b) (6)

To: "Morse, Jodie (OASG)" (b) (6)

Subject: RE:

Date: Thu, 22 Jun 2023 16:24:43 +0000

Importance: Normal

Attachments: RRTF Face Act Talking Points 6.21.23.docx

How is 2 pm?

Here are the talking points I sent to Kristen, though I'm still waiting to see whether the folks in our Criminal Section have any corrections.

From: Morse, Jodie (OASG) (b) (6)

Sent: Thursday, June 22, 2023 12:22 PM

To: Weiner, Robert (CRT) (b) (6)

Subject:

Let me know when you want to connect.

From: "Morse, Jodie (OASG)" (b) (6)

To: "Reich, Mitchell (OAG)" (b) (6), "Maltby, Jeremy (ODAG)"

(b) (6)

, "Henthorne, Betsy (OASG)" (b) (6),

"Bruck, Andrew (ODAG)" (b) (6)

Subject: FW: [EXTERNAL] DOJ GEN asks again that you protect federal employees' access to abortion

Date: Thu, 22 Jun 2023 15:34:03 +0000

Importance: Normal

Attachments: DOJ GEN Letter on Protecting Abortion Access for Federal Employees (6-22-2023).pdf

New DOJ Gen letter

From: DOJ GEN (b) (6)

Sent: Thursday, June 22, 2023 11:27 AM

To: (b)(6) Jennifer Klein (EOP/WHO); (b)(6) Robert Shriver (OPM); (b)(6) Shilpa Phadke (EOP/WHO);

(b)(6) Rachel Vogelstein (EOP/NSC); (b)(6) Kalisha Figures (EOP/WHO); (b)(6) Rosemarie Hidalgo (EOP/WHO); Morse, Jodie

(OASG) (b) (6); (b)(6) Tim Visser (OAG); Sooknanan, Sparkle (OASG)

(b) (6); Wolfson, Paul (OASG) (b) (6); Inman, Susan D. (OLP)

(b) (6); (b)(6) Carlos Uriarte (OLA)

Cc: Jen Swedish (b) (6); (b)(6) DOJ GEN Member

Subject: [EXTERNAL] DOJ GEN asks again that you protect federal employees' access to abortion

Good morning,

Attached please find a letter from the DOJ Gender Equality Network, in which we again urge the Administration to take commonsense steps to protect abortion access for federal civilian employees. While we appreciate the Administration's critical efforts following the *Dobbs* decision, we are frustrated that federal civilian employees have been left behind.

The members of DOJ GEN appreciate your consideration.

Best,
Jen Swedish
Board Member, DOJ GEN
www.dojgen.org

From: "Morse, Jodie (OASG)" (b) (6)

To: "Fletcher, Brian H. (OSG)" (b) (6)

Subject: Fact Sheet

Date: Wed, 21 Jun 2023 14:32:30 -0000

Importance: Normal

Attachments: RRTF fact sheet 6.20.23 330 pm.docx

Just fyi, this mentions Alliance, so wanted to make sure you had eyes on it. The aim was to stick to what we have already said publicly. Let me know if you have any comments.

From: "Morse, Jodie (OASG)" (b) (6)
To: "Gupta, Vanita (OASG)" (b) (6)
Cc: "Abbas, Arash (OASG)" (b) (6), "Clark, Terrence (PAO)"
(b) (6), "Iverson, Dena (PAO)" (b) (6),
"Henthorne, Betsy (OASG)" (b) (6)

Subject: Fact Sheet

Date: Tue, 20 Jun 2023 19:42:18 +0000

Importance: Normal

Attachments: RRTF fact sheet 6.20.23 330 pm.docx

Attached is the current version of the Fact Sheet.

From: "Morse, Jodie (OASG)" (b) (6)

To: "Reich, Mitchell (OAG)" (b) (6)

Subject: Functional Government Initiative 1122 (003).pdf

Date: Tue, 13 Jun 2023 15:28:31 +0000

Importance: Normal

Attachments: Functional Government Initiative 1122 (003).pdf

From: "Maltby, Jeremy (ODAG)" (b) (6)

To: "Hanson, Matthew B. (OLA)" (b) (6), "Zdeb, Sara (OLA)" (b) (6), "Forbes, Carlton (ODAG)" (b) (6), "Morse, Jodie (OASG)" (b) (6), "Evers, Austin (ODAG)" (b) (6), "Benson, Adrienne (ODAG)" (b) (6)

Subject: FW: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

Date: Fri, 09 Jun 2023 14:11:40 -0000

Importance: Normal

Attachments: DRAFT Hirono et al - Federal Resources and SLT Repro Investigations.docx; ECATS-2023-163076-Incoming-President Biden and Vice President Harris from Senator Sara Jacobs and Others.pdf

Matt – thanks so much for taking the pen. Really appreciate it. I think the trim approach is very sensible here. I may suggest a couple of tweaks at the margins. Perhaps we can find time late today or on Monday to discuss?

Best,

Jeremy

From: Hanson, Matthew B. (OLA) (b) (6) >

Sent: Sunday, June 4, 2023 4:27 PM

To: Maltby, Jeremy (ODAG) (b) (6) >

Cc: Morse, Jodie (OASG) (b) (6) >; Forbes, Carlton (ODAG) (b) (6) >; Zdeb, Sara (OLA) (b) (6) >

Subject: RE: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

Hi, all – Here is a relatively trim draft response. If this group is generally good with the approach, would you like to also run it by key contacts at the FBI and in OJP, before we send it through the normal OASG + ODAG clearance step?

Best,

Matt

From: Maltby, Jeremy (ODAG) (b) (6) >

Sent: Wednesday, May 31, 2023 9:47 AM

To: Hanson, Matthew B. (OLA) (b) (6) >

Cc: Morse, Jodie (OASG) (b) (6) >; Forbes, Carlton (ODAG) (b) (6) >; Zdeb, Sara (OLA) (b) (6) >

Subject: Re: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

Thanks, Matt!

Sent from my iPhone

On May 31, 2023, at 9:38 AM, Hanson, Matthew B. (OLA) (b) (6) > wrote:

Yes, I will put together a draft for this group to review in the first instance.

=====

Matthew B. Hanson
Office of Legislative Affairs
U.S. Department of Justice

On May 30, 2023, at 5:11 PM, Maltby, Jeremy (ODAG) <(b) (6)> wrote:

Hi Matt – I agree about the sidebar point. Are you going to circulate a draft? Thanks, Jeremy

From: Hanson, Matthew B. (OLA) <(b) (6)>
Sent: Wednesday, May 24, 2023 8:23 PM
To: Maltby, Jeremy (ODAG) <(b) (6)>; Morse, Jodie (OASG) <(b) (6)>; Forbes, Carlton (ODAG) <(b) (6)>; Zdeb, Sara (OLA) <(b) (6)>
Subject: RE: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

You're right. I was thinking of the much more detailed civil society letter. On the substance in this letter, we can be much briefer in our response.

Still not sure we need to acknowledge the sidebar with Hirono's office (I think that's likely to raise interest levels in getting a broader read-out on our response to Hirono), but open to thinking to the contrary.

From: Maltby, Jeremy (ODAG) <(b) (6)>
Sent: Wednesday, May 24, 2023 7:02 PM
To: Hanson, Matthew B. (OLA) <(b) (6)>; Morse, Jodie (OASG) <(b) (6)>; Forbes, Carlton (ODAG) <(b) (6)>; Zdeb, Sara (OLA) <(b) (6)>
Subject: RE: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

That feels like a very detailed response for a letter, and one that won't be very satisfying. Maybe we can just acknowledge the importance of the issue and say that we are looking at the issues they have raised?

Key graf is below:

As part of the Administration's efforts to protect access to abortion and other reproductive health care, we ask that you take all necessary steps to ensure federal resources in no way aid or supplement criminal investigations of reproductive health decisions. Specifically, we ask that the Administration examine ways existing forms of federal assistance could be used to support state and local abortion surveillance and investigations, including assistance administered through the FBI and DHS. Additionally, we ask that you consider approaches to restrict state and local law enforcement from using federal assistance for these purposes, including limiting the class of investigations for which agencies provide federal assistance, creating new rules or conditions to access resources, or instituting new prohibitions on the use of federal resources to support abortion-related investigations.

From: Hanson, Matthew B. (OLA) <(b) (6)>
Sent: Wednesday, May 24, 2023 6:57 PM
To: Maltby, Jeremy (ODAG) <(b) (6)>; Morse, Jodie (OASG) <(b) (6)>; Forbes, Carlton (ODAG) <(b) (6)>; Zdeb, Sara (OLA) <(b) (6)>
Subject: RE: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

You beat me to it! Yes, we saw that this was reassigned to us earlier today.

Agree it makes sense to send this to our FBI contacts to make sure they are calibrated to the new level of urgency.

I agree that aiming for as concise as we can is wise. That said, I'm not sure we can say we'll follow up with just Hirono. My sense is that response that generally tracks the outline we discussed yesterday for the talking points is a good starting point for the letter response.

Happy to discuss tomorrow.

Best,
Matt

From: Maltby, Jeremy (ODAG) <(b) (6)>
Sent: Wednesday, May 24, 2023 6:39 PM
To: Morse, Jodie (OASG) <(b) (6)>; Forbes, Carlton (ODAG) <(b) (6)>; Hanson, Matthew B. (OLA) <(b) (6)>; Zdeb, Sara (OLA) <(b) (6)>
Subject: FW: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

FYI – it appears that the task of responding to the letter underlying the Hirono letter has been bounced to DOJ, with a 2-week response deadline. This accelerates things a bit – I'm inclined to send this to our FBI colleagues to increase their urgency in responding to our requests.

