

From: Brest, Phillip (Judiciary-Dem)
Subject: Materials Received - Week of 4/12
To: Zogby, Joseph (Judiciary-Dem); Swanson, Daniel (Judiciary-Dem); Trifone, Stephanie (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Charlet, Joseph (Judiciary-Dem); Yeldandi, Vaishalee (Judiciary-Dem); Shepard, Anna (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); Babin, Reginald (Schumer); Contes, Helena (Schumer); Venkataramanan, Rajiv (Judiciary-Dem); Dourmashkin, Rebecca (Judiciary-Dem); Xenakis, Nicholas (Judiciary-Dem); Aronson, Alex (Judiciary-Dem); Kundaria, Ajay (Judiciary-Dem); Buchanan, Keagan (Judiciary-Dem); Brill, Sophia (Judiciary-Dem); Stanislawski, Aaron (Judiciary-Dem); Sanghvi, Saurabh (Judiciary-Dem); Stoopler, David (Judiciary-Dem); Budish, Jack (Judiciary-Dem); Hantson, Jeff (Hirono); Clerinx, Wendy (Hirono); Smith, Daniel (Judiciary-Dem); Garcia, Lynda (Judiciary-Dem); Schuker, Daniel (Judiciary-Dem); Doshi, Ravi (Judiciary-Dem); Turner, Donni (Ossoff); Schaumburg, Sara (Ossoff); Blau, Zachary (OLP); Davis, Kolan (Judiciary-Rep); Fragoso, Michael (Judiciary-Rep); Lari, Rita (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep); Creegan, Erin (Judiciary-Rep); Kenny, Gabrielle (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Munk, Raija Churchill (Judiciary-Rep); Hartmann, George (Grassley); Foy, Taylor (Grassley); Ragsdale, DeLisa (Judiciary-Rep); Holmes, Lee (Judiciary-Rep); Davis, Andrew (Judiciary-Rep); Long, Jeff (Judiciary-Rep); Flores, Kelsey (Judiciary-Rep); Raybould, Ryan (Judiciary-Rep); Payne, William (Judiciary-Rep); Ehrett, John (Hawley); Watt, Brad (Dem-Floor); Tomlinson, Elliott (Tillis); Colas, Brian (Judiciary-Rep); Hudson, Drew (Judiciary-Rep); Harding, Andrew (Kennedy); Fraher, Hannah (Kennedy); Vu, Jessica (Judiciary-Rep); Baig, Wendy (Judiciary-Rep); Oberan, Elizabeth (Judiciary-Rep); Ferguson, Andrew (McConnell)
Sent: April 16, 2021 9:46 AM (UTC-04:00)

Good morning. We received the below materials this past week:

April 12, 2021

Nominations

- David Chipman (Director – ATF)
- Ronald Davis (Director – USMS)

April 14, 2021

Questionnaires

- Tiffany Cunningham (Fed. Cir.)

April 15, 2021

Ethics & 278 Form

- Ronald Davis (Director – USMS)

Nominations

- Ur Jaddou (Director – USCIS)
- Christopher Schroeder (AAG-OLC)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Tiffany P. Cunningham (Fed. Cir.)
To: Brest, Phillip (Judiciary-Dem; Kader, Gabe (Judiciary-Dem; Bauer, Sarah (Judiciary-Dem; Hopkins, Maggie (Judiciary-Dem; (b)(6) Lane Giardina (Judiciary-Dem); Frago, Michael (Judiciary-Rep; Mehler, Lauren (Judiciary-Rep; Rodriguez, Tim (Judiciary-Rep
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: April 14, 2021 6:40 PM (UTC-04:00)
Attached: Cunningham SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit, vice Evan Jonathan Wallach, retiring.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Brest, Phillip (Judiciary-Dem)
Subject: Materials Received - Week of 4/5
To: Zogby, Joseph (Judiciary-Dem); Swanson, Daniel (Judiciary-Dem); Trifone, Stephanie (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Charlet, Joseph (Judiciary-Dem); Yeldandi, Vaishalee (Judiciary-Dem); Shepard, Anna (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); Babin, Reginald (Schumer); Contes, Helena (Schumer); Venkataramanan, Rajiv (Judiciary-Dem); Dourmashkin, Rebecca (Judiciary-Dem); Xenakis, Nicholas (Judiciary-Dem); Aronson, Alex (Judiciary-Dem); Kundaria, Ajay (Judiciary-Dem); Buchanan, Keagan (Judiciary-Dem); Brill, Sophia (Judiciary-Dem); Stanislawski, Aaron (Judiciary-Dem); Sanghvi, Saurabh (Judiciary-Dem); Stoopler, David (Judiciary-Dem); Budish, Jack (Judiciary-Dem); Hantson, Jeff (Hirono); Clerinx, Wendy (Hirono); Smith, Daniel (Judiciary-Dem); Garcia, Lynda (Judiciary-Dem); Schuker, Daniel (Judiciary-Dem); Doshi, Ravi (Judiciary-Dem); Turner, Donni (Ossoff); Schaumburg, Sara (Ossoff); Blau, Zachary (OLP); Davis, Kolan (Judiciary-Rep); Fragoso, Michael (Judiciary-Rep); Lari, Rita (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep); Creegan, Erin (Judiciary-Rep); Kenny, Gabrielle (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Munk, Raija Churchill (Judiciary-Rep); Hartmann, George (Grassley); Foy, Taylor (Grassley); Ragsdale, DeLisa (Judiciary-Rep); Holmes, Lee (Judiciary-Rep); Davis, Andrew (Judiciary-Rep); Long, Jeff (Judiciary-Rep); Flores, Kelsey (Judiciary-Rep); Raybould, Ryan (Judiciary-Rep); Payne, William (Judiciary-Rep); Ehrett, John (Hawley); Watt, Brad (Dem-Floor); Tomlinson, Elliott (Tillis); Colas, Brian (Judiciary-Rep); Hudson, Drew (Judiciary-Rep); Harding, Andrew (Kennedy); Fraher, Hannah (Kennedy); Vu, Jessica (Judiciary-Rep); Baig, Wendy (Judiciary-Rep); Oberan, Elizabeth (Judiciary-Rep); Ferguson, Andrew (McConnell)
Sent: April 10, 2021 10:13 AM (UTC-04:00)

We received the below materials this past week:

April 6, 2021

Questionnaire Update

- Todd Kim (AAG-ENRD)

April 7, 2021

Questionnaire

- Ronald Davis (Dir. – USMS)

April 8, 2021

Questionnaire Update

- Kristen Clarke (AAG-CRT)

From: Palmer, Bryan (Judiciary)
Subject: LOCATION CHANGE for a Senate Judiciary Committee Hearing on Wednesday, April 14, 2021
To: Judic-Dem; JudicBlackburn; JudicCornyn; JudicCotton; JudicCruz; JudicGraham; JudicGrassley; JudicHawley; JudicKennedy; JudicLee; JudicSasse; JudicTillis; JudRep Other; Ahmed, Danniya (Blumenthal); Anderson, Collin (Blumenthal); Berger, Christine (Judiciary-Dem); Cha, Jefferson (Blackburn); Colas, Brian (Cotton); Cooksey, Sean (Hawley); Costello, Colleen (Whitehouse); Deoudes, Joni (Cotton); Ehrett, John (Hawley); Farrar, Elizabeth (Klobuchar); Fraher, Hannah (Kennedy); Greenberg, Brad (Tillis); Hantson, Jeff (Hirono); Harding, Andrew (Kennedy); Hudson, Drew (Cotton); Lawrence, Noah (Blumenthal); Lipper, Miryam (Ossoff); Nolan, Blaine (Hirono); Pang, Jasmine (Hirono); Steitz, John (Kennedy); Stokes, David (Kennedy); Vu, Jessica (Blackburn); Ahmadi, Shaeda (Harris); Alderson Reporting Info; Amacio, Kathleen (Crapo); Wise, Amy (OLP); Loughlin, Ann (OLP); Babcock, Christine (Cruz); Babin, Reginald (Schumer); Becker, Bob (SAA); Wilson, Benjamin (OLP); Biagi, Marguerite (Harris); Bradlow, Adam (Blumenthal); Bright, Cortney (Harris); Burch, Grace (Blackburn); Busse, Carolyn (Cruz); Cannon, Kate (Lee); Carle, David (Leahy); Cayea, Devan (Padilla); Chabot, Erica (Leahy); Chris Gaskill (Contact); Colmore, Wendy (SAA); Cortez, Carolina (Harris); Danielle Douglas E. (OLA); Derman, Joanna (Harris); Dowd, John (Leahy); Ferguson, Andrew (McConnell); Flaherty, Rachel (Whitehouse); Foord, Chesna (Feinstein); Foti, Riley (Durbin); Ge, Tiffany (McConnell); Gilsdorf, Andrea (Sasse); Heins, Jennifer (Grassley); Ho, Andy (Lee); Hsu, Josh (Harris); Jackson, Karl (SAA); James, Alice (L. Graham); James, Ellen (Hawley); Johnston, Joseph (Secretary); Josh Fanning (Contact); Kelsey, Joel (Blumenthal); Kirchner, Mary (Kennedy); Kuskowski, Jennifer (McConnell); Lawson, Michael (Blumenthal); Kingo, Lola A. (OLP); Long, Sydnie (Cruz); Mallin, Blair (Klobuchar); Downer, Matthew (OLP); McCarty, Taylor (Harris); McDonald, Kevin (Leahy); Mead, Scott (SAA); Mentzer, Tom (Feinstein); Moser, Chelsea (Coons); OGrady, Mimi (Cruz); Ott, Andrew (Secretary); Packer, Megan (Cruz); Mehta, Hemen (DPCC); Peer, Sarah (Sasse); Photo (SAA); SAA Police Ops; Pollard, Beatrice (Schumer); Reuschel, Claire (Durbin); Roterling, Charles (Durbin); Russell, Adam (Feinstein); Sanchez, Jeff (Coons); Sapperstein, Kristin (Kennedy); Saunders, Chris (Leahy); Scheduler (Booker); Schulze, Angela (Tillis); Schwartz, Charlotte (Blumenthal); Schwartz, Leah (Padilla); Seigle, Leah (Whitehouse); Serrano, Andrew (Booker); Shirley, Raven (Sasse); Suric, Stefan (Booker); Teetsel, Eric (Hawley); Tibbitts, Caroline (Whitehouse); Tomlinson, Elliott (Tillis); Toomajian, Kathryn (Leahy); Tratos, Elizabeth (Secretary); Wait, Mark (Lee); Watts, Brad (Tillis); Williford, Seth (Tillis); Ziegler, Emily (Cornyn)
Sent: April 9, 2021 5:41 PM (UTC-04:00)

April 09, 2021

NOTICE OF COMMITTEE HEARING

LOCATION CHANGE

The hearing scheduled by the Committee on the Judiciary for Wednesday, April 14, 2021 at 10:00 a.m., entitled "Nominations," **will now be held in** Room G50 of the Dirksen Senate Office Building.

By order of the Chair.

From: Palmer, Bryan (Judiciary)
Subject: Notice of Committee Hearing on Wednesday, April 14, 2021 at 10:00 a.m.
To: Judic-Dem; JudicBlackburn; JudicCornyn; JudicCotton; JudicCruz; JudicGraham; JudicGrassley; JudicHawley; JudicKennedy; JudicLee; JudicSasse; JudicTillis; JudRep Other; Ahmed, Danniya (Blumenthal); Anderson, Collin (Blumenthal); Berger, Christine (Judiciary-Dem); Cha, Jefferson (Blackburn); Colas, Brian (Cotton); Cooksey, Sean (Hawley); Costello, Colleen (Whitehouse); Deoudes, Joni (Cotton); Ehrett, John (Hawley); Farrar, Elizabeth (Klobuchar); Fraher, Hannah (Kennedy); Greenberg, Brad (Tillis); Hantson, Jeff (Hirono); Harding, Andrew (Kennedy); Hudson, Drew (Cotton); Lawrence, Noah (Blumenthal); Lipper, Miryam (Ossoff); Nolan, Blaine (Hirono); Pang, Jasmine (Hirono); Steitz, John (Kennedy); Stokes, David (Kennedy); Vu, Jessica (Blackburn); Ahmadi, Shaeda (Harris); Alderson Reporting Info; Amacio, Kathleen (Crapo); Wise, Amy (OLP); Loughlin, Ann (OLP); Babcock, Christine (Cruz); Babin, Reginald (Schumer); Becker, Bob (SAA); Wilson, Benjamin (OLP); Biagi, Marguerite (Harris); Bradlow, Adam (Blumenthal); Bright, Courtney (Harris); Burch, Grace (Blackburn); Busse, Carolyn (Cruz); Cannon, Kate (Lee); Carle, David (Leahy); Cayea, Devan (Padilla); Chabot, Erica (Leahy); Chris Gaskill (Contact); Colmore, Wendy (SAA); Cortez, Carolina (Harris); Danielle Douglas E. (OLA); Derman, Joanna (Harris); Dowd, John (Leahy); Ferguson, Andrew (McConnell); Flaherty, Rachel (Whitehouse); Foord, Chesna (Feinstein); Foti, Riley (Durbin); Ge, Tiffany (McConnell); Gilsdorf, Andrea (Sasse); Heins, Jennifer (Grassley); Ho, Andy (Lee); Hsu, Josh (Harris); Jackson, Karl (SAA); James, Alice (L. Graham); James, Ellen (Hawley); Johnston, Joseph (Secretary); Josh Fanning (Contact); Kelsey, Joel (Blumenthal); Kirchner, Mary (Kennedy); Kuskowski, Jennifer (McConnell); Lawson, Michael (Blumenthal); Kingo, Lola A. (OLP); Long, Sydnie (Cruz); Mallin, Blair (Klobuchar); Downer, Matthew (OLP); McCarty, Taylor (Harris); McDonald, Kevin (Leahy); Mead, Scott (SAA); Mentzer, Tom (Feinstein); Moser, Chelsea (Coons); OGrady, Mimi (Cruz); Ott, Andrew (Secretary); Packer, Megan (Cruz); Mehta, Hemen (DPCC); Peer, Sarah (Sasse); Photo (SAA); SAA Police Ops; Pollard, Beatrice (Schumer); Reuschel, Claire (Durbin); Roterling, Charles (Durbin); Russell, Adam (Feinstein); Sanchez, Jeff (Coons); Sapperstein, Kristin (Kennedy); Saunders, Chris (Leahy); Scheduler (Booker); Schulze, Angela (Tillis); Schwartz, Charlotte (Blumenthal); Schwartz, Leah (Padilla); Seigle, Leah (Whitehouse); Serrano, Andrew (Booker); Shirley, Raven (Sasse); Suric, Stefan (Booker); Teetsel, Eric (Hawley); Tibbitts, Caroline (Whitehouse); Tomlinson, Elliott (Tillis); Toomajian, Kathryn (Leahy); Tratos, Elizabeth (Secretary); Wait, Mark (Lee); Watts, Brad (Tillis); Williford, Seth (Tillis); Ziegler, Emily (Cornyn)
Sent: April 7, 2021 6:03 PM (UTC-04:00)

April 7, 2021

NOTICE OF COMMITTEE HEARING

The Senate Committee on the Judiciary has scheduled a hearing entitled “Nominations” for Wednesday, April 14, 2021 at 10:00 a.m. in Room 226 of the Dirksen Senate Office Building.

By order of the Chair.

Bryan Palmer
Hearing Clerk | Senate Judiciary Committee
202-224-5225
<http://judiciary.senate.gov>

From: Brest, Phillip (Judiciary-Dem)
Subject: Material Received - Week of 3/29
To: Zogby, Joseph (Judiciary-Dem); Swanson, Daniel (Judiciary-Dem); Trifone, Stephanie (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Charlet, Joseph (Judiciary-Dem); Yeldandi, Vaishalee (Judiciary-Dem); Shepard, Anna (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); Babin, Reginald (Schumer); Contes, Helena (Schumer); Venkataramanan, Rajiv (Judiciary-Dem); Dourmashkin, Rebecca (Judiciary-Dem); Xenakis, Nicholas (Judiciary-Dem); Aronson, Alex (Judiciary-Dem); Kundaria, Ajay (Judiciary-Dem); Buchanan, Keagan (Judiciary-Dem); Brill, Sophia (Judiciary-Dem); Stanislawski, Aaron (Judiciary-Dem); Sanghvi, Saurabh (Judiciary-Dem); Stoopler, David (Judiciary-Dem); Budish, Jack (Judiciary-Dem); Hantson, Jeff (Hirono); Clerinx, Wendy (Hirono); Smith, Daniel (Judiciary-Dem); Garcia, Lynda (Judiciary-Dem); Schuker, Daniel (Judiciary-Dem); Doshi, Ravi (Judiciary-Dem); Turner, Donni (Ossoff); Blau, Zachary (OLP); Davis, Kolan (Judiciary-Rep); Fragoso, Michael (Judiciary-Rep); Lari, Rita (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep); Creegan, Erin (Judiciary-Rep); Kenny, Gabrielle (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Munk, Raija Churchill (Judiciary-Rep); Hartmann, George (Grassley); Foy, Taylor (Grassley); Ragsdale, DeLisa (Judiciary-Rep); Holmes, Lee (Judiciary-Rep); Davis, Andrew (Judiciary-Rep); Long, Jeff (Judiciary-Rep); Flores, Kelsey (Judiciary-Rep); Raybould, Ryan (Judiciary-Rep); Payne, William (Judiciary-Rep); Ehrett, John (Hawley); Watt, Brad (Dem-Floor); Tomlinson, Elliott (Tillis); Colas, Brian (Judiciary-Rep); Hudson, Drew (Judiciary-Rep); Harding, Andrew (Kennedy); Fraher, Hannah (Kennedy); Vu, Jessica (Judiciary-Rep); Baig, Wendy (Judiciary-Rep); Oberan, Elizabeth (Judiciary-Rep); Ferguson, Andrew (McConnell)
Sent: April 1, 2021 7:08 PM (UTC-04:00)

Hey all,

Materials received below this week and a couple of items that had previously been received that I forgot to include.

Phil

March 18, 2021

Ethics & 278 Form

- Kristen Clarke (AAG-CRD)

March 25, 2021

Ethics & 278 Form

- Todd Kim (AAG-ENRD)

March 31, 2021

Questionnaires

- Ketanji Brown Jackson (D.C. Cir.)
- Candace Jackson-Akiwumi (7th Cir.)
- Deborah Boardman (D-MD)
- Lydia Griggsby (D-MD)
- Julien Neals (D-NJ)
- Zahid Quraishi (D-NJ)
- Regina Rodriguez (D-CO)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Candace Jackson-Akiwumi (7th Cir.)
To: Brest, Phillip (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); (b)(6) Lane Giardina (Judiciary-Dem) Fragoso, Michael (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep)
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: March 31, 2021 6:05 PM (UTC-04:00)
Attached: Jackson-Akiwumi SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Candace Jackson-Akiwumi, of Illinois, to be United States Circuit Judge for the Seventh Circuit, vice Joel M. Flaum, retired.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Regina M. Rodriguez (D CO)
To: Brest, Phillip (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); (b)(6) Lane Giardina (Judiciary-Dem) Fragoso, Michael (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep)
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: March 31, 2021 5:23 PM (UTC-04:00)
Attached: Rodriguez SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Regina M. Rodriguez, of Colorado, to be United States District Judge for the District of Colorado, vice Marcia S. Krieger, retired.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Zahid N. Quraishi (D NJ)
To: Brest, Phillip (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); (b)(6) Lane Giardina (Judiciary-Dem) Fragoso, Michael (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep)
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: March 31, 2021 5:21 PM (UTC-04:00)
Attached: Quraishi SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Zahid N. Quraishi, of New Jersey, to be United States District Judge for the District of New Jersey, vice Peter Sheridan, retired.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Julien X. Neals (D NJ)
To: Brest, Phillip (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); (b)(6) Lane Giardina (Judiciary-Dem) Fragoso, Michael (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep)
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: March 31, 2021 5:18 PM (UTC-04:00)
Attached: Neals SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Julien X. Neals, of New Jersey, to be United States District Judge for the District of New Jersey, vice William Martini, retired.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Lydia Griggsby (D MD)
To: Brest, Phillip (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); (b)(6) Lane Giardina (Judiciary-Dem) Fragoso, Michael (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep)
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: March 31, 2021 5:15 PM (UTC-04:00)
Attached: Griggsby SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Lydia Griggsby, of Maryland, to be United States District Judge for the District of Maryland, vice Catherine Blake, retiring.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Blau, Zachary (OLP)
Subject: Senate Questionnaire for Deborah L. Boardman (D MD)
To: Brest, Phillip (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); (b)(6) Lane Giardina (Judiciary-Dem) Fragoso, Michael (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep)
Cc: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); McCabe, Shannon (OLP)
Sent: March 31, 2021 5:13 PM (UTC-04:00)
Attached: Boardman SJQ Public Final.pdf

Good Afternoon,

Attached is the public portion of the Senate Questionnaire for the following prospective nominee:

Deborah L. Boardman, of Maryland, to be United States District Judge for the District of Maryland, vice Richard Bennett, retiring.

The confidential portion of the Senate Questionnaire and attachments have been uploaded to JEFS.

Thank you,
Zach

Zachary Blau
Senior Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
(b) (6)

From: Fragoso, Michael (Judiciary-Rep)
Subject: Re: Materials Received - Week of 3.15.21
To: Brest, Phillip (Judiciary-Dem)
Cc: Zogby, Joseph (Judiciary-Dem); Swanson, Daniel (Judiciary-Dem); Trifone, Stephanie (Judiciary-Dem); Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Charlet, Joseph (Judiciary-Dem); Yeldandi, Vaishalee (Judiciary-Dem); Shepard, Anna (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem); Babin, Reginald (Schumer); Contes, Helena (Schumer); Venkataramanan, Rajiv (Judiciary-Dem); Dourmashkin, Rebecca (Judiciary-Dem); Xenakis, Nicholas (Judiciary-Dem); Aronson, Alex (Judiciary-Dem); Kundaria, Ajay (Judiciary-Dem); Buchanan, Keagan (Judiciary-Dem); Brill, Sophia (Judiciary-Dem); Stanislawski, Aaron (Judiciary-Dem); Sanghvi, Saurabh (Judiciary-Dem); Stoopler, David (Judiciary-Dem); Budish, Jack (Judiciary-Dem); Hantson, Jeff (Hirono); Clerinx, Wendy (Hirono); Smith, Daniel (Judiciary-Dem); Garcia, Lynda (Judiciary-Dem); Schuker, Daniel (Judiciary-Dem); Doshi, Ravi (Judiciary-Dem); Turner, Donni (Ossoff); Blau, Zachary (OLP); Davis, Kolan (Judiciary-Rep); Lari, Rita (Judiciary-Rep); Rodriguez, Tim (Judiciary-Rep); Creegan, Erin (Judiciary-Rep); Michalak, Gabrielle (Judiciary-Rep); Mehler, Lauren (Judiciary-Rep); Munk, Raija Churchill (Judiciary-Rep); Hartmann, George (Grassley); Foy, Taylor (Grassley); Ragsdale, DeLisa (Judiciary-Rep); Holmes, Lee (Judiciary-Rep); Davis, Andrew (Judiciary-Rep); Long, Jeff (Judiciary-Rep); Flores, Kelsey (Judiciary-Rep); Raybould, Ryan (Judiciary-Rep); Payne, William (Judiciary-Rep); Ehrett, John (Hawley); Watt, Brad (Dem-Floor); Tomlinson, Elliott (Tillis); Colas, Brian (Judiciary-Rep); Hudson, Drew (Judiciary-Rep); Harding, Andrew (Kennedy); Fraher, Hannah (Kennedy); Vu, Jessica (Judiciary-Rep); Baig, Wendy (Judiciary-Rep); Oberan, Elizabeth (Judiciary-Rep); Ferguson, Andrew (McConnell)
Sent: March 17, 2021 9:35 PM (UTC-04:00)

“Several” seems a little excessive. It couldn’t have been more than twice!

On Mar 17, 2021, at 8:22 PM, Brest, Phillip (Judiciary-Dem) (b) (6) wrote:

Evening all,

For those who are new to the Committee or haven’t tracked nominations previously (or in a while), the majority nominations team sends out updates when the Committee receives SJQs, formal nominations, blue slips, and paperwork from the Office of Government Ethics (OGE). These updates are sent to both majority and minority staff, among others. We’ll start a new thread each week. Please avoid using the “reply all” feature unless you want 60 people to see your email. (Lee Holmes did this several times, as I recall.) Thanks.

Phil

March 16, 2021

Nominations

- Todd Sunhwaee Kim, of the District of Columbia, to be an Assistant Attorney General

March 17, 2021

-

Questionnaires

- Kristen Clarke (AAG-CRT)
- Todd Kim (AAG-ENRD)

From: Palmer, Bryan (Judiciary)
Subject: TIME CHANGE Notice for a Committee Hearing on Tuesday, March 9, 2021
To: Judic-Dem; JudicBlackburn; JudicCornyn; JudicCruz; JudicGraham; JudicGrassley; JudicHawley; JudicKennedy; JudicLee; JudicSasse; JudicTillis; JudRep Other; Hudson, Drew (Cotton); Deoudes, Joni (Cotton); Ahmed, Danniyal (Blumenthal); Anderson, Collin (Blumenthal); Berger, Christine (Judiciary-Dem); Cha, Jefferson (Blackburn); Cooksey, Sean (Hawley); Costello, Colleen (Whitehouse); Ehrett, John (Hawley); Farrar, Elizabeth (Klobuchar); Fraher, Hannah (Kennedy); Greenberg, Brad (Tillis); Hantson, Jeff (Hirono); Harding, Andrew (Kennedy); Lawrence, Noah (Blumenthal); Lipper, Miryam (Ossoff); Pang, Jasmine (Hirono); Steitz, John (Kennedy); Stokes, David (Kennedy); Vu, Jessica (Blackburn); Ahmadi, Shaeda (Harris); Alderson Reporting Info; Amacio, Kathleen (Crapo); Wise, Amy (OLP); Loughlin, Ann (OLP); Babcock, Christine (Cruz); Babin, Reginald (Schumer); Becker, Bob (SAA); Wilson, Benjamin (OLP); Biagi, Marguerite (Harris); Bradlow, Adam (Blumenthal); Bright, Cortney (Harris); Burch, Grace (Blackburn); Busse, Carolyn (Cruz); Cannon, Kate (Lee); Carle, David (Leahy); Cayea, Devan (Padilla); Chabot, Erica (Leahy); Chris Gaskill (Contact); Colmore, Wendy (SAA); Cortez, Carolina (Harris); Danielle Douglas E. (OLA); Derman, Joanna (Harris); Dowd, John (Leahy); Ferguson, Andrew (McConnell); Flaherty, Rachel (Whitehouse); Foord, Chesna (Feinstein); Foti, Riley (Durbin); Garcia, Casey (Whitehouse); Ge, Tiffany (McConnell); Gilsdorf, Andrea (Sasse); Heins, Jennifer (Grassley); Ho, Andy (Lee); Hsu, Josh (Harris); Jackson, Karl (SAA); James, Alice (L. Graham); James, Ellen (Hawley); Johnston, Joseph (Secretary); Josh Fanning (Contact); Kelsey, Joel (Blumenthal); Kirchner, Mary (Kennedy); Kuskowski, Jennifer (McConnell); Lawson, Michael (Blumenthal); Kingo, Lola A. (OLP); Long, Sydnie (Cruz); Mallin, Blair (Klobuchar); Downer, Matthew (OLP); McCarty, Taylor (Harris); McDonald, Kevin (Leahy); Mead, Scott (SAA); Mentzer, Tom (Feinstein); Moser, Chelsea (Coons); Nolan, Blaine (Hirono); OGrady, Mimi (Cruz); Ott, Andrew (Secretary); Pachter, Freda (Feinstein); Packer, Megan (Cruz); Panza, Lucy (Schumer); Peer, Sarah (Sasse); Photo (SAA); SAA Police Ops; Pollard, Beatrice (Schumer); Reuschel, Claire (Durbin); Roterling, Charles (Durbin); Russell, Adam (Feinstein); Sanchez, Jeff (Coons); Sapperstein, Kristin (Kennedy); Saunders, Chris (Leahy); Scheduler (Booker); Schulze, Angela (Tillis); Schwartz, Charlotte (Blumenthal); Schwartz, Leah (Padilla); Seigle, Leah (Whitehouse); Serrano, Andrew (Booker); Shirley, Raven (Sasse); Suric, Stefan (Booker); Teetsel, Eric (Hawley); Tomlinson, Elliott (Tillis); Toomajian, Kathryn (Leahy); Tratos, Elizabeth (Secretary); Wait, Mark (Lee); Watts, Brad (Tillis); Williford, Seth (Tillis); Ziegler, Emily (Cornyn)
Sent: March 5, 2021 7:08 PM (UTC-05:00)

March 5, 2021

NOTICE OF A COMMITTEE HEARING

Time Change

The Senate Committee on the Judiciary hearing entitled “Nominations” originally scheduled for Tuesday, March 9, 2021 at 9:00 a.m. in Room 216 of the Hart Senate Office Building **will now begin at 9:30 a.m.**

By order of the Chair.