Matt and Sara – what's the OLA view about the level detail that is required here? Can we perhaps respond with something short that acknowledges the importance of the question, reflects the fact that Senator Hirono posed it directly to the AG, and notes that, as he promised, the Department will be responding to Senator Hirono? Perhaps we can discuss tomorrow?

Thanks,

Jeremy

From: Simms, Donna Y. (ODAG) <(b) (6)>
Sent: Wednesday, May 24, 2023 2:56 PM
To: Evers, Austin (ODAG) <(b) (6)>; Benson, Adrienne (ODAG) <(b) (6)>; Braden, Myesha (ODAG) <(b) (6)>; Miller, Marshall (ODAG) <(b) (6)>; Maltby, Jeremy (ODAG) <(b) (6)>; Brinkley, Winnie (ODAG) <(b) (6)>; Brown, Angela M. (DAG) <(b) (6)>; Chandler, Adam (ODAG) <(b) (6)>; Gamble, Nathaniel (ODAG) <(b) (6)>; Simms, Donna Y. (ODAG) <(b) (6)>; Thomas, Tina M. (ODAG) <(b) (6)>
Subject: FW: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

FYI.

V/r,

Donna Y. Simms

Department of Justice • Office of the Deputy Attorney General

950 Pennsylvania Ave, NW | 4208 | Washington, DC 20530 | (b) (6)

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

From: Bodger, Pricillia (JMD) <(b) (6)>
Sent: Wednesday, May 24, 2023 2:50 PM
To: InfoCopies (b) (6); ODAG INFO COPIES (b) (6)
Subject: UPDATED STATUS - ECATS-2023-163076 - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

All,

FYI, see the attached updated email from the WHO Document Tracking Unit and the attached ES summary sheet.

05/24/2023: WP reopened - Per WHO Document Tracking Unit, the White House Legislative Affairs has requested to change this tasking to ask DOJ and DHS respond to the incoming letter. Per OLA (Haddad), assign WP to OLA (Hanson) with a 2-week due date.

Respectfully Submitted,

<image002.jpg>

Pricillia Bodger *(she/her)*
Correspondence Management Analyst
U.S. Department of Justice
Justice Management Division
Office of the Executive Secretariat

Desk: (b) (6)
Mobile: (b) (6)
Email: (b) (6)

To access OES's Intranet, please click [HERE](#).
Please click [HERE](#) to provide customer service feedback.

From: Bodger, Pricillia (JMD)
Sent: Wednesday, March 1, 2023 11:05 AM
To: InfoCopies (b) (6); ODAG INFO COPIES (b) (6)
Subject: ECATS-2023-163076 - WHITE HOUSE PRIORITY (For Information Only) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

Respectfully Submitted,

<image004.jpg>

Pricillia Bodger *(she/her)*
Correspondence Management Analyst

U.S. Department of Justice
Justice Management Division
Office of the Executive Secretariat

Desk: (b) (6)

Mobile: (b) (6)

Email: (b) (6)

To access OES's Intranet, please click [HERE](#).

Please click [HERE](#) to provide customer service feedback.

From: "Morse, Jodie (OASG)" (b) (6)
To: "Maltby, Jeremy (ODAG)" (b) (6), "Forbes, Carlton (ODAG)" (b) (6)
Cc: "Henthorne, Betsy (OASG)" (b) (6), "Ndumele, Nicole (OASG)" (b) (6)

Subject: RE: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

Date: Mon, 05 Jun 2023 21:41:08 -0000

Importance: Normal

Attachments: DRAFT Hirono et al - Federal Resources and SLT Repro Investigations.docx; ECATS-2023-163076-Incoming-President Biden and Vice President Harris from Senator Sara Jacobs and Others.pdf

Adding others with relevant portfolios in OASG.

From: Maltby, Jeremy (ODAG) <(b) (6)>
Sent: Monday, June 5, 2023 5:31 PM
To: Morse, Jodie (OASG) <(b) (6)>; Forbes, Carlton (ODAG) (b) (6) >
Subject: FW: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

I think this kind of relatively spare, restrained response is generally the right way to go. I might want to tweak slightly at the margins, and would also want to run it by Marshall and others here before circulating more broadly. What do you think?

I assume that (b) (5)

From: Hanson, Matthew B. (OLA) <(b) (6)>
Sent: Sunday, June 4, 2023 4:27 PM
To: Maltby, Jeremy (ODAG) <(b) (6)>
Cc: Morse, Jodie (OASG) (b) (6) >; Forbes, Carlton (ODAG) <(b) (6)>; Zdeb, Sara (OLA) <(b) (6)>
Subject: RE: UPDATED STATUS - ECATS-2023-163076 - OLA - WHITE HOUSE PRIORITY (For appropriate action) - Ltr from MC Sara Jacobs + 29 signees dtd 02/27/2023

Duplicative Material, Bates Number 23cv01122_23-00736_000046

From: "Weiner, Robert (CRT)" (b) (6)

To: "Sooknanan, Sparkle (OASG)" (b) (6), "Morse, Jodie (OASG)" (b) (6), "Moossy, Robert (CRT)" (b) (6)

Subject: RE: FACE Act Response Letter input

Date: Thu, 25 May 2023 13:05:49 +0000

Importance: Normal

Attachments: SJC AG and DAG Hearing QFRs.docx

Sparkle, Jodie, and Robert,

Regarding the FACE Act letters, I wanted to make sure you were also looped in on the attached QFRs, which I just received through the clearance process. (b) (5)

Rob

From: Sooknanan, Sparkle (OASG) (b) (6) >

Sent: Wednesday, May 24, 2023 7:52 PM

To: Hanson, Matthew B. (OLA) (b) (6) >

Cc: (b) (6), (b) (7)(C) (OLA) (b) (6), (b) (7)(C) >; Morse, Jodie (OASG) (b) (6)

(b) (6) (OLA) (b) (6) >; Weiner, Robert (CRT) (b) (6) >

Subject: Re: FACE Act Response Letter input

We're coordinating with ODAG and OAG and will send consolidated feedback. ODAG is tracking down some info from FBI.

On May 24, 2023, at 7:49 PM, Hanson, Matthew B. (OLA) (b) (6) wrote:

Hi, Sparkle –

Just following up on the RRTF comments on this draft response. In case it helps, ODAG is our next step in clearing the draft, so we're happy to coordinate with them to get their comments.

Thank you!

Matt

From: Sooknanan, Sparkle (OASG) (b) (6)

Sent: Wednesday, May 17, 2023 2:38 PM

To: (b) (6), (b) (7)(C) (OLA) <(b) (6), (b) (7)(C) >; Morse, Jodie (OASG) (b) (6) >

Cc: (b) (6) (OLA) (b) (6) >; Hanson, Matthew B. (OLA)

(b) (6) >; Weiner, Robert (CRT) (b) (6)

Subject: RE: FACE Act Response Letter input

Thanks, (b) (6), (b) (7)(C). We'll confer with ODAG/OAG and send you consolidated edits.

From: (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C)

Sent: Wednesday, May 17, 2023 12:12 PM

To: Morse, Jodie (OASG) (b)(6); Sooknanan, Sparkle (OASG) <(b)(6)>

Cc: (b)(6) (OLA) (b)(6); Hanson, Matthew B. (OLA)

(b)(6); Weiner, Robert (CRT) (b)(6)

Subject: RE: FACE Act Response Letter input

Good Afternoon

Following up on any RTTF input regarding the FBI-DOJ FACE Act/Marjorie Taylor Greene correspondence draft response --see attached for most recent draft w/CRT comments and MTG letter.

1. Appreciate any RTTF comments regarding the following (b)(5)

(b)(5)

1. Also, is RTTF ok with the following statement on the 1st page (b)(5)

CRT/Rob: Thank you for your comments and the paragraph will be added to the response.

Let me know if you have any questions.

Thank you,

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) MSSI

FBI detailee to DOJ/Office of Legislative Affairs

Desk: (b)(6)

Cell: (b)(6)

Email: (b)(6), (b)(7)(C)

"It is better to know some of the questions than all the answers." James Thurber

From: Morse, Jodie (OASG) <(b)(6)>

Sent: Friday, May 12, 2023 4:41 PM

To: (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C)

Cc: (b)(6) (OLA) (b)(6); Hanson, Matthew B. (OLA)

<(b)(6)>; Sooknanan, Sparkle (OASG) (b)(6); Weiner, Robert

(CRT) <(b)(6)>

Subject: RE: FACE Act Response Letter input

Adding Rob and Sparkle.

From: (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C)
Sent: Friday, May 12, 2023 4:13 PM
To: Morse, Jodie (OASG) (b) (6)
Cc: (b)(6) (OLA) (b) (6); Hanson, Matthew B. (OLA)
(b) (6) >
Subject: FACE Act Response Letter input

Good Afternoon

The FBI recently drafted a response to FACE Act related correspondence. OLA would appreciate if RRTF could review and provide input.

The attached draft notes two places in particular:

(b) (5)

Please let me know if you have any question.

OLA would appreciate a response by COB Tuesday, May 16' but let me know if need more time.

Thank you!