Bryan Palmer
Hearing Clerk | Senate Judiciary Committee
202-224-5225
<http://judiciary.senate.gov>

From: Brest, Phillip (Judiciary-Dem)
Subject: Minor Edits to Public Portion of the Judicial SJQ
To: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP)
Cc: Swanson, Daniel (Judiciary-Dem); Fragoso, Michael (Judiciary-Rep)
Sent: March 4, 2021 8:47 PM (UTC-05:00)
Attached: Public - Senate Judiciary Questionnaire -115th with redline edits.docx

Mike and Lola,

We have identified a couple of very minor edits to the judicial SJQ, as reflected in the attached. Wanted you to have this so you can correct on your end, as well. Thanks!

Phil

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY
QUESTIONNAIRE FOR JUDICIAL NOMINEES**

PUBLIC

1. **Name**: State full name (include any former names used).
2. **Position**: State the position for which you have been nominated.
3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.
4. **Birthplace**: State year and place of birth.
5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.
6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.
7. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.
8. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.
9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.
10. **Bar and Court Admission**:
 - a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.
 - b. List all courts in which you have been admitted to practice, including dates of

admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.
- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated- on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

12. **Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or- edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.
- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.
- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.
- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where ~~delivered~~ they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a

transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____

- i. Of these cases, approximately what percent were:

- ~~ii.~~ jury trials: _____%
 - bench trials: _____% [total 100%]

- ii. Of these cases, approximately what percent were:

- ~~iii.~~ civil proceedings: _____%
 - criminal proceedings: _____% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (~~43~~) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
- e. Provide a list of all cases in which certiorari was requested or granted.
- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If

any of the opinions listed were not officially reported, provide copies of the opinions.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.
- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and

responsibilities.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;
 - ii. whether you practiced alone, and if so, the addresses and dates;
 - iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;
 - iv. ~~w~~Whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.
- b. Describe:
 - i. the general character of your law practice and indicate by date when its character has changed over the years.
 - ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.
- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.
 - i. Indicate the percentage of your practice in:
 1. federal courts: __%
 2. state courts of record: __%
 3. other courts: __%
 4. administrative agencies: __%
 - ii. Indicate the percentage of your practice in:
 1. civil proceedings: __%
 2. criminal proceedings: __%
- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate

counsel.

i. What percentage of these trials were:

1. jury: _____%
2. non-jury: _____%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

18. **Legal Activities**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

20. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.
22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).
23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).
24. **Potential Conflicts of Interest:**
- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.
 - b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.
25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.
26. **Selection Process:**
- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.
 - b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

From: Kingo, Lola A. (OLP)
Subject: RE: Strickland BI cleared by both sides
To: Brest, Phillip (Judiciary-Dem); Herwig, Paige L. EOP/WHO; Boyd, Tona EOP/WHO; Zubrensky, Michael A (OLP); Blau, Zachary (OLP); McCabe, Shannon (OLP)
Sent: May 13, 2021 12:15 PM (UTC-04:00)

Thank you, Phil! It's an absolute pleasure working with you.

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, May 13, 2021 11:56 AM
To: Herwig, Paige L. EOP/WHO (b) (6); Boyd, Tona EOP/WHO (b) (6); Zubrensky, Michael A (OLP) (b) (6); Kingo, Lola A. (OLP) (b) (6); Blau, Zachary (OLP) (b) (6); McCabe, Shannon (OLP) (b) (6)
Subject: Strickland BI cleared by both sides

So we're good on Cunningham and Strickland. Thanks, as always, for working so diligently to address BI follow-up.

From: Blau, Zachary (OLP)
Subject: Re: Judges
To: Brest, Phillip (Judiciary-Dem)
Sent: May 13, 2021 12:23 PM (UTC-04:00)

Yep, sounds good

Sent from my iPhone

On May 13, 2021, at 12:13 PM, Brest, Phillip (Judiciary-Dem) (b) (6)

wrote:

Thanks. If noon works, I can call you then

From: Blau, Zachary (OLP) (b) (6)
Sent: Thursday, May 13, 2021 9:58 AM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Subject: RE: Judges

Sure – I’m free anytime before 3

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, May 13, 2021 9:15 AM
To: Blau, Zachary (OLP) (b) (6)
Subject: Judges

Have some time tomorrow to chat about Lee, Rossman, the Washingtons, and O’Hearn?

From: Brest, Phillip (Judiciary-Dem)
Subject: Judges
To: Blau, Zachary (OLP)
Sent: May 13, 2021 12:41 PM (UTC-04:00)

From: Kingo, Lola A. (OLP)
Subject: RE: Judicial BIs - 6/9 Hearing
To: Brest, Phillip (Judiciary-Dem); Herwig, Paige L. EOP/WHO; Boyd, Tona EOP/WHO; Zubrensky, Michael A (OLP); Blau, Zachary (OLP); McCabe, Shannon (OLP)
Cc: Bauer, Sarah (Judiciary-Dem)
Sent: June 4, 2021 4:33 PM (UTC-04:00)

Thank you. You're the best!

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Friday, June 4, 2021 4:30 PM
To: Herwig, Paige L. EOP/WHO (b) (6); Boyd, Tona EOP/WHO (b) (6)
Zubrensky, Michael A (OLP) (b) (6); Kingo, Lola A. (OLP) (b) (6); Blau,
Zachary (OLP) (b) (6); McCabe, Shannon (OLP) (b) (6)
Cc: Bauer, Sarah (Judiciary-Dem) (b) (6)
Subject: RE: Judicial BIs - 6/9 Hearing

Rossman BI has now been cleared by both sides. On Monday, we will send the updated hearing notice with the nominees listed.

Thanks, as always, for your assistance and your patience.

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, June 3, 2021 5:18 PM
To: Herwig, Paige L. EOP/WHO (b) (6); Boyd, Tona EOP/WHO (b) (6)
Zubrensky, Michael A (OLP) (b) (6); Kingo, Lola A. (OLP) (b) (6); Blau,
Zachary (OLP) (b) (6); McCabe, Shannon (OLP) (b) (6)
Cc: Bauer, Sarah (Judiciary-Dem) (b) (6)
Subject: Re: Judicial BIs - 6/9 Hearing

Estudillo BI has now been cleared by both sides.

On Jun 3, 2021, at 9:40 AM, Brest, Phillip (Judiciary-Dem) (b) (6) wrote:

Lin BI has now been cleared by both sides.

From: Brest, Phillip (Judiciary-Dem)
Sent: Friday, May 28, 2021 10:48 AM
To: 'Herwig, Paige L. EOP/WHO' (b) (6); 'Boyd, Tona EOP/WHO' (b) (6); 'Zubrensky, Michael A (OLP)' (b) (6); 'Kingo, Lola A. (OLP)' (b) (6); 'Blau, Zachary (OLP)' (b) (6); 'McCabe, Shannon (OLP)' (b) (6)
Cc: Bauer, Sarah (Judiciary-Dem) (b) (6)
Subject: RE: Judicial BIs - 6/9 Hearing

King BI has now been cleared by both sides.

Phil

From: Brest, Phillip (Judiciary-Dem)
Sent: Wednesday, May 26, 2021 3:53 PM

To: 'Herwig, Paige L. EOP/WHO' <(b) (6)> 'Boyd, Tona EOP/WHO' <(b) (6)> 'Zubrensky, Michael A (OLP)' <(b) (6)> 'Kingo, Lola A. (OLP)' <(b) (6)> Blau, Zachary (OLP) <(b) (6)> 'McCabe, Shannon (OLP)' <(b) (6)>
Subject: Judicial BIs - 6/9 Hearing

The Lee BI has now been cleared by both sides. I'll continue to keep you apprised on other BIs.

From: Blau, Zachary (OLP)
Subject: RE: 6-9 Hearing Guest List (Updated)
To: Brest, Phillip (Judiciary-Dem); Kingo, Lola A. (OLP)
Cc: Zubrensky, Michael A (OLP)
Sent: June 6, 2021 10:33 PM (UTC-04:00)

Sounds good. I'm free anytime after 12 tomorrow if there's a window that would work for you.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, June 4, 2021 8:32 AM
To: Kingo, Lola A. (OLP) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 6-9 Hearing Guest List (Updated)

Thanks Lola. Zach – during the first panel, I will need your or Shannon to sit in the holding room with the guests of the second panel nominees.

Let's chat before Wednesday to make sure we figure out arrival times for the nominees and guests. Most Senate offices are now operating at full capacity even as the buildings remain closed to outside guests, which can lead to challenges with wait times.

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Friday, June 4, 2021 8:28 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: 6-9 Hearing Guest List (Updated)

Duplicative Material, Document ID: 0.7.853.53129, Bates Number 22cv2850-21-01790-002429



From: Kader, Gabe (Judiciary-Dem)
Subject: RE: O'Hearn
To: Blau, Zachary (OLP)
Sent: June 7, 2021 2:44 PM (UTC-04:00)

3:30 on Thursday sounds perfect. I'm at (b) (6). Or happy to call you.

Thanks!
Gabe

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, June 7, 2021 2:42 PM
To: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Subject: RE: O'Hearn

Sure thing. How about Thursday afternoon? Let's say 3:30?

From: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 7, 2021 2:30 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: O'Hearn

Hi Zach,

I hope all is well with you. I'm wondering if we can find a time later this week to chat briefly about O'Hearn? Thursday or Friday would be fine with me, but happy to chat any day that works best for you.

I'm free on Thursday any time after markup. Or Friday any time other than 10—11 or 12-1pm.

Thanks much,
Gabe

From: Kader, Gabe (Judiciary-Dem)
Subject: Gabe/Zach re Christine O'Hearn
To: Blau, Zachary (OLP)
Sent: June 7, 2021 2:45 PM (UTC-04:00)

Gabe's at (b) (6) .

From: Blau, Zachary (OLP)
Subject: RE: 6/9 Logistics and Angel Kelley
To: Brest, Phillip (Judiciary-Dem)
Sent: June 7, 2021 6:20 PM (UTC-04:00)

Great, talk then

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 7, 2021 6:10 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 6/9 Logistics and Angel Kelley

That works, thanks

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, June 7, 2021 6:06 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: Re: 6/9 Logistics and Angel Kelley

Sure, how about 10:45?

Sent from my iPhone

On Jun 7, 2021, at 6:02 PM, Brest, Phillip (Judiciary-Dem) <(b) (6)>
wrote:

Hey Zach,

Sorry didn't have a chance to chat today. Do you have any time tomorrow morning to chat about logistics for Wednesday and, separately, about Angel Kelley? Thanks.

Phil

From: Kader, Gabe (Judiciary-Dem)
Subject: RE: Gustavo Gelpi
To: Blau, Zachary (OLP)
Cc: Bauer, Sarah (Judiciary-Dem); Yeldandi, Vaishalee (Judiciary-Dem)
Sent: June 7, 2021 6:22 PM (UTC-04:00)

Great, thanks!

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, June 7, 2021 6:20 PM
To: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem)
<(b) (6)>
Subject: RE: Gustavo Gelpi

Yep, that works

From: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 7, 2021 6:17 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem)
<(b) (6)>
Subject: RE: Gustavo Gelpi

Thanks Zach – How about 2pm tomorrow?

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, June 7, 2021 5:47 PM
To: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem)
<(b) (6)>
Subject: RE: Gustavo Gelpi

Sure thing – my afternoon/early evening are free other than from 3-4.

From: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 7, 2021 3:53 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem)
<(b) (6)>
Subject: Gustavo Gelpi

Hi Zach,

Apologies for hitting you up twice today. Vaishalee, Sarah (CC'd), and I are teaming up to review Gustavo Gelpi, since he has a large number of cases to review. Is there a time tomorrow you might be able to connect with one of us on Gelpi? Happy to work around your schedule.

Thanks,
Gabe

From: Kader, Gabe (Judiciary-Dem)
Subject: Zach/Gabe re Gelpi
To: Blau, Zachary (OLP)
Sent: June 7, 2021 6:23 PM (UTC-04:00)

Gabe's at (b) (6). I can conference Sarah or Vaishalee in if they're free to join.

From: Brest, Phillip (Judiciary-Dem)
Subject: 6/9 Logistics & Kelley
To: Blau, Zachary (OLP)
Sent: June 7, 2021 7:03 PM (UTC-04:00)

Let me know if there's a better #.

From: Kader, Gabe (Judiciary-Dem)
Subject: Gelpi
To: Blau, Zachary (OLP)
Sent: June 8, 2021 2:16 PM (UTC-04:00)

Hi Zach,

Are we still on to chat about Gelpi? I'm free now and for most of the afternoon. (b) (6) .

Thanks,
Gabe

From: Kader, Gabe (Judiciary-Dem)
Subject: RE: O'Hearn
To: Blau, Zachary (OLP)
Sent: June 11, 2021 11:38 AM (UTC-04:00)

Thanks!

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Friday, June 11, 2021 11:37 AM
To: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Subject: O'Hearn

Flagging this article: <https://prospect.org/justice/bidens-jekyll-and-hyde-judicial-nominations/>

From: Blau, Zachary (OLP)
Subject: RE: 6-23 Hearing Guest List
To: Brest, Phillip (Judiciary-Dem); Kingo, Lola A. (OLP)
Cc: Zubrensky, Michael A (OLP)
Sent: June 21, 2021 11:42 AM (UTC-04:00)

8:30 it is then.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 21, 2021 11:42 AM
To: Blau, Zachary (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: 6-23 Hearing Guest List

That's fine if the nominees are okay waiting around. 8:30 is also fine.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, June 21, 2021 11:39 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: 6-23 Hearing Guest List

8:15 ok?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 21, 2021 11:38 AM
To: Blau, Zachary (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: 6-23 Hearing Guest List

Duplicative Material, Document ID: 0.7.853.91051, Bates Number 22cv2850-21-01790-002104



From: Blau, Zachary (OLP)
Subject: Re: Noms and guests all here
To: Hopkins, Maggie (Judiciary-Dem)
Sent: June 23, 2021 8:33 AM (UTC-04:00)
Yay!

Sent from my iPhone

> On Jun 23, 2021, at 8:30 AM, Hopkins, Maggie (Judiciary-Dem)
<(b) (6)> wrote:
>
> Yes - on my way down now
>
> -----Original Message-----
> From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
> Sent: Wednesday, June 23, 2021 8:30 AM
> To: Blau, Zachary (OLP) <(b) (6)>
> Cc: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
> Subject: Re: Noms and guests all here
>
> Thanks. Maggie can you go get the first group in, then?
>
>> On Jun 23, 2021, at 8:28 AM, Blau, Zachary (OLP) <(b) (6)> wrote:
>>
>> Still waiting on a few DOJ/WHCO folks, but our noms and their guests are all here
>>
>> Sent from my iPhone

From: Hopkins, Maggie (Judiciary-Dem)
Subject: Re: Noms and guests all here
To: Blau, Zachary (OLP)
Sent: June 23, 2021 8:52 AM (UTC-04:00)
Perfect!

> On Jun 23, 2021, at 8:50 AM, Blau, Zachary (OLP) <(b) (6)> wrote:
>
> Dan Swanson just arrived and is letting us in
>
> Sent from my iPhone
>
>> On Jun 23, 2021, at 8:30 AM, Hopkins, Maggie (Judiciary-Dem)
>> (b) (6) wrote:

Duplicative Material, Document ID: 0.7.853.61090, Bates Number 22cv2850-21-01790-002769



From: Blau, Zachary (OLP)
Subject: RE: Check in about Pan
To: Yeldandi, Vaishalee (Judiciary-Dem)
Sent: June 23, 2021 2:07 PM (UTC-04:00)

Awesome, thank you. 11:30 will be fine.

From: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, June 23, 2021 2:07 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: Check in about Pan

That's totally fine. I'm free until 4:30 tomorrow so can push it back later if that's preferred. Let me know what time works and I'll update the calendar invite.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Wednesday, June 23, 2021 2:04 PM
To: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Check in about Pan

Any chance we can push this back to 11:30?

From: Blau, Zachary (OLP)
Sent: Tuesday, June 22, 2021 4:01 PM
To: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Check in about Pan

Perfect, thanks!

From: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, June 22, 2021 3:55 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: Check in about Pan

That works great. I'll send a calendar invite for 11 and will call you at that time.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, June 22, 2021 3:44 PM
To: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Check in about Pan

Sure, how about 10:30 or 11 on Thursday?

From: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, June 22, 2021 2:30 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Check in about Pan

Hi Zach,

Hope you're well. I'm working on the Pan nomination. Would you have time tomorrow or Thursday for a check in?

Thanks,
Vaishalee

From: Kader, Gabe (Judiciary-Dem)
Subject: Gabe/Zach - Merriam
To: Blau, Zachary (OLP)
Sent: June 23, 2021 5:27 PM (UTC-04:00)

From: Blau, Zachary (OLP)
Subject: Re: Merriam
To: Kader, Gabe (Judiciary-Dem)
Sent: June 24, 2021 3:10 PM (UTC-04:00)

Sure thing, will call in a few minutes

Sent from my iPhone

On Jun 24, 2021, at 3:06 PM, Kader, Gabe (Judiciary-Dem) (b) (6) wrote:

I seem to have misplaced your phone number, so do you want to call me? (b) (6).

From: Kader, Gabe (Judiciary-Dem) (b) (6)
Sent: Wednesday, June 23, 2021 5:15 PM
To: Blau, Zachary (OLP) (b) (6)
Subject: Re: Merriam

Sounds great. I'll send an invite. Thanks!

On Jun 23, 2021, at 5:04 PM, Blau, Zachary (OLP) (b) (6) wrote:

Call it 3:15 then?

From: Kader, Gabe (Judiciary-Dem) (b) (6)
Sent: Wednesday, June 23, 2021 5:00 PM
To: Blau, Zachary (OLP) (b) (6)
Subject: Re: Merriam

Sure. Really any time works, but 3 or shortly thereafter would be particularly good.

On Jun 23, 2021, at 4:00 PM, Blau, Zachary (OLP) (b) (6) wrote:

Sure – would sometime after 3 tomorrow work?

From: Kader, Gabe (Judiciary-Dem) (b) (6)
Sent: Wednesday, June 23, 2021 3:33 PM
To: Blau, Zachary (OLP) (b) (6)
Subject: Merriam

Hi Zach,

Can we find a time to chat about Sarah Merriam—this week if possible?

My schedule is very flexible for the rest of the week.

Thanks much!

Gabe

From: Bauer, Sarah (Judiciary-Dem)
Subject: Call re: Perez Nomination
To: Blau, Zachary (OLP); Shepard, Anna (Judiciary-Dem)
Sent: June 25, 2021 12:20 PM (UTC-04:00)

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Join by phone

(b) (6)	(US)	English (United States)
(b) (6)	(US)	English (United States)
(b) (6)	(US)	English (United States)
(b) (6)	(US)	English (United States)
(b) (6)	(US)	English (United States)

[Find a local number](#)

Conference ID: (b) (6)

[Forgot your dial-in PIN?](#) | [Help](#)

From: Blau, Zachary (OLP)
Subject: RE: Committee votes - Cunningham, Strickland
To: Hopkins, Maggie (Judiciary-Dem)
Cc: McCabe, Shannon (OLP)
Sent: June 25, 2021 2:25 PM (UTC-04:00)

Fantastic, thank you! And hope you have a great weekend as well.

From: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Sent: Friday, June 25, 2021 2:24 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Committee votes - Cunningham, Strickland

Hi, Zach! Sure thing. See below.

Cunningham: Committee vote on 6/17/21. Tally was 16-6, with all Dems and Senators Grassley, Graham (Proxy), Cornyn, Lee (Proxy), and Tillis (Proxy) voting Aye.

Strickland: Committee vote on 6/24/21. Tally was 12-10, with all Dems and Senator Graham (Proxy) voting Aye.

Hope you both have a great weekend!

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Friday, June 25, 2021 1:59 PM
To: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: Committee votes - Cunningham, Strickland

Hi Maggie,

When you have a minute, can you let me know what the vote breakdowns were on reporting Cunningham and Strickland to the floor?

Thanks!

From: Blau, Zachary (OLP)
Subject: RE: Time next week to discuss Cobb?
To: Charlet, Joseph (Judiciary-Dem)
Sent: June 25, 2021 2:40 PM (UTC-04:00)

Hi Joe, happy to chat. How about Monday at 5?

From: Charlet, Joseph (Judiciary-Dem) <(b) (6)>

Sent: Friday, June 25, 2021 1:52 PM

To: Blau, Zachary (OLP) <(b) (6)>

Subject: Time next week to discuss Cobb?

Hi Zach,

I am the lead counsel for Cobb's nomination to the DDC. Do you have time next week to chat with me about her nomination? I am quite flexible except for 2-4 on Monday.

Thanks,

Joe

Joe Charlet

Counsel

U.S. Senate Committee on the Judiciary

Chair Richard J. Durbin

(b) (6)

(b) (6)

Pronouns: He/Him/His

From: Charlet, Joseph (Judiciary-Dem)
Subject: Cobb discussion
To: Blau, Zachary (OLP)
Sent: June 25, 2021 2:48 PM (UTC-04:00)

I can be reached at (b) (6)

From: Charlet, Joseph (Judiciary-Dem)
Subject: Re: Time next week to discuss Cobb?
To: Blau, Zachary (OLP)
Sent: June 28, 2021 5:06 PM (UTC-04:00)

No problem

On Jun 28, 2021, at 5:04 PM, Blau, Zachary (OLP) <(b) (6)> wrote:

Finishing up an email, will call in a few minutes

From: Charlet, Joseph (Judiciary-Dem) <(b) (6)>
Sent: Friday, June 25, 2021 1:52 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Time next week to discuss Cobb?

Duplicative Material, Document ID: 0.7.853.61228, Bates Number 22cv2850-21-01790-002778



From: Brest, Phillip (Judiciary-Dem)
Subject: 7/14 Hearing - Nominee Guest List
To: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP); McCabe, Shannon (OLP)
Sent: July 12, 2021 6:20 AM (UTC-04:00)

Good morning,

When you have a chance today, please send me the nominee guest list for Wednesday, as well as the number of DOJ personnel who will be attending.

Please note there's a chance we'll move back to our usual Committee hearing room for this hearing, depending on how many guests we have and how many seats we can accommodate in that hearing room. I'll let you know by tomorrow if that's the case.

Phil

From: Blau, Zachary (OLP)
Subject: RE: Time today or Monday to discuss Heytens?
To: Charlet, Joseph (Judiciary-Dem)
Sent: July 12, 2021 10:05 AM (UTC-04:00)

Will do

From: Charlet, Joseph (Judiciary-Dem) <(b) (6)>
Sent: Monday, July 12, 2021 6:44 AM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Re: Time today or Monday to discuss Heytens?

4:30 works. Just call me at (b) (6) when you free up.

On Jul 11, 2021, at 6:07 PM, Blau, Zachary (OLP) <(b) (6)> wrote:

How about 4:30 tomorrow?

From: Charlet, Joseph (Judiciary-Dem) <(b) (6)>
Sent: Friday, July 9, 2021 12:27 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Time today or Monday to discuss Heytens?

Hi Zach,

Do you have time this afternoon or early next week to discuss Heytens? I'm flexible all day today and all Monday except 2-4.

Thanks,

Joe

Joe Charlet
Counsel
U.S. Senate Committee on the Judiciary
Chair Richard J. Durbin
(b) (6)
(b) (6)
Pronouns: He/Him/His

From: Blau, Zachary (OLP)
Subject: RE: 7-14 Hearing Guest List
To: Brest, Phillip (Judiciary-Dem)
Sent: July 12, 2021 11:25 AM (UTC-04:00)

Great, thank you!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, July 12, 2021 11:24 AM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 7-14 Hearing Guest List

I'll make sure I get there by 8

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, July 12, 2021 11:13 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: 7-14 Hearing Guest List

Sounds good! And if you're going to be there at 8 anyway, it'd be great if you can meet me then.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, July 12, 2021 11:12 AM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 7-14 Hearing Guest List

Let me get back to you on time. Great to hear re: Senate ID. I can certainly meet you at 8, and you should then be able to get others into the building.

Note we may move back to our regular hearing room – will make a decision today. Will be plenty of seating regardless.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, July 12, 2021 11:07 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: 7-14 Hearing Guest List

Should we be arriving at 8:30, or is a bit later ok?

Also, I'm actually getting a Senate ID, so I may try to arrive around 8 so I can swing by the ID office.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, July 12, 2021 7:16 AM
To: Kingo, Lola A. (OLP) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: Re: 7-14 Hearing Guest List

Thanks Lola

On Jul 12, 2021, at 7:15 AM, Kingo, Lola A. (OLP) <(b) (6)> wrote:

Duplicative Material, Document ID: 0.7.853.67126, Bates Number 22cv2850-21-01790-002078

From: Yeldandi, Vaishalee (Judiciary-Dem)
Subject: RE: Omar Williams
To: Blau, Zachary (OLP)
Sent: July 13, 2021 5:46 PM (UTC-04:00)

Works great. I'll send a calendar invite shortly and will call you at that time.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, July 13, 2021 5:44 PM
To: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Omar Williams

Sounds good. How about 2 on Friday?

From: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, July 13, 2021 5:10 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: Omar Williams

That works great. Can we aim for Friday so I have more time to review the material? I will be free after 11:00 for the rest of the day.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, July 13, 2021 4:40 PM
To: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Omar Williams

Sure thing. Sometime Thursday or Friday? The only thing on my calendar right now is a 4:00 on Thursday.

From: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, July 13, 2021 1:56 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Omar Williams

Hi Zach,

Are you working on the Williams nomination? If so, could we set up a time to check in this week?

Thanks much,
Vaishalee

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BI Delivery
To: McCabe, Shannon (OLP)
Sent: June 18, 2021 1:23 PM (UTC-04:00)

Confirming I received Merriam and Nagala

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, June 18, 2021 1:10 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Hi Phil,

Just want to make sure you received these two BIs yesterday. Can you confirm when you get a chance?

Thanks!
Shannon

From: McCabe, Shannon (OLP)
Sent: Thursday, June 17, 2021 10:39 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Understood – thanks!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 17, 2021 10:38 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

That's fine but I have a call right at 3 so it needs to be before then

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, June 17, 2021 10:35 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Does a 1-3pm delivery window work for you?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 17, 2021 10:29 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

Thanks

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, June 17, 2021 10:29 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

They haven't been picked up yet. I'll give them a call to see if they can give an estimate.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 17, 2021 10:27 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

Do you have an estimate for when the courier will arrive? I need to head to the WH at some point to pick something up, so don't want to miss the courier.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Wednesday, June 16, 2021 7:44 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Thanks Phil, I really appreciate it. Being part of a great team and working towards such an important mission makes the long hours easy. Well, maybe not easy – but worth it. Hope to meet the rest of your team sometime this summer!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, June 16, 2021 7:36 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

I'll be here. Just have him call me like he usually does. Thanks, and appreciate all of your work. I know things are busy and we're grateful for everything you're doing.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Wednesday, June 16, 2021 7:35 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Tomorrow it is! Let me know if anything changes on your end.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, June 16, 2021 7:34 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

Any time tomorrow between 10:30 and 3 should work for me. Friday any time before 4 pm or so. Tomorrow would be preferable.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Wednesday, June 16, 2021 7:30 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: BI Delivery

Hi Phil,

Is there a good time tomorrow or Friday for a courier to deliver the Merriam and Nagala BIs?

Thank you,

Shannon McCabe

Paralegal Specialist
Office of Legal Policy
U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BI Delivery (O. Williams)
To: McCabe, Shannon (OLP)
Sent: June 22, 2021 9:40 AM (UTC-04:00)

Thanks

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Tuesday, June 22, 2021 9:30 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery (O. Williams)

The courier just picked up the Williams BI. I asked them to please deliver it before 11:45 in case you have something right at noon. Thanks!

From: McCabe, Shannon (OLP)
Sent: Monday, June 21, 2021 5:31 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery (O. Williams)

Okay – I'll schedule it for before noon.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 21, 2021 5:24 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery (O. Williams)

Tomorrow would either need to be before noon or after 3:30

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Monday, June 21, 2021 5:05 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: BI Delivery (O. Williams)

Hi Phil,

Is there a good time tomorrow for a courier to deliver the Omar Williams BI?