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), MSSI
FBI detailee to DOJ/Office of Legislative Affairs
Desk: (b) (6)
Cell: (b) (6)
Email: (b)(6), (b)(7)(C)

"It is better to know some of the questions than all the answers." James Thurber

(b)(7)(E)

From: "Maltby, Jeremy (ODAG)" (b) (6)

To: (b)(6), (b)(7)(C) (OGC) (FBI)" (b)(6), (b)(7)(C)", "Hanson, Matthew B. (OLA)" (b) (6), "Morse, Jodie (OASG)" (b) (6), (b)(6), (b)(7)(C) (OGC) (FBI)" (b)(6), (b)(7)(C)", "Forbes, Carlton (ODAG)" (b) (6), "Zdeb, Sara (OLA)" (b) (6)

Subject: RE: Follow up regarding Hirono request

Date: Wed, 24 May 2023 23:13:39 +0000

Importance: Normal

Attachments: ECATS-2023-163076-Incoming-President Biden and Vice President Harris from Senator Sara Jacobs and Others.pdf

Dear (b)(6), (b)(7)(C), (b)(7)(E),

Thanks again for the helpful call yesterday. Since then, we have learned that the Department has been asked to draft a response to the attached letter, in the next 2 weeks. Given this accelerated timeline, I'd be very grateful if you could correspondingly accelerate your efforts to get copies of the (b) (5), and also to respond the additional questions that we discussed.

Sorry to put this on your plate – we very much appreciate your help.

Best,

Jeremy

From: Maltby, Jeremy (ODAG)

Sent: Thursday, May 18, 2023 7:11 PM

To: (b)(6), (b)(7)(C) (OGC) (FBI)" (b)(6), (b)(7)(C)" >; Hanson, Matthew B. (OLA)" (b) (6) >; Morse, Jodie (OASG)" (b) (6) >; (b)(6), (b)(7)(C) (OGC) (FBI)" (b)(6), (b)(7)(C)

Subject: Follow up regarding Hirono request

Hi (b)(6), (b)(7)(E),

I hope that all is well with you. Many thanks again for the helpful call. I think it would be helpful for us to reconvene soon to catch up further. It appears that (b)(6), (b)(7)(E) is out until Tuesday, so I will look for a time on Tuesday or later. In advance of that call, I'd like to set out a couple of objectives, and would invite Matt and others to add any areas/questions that we should cover.

First, as we have discussed before, I think (b) (5)

. To the extent possible, (b) (5)

Second, it would be helpful to (b) (5)

. In this regard, it would be helpful to (b) (5).

Third, (b) (5)

, it would be

helpful to (b) (5) .

Finally, it would also be helpful to understand (b) (5)

As noted above, others should feel free to chime in. I'll look for a time to meet.

Best,

Jeremy

From: "Reich, Mitchell (OAG)" (b) (6)

To: "Maltby, Jeremy (ODAG)" (b) (6), "Sooknanan, Sparkle (OASG)" (b) (6), "Morse, Jodie (OASG)" (b) (6), "Cochran, Shaylyn (OAG)" (b) (6), "O'Malley, Kristi N. (ODAG)" (b) (6)

Subject: RE: FACE Act Response Letter input

Date: Fri, 19 May 2023 21:57:04 -0000

Importance: Normal

Attachments: DOJ-FBI Response to FACE Act Threats -CRT edits correspondence-5.15.23 +oasg + jm + mpr.docx

Some additional suggestions from me in the attached.

From: Maltby, Jeremy (ODAG) (b) (6) >

Sent: Thursday, May 18, 2023 10:10 PM

To: Sooknanan, Sparkle (OASG) (b) (6); Morse, Jodie (OASG) (b) (6); Cochran, Shaylyn (OAG) (b) (6); Reich, Mitchell (OAG) (b) (6); O'Malley, Kristi N. (ODAG) (b) (6)

Subject: RE: FACE Act Response Letter input

Thanks – one nit and an expression of agreement in the attached.

Kristi and I can circle back about getting information from the FBI.

Best,

Jeremy

From: Sooknanan, Sparkle (OASG) (b) (6)

Sent: Thursday, May 18, 2023 1:55 PM

To: Morse, Jodie (OASG) (b) (6); Cochran, Shaylyn (OAG) (b) (6); Reich, Mitchell (OAG) (b) (6); O'Malley, Kristi N. (ODAG) (b) (6); Maltby, Jeremy (ODAG) (b) (6) >

Subject: RE: FACE Act Response Letter input

Attaching thoughts from OASG.

From: Sooknanan, Sparkle (OASG)

Sent: Wednesday, May 17, 2023 2:38 PM

To: Morse, Jodie (OASG) (b) (6); Cochran, Shaylyn (OAG) (b) (6); Reich, Mitchell (OAG) (b) (6); O'Malley, Kristi N. (ODAG) (b) (6); Maltby, Jeremy (ODAG) (b) (6) >

Subject: FW: FACE Act Response Letter input

Friends—We should all review and send consolidated edits to OLA. Can you take a look? Thanks!

From: (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C)

Sent: Wednesday, May 17, 2023 12:12 PM

To: Morse, Jodie (OASG) (b) (6) >; Sooknanan, Sparkle (OASG) (b) (6)

Cc: (b)(6) (OLA) <(b) (6) >; Hanson, Matthew B. (OLA)

(b) (6) ; Weiner, Robert (CRT) (b) (6)

Subject: RE: FACE Act Response Letter input

Duplicative Materials, Bates Number 23cv01122_23-00736_000056

From: "Morse, Jodie (OASG)" (b) (6)

To: "Reich, Mitchell (OAG)" (b) (6)

Subject: FW: [EXTERNAL] Re: Scheduling Meeting w/ AG

Date: Tue, 16 May 2023 17:58:08 +0000

Importance: Normal

Attachments: Reproductive Rights TPs 5.16 sc jtm.docx

fyi

From: Morse, Jodie (OASG)

Sent: Tuesday, May 16, 2023 1:58 PM

To: Sooknanan, Sparkle (OASG) <(b) (6)>

Cc: Mizer, Benjamin (OASG) (b) (6)

Subject: RE: [EXTERNAL] Re: Scheduling Meeting w/ AG

I have several comments and flags on this. I can also raise them with Mitch. (b) (5)

(b) (5) and I want to make sure (b) (5)

From: Sooknanan, Sparkle (OASG) <(b) (6)>

Sent: Tuesday, May 16, 2023 12:48 PM

To: Morse, Jodie (OASG) (b) (6) >

Cc: Mizer, Benjamin (OASG) <(b) (6)>

Subject: FW: [EXTERNAL] Re: Scheduling Meeting w/ AG

From: Cochran, Shaylyn (OAG) <(b) (6)>

Sent: Tuesday, May 16, 2023 12:47 PM

To: Smith, Johnathan (CRT) (b) (6) >; Sooknanan, Sparkle (OASG)

<(b) (6)>; Braden, Myesha (ODAG) (b) (6); Mody, Saeed (OASG)

(b) (6) >; Henthorne, Betsy (OASG) <(b) (6)>; Ndumele, Nicole (OASG)

(b) (6)

Subject: RE: [EXTERNAL] Re: Scheduling Meeting w/ AG

Duplicative Material, Bates Number 23cv01122_23-00736_000075

From: (b)(6); (b)(7)(C) - per FBI (OLA)" (b) (6)
To: "Sooknanan, Sparkle (OASG)" (b) (6), "Weiner, Robert (CRT)" (b) (6)
Cc: "Morse, Jodie (OASG)" (b) (6), (b)(6), (b)(7)(C) (OLA)" (b)(6), (b)(7)(C) (b)(6) (OLA)" (b) (6)
Subject: RE: FACE Act Response Letter input
Date: Mon, 15 May 2023 22:29:43 +0000
Importance: Normal

Hi, Sparkle –

The separate letter the FBI is preparing today deals with multiple oversight-related issues. Here is the remainder of the FACE Act section (b) (5)).

(b)(5)

(To clarify, (b) (5)). We look forward to receiving your other feedback on that response. And thank you to Rob for sending the initial comments on that letter this afternoon.)

Many thanks,
Matt

From: Sooknanan, Sparkle (OASG) (b) (6)
Sent: Monday, May 15, 2023 4:13 PM
To: Hanson, Matthew B. (OLA) (b) (6); Weiner, Robert (CRT) (b) (6)
Cc: Morse, Jodie (OASG) (b) (6); (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C); (b)(6) (OLA) (b) (6)
Subject: RE: FACE Act Response Letter input

Matt—Can you share the letter going out today? Thanks!

From: Hanson, Matthew B. (OLA) (b) (6)
Sent: Monday, May 15, 2023 4:01 PM
To: Weiner, Robert (CRT) (b) (6)
Cc: Sooknanan, Sparkle (OASG) (b) (6); Morse, Jodie (OASG) (b) (6); (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C); (b)(6) (OLA) (b) (6)
Subject: RE: FACE Act Response Letter input

Hi, Rob –

Thanks again for flagging this prior testimony earlier today, and for chatting with me briefly about it. Any chance your team has had a chance to review the following statement in FBI's draft? Any reactions to this statement? It is potentially going out in a similar letter this afternoon, in advance of tomorrow's hearing, so wanted to get your team's input to the extent you have any on this point.

(b)(5)

Many thanks,
Matt

From: Weiner, Robert (CRT) (b) (6)

Sent: Monday, May 15, 2023 8:32 AM

To: Hanson, Matthew B. (OLA) (b) (6)

Cc: Sooknanan, Sparkle (OASG) (b) (6); Morse, Jodie (OASG) (b) (6)

(b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C); (b)(6) (OLA) (b) (6)

Subject: RE: FACE Act Response Letter input

FYI—(b) (5)

From: Hanson, Matthew B. (OLA) (b) (6)

Sent: Monday, May 15, 2023 8:29 AM

To: Weiner, Robert (CRT) (b) (6)

Cc: Sooknanan, Sparkle (OASG) (b) (6); Morse, Jodie (OASG) (b) (6);

(b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C); (b)(6) (OLA) (b) (6)

Subject: Re: FACE Act Response Letter input

Hi, all — Would it be possible to fast track any reactions to the (b) (5)

? Would love to hear back by this afternoon, if possible, on that point. (b) (5)

Best,
Matt

=====

Matthew B. Hanson
Office of Legislative Affairs
U.S. Department of Justice

On May 13, 2023, at 12:05 PM, Weiner, Robert (CRT) (b) (6) wrote:

Will do

Sent from my iPhone

On May 13, 2023, at 9:43 AM, Sooknanan, Sparkle (OASG) (b) (6) wrote:

Thanks, Matt!

Rob—Can CRT take a first pass and then OASG will review? Thanks!

From: Hanson, Matthew B. (OLA) (b) (6)

Sent: Friday, May 12, 2023 4:53 PM

To: Morse, Jodie (OASG) (b) (6); (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C)

Cc: (b)(6) (OLA) (b) (6); Sooknanan, Sparkle (OASG)

(b) (6); Weiner, Robert (CRT) (b) (6)

Subject: RE: FACE Act Response Letter input

Now attaching the incoming, as well, for context.

Thank you!

Matt

From: Morse, Jodie (OASG) (b) (6)

Sent: Friday, May 12, 2023 4:41 PM

To: (b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C)

Cc: (b)(6) (OLA) (b) (6); Hanson, Matthew B. (OLA)

(b) (6); Sooknanan, Sparkle (OASG) (b) (6); Weiner, Robert

(CRT) (b) (6)

Subject: RE: FACE Act Response Letter input

Duplicative Material, Bates Number 23cv01122_23-00736_000056 and 23cv01122_23-00736_000057

From: "Morse, Jodie (OASG)" (b) (6)

To: "Weiner, Robert (CRT)" (b) (6)

Subject: Re: Question on database

Date: Mon, 15 May 2023 23:21:25 -0000

Importance: Normal

No, just abortion restrictions.

Sent from my iPhone

On May 15, 2023, at 6:07 PM, Weiner, Robert (CRT) <(b) (6)> wrote:

Jodie,

Does the tracking of state laws and litigation regarding reproductive health care include gender affirming care?

Thanks.

Rob

From: "Weiner, Robert (CRT)" (b) (6)
To: "Hanson, Matthew B. (OLA)" (b) (6)
Cc: "Sooknanan, Sparkle (OASG)" (b) (6), "Morse, Jodie (OASG)" (b) (6), (b)(6), (b)(7)(C) (OLA)" (b)(6), (b)(7)(C) (b)(6) (OLA)" (b) (6), "Moosy, Robert (CRT)" (b) (6)

Subject: RE: FACE Act Response Letter input

Date: Mon, 15 May 2023 21:14:39 +0000

Importance: Normal

Attachments: DOJ-FBI Response to FACE Act Threats correspondence-5.15.23.docx

Matt,

Although I do not have more to add yet to my earlier email regarding (b) (5), the attached (b) (5)

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

Rob

From: Hanson, Matthew B. (OLA) (b) (6)
Sent: Monday, May 15, 2023 4:01 PM
To: Weiner, Robert (CRT) (b) (6)
Cc: Sooknanan, Sparkle (OASG) (b) (6); Morse, Jodie (OASG) (b) (6)
(b)(6), (b)(7)(C) (OLA) (b)(6), (b)(7)(C) (b)(6) (OLA) (b) (6)
Subject: RE: FACE Act Response Letter input

Duplicative Material, Bates Number 23cv01122_23-00736_000056

From: "Morse, Jodie (OASG)" (b) (6)

To: "Weiner, Robert (CRT)" (b) (6)

Cc: "Moosy, Robert (CRT)" (b) (6)

Subject: Re: Barriers to Accessing Reproductive Healthcare

Date: Sat, 13 May 2023 01:57:52 -0000

Importance: Normal

Thank you!

Sent from my iPhone

On May 12, 2023, at 6:00 PM, Weiner, Robert (CRT) (b) (6) > wrote:

Four possibilities that may be (b) (5) :

1. (b) (5)
2. (b) (5)
3. (b) (5)
4. (b) (5)

From: Morse, Jodie (OASG) (b) (6)

Sent: Friday, May 12, 2023 3:03 PM

To: Weiner, Robert (CRT) (b) (6)

Subject: RE: Barriers to Accessing Reproductive Healthcare

Hi Rob – I need to prepare some remarks for Vanita for early next week. Can you let me know if there are any updates to the FACE material? Thanks!

From: Weiner, Robert (CRT) (b) (6)

Sent: Monday, April 3, 2023 9:41 AM

To: Morse, Jodie (OASG) (b) (6)

Cc: Maltby, Jeremy (ODAG) (b) (6); Reich, Mitchell (OAG) (b) (6)

Subject: FW: Barriers to Accessing Reproductive Healthcare

From: Weiner, Robert (CRT)

Sent: Thursday, March 30, 2023 6:54 PM

To: Sooknanan, Sparkle (OASG)(b) (6)

Cc: Clarke, Kristen (CRT)(b) (6); Moosy, Robert (CRT)(b) (6)

Subject: Barriers to Accessing Reproductive Healthcare

Sparkle,

As we discussed, the Presidential Memorandum of January 22, 2023, calls on the Attorney General, HHS Secretary, and DHS Secretary to provide information on:

- i) potential barriers faced by patients seeking legal access to mifepristone or other reproductive healthcare, as well as by providers and entities, including pharmacies, that provide reproductive healthcare in providing mifepristone or other reproductive healthcare, and any recommendations for addressing these barriers; and
- (ii) whether any additional institutional resources may be necessary to address these barriers.

CRT's jurisdiction--and therefore, our information--focuses on the FACE Act. The essential purpose of the ACT is to prevent individuals from erecting barriers to accessing reproductive health care. The attached discussion thus responds to the Presidential Memorandum by addressing our FACE Act prosecutions, and that is all it addresses.

Other possible subjects are farther afield from what CRT does, or at least, what we have done. (b) (5)

[REDACTED]

[REDACTED]

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

[REDACTED]

Please let me know if you have any questions.

Rob

Robert N. Weiner
Senior Counsel
Civil Rights Division
U.S. Department of Justice

(b) (6)

(b) (6)

From: "Morse, Jodie (OASG)" (b) (6)

To: "Maltby, Jeremy (ODAG)" (b) (6)

Subject: FW: Flash: Pres. Doc.: Leadership Review: 5 pm Wed., 5/10: Ensuring Access to Affordable, High-Quality Contraception and Family Planning Services EO (predecisional; do not disclose)

Date: Wed, 10 May 2023 13:42:14 +0000

Importance: Normal

Attachments: Draft EO on Ensuring Access to Contraception 5-3-23 (002)-DEE+ CRT +CIV + OLC.docx

From: Morse, Jodie (OASG)

Sent: Wednesday, May 10, 2023 6:38 AM

To: Reich, Mitchell (OAG) (b) (6); Maltby, Jeremy (ODAG) (b) (6); Forbes, Carlton (ODAG) (b) (6); Mizer, Benjamin (OASG) (b) (6)

Subject: FW: Flash: Pres. Doc.: Leadership Review: 5 pm Wed., 5/10: Ensuring Access to Affordable, High-Quality Contraception and Family Planning Services EO (predecisional; do not disclose)

Duplicative Material, Bates Number 23cv01122_23-00736_000100

From: "Gupta, Vanita (OASG)" (b) (6)

To: (b)(6) Stuart Delery (EOP/WHO)
(b)(6) Stacey Grigsby (EOP/WHO)

Cc: "Morse, Jodie (OASG)" (b) (6)

Subject:

Date: Thu, 4 May 2023 00:25:00 +0000

Importance: Normal

"As we have made clear, and in the face of attacks on access to care, HHS is committed to protecting women's reproductive health care, including medication abortion. We are confident in the FDA's expertise and congressionally mandated role in reviewing, approving, and regulating medications in this country. That's why we appealed and sought a stay from the Supreme Court in *Alliance for Hippocratic Medicine v. FDA*, and the issuance of that stay means that mifepristone remains approved and available nationwide as that case winds through the courts. Our decision to appeal in *Washington v. FDA* is rooted in that same commitment to vigorously defending FDA's authority to assess the safety and efficacy of medicines, including mifepristone, which has been approved and regulated by the FDA for over 20 years."

From: "Reich, Mitchell (OAG)" (b) (6)

To: "Morse, Jodie (OASG)" (b) (6), "Sooknanan, Sparkle (OASG)" (b) (6)

Subject: Fwd: Potential FBI Bulletin

Date: Wed, 03 May 2023 23:02:02 -0000

Importance: Normal

Attachments: FACE Act LIR draft 4.18.23.docx

Have you seen this?

Begin forwarded message:

From: "Berger, Christine (OAG)" (b) (6) >

Date: May 3, 2023 at 6:48:11 PM EDT

To: "Cochran, Shaylyn (OAG)" (b) (6)

Cc: "Klapper, Matthew B. (OAG)" (b) (6), "Reich, Mitchell (OAG)"

(b) (6)

Subject: RE: Potential FBI Bulletin

Thanks, Shaylyn. + Mitch

From: Cochran, Shaylyn (OAG) (b) (6)

Sent: Wednesday, May 3, 2023 4:44 PM

To: Berger, Christine (OAG) (b) (6)

Cc: Klapper, Matthew B. (OAG) (b) (6) >

Subject: FW: Potential FBI Bulletin

Chris—I'm forwarding the FBI bulletin that I just mentioned. I flagged this for Burden as well.