Thank you,

Shannon McCabe
Paralegal Specialist
Office of Legal Policy
U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: McCabe, Shannon (OLP)
Subject: RE: Committee votes - Cunningham, Strickland
To: Hopkins, Maggie (Judiciary-Dem)
Sent: June 25, 2021 2:29 PM (UTC-04:00)

Thanks Maggie – you have a great weekend too! Hope you can enjoy the sunshine

From: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>

Sent: Friday, June 25, 2021 2:24 PM

To: Blau, Zachary (OLP) <(b) (6)>

Cc: McCabe, Shannon (OLP) <(b) (6)>

Subject: RE: Committee votes - Cunningham, Strickland

Duplicative Material, Document ID: 0.7.853.61227, Bates Number 22cv2850-21-01790-002777



From: McCabe, Shannon (OLP)
Subject: RE: Heytens
To: Brest, Phillip (Judiciary-Dem)
Sent: June 28, 2021 4:13 PM (UTC-04:00)

Great! Thanks Phil

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 28, 2021 4:12 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Heytens

Sounds good. I'll ping you in the morning and we can figure out a time that works

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Monday, June 28, 2021 4:11 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Heytens

Great, thanks! I'm here all day, and my schedule is flexible. Whatever works best for you is good with me.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 28, 2021 4:08 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Heytens

No problem. When are you in tomorrow?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Monday, June 28, 2021 4:03 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Heytens

My apologies – would you be able to pick this up rather than having it delivered? Feel free to give me a call if that's easier – (b) (6).

From: McCabe, Shannon (OLP)
Sent: Monday, June 28, 2021 12:56 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Heytens

Sounds good – I'm on it!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 28, 2021 12:55 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Heytens

Tomorrow would be great, anytime between noon and 5 pm.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Monday, June 28, 2021 12:53 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: Heytens

Hi Phil,

Is there a good time today or tomorrow for a BI delivery? Let me know if you prefer to pick it up rather than have a courier handle it. I should have it ready by 2:00 today.

Thank you,

Shannon McCabe
Paralegal Specialist
Office of Legal Policy
U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: McCabe, Shannon (OLP)
Subject: RE: Received Heytens Giles Nachmanoff Bls
To: Brest, Phillip (Judiciary-Dem)
Sent: July 1, 2021 5:15 PM (UTC-04:00)

Sounds good! Thanks

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

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, July 1, 2021 5:14 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Received Heytens Giles Nachmanoff Bls

Tomorrow between 10 am and noon?

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

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, July 1, 2021 5:12 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Received Heytens Giles Nachmanoff Bls

Excellent! I also just received two books that are responsive to (b)(7)(E) per FBI [REDACTED]. I apologize for the piecemeal deliveries this week -- I know it must be a hassle to have to stop what you're doing to receive each delivery. Is there a good time for a courier to bring these books over?

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

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, July 1, 2021 5:07 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Received Heytens Giles Nachmanoff Bls

Meant to email earlier to confirm that I have the Sung BI now.

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

From: Brest, Phillip (Judiciary-Dem)
Sent: Thursday, July 1, 2021 10:18 AM
To: 'McCabe, Shannon (OLP)' <(b) (6)>
Subject: RE: Received Heytens Giles Nachmanoff Bls

Sounds good, thanks

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

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, July 1, 2021 10:12 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Received Heytens Giles Nachmanoff Bls

Understood. I'll schedule it for 12-3, but let me know if that ends up not working for you. The courier can always bring it back to me if you end up not being available.

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

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, June 30, 2021 6:41 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: Re: Received Heytens Giles Nachmanoff Bls

Scotus-dependent I'd say 12-3 tomorrow. I may wind up scheduling a BI call in that window though

> On Jun 30, 2021, at 6:39 PM, McCabe, Shannon (OLP) <(b) (6)> wrote:

>

> Thanks for confirming receipt! Is there a good time tomorrow or Friday to deliver Sung?

>

>> On Jun 30, 2021, at 6:20 PM, Brest, Phillip (Judiciary-Dem)

<(b) (6)> wrote:

>>

>>

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: MI & CFC BIs
To: McCabe, Shannon (OLP)
Sent: July 15, 2021 11:18 AM (UTC-04:00)

Thanks

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, July 15, 2021 11:17 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: MI & CFC BIs

Hi Phil,

The courier is running behind schedule, but he is still on track to make it to you before 12:30.

From: McCabe, Shannon (OLP)
Sent: Wednesday, July 14, 2021 4:04 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: MI & CFC BIs

That works for me!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, July 14, 2021 4:02 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: MI & CFC BIs

Could we do between 11 and 12:30 tomorrow?

From: Brest, Phillip (Judiciary-Dem)
Sent: Tuesday, July 13, 2021 2:00 PM
To: 'McCabe, Shannon (OLP)' <(b) (6)>
Subject: RE: MI & CFC BIs

Thursday is fine but schedule is a bit up in the air. Let's circle back tomorrow night

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Tuesday, July 13, 2021 1:59 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: MI & CFC BIs

Hi Phil,

Sorry for the delay on this. I have two of the BIs ready to go, and I should have the other two ready tomorrow. Is there a time on Thursday that works for a courier delivery?

Let me know if you need them earlier than that. It's my understanding that we (b)(7)(E) per FBI [REDACTED]. Let me know if I'm mistaken on that, and I can check to see if we can get them to you earlier.

Thanks,
Shannon

From: McCabe, Shannon (OLP)
Sent: Tuesday, July 13, 2021 9:13 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: MI & CFC BIs

Hi Phil,

Let me check with Lola on this, and I'll get back to you.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, July 13, 2021 9:10 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: MI & CFC BIs

Morning Shannon,

When do you expect the BIs to be ready for the two Michigan nominees and two CFC nominees?

Phil

From: Brest, Phillip (Judiciary-Dem)
Subject: Re: MI & CFC BIs
To: McCabe, Shannon (OLP)
Cc: Bauer, Sarah (Judiciary-Dem)
Sent: July 15, 2021 11:59 AM (UTC-04:00)

Thanks Shannon

On Jul 15, 2021, at 11:58 AM, McCabe, Shannon (OLP) <(b) (6)> wrote:

I received confirmation from the courier that this was delivered. Thank you both!

From: Bauer, Sarah (Judiciary-Dem) <(b) (6)>
Sent: Thursday, July 15, 2021 11:52 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> McCabe, Shannon (OLP)
<(b) (6)>
Subject: RE: MI & CFC BIs

Yes, heading down now.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, July 15, 2021 11:52 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)>
Subject: Re: MI & CFC BIs

Thanks. That's odd. Sarah can you go get the BIs?

On Jul 15, 2021, at 11:51 AM, McCabe, Shannon (OLP) <(b) (6)> wrote:

Your VM box is full, but he is there at the usual spot – 1st and C.

From: McCabe, Shannon (OLP)
Sent: Thursday, July 15, 2021 11:31 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: MI & CFC BIs

Will do – thanks!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, July 15, 2021 11:30 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: MI & CFC BIs

Please advise him if I don't pick up the phone it's because I'm on a call and he should leave a VM and I'll then send Sarah Bauer on my team to get the BIs. (She's cleared.)

From: McCabe, Shannon (OLP) <(b) (6)>

Sent: Thursday, July 15, 2021 11:17 AM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: RE: MI & CFC BIs

Duplicative Material, Document ID: 0.7.853.78333, Bates Number 22cv2850-21-01790-002794



From: Zubrensky, Michael A (OLP)
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23
To: Brest, Phillip (Judiciary-Dem)
Sent: May 28, 2021 1:56 PM (UTC-04:00)

Gotcha, thanks – I won't make any promises

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, May 28, 2021 1:52 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

It depends which hearing room we're in. Should be okay

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Friday, May 28, 2021 1:50 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Hi Phil – for the 6/9 hearing, could DOJ have as many as 7 people present? I don't know that we'll actually have that many, but I'd like to invite the DOJ vetters for each of the nominees to attend the hearing in person, though I'm not sure they'll all want to go.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, May 27, 2021 4:01 PM
To: Dodin, Reema EOP/WHO <(b) (6)> Secretto, James V. EOP/WHO
<(b) (6)> Songer, Erica K. EOP/WHO <(b) (6)> Herwig, Paige L.
EOP/WHO <(b) (6)> Boyd, Tona EOP/WHO <(b) (6)> Greenfeld, Helaine A.
(OLA) <(b) (6)> Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola
A. (OLP) <(b) (6)>
Cc: Zogby, Joseph (Judiciary-Dem) <(b) (6)> Swanson, Daniel (Judiciary-Dem)
<(b) (6)> Trifone, Stephanie (Judiciary-Dem) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Hi all,

Congratulations to everyone on getting through yesterday's hearing.

A few updates.

- We are moving O'Hearn back to 6/23, so the 6/9 hearing will now be Lee, Rossman, Estudillo, King, and Lin.
- We have not yet finalized the slate for 6/23, so I will circle back once we do.
- The Lee BI has now been cleared and we've received BIs for Gelpi, Kelley, and Williams.

Thanks,

Phil

From: Brest, Phillip (Judiciary-Dem)
Sent: Tuesday, May 18, 2021 8:35 PM

To: Dodin, Reema EOP/WHO <(b) (6)> Secreto, James V. EOP/WHO
<(b) (6)> Songer, Erica K. EOP/WHO <(b) (6)> Herwig, Paige L.
EOP/WHO <(b) (6)> Boyd, Tona EOP/WHO <(b) (6)> Greenfeld, Helaine A.
(OLA) <(b) (6)> Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola
A. (OLP) <(b) (6)>
Cc: Zogby, Joseph (Judiciary-Dem) <(b) (6)> Swanson, Daniel (Judiciary-Dem)
<(b) (6)> Trifone, Stephanie (Judiciary-Dem) <(b) (6)>

Subject: Nominations Hearings - 5/26, 6/9 and 6/23

Hi all,

Flagging the following tentative slates for the next three nominations hearings.

5/26 (Chair Durbin to preside)

- Panel One
 - Cunningham (Federal Circuit) (BI cleared)
- Panel Two
 - Chipman (ATF) (BI follow-up pending)
 - Jaddou (USCIS) (BI follow-up pending)
 - Milgram (DEA) (BI follow-up pending)
 - Polite (AAG-CRIM) (BI follow-up pending)
 - Strickland (BI cleared)

6/9 (Chair TBD)

- Panel One
 - Lee (2d Circuit) (BI Cleared)
 - Rossman (10th Circuit) (BI follow-up pending)
- Panel Two
 - Estudillo (WDWA) (BI follow-up pending)
 - King (WDWA) (BI follow-up pending)
 - Lin (WDWA) (BI received; review pending)

6/23 (Chair TBD) [Note: SJQs received for all DOJ nominees; SJQs not yet received for judicial nominees]

- Panel One
 - Gelpi (1st Circuit) (BI received)
- Panel Two
 - Greenfeld (AAG-OLA) (BI received; review pending)
 - Guzman (AAG-CIV) (BI not yet received)
 - Kelley (D MA) (BI received)
 - Schroeder (AAG-OLC) (BI not yet received)
 - Williams (DNJ) (BI received)
 - O'Hearn (DNJ) (BI follow-up pending)

From: Zubrensky, Michael A (OLP)
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23
To: Brest, Phillip (Judiciary-Dem)
Sent: June 3, 2021 10:38 AM (UTC-04:00)

Gotcha, thanks

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 3, 2021 10:37 AM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Thanks. The biggest issue is getting everyone in the building, especially now that the Senate is busy again and lines are long. If these folks want to attend, they will need to get there before things get busy – so probably by 8:30.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Thursday, June 3, 2021 10:35 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Okey doke. The DOJ crew can all sit next to each other or however you deem appropriate. Ideally DOJ would have six attendees:

Zach Blau
Shannon McCabe
Beth Hecker
Jason Lee
Eliza Simon
Janea Lamar

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 3, 2021 10:25 AM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Thanks. Also this will hinge in part on how many guests the nominees want to bring. I will start a different thread on that today.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Thursday, June 3, 2021 10:23 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Trying to get an answer. Most of the folks who've responded so far have said close proximity is ok.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 3, 2021 9:41 AM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Do the DOJ vetters need to be physically distanced, or is it fine to keep them seated in close proximity to one another?

From: Brest, Phillip (Judiciary-Dem)

Sent: Friday, May 28, 2021 1:52 PM

To: 'Zubrensky, Michael A (OLP)' <(b) (6)>

Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23

Duplicative Material, Document ID: 0.7.853.115125, Bates Number 22cv2850-21-01790-002798



From: Brest, Phillip (Judiciary-Dem)
Subject: RE: Sen. Tillis QFRs for Cunningham and Strickland
To: Zubrensky, Michael A (OLP)
Sent: June 9, 2021 1:10 PM (UTC-04:00)

Thanks, appreciate it

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Wednesday, June 9, 2021 1:09 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Sen. Tillis QFRs for Cunningham and Strickland

Yep, that's the plan

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, June 9, 2021 1:07 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Sen. Tillis QFRs for Cunningham and Strickland

Hey Mike – if it's at all possible to get the QFR responses tonight (even if it's late, like 10 pm) rather than tomorrow morning, that would be ideal. Thanks!

Phil

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Monday, June 7, 2021 8:24 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Sen. Tillis QFRs for Cunningham and Strickland

Yeah, I was delighted to see that Sen. Tillis made positive comments about her when she was nominated.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 7, 2021 8:19 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Sen. Tillis QFRs for Cunningham and Strickland

Thanks Mike. Tillis's staff made clear he wanted to vote for some of the nominees (and I assume that includes Cunningham), so I appreciate your diligence on these.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Monday, June 7, 2021 8:17 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: Sen. Tillis QFRs for Cunningham and Strickland

Thanks Phil – don't sweat it. These things happen. We'll get you responses by Thursday morning.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, June 7, 2021 6:23 PM
To: Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
McCabe, Shannon (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Cc: Fragoso, Michael (Judiciary-Rep) <(b) (6)> Palmer, Bryan (Judiciary)

(b) (6)

Subject: Sen. Tillis QFRs for Cunningham and Strickland

Duplicative Material, Document ID: 0.7.853.116410, Bates Number 22cv2850-21-01790-002354



From: Zubrensky, Michael A (OLP)
Subject: RE: Gelpi Introduction
To: Brest, Phillip (Judiciary-Dem)
Sent: June 15, 2021 6:33 PM (UTC-04:00)

Great, thanks

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, June 15, 2021 6:31 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: Gelpi Introduction

I [chatted with Paige on this, just FYI.](#)

From: Brest, Phillip (Judiciary-Dem)
Sent: Tuesday, June 15, 2021 5:58 PM
To: 'Zubrensky, Michael A (OLP)' <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Gelpi Introduction

[She should probably check with me first on that. We typically only allow introductions from members representing D.C. or other jurisdictions that don't have Senate representation, including Puerto Rico. Having Rep. Velazquez make an introduction would be a deviation from that. Not saying it's impossible, but there needs to be a conversation.](#)

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Tuesday, June 15, 2021 5:45 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Kingo, Lola A. (OLP)
<(b) (6)> Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP)
<(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Gelpi Introduction

Hi Phil and esteemed colleagues – I posed your question to Paige and she's gonna look into it. She wants to check with Rep. Velazquez's office.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, June 15, 2021 2:36 PM
To: Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: Gelpi Introduction

Assuming Gelpi moves forward on 6/23, who do you want to do the introduction? My plan was just to ask Sen. Ossoff to do it. (He's chairing the hearing.)

Sens. Warren and Markey have confirmed they will introduce Judge Kelley and we are confirming with the NJ Senators

now re: O'Hearn.

A reminder that the hearing will start at 9:30.

Phil

From: Zubrensky, Michael A (OLP)
Subject: RE: Strickland
To: Brest, Phillip (Judiciary-Dem)
Sent: June 24, 2021 12:39 PM (UTC-04:00)

Great, thanks

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, June 24, 2021 12:35 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: Re: Strickland

I will see if I can get it.

On Jun 24, 2021, at 12:31 PM, Zubrensky, Michael A (OLP) <(b) (6)> wrote:

Hi Phil – I think Cornyn entered into the markup record a statement of opposition to Strickland.
If you have a copy of it, could you please pass it along?

From: Brest, Phillip (Judiciary-Dem)
Subject: Gelpi Follow-Up Call
To: Kingo, Lola A. (OLP)
Sent: June 14, 2021 12:28 PM (UTC-04:00)

Hi Lola,

Is Judge Gelpi available for a call tomorrow afternoon?

Thanks,

Phil

From: Yeldandi, Vaishalee (Judiciary-Dem)
Subject: RE: Question on Estudillo
To: Blau, Zachary (OLP)
Sent: May 24, 2021 1:21 PM (UTC-04:00)

Sure, I'll give you a call in a few minutes.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, May 24, 2021 1:19 PM
To: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: Question on Estudillo

Can you give me a quick call? (b) (6)

From: Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Sent: Monday, May 24, 2021 1:08 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Question on Estudillo

Hi Zach,

I wanted to ask you a question on Estudillo: other than the cases he attached as part of his SJQ, are there other cases I need to review?

Thanks,
Vaishalee

From: Blau, Zachary (OLP)
Subject: RE: Lauren Jennifer King nomination
To: Kader, Gabe (Judiciary-Dem)
Sent: May 24, 2021 2:48 PM (UTC-04:00)

Perfect, I'll give you a call at 11 then

From: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Sent: Monday, May 24, 2021 2:47 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: Lauren Jennifer King nomination

11am would be great, thanks!

I'm at (b) (6). Or happy to call you.

Appreciate it.

Gabe

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, May 24, 2021 2:36 PM
To: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Subject: RE: Lauren Jennifer King nomination

How does late tomorrow morning work for you? Could we chat at 11?

From: Kader, Gabe (Judiciary-Dem) <(b) (6)>
Sent: Monday, May 24, 2021 10:21 AM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: Lauren Jennifer King nomination

Hi Zach,

I hope all is well with you. I'm hoping we can connect to discuss Lauren King's nomination sometime this week (preferably earlier in the week). I'm going to be out of the office next week, so I need to get organized on her nomination relatively early.

Other than the Judiciary Committee's hearing on Wednesday and markup on Thursday, my schedule is pretty flexible. Let me know what might work for you.

Thanks!
Gabe

From: Kader, Gabe (Judiciary-Dem)
Subject: Zach/Gabe - Lauren King
To: Blau, Zachary (OLP)
Sent: May 24, 2021 2:49 PM (UTC-04:00)

From: Blau, Zachary (OLP)
Subject: Re: Rest of round 1
To: Brest, Phillip (Judiciary-Dem)
Sent: May 26, 2021 10:52 AM (UTC-04:00)
Ok great

Sent from my iPhone

> On May 26, 2021, at 10:51 AM, Brest, Phillip (Judiciary-Dem)

<(b) (6)> wrote:

>

> Someone is bringing them down. We're going to be done soon

>

>> On May 26, 2021, at 10:51 AM, Blau, Zachary (OLP) <(b) (6)> wrote:

>>

>> Do we know who else is going to be up this round? I'm happy to go up and get the second panel guests and just want a sense of the timing.

>>

>> Sent from my iPhone

From: McCabe, Shannon (OLP)
Subject: RE: BI Delivery
To: Brest, Phillip (Judiciary-Dem)
Sent: May 17, 2021 3:04 PM (UTC-04:00)

Great, thanks for confirming receipt

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Monday, May 17, 2021 3:03 PM
To: McCabe, Shannon (OLP) (b) (6)
Subject: RE: BI Delivery

Received the three BIs and the supplement

From: Brest, Phillip (Judiciary-Dem)
Sent: Monday, May 17, 2021 12:41 PM
To: 'McCabe, Shannon (OLP)' (b) (6)
Subject: RE: BI Delivery

Thanks

From: McCabe, Shannon (OLP) (b) (6)
Sent: Monday, May 17, 2021 12:39 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Subject: RE: BI Delivery

A supplement to Estudillo's BI will also be delivered today. I expect they'll be delivered on the earlier side of the 3-5pm window, in case that's helpful. Thanks!

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Monday, May 17, 2021 10:15 AM
To: McCabe, Shannon (OLP) (b) (6)
Subject: RE: BI Delivery

Great, thank you

From: McCabe, Shannon (OLP) (b) (6)
Sent: Monday, May 17, 2021 10:13 AM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Subject: RE: BI Delivery

Lin's BI will be in today's delivery as well – thanks!

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Monday, May 17, 2021 9:48 AM
To: McCabe, Shannon (OLP) (b) (6)
Subject: RE: BI Delivery

Thanks

From: McCabe, Shannon (OLP) (b) (6)
Sent: Monday, May 17, 2021 9:47 AM
To: Brest, Phillip (Judiciary-Dem) (b) (6)

Subject: RE: BI Delivery

Sounds good! I don't have an update on the sixth BI (Tana Lin), but you'll be receiving O'Hearn and Lee today.

From: Brest, Phillip (Judiciary-Dem) (b) (6)

Sent: Monday, May 17, 2021 9:39 AM

To: McCabe, Shannon (OLP) (b) (6)

Subject: RE: BI Delivery

Hey Shannon,

Between 3 and 5 would work well.

Also, when will the sixth BI be ready?

Phil

From: McCabe, Shannon (OLP) (b) (6)

Sent: Monday, May 17, 2021 9:31 AM

To: Brest, Phillip (Judiciary-Dem) (b) (6)

Subject: BI Delivery

Hi Phil,

Is there a time this afternoon that works for you for a courier to delivery two BIs?

Thank you,

Shannon McCabe

Paralegal Specialist

Office of Legal Policy

U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: McCabe, Shannon (OLP)
Subject: RE: BI Delivery
To: Brest, Phillip (Judiciary-Dem)
Sent: June 2, 2021 11:51 AM (UTC-04:00)

Sounds good – I also have an envelope with two supplemental serials for Gelpi’s BI to give to you. See you soon.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, June 2, 2021 11:49 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

Hey Shannon,

About to head out of my office with one box of BIs. I’ll meet you at the same spot as last time.

Phil

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Tuesday, June 1, 2021 4:04 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Great! See you then

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, June 1, 2021 4:03 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: Re: BI Delivery

Yes it does. I’ll probably just bring one box. Making progress

On Jun 1, 2021, at 3:58 PM, McCabe, Shannon (OLP) <(b) (6)> wrote:

Hi Phil,

Does noon tomorrow still work for you to do a BI handoff?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, May 27, 2021 2:19 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

Sounds good

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, May 27, 2021 2:17 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Sounds good – I’ll check in on Tuesday to see if that still works

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Thursday, May 27, 2021 2:12 PM

To: McCabe, Shannon (OLP) <(b) (6)>

Subject: RE: BI Delivery

Let's say noon tentatively?

From: McCabe, Shannon (OLP) <(b) (6)>

Sent: Thursday, May 27, 2021 2:09 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: RE: BI Delivery

Sure, Wednesday works

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Thursday, May 27, 2021 2:06 PM

To: McCabe, Shannon (OLP) <(b) (6)>

Subject: RE: BI Delivery

Wednesday?

From: McCabe, Shannon (OLP) <(b) (6)>

Sent: Thursday, May 27, 2021 2:06 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: RE: BI Delivery

Thanks for confirming receipt! Unfortunately I won't be in the office next Thursday or Friday. Is there another day that works?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Thursday, May 27, 2021 2:04 PM

To: McCabe, Shannon (OLP) <(b) (6)>

Subject: RE: BI Delivery

Confirming receipt of these.

Can we do another BI return next Friday (6/4)?

From: McCabe, Shannon (OLP) <(b) (6)>

Sent: Wednesday, May 26, 2021 7:29 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: Re: BI Delivery

Sounds good!

On May 26, 2021, at 7:27 PM, Brest, Phillip (Judiciary-Dem) <(b) (6)>

> wrote:

Tomorrow between 1 and 2?

On May 26, 2021, at 7:27 PM, McCabe, Shannon (OLP)

(b) (6) wrote:

Hi Phil,

Let me know a good day and time for a courier to deliver the Gelpi, Kelley, and Williams BIs.

Thanks!

Shannon McCabe

Paralegal Specialist

Office of Legal Policy

U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: Zubrensky, Michael A (OLP)
Subject: RE: Nominations Hearings - 5/26, 6/9 and 6/23
To: Brest, Phillip (Judiciary-Dem)
Sent: May 18, 2021 8:50 PM (UTC-04:00)

Thanks Phil – appreciate the info!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, May 18, 2021 8:35 PM
To: Dodin, Reema EOP/WHO <(b) (6)> Secreto, James V. EOP/WHO
<(b) (6)> Songer, Erica K. EOP/WHO <(b) (6)> Herwig, Paige L.
EOP/WHO <(b) (6)> Boyd, Tona EOP/WHO <(b) (6)> Greenfeld, Helaine A.
(OLA) <(b) (6)> Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola
A. (OLP) <(b) (6)>
Cc: Zogby, Joseph (Judiciary-Dem) <(b) (6)> Swanson, Daniel (Judiciary-Dem)
<(b) (6)> Trifone, Stephanie (Judiciary-Dem) <(b) (6)>
<(b) (6)>
Subject: Nominations Hearings - 5/26, 6/9 and 6/23

Hi all,

Flagging the following tentative slates for the next three nominations hearings.

5/26 (Chair Durbin to preside)

- Panel One
 - Cunningham (Federal Circuit) (BI cleared)
- Panel Two
 - Chipman (ATF) (BI follow-up pending)
 - Jaddou (USCIS) (BI follow-up pending)
 - Milgram (DEA) (BI follow-up pending)
 - Polite (AAG-CRIM) (BI follow-up pending)
 - Strickland (BI cleared)

6/9 (Chair TBD)

- Panel One
 - Lee (2d Circuit) (BI follow-up pending)
 - Rossman (10th Circuit) (BI received; review pending)
- Panel Two
 - Estudillo (WDWA) (BI follow-up pending)
 - King (WDWA) (BI follow-up pending)
 - Lin (WDWA) (BI received; review pending)
 - O'Hearn (DNJ) (BI received; review pending)

6/23 (Chair TBD) [Note: SJQs received for all DOJ nominees; SJQs not yet received for judicial nominees]

- Panel One
 - Gelpi (1st Circuit) (BI not yet received)
- Panel Two
 - Greenfeld (AAG-OLA) (BI received; review pending)
 - Guzman (AAG-CIV) (BI not yet received)
 - Kelley (D MA) (BI not yet received)
 - Schroeder (AAG-OLC) (BI not yet received)
 - Williams (DNJ) (BI not yet received)

From: Yeldandi, Vaishalee (Judiciary-Dem)
Subject: FW: 5/26 Hearing Logistics
To: Zubrensky, Michael A (OLP)
Sent: May 20, 2021 1:58 PM (UTC-04:00)

Hi Mike,

I saw that you were on this email, and I couldn't resist sending you a message. Hope all is well with you, (b) (6)

Vaishalee

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, May 20, 2021 1:52 PM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Boyd, Tona EOP/WHO <(b) (6)>
Greenfeld, Helaine A. (OLA) <(b) (6)> Appleton, Rachel E. (OLA)
<(b) (6)> Prasanna, Sandeep A. (OLA) <(b) (6)> Zubrensky, Michael
A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)> McCabe, Shannon (OLP) <(b) (6)> GEER, HARLAN
<(b) (6)> SHENKLE, ABBY <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)>; Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: 5/26 Hearing Logistics

Hi all,

As we approach Wednesday's hearing, I had a few logistical notes and questions. I'm putting everyone on one email in the interest of efficiency.

General Logistics

- The hearing will be in Dirksen Room G50. We will start promptly at 10 am.
- We will update the hearing notice to include the nominees once all BIs are cleared. At this point, I don't see that happening before Tuesday.
- Although Cunningham will be alone on the first panel, it would be great if the other five nominees can be in the hearing room during the first panel. The nominee's guests will have to wait in Dirksen 226, which we'll use as a holding room.
- I don't know at this point if we will take any breaks. We expect the first panel to be brief, so we're unlikely to take a break between the first and second panels, but it's possible the Chair will take a break during the second panel.
 - Helaine and Sandeep – please note that the Rs have flagged they are likely to ask for a second round for the second panel so they can question Chipman more.
- Please let me know who from WHCO, DOJ OLA, DOJ OLP, and DHS OLA will be attending in person.
- Please try to have the nominees and guests arrive together and with plenty of time to get through security.
 - DOJ OLA – I know you all have Senate IDs. It would be helpful if you can help bring in not only the three DOJ nominees, but also WHCO and DOJ OLP staff. (And DHS OLA staff too, if DHS OLA doesn't have badges.)
- Please let me know if any of the nominees will need a walk-through. I can make myself available for one walkthrough, but it will need to be on Monday.