Shaylyn

From: Moosy, Robert (CRT) (b) (6) >

Sent: Wednesday, May 3, 2023 3:53 PM

To: Sooknanan, Sparkle (OASG) (b) (6); O'Malley, Kristi N. (ODAG)

<Kristi.N.O'Malley@usdoj.gov>; Braden, Myesha (ODAG) (b) (6); Bradford, Aryele (PAO)

(b) (6); Cochran, Shaylyn (OAG) (b) (6) >

Cc: Weiner, Robert (CRT) (b) (6)

Subject: Potential FBI Bulletin

Team,

FYI that the FBI is preparing a bulletin to be sent to Law Enforcement regarding the potential applicability of the FACE Act to pharmacies given the recent issues regarding mifepristone. Our CRT Crim and App sections are fine with the language. I believe FBI sends out such bulletins on various topics.

This may also be going to your offices through different channels, but I wanted to let you know in case you had any thoughts/concerns.

Thanks,

Robert

From: "Morse, Jodie (OASG)" (b) (6)

To: "Iverson, Dena (PAO)" (b) (6) "Hinojosa, Xochitl (PAO)"
(b) (6)

Cc: "Gupta, Vanita (OASG)" (b) (6), "Mizer, Benjamin (OASG)"
(b) (6)

Subject: statement

Date: Wed, 03 May 2023 19:04:25 -0000

Importance: Normal

Xochitl and Dena - here are proposed edits to the statement that draw on language the Sec'y used when SCOTUS granted the stay. Let us know what you think.

(b) (5)

///

HHS Secretary Xavier Becerra Issues Statement on Supreme Court Issuing Stay in *Alliance for Hippocratic Medicine v. FDA*

U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra released the following statement after the Supreme Court issued a stay temporarily pausing lower court rulings in *Alliance for Hippocratic Medicine v. FDA* from going into effect:

"Today's action from the Supreme Court is an important step in the right direction as we vigorously fight to defend the FDA's independent, expert authority to review, approve, and regulate a wide range of prescription drugs. We are confident the law is on our side and remain focused on prevailing in court.

"Mifepristone remains approved and available as this case winds through the courts. We will never stop fighting to preserve women's rights to access the health care they need and Americans' rights to access safe and effective medicine."

From: "Morse, Jodie (OASG)" (b) (6)

To: "Johnsen, Dawn E. (OLC)" (b) (6)

Subject: fyi

Date: Mon, 01 May 2023 13:42:11 -0000

Importance: Normal

Attachments: Draft Illinois Reproductive Health Capacity and Access 1115 Demonstration Concept Paper - For CMS Review.docx

From: "Morse, Jodie (OASG)" (b) (6)

To: "Wolfson, Paul (OASG)" (b) (6) "Walker, Burden (OAG)"

(b) (6), "Maltby, Jeremy (ODAG)" (b) (6),

"Reich, Mitchell (OAG)" (b) (6), "Mizer, Benjamin (OASG)"

(b) (6), "Forbes, Carlton (ODAG)" (b) (6)

Subject: RE: For RRTF Leadership Review: Warren Resolution

Date: Sun, 30 Apr 2023 14:30:40 +0000

Importance: Normal

Attachments: DOJ Comments on NEW23390 Warren Resolution jtm.docx

Minus OLA – I added some highlighted comments in the attached and am curious for the group's thinking (b) (5)

Note the deadline tomorrow morning to get back to OLA.

From: (b) (6) (OLA) (b) (6)

Sent: Saturday, April 29, 2023 12:31 PM

To: Wolfson, Paul (OASG) <(b) (6)>; Walker, Burden (OAG) (b) (6)>; Maltby,

Jeremy (ODAG) (b) (6)>; Reich, Mitchell (OAG) (b) (6); Mizer, Benjamin

(OASG) (b) (6)>; Morse, Jodie (OASG) (b) (6); Forbes, Carlton (ODAG)

(b) (6)

Cc: Bond, Slade (OLA) (b) (6) >

Subject: For RRTF Leadership Review: Warren Resolution

Duplicative Material, Bates Number 23cv01122_23-00736_000125

From: (b)(6) (OLA)" (b) (6)

To: "Morse, Jodie (OASG)" (b) (6)

Cc: "Hanson, Matthew B. (OLA)" (b) (6)

Subject: Time to Chat?

Date: Wed, 12 Apr 2023 18:21:25 +0000

Importance: Normal

Attachments: 2023-01-17-IN-OLA-Jordan- Outstanding requests-149768.pdf

Hi Jodie,

I know this week is super busy, but I wanted to flag for you that the OLA oversight team is working on responding to the requests in the attached letter from Chair Jordan. Do you have any time to chat this week?

We are specifically thinking about these October 7, 2022 requests from Chair Jordan:

- All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania and other components of the Department of Justice referring or relating to enforcement of the Freedom of Access to Clinic Entrances Act between May 2, 2022, and present;
- All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania, the Department of Justice, or the Executive Office of the President referring or relating to the Department's Reproductive Rights Task Force;
- All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania and the Department of Justice referring or relating to investigations of attacks on pregnancy resource centers between May 2, 2022, and the present;
- All documents and communications referring or relating to the attack on the HOPE Pregnancy Center in Philadelphia, Pennsylvania, that occurred on June 10, 2022; and
- All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania and the Federal Bureau of Investigation referring or relating to the arrest of Mark Houck.

(b)(6)

--

(b)(6) (she/her)

Office of Legislative Affairs

U.S. Department of Justice

C: (b) (6)

O: (b) (6)

From: "Wolfson, Paul (OASG)" (b) (6)
To: "Fletcher, Brian H. (OSG)" (b) (6), "Forbes, Carlton (ODAG)" (b) (6), "Mizer, Benjamin (OASG)" (b) (6), "Walker, Burden (OAG)" (b) (6), "Morse, Jodie (OASG)" (b) (6), (b) (6), "Maltby, Jeremy (ODAG)" (b) (6)
Cc: "Wolfson, Paul (OASG)" (b) (6)
Subject: RE: Alliance -- draft Supreme Court stay
Date: Wed, 12 Apr 2023 21:12:14 +0000
Importance: Normal
Attachments: Draft Alliance SCOTUS Stay Application - 4.11.23 + bhf (clean) + cf (odag) PW.docx

This is great. Very minor comments attached (over Carlton's). Thank you.

Paul R.Q. Wolfson
Deputy Associate Attorney General
U.S. Department of Justice
(b) (6)
Mobile: (b) (6)
Office Tel: (b) (6)

From: Fletcher, Brian H. (OSG) (b) (6)
Sent: Wednesday, April 12, 2023 9:40 AM
To: Forbes, Carlton (ODAG) (b) (6); Mizer, Benjamin (OASG) (b) (6)
Wolfson, Paul (OASG) (b) (6); Walker, Burden (OAG) (b) (6); Morse, Jodie (OASG) (b) (6); Maltby, Jeremy (ODAG) (b) (6)
Subject: Alliance -- draft Supreme Court stay

All-

With apologies for adding another *Alliance* draft to everyone's inbox, I'm attaching an updated version of our draft stay application in the Supreme Court. We want to be ready to go with this by 1:00 tomorrow (subject to updates to account for whatever CA5 says); to the extent you are able to review we'd appreciate getting comments by early this evening.

Thanks,
Brian

From: "Forbes, Carlton (ODAG)" (b) (6)

To: "Fletcher, Brian H. (OSG)" (b) (6), "Mizer, Benjamin (OASG)" (b) (6), "Wolfson, Paul (OASG)" (b) (6), "Walker, Burden (OAG)" (b) (6), "Morse, Jodie (OASG)" (b) (6), "Maltby, Jeremy (ODAG)" (b) (6)

Subject: RE: Alliance -- draft Supreme Court stay

Date: Wed, 12 Apr 2023 15:35:34 +0000

Importance: Normal

Attachments: Draft Alliance SCOTUS Stay Application - 4.11.23 + bhf (clean) + cf (odag).docx

Hi Brian,

The stay application is extremely well done. I've attached a few teeny tiny suggested edits in the attached—mostly nits.

Best,
Carlton

From: Fletcher, Brian H. (OSG) <(b) (6)>

Sent: Wednesday, April 12, 2023 9:40 AM

To: Forbes, Carlton (ODAG) <(b) (6)>; Mizer, Benjamin (OASG) <(b) (6)>; Wolfson, Paul (OASG) <(b) (6)>; Walker, Burden (OAG) <(b) (6)>; Morse, Jodie (OASG) <(b) (6)>; Maltby, Jeremy (ODAG) <(b) (6)>

Subject: Alliance -- draft Supreme Court stay

Duplicative Material, Bates Number 23cv01122_23-00736_000201

From: "Morse, Jodie (OASG)" (b) (6)

To: "Reich, Mitchell (OAG)" (b) (6), "Walker, Burden (OAG)" (b) (6)

Subject: FW: [EXTERNAL] Talking Points: VP's Reproductive Healthcare Task Force Meeting & New Announcements

Date: Wed, 12 Apr 2023 15:07:07 +0000

Importance: Normal

From: Clark, Terrence (PAO) (b) (6)

Sent: Wednesday, April 12, 2023 10:50 AM

To: Gupta, Vanita (OASG) (b) (6); Hinojosa, Xochitl (PAO) (b) (6); Iverson, Dena (PAO) (b) (6); Morse, Jodie (OASG) (b) (6)

Cc: Henthorne, Betsy (OASG) (b) (6)

Subject: Fwd: [EXTERNAL] Talking Points: VP's Reproductive Healthcare Task Force Meeting & New Announcements

FYSA ~ from OVP.

Sent from my iPhone

Begin forwarded message:

From: "Stonick, Brianna D. EOP/WHO" (b) (6) >

Date: April 12, 2023 at 10:35:43 AM EDT

Cc: "Berner, Kate K. EOP/WHO" (b) (6), "Molina, Jennifer EOP/WHO" (b) (6), "Ziskend, Herbie M. EOP/WHO" (b) (6), "Thomas, Rachel R. EOP/WHO" (b) (6)

Subject: [EXTERNAL] Talking Points: VP's Reproductive Healthcare Task Force Meeting & New Announcements

Hi all,

This afternoon, the Vice President will convene the Task Force on Reproductive Healthcare Access to discuss steps the Administration is taking to protect women's access to reproductive health care, particularly in the wake of Friday's court decision on medication abortion. Coinciding with the meeting, the Administration announced a series of new actions to safeguard patient privacy. Below are talking points and resources around the announcements and meeting. The beginning of the Task Force meeting will be [livestreamed](#) at **2:45pm ET today**.

Talking Points:

1. Today, the Biden-Harris Administration is announcing new actions to safeguard patient privacy at the third meeting of the Task Force on Reproductive Healthcare Access with Vice President Harris, in the wake of unprecedented attacks against women's reproductive health care.
 1. The Department of Health and Human Services is issuing a Notice of Proposed Rulemaking to strengthen privacy protections under HIPAA to strengthen patient-provider confidentiality and help health care providers give complete and accurate information to patients. HHS is also issuing guidance to better safeguard patients' electronic health information, including their information related to reproductive health care.
 2. The Department of Education is issuing guidance on student privacy under FERPA and a know-your-rights resource to help students understand their privacy rights for health records at school.

3. The Federal Communications Commission is launching a new guide for consumers on best practices for protecting their data on mobile phones, including geolocation data, which can be especially important in the context of accessing reproductive health care.
2. Today's Task Force meeting comes in the wake of Friday's court decision, when a district court in Texas took the dangerous step of rejecting FDA's approval of a needed medication—mifepristone, a drug used in medication abortion that the FDA first approved as safe and effective over two decades ago.
 1. If Friday's preliminary injunction stands, it will put women's health at risk and undermine FDA's ability to keep safe and effective medications available to patients who need them.
 2. We are fighting this ruling in the courts, and the Department of Justice has already filed a notice of appeal to the Fifth Circuit Court of Appeals and sought a stay of the injunction pending appeal.
3. Even as we continue our fight in the courts to protect access to medication abortion, our Administration will continue to push on all fronts to defend reproductive rights and take meaningful steps to protect access to reproductive health care.

Stories to lift:

1. AP: [White House plots strategy to counter abortion pill ruling](#)
2. Reuters: [Biden administration abortion rule seeks to protect women crossing state lines](#)
- 3.

Fact sheets:

1. Actions to protect patient privacy: <https://www.whitehouse.gov/briefing-room/statements-releases/2023/04/12/fact-sheet-biden-harris-administration-announces-actions-to-protect-patient-privacy-at-the-third-meeting-of-the-task-force-on-reproductive-healthcare-access/>
2. Record on protecting access to medication abortion: <https://www.whitehouse.gov/briefing-room/statements-releases/2023/04/12/factsheet-the-biden-harris-administrations-record-on-protecting-access-to-medication-abortion/>

Brianna Stonick

Senior Communications Assistant

The White House

Cell: (b) (6) | EEOB 148

From: "Walker, Burden (OAG)" (b) (6)

To: "Morse, Jodie (OASG)" (b) (6), "Reich, Mitchell (OAG)"
<(b) (6)>

Subject: RE:

Date: Wed, 12 Apr 2023 14:43:37 -0000

Importance: Normal

Attachments: 04.11.2023_Repro_Rights_Task_Force_613pm.docx

I believe this is the latest but defer to Mitch if he has more recent

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

From: Morse, Jodie (OASG) (b) (6)

Sent: Wednesday, April 12, 2023 10:43 AM

To: Reich, Mitchell (OAG) (b) (6) ; Walker, Burden (OAG) (b) (6)

Subject:

Hi - Is there an updated draft of your remarks?

Sent from my iPhone

From: "Reich, Mitchell (OAG)" (b) (6)

To: "Morse, Jodie (OASG)" (b) (6)

Subject: RE: [EXTERNAL] HIPAA Docs

Date: Tue, 11 Apr 2023 20:08:19 -0000

Importance: Normal

Attachments: Factsheet Repro Task Force on Privacy GPC 4.11.23 2pm + doj.docx

Two edits from me on the WH fact sheet.

From: Morse, Jodie (OASG) <(b) (6)>

Sent: Tuesday, April 11, 2023 3:44 PM

To: Reich, Mitchell (OAG) (b) (6) >

Subject: FW: [EXTERNAL] HIPAA Docs

From: Volek, Jude J. EOP/WHO (b) (6) >

Sent: Tuesday, April 11, 2023 3:33 PM

To: Morse, Jodie (OASG) <(b) (6)>

Cc: Grigsby, Stacey K. EOP/WHO (b) (6) >; Fernandes, Rhea M. EOP/WHO

(b) (6) >

Subject: RE: [EXTERNAL] HIPAA Docs

Thanks Jodie. Just wanted to flag that we learned the first two docs (fact sheet / admin actions on mifepristone) are set to go out under embargo today at 5:15, so anything you can get us by 4:45 or so would be great. Sorry.

From: Morse, Jodie (OASG) (b) (6) >

Sent: Tuesday, April 11, 2023 2:36 PM

To: Volek, Jude J. EOP/WHO (b) (6)

Cc: Grigsby, Stacey K. EOP/WHO (b) (6) >; Fernandes, Rhea M. EOP/WHO

(b) (6)

Subject: Re: [EXTERNAL] HIPAA Docs

Thank you for passing along these materials. We will work through them as quickly as we can.

Sent from my iPhone

On Apr 11, 2023, at 2:28 PM, Volek, Jude J. EOP/WHO <(b) (6)> wrote:

Hi Jodie,

Here are the latest versions of HIPAA's rollout materials. I understand HHS is updating these as we speak with a few additional edits from EOP, but we wanted to provide these now. I also understand these have already gone through HHS-OGC.

Thank you,
Jude

Jude Volek
Associate Counsel and Special Assistant to the President
Office of the White House Counsel

(b) (6)

(b) (6)

<2023_04_07_HIPAA Privacy Repro Rule Rollout_w HHS updates_2pm.docx>

<2023_04_07_HIPAA RHC Privacy NPRM_Fact Sheet_w HHS updates_2pm.docx>

From: "Reich, Mitchell (OAG)" (b) (6)
To: "Walker, Burden (OAG)" (b) (6), "Stilwell, Victoria (PAO)" (b) (6), "Berger, Christine (OAG)" (b) (6), "Hinojosa, Xochitl (PAO)" (b) (6), "Iverson, Dena (PAO)" (b) (6)
Cc: "Brogger, Marissa J. (PAO)" (b) (6)
Subject: RE: RRTF remarks for Wednesday
Date: Tue, 11 Apr 2023 15:48:25 +0000
Importance: Normal
Attachments: 04.11.2023 Repro Rights Task Force 1105a + mpr.docx

One suggested edit and a response to Tori's comment in the attached. Thanks!

From: Walker, Burden (OAG) <(b) (6)>
Sent: Tuesday, April 11, 2023 11:19 AM
To: Stilwell, Victoria (PAO) (b) (6); Berger, Christine (OAG) <(b) (6)>; Hinojosa, Xochitl (PAO) (b) (6); Iverson, Dena (PAO) (b) (6)
Cc: Brogger, Marissa J. (PAO) (b) (6); Reich, Mitchell (OAG) (b) (6)
Subject: RE: RRTF remarks for Wednesday

Actually adding mitch this time. Apologies.

From: Walker, Burden (OAG)
Sent: Tuesday, April 11, 2023 11:19 AM
To: Stilwell, Victoria (PAO) (b) (6); Berger, Christine (OAG) <(b) (6)>; Hinojosa, Xochitl (PAO) (b) (6); Iverson, Dena (PAO) (b) (6)
Cc: Brogger, Marissa J. (PAO) (b) (6)
Subject: RE: RRTF remarks for Wednesday

Thanks, Tori. +Mitch

From: Stilwell, Victoria (PAO) (b) (6)
Sent: Tuesday, April 11, 2023 11:07 AM
To: Walker, Burden (OAG) (b) (6); Berger, Christine (OAG) (b) (6); Hinojosa, Xochitl (PAO) (b) (6); Iverson, Dena (PAO) (b) (6)
Cc: Brogger, Marissa J. (PAO) (b) (6)
Subject: RE: RRTF remarks for Wednesday

Hi everyone – please see the attached updated version. The current plan is to bring these back to AG at 1p.

From: Stilwell, Victoria (PAO)
Sent: Tuesday, April 11, 2023 8:30 AM
To: Walker, Burden (OAG) (b) (6); Berger, Christine (OAG) (b) (6); Hinojosa, Xochitl (PAO) (b) (6); Iverson, Dena (PAO) <(b) (6)>
Cc: Brogger, Marissa J. (PAO) <(b) (6)>
Subject: Re: RRTF remarks for Wednesday

+ Marissa

On Apr 10, 2023, at 10:33 PM, Stilwell, Victoria (PAO) <(b) (6)> wrote:

Hi all,

Please find attached draft Repro Rights remarks from Marissa and me.

If you have any edits, we ask that you send them over by 11a.