Introductions

- I currently have Chair Durbin introducing Cunningham and Chipman and Sen. Padilla introducing Jaddou.
- We're waiting to hear back from the NM Senators on introducing Strickland. Both are likely to introduce, but

not technically confirmed.

- I have Sens. Booker and Menendez both introducing Milgram. Can you confirm?
- Lastly where do we stand on the Polite introductions?

Nominees Guests

- Please let me know how many guests each nominee intends to bring to the hearing.
- I'd really like to cap the number at 3 per nominee, otherwise it gets unwieldy. But we can take it case-by-case if there's a compelling reason for having more guests.
- Once you know the names of the guests and their relationship to the nominees, please send me that information.

Let me know of any additional questions.

Phil

From: Zubrensky, Michael A (OLP)
Subject: RE: QFRs
To: Palmer, Bryan (Judiciary)
Sent: May 24, 2021 5:23 PM (UTC-04:00)

Great, thanks – just wanted to confirm

From: Palmer, Bryan (Judiciary) (b) (6)
Sent: Monday, May 24, 2021 5:21 PM
To: Zubrensky, Michael A (OLP) (b) (6)
Subject: Re: QFRs

I did yes. Thank you.

On May 24, 2021, at 5:20 PM, Zubrensky, Michael A (OLP) (b) (6) wrote:

Hi Bryan – you got the QFRs I sent over today, yes?

From: Zubrensky, Michael A (OLP)
Subject: RE: Judicial BIs - 6/9 Hearing
To: Brest, Phillip (Judiciary-Dem)
Sent: May 28, 2021 10:58 AM (UTC-04:00)

Thanks Phil – glad to hear it!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, May 28, 2021 10:48 AM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Boyd, Tona EOP/WHO <(b) (6)>
Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau,
Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)>
Subject: RE: Judicial BIs - 6/9 Hearing

Duplicative Material, Document ID: 0.7.853.53286, Bates Number 22cv2850-21-01790-002757



From: McCabe, Shannon (OLP)
Subject: Re: Confirming receipt of Rossman Estudillo King Bls
To: Brest, Phillip (Judiciary-Dem)
Cc: Kingo, Lola A. (OLP)
Sent: May 13, 2021 5:09 PM (UTC-04:00)

Excellent! Thanks for confirming receipt.

Shannon McCabe

(b) (6)

Sent from my iPhone

On May 13, 2021, at 5:08 PM, Brest, Phillip (Judiciary-Dem) (b) (6)
(b) (6) wrote:

Thank you both.

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 5/26 Hearing Logistics
To: Greenfeld, Helaine A. (OLA); Herwig, Paige L. EOP/WHO; Boyd, Tona EOP/WHO; Appleton, Rachel E. (OLA); Prasanna, Sandeep A. (OLA); Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP); McCabe, Shannon (OLP); GEER, HARLAN; SHENKLE, ABBY
Cc: Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Charlet, Joseph (Judiciary-Dem); Yeldandi, Vaishalee (Judiciary-Dem)
Sent: May 24, 2021 4:05 PM (UTC-04:00)

The updated hearing notice that includes the nominees will go out at 5 pm today. Thanks all for your patience as we worked to clear the BIs.

From: Brest, Phillip (Judiciary-Dem)
Sent: Friday, May 21, 2021 4:33 PM
To: 'Greenfeld, Helaine A. (OLA)' <(b) (6)> Herwig, Paige L. EOP/WHO
<(b) (6)> Boyd, Tona EOP/WHO <(b) (6)> Appleton, Rachel E. (OLA)
<(b) (6)> Prasanna, Sandeep A. (OLA) <(b) (6)> Zubrensky, Michael
A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)> McCabe, Shannon (OLP) <(b) (6)> GEER, HARLAN
<(b) (6)> SHENKLE, ABBY <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: 5/26 Hearing Logistics

One note — as you all discuss introductions with members, please push for them to limit their remarks to three minutes, if at all possible. We on the Committee will echo that request.

Helaine — should be fine to have the four of you from OLA in the room if you're willing to sit close to one another.

Thanks and have a good weekend.

Phil

From: Greenfeld, Helaine A. (OLA) <(b) (6)>
Sent: Thursday, May 20, 2021 2:40 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Herwig, Paige L. EOP/WHO
<(b) (6)> Boyd, Tona EOP/WHO <(b) (6)> Appleton, Rachel E. (OLA)
<(b) (6)> Prasanna, Sandeep A. (OLA) <(b) (6)> Zubrensky, Michael
A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)> McCabe, Shannon (OLP) <(b) (6)> GEER, HARLAN
<(b) (6)> SHENKLE, ABBY <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: RE: 5/26 Hearing Logistics

Thanks, Phil.

DOJ OLA is happy to help folks without IDs to enter, as long as there's no limit on who we can escort. WHCO and OLP, we will be in touch on Tuesday about when and where we will meet. We are planning to have our folks there for the first panel.

We aren't planning on a walkthrough for our noms. They'll be able to see the room before and during the first panel.

We expect both LA Senators to introduce Kenneth Polite. We are working with their offices and will confirm once we have it nailed down.

Guests for our nominees: Final tbd, we'll know soon.

DOJ OLA attendees: Helaine, Sandeep, Rachel, Anne Pings if possible. If not, I'll sit in 226.

Helaine

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, May 20, 2021 1:52 PM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Boyd, Tona EOP/WHO <(b) (6)>
Greenfeld, Helaine A. (OLA) <(b) (6)> Appleton, Rachel E. (OLA)
<(b) (6)> Prasanna, Sandeep A. (OLA) <(b) (6)> Zubrensky, Michael
A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)> McCabe, Shannon (OLP) <(b) (6)> GEER, HARLAN
<(b) (6)> SHENKLE, ABBY <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)> Yeldandi, Vaishalee (Judiciary-Dem) <(b) (6)>
Subject: 5/26 Hearing Logistics

Duplicative Material, Document ID: 0.7.853.113797, Bates Number 22cv2850-21-01790-002818

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 4/28 Hearing - Updates
To: Herwig, Paige L. EOP/WHO; Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Cc: Bauer, Sarah (Judiciary-Dem); Boyd, Tona EOP/WHO; McFarlin, Jaimie K. EOP/WHO; Dews, Justin A. EOP/WHO; Mittelstaedt, Oliver S. EOP/WHO
Sent: April 23, 2021 10:44 AM (UTC-04:00)

Apologies for the serial emails, but one last note – we will shortly put up on the website each nominee’s SJQs and, later today, will start uploading letters of support as well.

Please let me know as soon as possible if you don’t want the letters of support up there.

From: Brest, Phillip (Judiciary-Dem)
Sent: Friday, April 23, 2021 10:31 AM
To: 'Herwig, Paige L. EOP/WHO' <(b) (6)> 'Zubrensky, Michael A (OLP)' <(b) (6)> 'Kingo, Lola A. (OLP)' <(b) (6)> 'Blau, Zachary (OLP)' <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> 'Boyd, Tona EOP/WHO' <(b) (6)> 'McFarlin, Jaimie K. EOP/WHO' <(b) (6)> 'Dews, Justin A. EOP/WHO' <(b) (6)> 'Mittelstaedt, Oliver S. EOP/WHO' <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Duplicative Material, Document ID: 0.7.853.30916, Bates Number 22cv2850-21-01790-002679



From: Blau, Zachary (OLP)
Subject: RE: 4/28 Hearing - Updates
To: Brest, Phillip (Judiciary-Dem)
Sent: April 23, 2021 1:21 PM (UTC-04:00)

Ahh, got it. That makes sense. Thanks!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, April 23, 2021 1:19 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

I would like the three nominees to be in SD-G50 for the first panel; only their guests will be in the holding room.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Friday, April 23, 2021 1:17 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Possibly dumb question, but will there be a video feed available in 226 so that the second panel can see what's going on?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 22, 2021 6:24 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Hah yes I think you're probably right

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Thursday, April 22, 2021 6:23 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

I don't have a sense of that just yet, but I expect we'll get a better idea from them by early next week. I would imagine that the kind of lawyers who get nominated for federal judgeships are risk-averse enough to want to get there early, but I'm sure someone will surprise me.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 22, 2021 6:20 PM
To: Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Hey Zach – I'd say it depends largely on when the nominees want to arrive. Some nominees are happy to come last minute, others want to get there earlier. Do you have a sense?

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Thursday, April 22, 2021 6:18 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Thanks so much for this, Phil. Is there a preferred time for when Shannon and I should get there? We're flexible and want to make things as easy as possible, under the circumstances. Part of my goal is to be there early enough to help

guide the nominees to where they need to be.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 22, 2021 5:50 PM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)>
Subject: 4/28 Hearing - Updates

Duplicative Material, Document ID: 0.7.853.30916, Bates Number 22cv2850-21-01790-002680

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 4/28 Hearing - Updates
To: Boyd, Tona EOP/WHO; Herwig, Paige L. EOP/WHO; Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Cc: Bauer, Sarah (Judiciary-Dem); McFarlin, Jaimie K. EOP/WHO; Dews, Justin A. EOP/WHO; Mittelstaedt, Oliver S. EOP/WHO
Sent: April 26, 2021 12:28 PM (UTC-04:00)

Hi all,

A couple things. First, while we still need to chat with the Chair about this, I think it's likely that we will have seven-minute first round questions for the circuit panel. Unfortunately it looks like Grassley granted a request from Democrats to have seven-minute first round for the Barrett/Larsen hearing—he in fact specifically mentioned he was doing so as an accommodation. Will confirm once I know for certain. The second panel will have five-minute rounds.

Second, the hold room for the guests of the district court nominees is Dirksen 226 (our usual hearing room). But there's a subcommittee hearing that begins in there at 2:30. This means (1) the guests can't move anything around, and (2) they need to vacate the room with enough time that we can have it cleaned. Please let folks know.

Phil

From: Brest, Phillip (Judiciary-Dem)
Sent: Friday, April 23, 2021 10:47 AM
To: 'Boyd, Tona EOP/WHO' <(b) (6)> Herwig, Paige L. EOP/WHO <(b) (6)>
Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> McFarlin, Jaimie K. EOP/WHO <(b) (6)> Dews, Justin A. EOP/WHO <(b) (6)> Mittelstaedt, Oliver S. EOP/WHO <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Yes we'll check with comms, thanks

From: Boyd, Tona EOP/WHO <(b) (6)>
Sent: Friday, April 23, 2021 10:46 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> McFarlin, Jaimie K. EOP/WHO <(b) (6)> Dews, Justin A. EOP/WHO <(b) (6)> Mittelstaedt, Oliver S. EOP/WHO <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Hey Phil—

Can you check with comms on posting the letters? The only flag I have is if there is some exclusive driving that? Otherwise I don't think we'd have any objection to them being posted.

Thank you!
Tona

Tona Boyd
Special Counsel and Special Assistant to the President
Office of the White House Counsel

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

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, April 23, 2021 10:44 AM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)>
Cc: Bauer, Sarah (Judiciary-Dem) <(b) (6)> Boyd, Tona EOP/WHO
<(b) (6)> McFarlin, Jaimie K. EOP/WHO <(b) (6)> Dews, Justin A.
EOP/WHO <(b) (6)> Mittelstaedt, Oliver S. EOP/WHO <(b) (6)>
Subject: RE: 4/28 Hearing - Updates

Duplicative Material, Document ID: 0.7.853.30921, Bates Number 22cv2850-21-01790-002825

From: Blau, Zachary (OLP)
Subject: Re: Nominee Guests
To: Brest, Phillip (Judiciary-Dem)
Cc: McCabe, Shannon (OLP); Kingo, Lola A. (OLP); Zubrensky, Michael A (OLP)
Sent: April 27, 2021 9:44 AM (UTC-04:00)

Will do

Sent from my iPhone

On Apr 27, 2021, at 9:38 AM, Brest, Phillip (Judiciary-Dem) (b) (6) wrote:

Okay thanks. Please wait to email me until you're both together and I'll come out and get you.

From: Blau, Zachary (OLP) (b) (6)
Sent: Tuesday, April 27, 2021 9:33 AM
To: McCabe, Shannon (OLP) (b) (6)
Cc: Brest, Phillip (Judiciary-Dem) (b) (6); Kingo, Lola A. (OLP)
(b) (6); Zubrensky, Michael A (OLP) (b) (6)
Subject: Re: Nominee Guests

Same here

Sent from my iPhone

On Apr 27, 2021, at 9:18 AM, McCabe, Shannon (OLP) (b) (6) wrote:

8:30 tomorrow at the 1st and C NE entrance works for me.

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Tuesday, April 27, 2021 9:14 AM
To: Kingo, Lola A. (OLP) (b) (6)
Cc: Zubrensky, Michael A (OLP) (b) (6); Blau, Zachary (OLP)
(b) (6); McCabe, Shannon (OLP) (b) (6)
Subject: RE: Nominee Guests

I also need to know when the nominees and their guests are arriving.

Zach and Shannon – any chance you can arrive around 8:30? That way I can let you in before the lines get big and you can help me corral nominees and their guests as they arrive and make sure they go to the right place.

If that works for you, you'll need to come to the Dirksen 24-hour entrance at 1st & C NE and email me when you arrive so I can come let you in.

From: Kingo, Lola A. (OLP) (b) (6)
Sent: Monday, April 26, 2021 6:56 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP)
<(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: Re: Nominee Guests

Hi Phil! Will do.

Sent from my iPhone

On Apr 26, 2021, at 6:51 PM, Brest, Phillip (Judiciary-Dem) <(b) (6)>
<(b) (6)> wrote:

Hi all,

Can you send me the names of the nominees' guests and their relation to the nominees?

The Chair likes to have this information on hand.

Phil

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 4-28 Hearing Guest List
To: Kingo, Lola A. (OLP)
Cc: Zubrensky, Michael A (OLP); Blau, Zachary (OLP)
Sent: April 27, 2021 11:38 AM (UTC-04:00)

Thanks Lola, this is very helpful. I've conveyed the below to the White House, as well, but a few notes:

- Nominees/guests should budget enough time to find parking in the area;
- To the extent possible, guests should arrive together (i.e. all of CJA's guests should arrive at the same time) – and it would be helpful for me to know *when* nominees and guests are arriving so I can have someone on hand to meet them;
- As a reminder, the guests of the second panel nominees will need to go to the holding room (Dirksen 226) until the second panel begins. At this point, I don't know whether the Chair will take a break between panels, so I'd ask that the guests be flexible as we're setting up their seats/swapping out nominees;
- This is by far the most guests we have had since the start of the pandemic, and I genuinely am not sure if the Capitol Police will give us a hard time about letting this many folks in. I hope not, but everyone needs to be prepared for the possibility that they say we have too many. Consider for instance that Garland had only four with him. We want to be accommodating, but if Capitol Police say no, there's nothing I can do.