Thanks very much,
Tori

From: "(b) (6) Vanita Gupta" (b) (6) Vanita Gupta

To: Jodie Morse (b) (6) Paul Wolfson (b) (6)

Subject: Fwd: [EXTERNAL]

Date: Mon, 10 Apr 2023 13:40:29 -0400

Importance: Normal

WH KJP TPs

Begin forwarded message:

From: "Hinojosa, Xochitl (PAO)" <(b) (6)>

Date: April 10, 2023 at 1:39:21 PM EDT

To: "Gupta, Vanita (OASG)" <(b) (6)> "Iverson, Dena (PAO)"

<(b) (6)>

Subject: FW:

WH talking points below

From: Thomas, Rachel R. EOP/WHO <(b) (6)>

Sent: Monday, April 10, 2023 1:35 PM

To: Hinojosa, Xochitl (PAO) <(b) (6)> Scully, Kelly A. EOP/WHO <(b) (6)>

Cc: Berner, Kate K. EOP/WHO <(b) (6)> Iverson, Dena (PAO) <(b) (6)>

Subject: RE: [EXTERNAL] Reuters piece on Mife

Here are our current points. Kelly do you have anything else re: (b) (5) that you prepped for Karine?

Topline points on Texas decision:

- We strongly disagree with the Texas District Court's decision.
- A court in Texas has taken the virtually unprecedented step of rejecting FDA's approval of a needed medication. If today's decision stands, it will put women's health at risk and undermine the FDA's ability to keep safe and effective medications available to patients who need them.
- We were prepared for this outcome, and the Department of Justice has already announced that they will be appealing the court's decision and seeking a stay pending appeal. Mifepristone continues to be available and approved for the time being. The Justice Department is reviewing the decision from Washington State.
- First, this lawsuit is an attack on access to medication writ large. While an outrageous attack on women's access to reproductive care, this decision goes beyond that to undermine basic health care and access to FDA-approved medicine. It poses an existential threat to the FDA's authority to review and approve a wide range of safe and effective drugs.
- Second, we will continue to stand by the safety record of mifepristone—a drug that has been on market for more than 20 years and is used safely in more than 60 countries and provides critical care for women. FDA has carefully considered and reviewed clinical evidence regarding this medication and determined it is safe and effective for the last two decades.
- Third, today's decision further strips away a woman's ability to make decisions about her own body with her doctor. This decision, if it stands, will prevent women across the country from accessing an essential FDA-approved drug. And it threatens not only the use of this medication for abortion, but also for other critical purposes—like helping women manage miscarriages.
- It's another step towards the ultimate goal we've heard from anti-choice officials at both the state and national level—eliminating access to abortion for all women in every state.

- Attempting to take an entire drug off the market is a dangerous interference in health care determinations by the FDA, based on science.
- Our Administration will work to protect reproductive rights and to ensure women can make their own decisions about their own bodies.

What will the FDA do in response to the decision? Will FDA withdraw mifepristone from the market?

- We are not going to get ahead of the courts. As of Friday, the Texas decision is stayed for seven days, so the status quo remains in place. Mifepristone remains approved and available for use by women and health care providers.
- DOJ has already appealed and we will continue to fight in the courts to maintain the stay and ultimately win this case in the Supreme Court, if necessary.

What do next steps look like? Will the Administration be taking any additional action to protect access to mifepristone?

- As I said, we are prepared for this fight.
- DOJ has already appealed and we will continue to fight in the courts to maintain the stay and ultimately win this case in the Supreme Court, if necessary.
- We also want to be clear that protecting access to abortion has long been a major priority, a priority made more urgent by the Supreme Court's decision in *Dobbs*. The President and Vice President have consistently underscored the importance of FDA-approved medication abortion – including on the day of the *Dobbs* decision, in Executive Orders, and most recently in a Presidential Memorandum issued in January 2023.
- The Texas lawsuit is a continuation, and escalation, of attacks on evidence-based policies that the Administration put in place to ensure access to this safe and effective medication.

Washington State/ mifepristone decision

- The Department of Justice is still reviewing this case so I have no comment beyond that.

Call to ignore court ruling

- We stand by FDA's approval of mifepristone, and we are prepared for a long legal fight, if needed.
- DOJ has already appealed and we will continue to fight in the courts to maintain the stay and ultimately win this case in the Supreme Court, if necessary.
- We understand the frustration regarding this decision.
- But as dangerous a precedent it sets for a court to set aside FDA's expert judgment regarding a drug's safety and efficacy, it would also set a dangerous precedent for the Administration to disregard a binding decision.
- There is a process in place for appealing this decision and we will pursue that process vigorously and do everything we can to prevail in the courts.

Home base abortion points:

- Reproductive freedom is a fundamental right and medical decisions should be made between a woman and her doctor – without government interference.
- The vast majority of Americans agree. But Republican officials have introduced more than 300 bills restricting abortion so far this year.
- The Biden-Harris Administration is coordinating with state leaders who are fighting to protect reproductive rights.
- And we've taken historic action to expand access to reproductive health care:
 - The President's Task Force on reproductive health care access is working across the federal government to protect access to care.
 - And he's signed two Executive Orders to protect access to abortion and contraception, support a woman's right to travel for medical care, strengthen privacy measures, and address discrimination in health care.
 - President Biden also issued a Presidential Memorandum on what would have been the 50th anniversary of *Roe v. Wade* that is aimed at protecting safe access to medication abortion in particular.
- This President believes that Republican elected officials should not be making these decisions for the women of America and his Administration will not back down from this fight.

From: Hinojosa, Xochitl (PAO) <(b) (6)>
Sent: Monday, April 10, 2023 12:52 PM
To: Thomas, Rachel R. EOP/WHO <(b) (6)> Scully, Kelly A. EOP/WHO <(b) (6)>
Cc: Berner, Kate K. EOP/WHO <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: RE: [EXTERNAL] Reuters piece on Mife

Thanks. Can you send us any talking points Jen Klein is using? I connected with Becerra's team. We're going to give him a line to say if asked. Thanks!

From: Thomas, Rachel R. EOP/WHO <(b) (6)>
Sent: Monday, April 10, 2023 12:13 PM
To: Hinojosa, Xochitl (PAO) <(b) (6)> Scully, Kelly A. EOP/WHO <(b) (6)>
Cc: Berner, Kate K. EOP/WHO <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: RE: [EXTERNAL] Reuters piece on Mife

Secretary Becerra does have an open press event this afternoon around 2pm where he will do a quick gaggle at the end. I let Kamara know that you guys might be reaching out to her – her number is (b) (6). They were equally as surprised about some of the inaccuracies in the Reuters piece and I made sure they knew we had been working over the weekend to try to fix a lot of it.

From: Thomas, Rachel R. EOP/WHO
Sent: Monday, April 10, 2023 11:23 AM
To: 'Hinojosa, Xochitl (PAO)' <(b) (6)> Scully, Kelly A. EOP/WHO <(b) (6)>
Cc: Berner, Kate K. EOP/WHO <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: RE: [EXTERNAL] Reuters piece on Mife

We've been working with Kamara Jones, acting assistant secretary for public affairs at HHS: (b) (6)

I'm not aware of Becerra doing interviews today on this. We have Jen Klein out on mife today generally but she's good on pushing back against any of the blatantly false or inaccurate claims in the piece. Anything you want us to flag for her in particular?

From: Hinojosa, Xochitl (PAO) <(b) (6)>
Sent: Monday, April 10, 2023 11:19 AM
To: Scully, Kelly A. EOP/WHO <(b) (6)>
Cc: Berner, Kate K. EOP/WHO <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Thomas, Rachel R. EOP/WHO <(b) (6)>
Subject: Re: [EXTERNAL] Reuters piece on Mife

They updated some of it. Also, do you have a contact for who is running public affairs at HHS? And do you guys know if the secretary or anyone else has interviews scheduled on this?

Thanks!

On Apr 9, 2023, at 5:20 PM, Scully, Kelly A. EOP/WHO <(b) (6)> wrote:

Thanks, here's contact info

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

From: Hinojosa, Xochitl (PAO) <(b) (6)>

Sent: Sunday, April 9, 2023 5:19 PM

To: Berner, Kate K. EOP/WHO <(b) (6)>

Cc: Iverson, Dena (PAO) <(b) (6)> Scully, Kelly A. EOP/WHO <(b) (6)>

Thomas, Rachel R. EOP/WHO <(b) (6)>

Subject: Re: [EXTERNAL] Reuters piece on Mife

We can reach out

On Apr 9, 2023, at 4:21 PM, Berner, Kate K. EOP/WHO <(b) (6)> wrote:

Hi guys –

We are fighting with Nandita on her Reuters piece <https://www.reuters.com/world/us/white-house-plans-support-drugstores-pharma-abortion-pill-battle-sources-2023-04-09/>

There's a lot wrong in it – we think including this: Options being discussed include having the U.S. Department of Justice back any legal challenges brought against manufacturers and pharmacies, and providing legal advice on how they can continue dispensing the pills, the sources said.

She is indicating her sources are from DOJ. If you guys think this is wrong will you ping her?

Thanks

Kate Berner

Deputy Communications Director | the White House

(b) (6) (o) (b) (6) (c)

From: "Wolfson, Paul (OASG)" (b) (6)

To: (b) (6) Beth Brinkmann" (b) (6) Beth Brinkmann

Subject: FW: Motion for stay as filed

Date: Mon, 10 Apr 2023 18:00:36 -0000

Importance: Normal

Attachments: Alliance v. FDA - CA5 stay motion - as filed.pdf

Paul R.Q. Wolfson
Deputy Associate Attorney General
U.S. Department of Justice

(b) (6)

Mobile: (b) (6)

Office Tel: (b) (6)

From: "Morse, Jodie (OASG)" (b) (6)
To: "Boynton, Brian M. (CIV)" (b) (6), "Harrington, Sarah E. (CIV)" (b) (6), "Netter, Brian (CIV)" (b) (6), "Rao, Arun (CIV)" (b) (6)
Cc: "Maltby, Jeremy (ODAG)" (b) (6), "Walker, Burden (OAG)" (b) (6), "Fletcher, Brian H. (OSG)" (b) (6), "Wolfson, Paul (OASG)" (b) (6), "Mizer, Benjamin (OASG)" (b) (6)
Subject: FW: Medication Abortion Talking Points and Resources
Date: Mon, 10 Apr 2023 16:15:46 +0000
Importance: Normal
Attachments: Talking Points + Statements Alliance for Hippocratic Medicine v. FDA.pdf

Hi – Carlos got these from WH OLA. Could we please take a look to make sure we don't need to make any edits?

From: Uriarte, Carlos F. (OLA) (b) (6)
Sent: Monday, April 10, 2023 12:04 PM
To: Morse, Jodie (OASG) (b) (6); Evers, Austin (ODAG) (b) (6)
Cc: Bond, Slade (OLA) (b) (6) >
Subject: FW: Medication Abortion Talking Points and Resources

FYSA

From: Dodin, Reema B. EOP/WHO (b) (6)
Sent: Monday, April 10, 2023 11:56 AM
To: Uriarte, Carlos F. (OLA) (b) (6)
Cc: Terrell, Louisa M. EOP/WHO (b) (6)
Subject: [EXTERNAL] FW: Medication Abortion Talking Points and Resources

From: Dodin, Reema B. EOP/WHO (b) (6)
Sent: Friday, April 7, 2023 11:53 PM
To: Dodin, Reema B. EOP/WHO (b) (6) >
Subject: FW: Medication Abortion Talking Points and Resources

Please see attached for AHM v. FDA Post-Decision Talking Points and Resources. Thank you.

From: "Morse, Jodie (OASG)" (b) (6)

To: "Reich, Mitchell (OAG)" (b) (6)

Subject: memo

Date: Wed, 05 Apr 2023 12:45:46 -0000

Importance: Normal

Attachments: Scope of Face Act 8-1-22.docx

From: "Morse, Jodie (OASG)" (b) (6)

To: "Reich, Mitchell (OAG)" (b) (6), "Maltby, Jeremy (ODAG)" (b) (6)

Subject: RE: Barriers to Accessing Reproductive Healthcare

Date: Tue, 04 Apr 2023 14:02:32 -0000

Importance: Normal

I asked Rob but if you could get your hands on the final version of the recent prep materials on FACE Act (I only have early drafts), we could work with that in the meantime.

From: Reich, Mitchell (OAG) (b) (6)

Sent: Tuesday, April 4, 2023 9:38 AM

To: Morse, Jodie (OASG) (b) (6); Maltby, Jeremy (ODAG) (b) (6)

Subject: RE: Barriers to Accessing Reproductive Healthcare

Thanks so much for this. Some initial edits. I think it would be good to add a squib about (b) (5)
(b) (6) Can we ask Rob to quickly put that together?

From: Morse, Jodie (OASG) (b) (6)

Sent: Tuesday, April 4, 2023 8:23 AM

To: Reich, Mitchell (OAG) (b) (6); Maltby, Jeremy (ODAG) (b) (6)

Subject: Fwd: Barriers to Accessing Reproductive Healthcare

Mitch, should we consider adding in something about (b) (5)
(b) (6)

Sent from my iPhone

Begin forwarded message:

From: "Weiner, Robert (CRT)" (b) (6)

Date: April 4, 2023 at 8:03:00 AM EDT

To: "Morse, Jodie (OASG)" (b) (6)

Cc: "Maltby, Jeremy (ODAG)" (b) (6); "Reich, Mitchell (OAG)" (b) (6),

"Sooknanan, Sparkle (OASG)" (b) (6); "Moossy, Robert (CRT)"

(b) (6)

Subject: RE: Barriers to Accessing Reproductive Healthcare

Duplicative Material, Bates Number 23cv01122_23-00736_000280

From: "Morse, Jodie (OASG)" (b) (6)
To: "Weiner, Robert (CRT)" (b) (6)
Cc: "Maltby, Jeremy (ODAG)" (b) (6), "Reich, Mitchell (OAG)"
(b) (6), "Sooknanan, Sparkle (OASG)"
(b) (6), "Moossy, Robert (CRT)" (b) (6)

Subject: Re: Barriers to Accessing Reproductive Healthcare

Date: Tue, 04 Apr 2023 12:21:18 -0000

Importance: Normal

That's great. Fingers crossed it continues to be productive!
Sent from my iPhone

On Apr 4, 2023, at 8:03 AM, Weiner, Robert (CRT) (b) (6) > wrote:

Duplicative Material, Bates Number 23cv01122_23-00736_000280

From: "Rossi, Rachel (ATJ)" (b) (6)

To: "Davies, Susan M. (OLP)" (b) (6)

Subject: FW: 16(b)(ii) report into ExecSec by tomorrow

Date: Fri, 31 Mar 2023 17:49:52 +0000

Importance: Normal

Attachments: AG Action Memorandum for EO 14074 16(b)(ii) FINAL 01 13 2023.doc;
2023.03.29 Section 16(b)(ii) Report FINAL.docx

Inline-Images: image001.jpg

Sorry, sent you the wrong doc! Attaching it here. It's an ExecSec memo from the BOP Director, but it seems ATJ is being asked to place this into ExecSec. I wasn't sure if there was any agreement on who should be submitting to leadership for clearance? We'd have to either re-write this action memo to be from ATJ, or to forward to BOP to submit for clearance. I didn't want to cause a ruckus at BOP if there were agreements I wasn't aware of.

From: Inman, Susan (ATJ) (b) (6)

Sent: Thursday, March 30, 2023 4:02 PM

To: Rossi, Rachel (ATJ) (b) (6)

Subject: FW: 16(b)(ii) report into ExecSec by tomorrow

Just FYI that this is about to go into Exec Sec. I have not been tracking this closely, but assume this went through all the usual steps and is therefore good to go? Let me know if you need/want to take a final pass.

From: Maher, Robin (ATJ) (b) (6)

Sent: Thursday, March 30, 2023 1:32 PM

To: Espinoza, Maria (ATJ) (b) (6) Inman, Susan (ATJ) (b) (6)

Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Maria, let me know if you have questions.

Susan, do we need to change the "due date" on the AG action memo? We received a couple of extensions that Saeed requested so we are well past the 240 days. I can also ask Brandon.

Robin

From: Espinoza, Maria (ATJ) (b) (6)

Sent: Thursday, March 30, 2023 1:20 PM

To: Inman, Susan (ATJ) (b) (6) Maher, Robin (ATJ) (b) (6)

Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Yes, once I get everything from Robin.

Maria Espinoza (she/her)
Confidential Assistant
Office for Access to Justice
Department of Justice
(b) (6)

Mobile#:(b) (6)
(CTR:BreakForth Solutions, Inc.)



From: Inman, Susan (ATJ) (b) (6)
Sent: Thursday, March 30, 2023 1:19 PM
To: Maher, Robin (ATJ) (b) (6) >; Espinoza, Maria (ATJ) <(b) (6) >
Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Got it! Maria can help with that.

From: Maher, Robin (ATJ) (b) (6)
Sent: Thursday, March 30, 2023 1:17 PM
To: Inman, Susan (ATJ) (b) (6) >; Espinoza, Maria (ATJ) <(b) (6) >
Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Yes, the memo is done. I'm just uncertain of the procedure of submitting to Exec Sec.

From: Inman, Susan (ATJ) (b) (6)
Sent: Thursday, March 30, 2023 1:17 PM
To: Maher, Robin (ATJ) (b) (6) >; Espinoza, Maria (ATJ) (b) (6) >
Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Looks like from Brandon's email that we only need it to go to OASG, ODAG and OAG in Exec Sec (not any other components). Robin, do you have an AG Action Memo to accompany this report? This is the type of thing that summarizes what the document is and recommends that the AG sign (or submit, or whatever we want him to do) – it's required for everything going into Exec Sec. If you aren't familiar with that document, you could perhaps ask OLP to send you an example of an AG Action Memo that may have accompanied other CJR EO reports so that you can lift from that.

From: Maher, Robin (ATJ) (b) (6)
Sent: Thursday, March 30, 2023 1:12 PM
To: Espinoza, Maria (ATJ) (b) (6)
Cc: Inman, Susan (ATJ) (b) (6)
Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Yes I will send you the final document – you do not have a list for ExecSec distribution?

From: Espinoza, Maria (ATJ) (b) (6)
Sent: Thursday, March 30, 2023 1:12 PM
To: Maher, Robin (ATJ) (b) (6)
Cc: Inman, Susan (ATJ) <(b) (6) >
Subject: RE: 16(b)(ii) report into ExecSec by tomorrow

Yes, I can do that.

Can you send me the doc and list of who needs to review or sign by order?

Maria Espinoza (she/her)
Confidential Assistant
Office for Access to Justice
Department of Justice
(b) (6)
Mobile#: (b) (6)
(CTR:BreakForth Solutions, Inc.)



From: Maher, Robin (ATJ) (b) (6) >
Sent: Thursday, March 30, 2023 1:05 PM
To: Espinoza, Maria (ATJ) (b) (6)
Cc: Inman, Susan (ATJ) (b) (6)
Subject: 16(b)(ii) report into ExecSec by tomorrow

Hi Maria, (b) (6) !

The 16(b)(ii) report we nearly finalized in January is now ready for ExecSec. Can you please assist me? We've been told it must be submitted by tomorrow (b) (6) and I am unfamiliar with this process.

Robin

Robin M. Maher (she/her)
Senior Counsel
Office for Access to Justice
United States Department of Justice
(b) (6)
(b) (6)