Thanks.

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Tuesday, April 27, 2021 11:24 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: 4-28 Hearing Guest List

Duplicative Material, Document ID: 0.7.853.32426, Bates Number 22cv2850-21-01790-002640

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: Nominee & Guest Arrivals
To: Boyd, Tona EOP/WHO
Cc: Herwig, Paige L. EOP/WHO; Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP); McCabe, Shannon (OLP); Hopkins, Maggie (Judiciary-Dem); Shepard, Anna (Judiciary-Dem)
Sent: April 27, 2021 10:17 PM (UTC-04:00)

Really appreciate it – thanks Tona! See you in the morning.

From: Boyd, Tona EOP/WHO <(b) (6)>
Sent: Tuesday, April 27, 2021 10:15 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)> McCabe, Shannon (OLP) <(b) (6)> Hopkins, Maggie (Judiciary-Dem) <(b) (6)> Shepard, Anna (Judiciary-Dem) <(b) (6)>
Subject: Re: Nominee & Guest Arrivals

Hey Phil -

Zach and Shannon and I will be there early tomorrow - and we have scheduled arrivals of the nominees and their families at 9am and 9:15am.

We will definitely coordinate w you in the am re getting folks in - and hope we e organized it to minimize trips for you all.

See you in the am!

Tona Boyd

Special Counsel and Special Assistant to the President
Office of the White House Counsel

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

On Apr 27, 2021, at 10:10 PM, Brest, Phillip (Judiciary-Dem) <(b) (6)> wrote:

Hey all,

When nominees and/or guests arrive, can one of you (if they are communicating through you) or they (if communicating directly) email me, Maggie, and Anna? That way one of us can be sure to get them and bring them inside the building.

Just a reminder we have Dirksen 226 set up as a holding room for the district court nominees' guests.

Thanks.

Phil

From: Yeldandi, Vaishalee (Judiciary-Dem)
Subject: Cunningham
To: Blau, Zachary (OLP)
Sent: April 29, 2021 12:08 PM (UTC-04:00)

Vaishalee Yeldandi is inviting you to a scheduled ZoomGov meeting.

Topic: Vaishalee Yeldandi's Personal Meeting Room

Join ZoomGov Meeting

(b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

One tap mobile

(b) (6)

US (San Jose)

(b) (6)

US (New York)

Dial by your location

(b) (6)

US (San Jose)

(b) (6)

US (New York)

Meeting ID: (b) (6)

Passcode: (b) (6)

Find your local number: (b) (6)

From: Bauer, Sarah (Judiciary-Dem)
Subject: Boardman Discussion
To: Blau, Zachary (OLP)
Sent: April 29, 2021 2:45 PM (UTC-04:00)

From: Brest, Phillip (Judiciary-Dem)
Subject: QFRs
To: Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Sent: May 5, 2021 12:01 PM (UTC-04:00)

Mike, Lola, and Zach,

I will have Bryan Palmer, our Committee hearing clerk, send QFRs to you once they are all submitted at 5 pm. Please let me know if you want anyone else included on that email.

Phil

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 5/12 BIs
To: Herwig, Paige L. EOP/WHO; Boyd, Tona EOP/WHO; Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Sent: May 10, 2021 9:26 AM (UTC-04:00)

Boardman BI is now cleared by both sides. Waiting to update the hearing agenda until I know if the Rs are going to clear Davis (USMS).

Thanks for your diligence in getting the BI follow-up to us.

Phil

From: Brest, Phillip (Judiciary-Dem)
Sent: Wednesday, May 5, 2021 10:58 AM
To: 'Herwig, Paige L. EOP/WHO' <(b) (6)>
'Zubrensky, Michael A (OLP)' <(b) (6)>
'Blau, Zachary (OLP)' <(b) (6)>
Subject: 5/12 BIs

'Boyd, Tona EOP/WHO' <(b) (6)>
'Kingo, Lola A. (OLP)' <(b) (6)>

Cunningham BI has now been cleared by both sides.

Awaiting one more follow-up item on Boardman and then we should be good there, too.

From: Brest, Phillip (Judiciary-Dem)
Sent: Thursday, April 29, 2021 3:18 PM
To: Herwig, Paige L. EOP/WHO <(b) (6)>
Zubrensky, Michael A (OLP) <(b) (6)>
Zachary (OLP)' <(b) (6)>
Subject: Griggsby BI cleared by both sides

'Boyd, Tona EOP/WHO' <(b) (6)>
Kingo, Lola A. (OLP) <(b) (6)> 'Blau,

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 5-12 Hearing Guest List
To: Blau, Zachary (OLP); Kingo, Lola A. (OLP)
Cc: Zubrensky, Michael A (OLP)
Sent: May 10, 2021 2:38 PM (UTC-04:00)

Yes no problem

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Monday, May 10, 2021 2:35 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Kingo, Lola A. (OLP)
<(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: 5-12 Hearing Guest List

Would there be room for one more on the OLP side? No worries if not.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, May 10, 2021 10:10 AM
To: Kingo, Lola A. (OLP) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 5-12 Hearing Guest List

Thanks!

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Monday, May 10, 2021 10:05 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Zubrensky, Michael A (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: 5-12 Hearing Guest List

Duplicative Material, Document ID: 0.7.853.42230, Bates Number 22cv2850-21-01790-002601



From: Brest, Phillip (Judiciary-Dem)
Subject: RE: Letters of Support for Boardman and Griggsby
To: Kingo, Lola A. (OLP); Zubrensky, Michael A (OLP); Blau, Zachary (OLP); McCabe, Shannon (OLP)
Cc: Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Charlet, Joseph (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem)
Sent: May 11, 2021 10:15 AM (UTC-04:00)

Thanks to you both

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Tuesday, May 11, 2021 10:14 AM
To: Zubrensky, Michael A (OLP) <(b) (6)> Brest, Phillip (Judiciary-Dem)
<(b) (6)> Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP)
<(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)>; Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Subject: RE: Letters of Support for Boardman and Griggsby

Mike's right, as always—we don't have any letters for Boardman and Griggsby. Thank you!

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Tuesday, May 11, 2021 8:55 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Kingo, Lola A. (OLP)
<(b) (6)> Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP)
<(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)>; Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Subject: RE: Letters of Support for Boardman and Griggsby

Hi Phil – I'm not aware we have any letters, but Lola can correct me if I'm wrong.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, May 11, 2021 8:44 AM
To: Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem)
<(b) (6)> Charlet, Joseph (Judiciary-Dem) <(b) (6)>
<(b) (6)>; Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Subject: Letters of Support for Boardman and Griggsby

Good morning,

To the extent you have letters of support for Boardman and Griggsby, can you send those over as early as possible today? We'd like to share with our members, including Senator Booker, who will be chairing tomorrow's hearing. Thanks.

Phil

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: Timing tomorrow
To: Blau, Zachary (OLP)
Cc: McCabe, Shannon (OLP)
Sent: May 11, 2021 5:17 PM (UTC-04:00)

Assume that the nominees are going to call you when they/their families arrive? Obviously would be good for you to be there before the nominees arrive.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, May 11, 2021 5:06 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

Got it. Will circle back.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, May 11, 2021 5:00 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

I'm letting the OLA crew in at 8:30. So really whenever you'd like 8:30 or later.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, May 11, 2021 4:57 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: Timing tomorrow

Hi Phil,

Any preferences for when the OLP delegation should arrive at the 24-hr entrance?

From: Blau, Zachary (OLP)
Subject: RE: Timing tomorrow
To: Brest, Phillip (Judiciary-Dem)
Cc: McCabe, Shannon (OLP)
Sent: May 11, 2021 6:31 PM (UTC-04:00)

Yes sir

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, May 11, 2021 6:30 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

Great, just give me a call then at one of these #s – (b) (6) or (b) (6)

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, May 11, 2021 6:29 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

We and the nominees and guests are aiming to be outside Dirksen at 9.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, May 11, 2021 5:24 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

Sure. Though we'll still need someone to let her in the building.

From: Blau, Zachary (OLP) <(b) (6)>
Sent: Tuesday, May 11, 2021 5:23 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

That's the plan. Though Griggsby may not really need my assistance.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, May 11, 2021 5:17 PM
To: Blau, Zachary (OLP) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: Timing tomorrow

Duplicative Material, Document ID: 0.7.853.43112, Bates Number 22cv2850-21-01790-002840

From: McCabe, Shannon (OLP)
Subject: Thank you
To: Shepard, Anna (Judiciary-Dem)
Sent: April 28, 2021 3:02 PM (UTC-04:00)

Hi Anna,

I wanted to thank you again for all your help today. Without your help, things definitely would not have gone as smoothly. It was so great to meet you! I look forward to working with you again.

Take care,

Shannon McCabe
Paralegal Specialist
Office of Legal Policy
U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: McCabe, Shannon (OLP)
Subject: RE: Thank You
To: Brest, Phillip (Judiciary-Dem)
Sent: April 28, 2021 3:16 PM (UTC-04:00)

It's a pleasure to work with you as well! Thank you for all that you do.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 28, 2021 3:11 PM
To: Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Subject: Thank You

Well done and congratulations on getting through this first hearing. It's really a pleasure to work with you all.

Phil

From: McCabe, Shannon (OLP)
Subject: RE: BI Drop off
To: Brest, Phillip (Judiciary-Dem)
Sent: May 7, 2021 11:17 AM (UTC-04:00)

Great, see you soon!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, May 7, 2021 11:14 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Drop off

No problem. (b) (6).

I'm bringing just one box with seven BIs. Maybe we can do the same next week.

See you at 11:30.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, May 7, 2021 11:03 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: Re: BI Drop off

If we could meet at the 10th street entrance that would be great. You'll need to park on the side of the street furthest from the building, since we learned last time they don't want anyone parking directly next to the building.

Shannon McCabe
(b) (6)

Sent from my iPhone

On May 7, 2021, at 10:58 AM, Brest, Phillip (Judiciary-Dem) <(b) (6)> wrote:

Where should I meet you at 11:30? I'm probably only going to have one box for you.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, May 6, 2021 12:06 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Drop off

11:30 tomorrow works for me – thanks!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, May 6, 2021 11:51 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Drop off

Tomorrow works. How about 11:30?

From: McCabe, Shannon (OLP) <(b) (6)>

Sent: Thursday, May 6, 2021 11:17 AM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: BI Drop off

Hi Phil,

Let me know if tomorrow still works for you to drop off some of the old BIs. I'm flexible on timing, so just let me know what works best for you, or if we should plan on a different day.

Thanks!

Shannon McCabe

Paralegal Specialist

Office of Legal Policy

U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BI Delivery
To: McCabe, Shannon (OLP)
Sent: May 12, 2021 7:44 PM (UTC-04:00)

Will do

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Wednesday, May 12, 2021 7:43 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Delivery

Sounds good! Let me know if anything changes on your end.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, May 12, 2021 7:25 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BI Delivery

How about tomorrow between 5 and 6 pm?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Wednesday, May 12, 2021 7:17 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: BI Delivery

Hi Phil,

Let me know a good day and time for a courier to deliver the BIs. This batch will have BIs for Estudillo, King, and Rossman.

Thanks!

Shannon McCabe
Paralegal Specialist
Office of Legal Policy
U.S. Department of Justice

(b) (6)

(b) (6)

Pronouns: she/her/hers ([What's this?](#))

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: FDRs
To: Kingo, Lola A. (OLP)
Sent: April 23, 2021 11:12 AM (UTC-04:00)

Thanks!

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Friday, April 23, 2021 11:10 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)>
Subject: Re: FDRs

They aren't due to be filed until the weekend, but I am pushing folks to file by today. Hope to have those out on Monday. If it helps to get them on a rolling basis, can certainly send that way too as folks file. Thanks!

Sent from my iPhone

On Apr 23, 2021, at 11:08 AM, Brest, Phillip (Judiciary-Dem) <(b) (6)> wrote:

When do you think we'll get the FDRs? Getting a number of inquiries.

I'll call you on a BI issue today, as well.

Phil

From: Zubrensky, Michael A (OLP)
Subject: Re: Griggsby BI cleared by both sides
To: Brest, Phillip (Judiciary-Dem)
Sent: April 29, 2021 3:28 PM (UTC-04:00)

Thanks, glad to hear

Sent from my iPhone

On Apr 29, 2021, at 2:18 PM, Brest, Phillip (Judiciary-Dem) (b) (6)
[REDACTED] wrote:

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: QFRs
To: Zubrensky, Michael A (OLP)
Sent: May 10, 2021 5:08 PM (UTC-04:00)

Yes, sorry about that. But thanks for getting them to us by the deadline.

From: Zubrensky, Michael A (OLP) <(b) (6)>

Sent: Monday, May 10, 2021 5:06 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: RE: QFRs

Thanks, glad to hear it. I had a super fun Mother's Day weekend...

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Monday, May 10, 2021 5:01 PM

To: Zubrensky, Michael A (OLP) <(b) (6)>

Subject: RE: QFRs

They just came through

From: Brest, Phillip (Judiciary-Dem)

Sent: Monday, May 10, 2021 5:01 PM

To: 'Zubrensky, Michael A (OLP)' <(b) (6)>

Subject: RE: QFRs

No they haven't come through yet

From: Zubrensky, Michael A (OLP) <(b) (6)>

Sent: Monday, May 10, 2021 5:00 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: QFRs

Just sent them. Did you get them? It was a large doc.

From: Greenfeld, Helaine A. (OLA)
Subject: Re: 5/26 Nominations Hearing
To: Brest, Phillip (Judiciary-Dem)
Cc: Dodin, Reema EOP/WHO; Secreto, James V. EOP/WHO; Songer, Erica K. EOP/WHO; Herwig, Paige L. EOP/WHO; Boyd, Tona EOP/WHO; Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP); Zogby, Joseph (Judiciary-Dem); Swanson, Daniel (Judiciary-Dem)
Sent: May 11, 2021 5:55 PM (UTC-04:00)

Thank you, Phil.

Sent from my iPhone

On May 11, 2021, at 5:46 PM, Brest, Phillip (Judiciary-Dem) (b) (6) wrote:

Hi all,

We intend to proceed with the following slate for 5/26:

- Panel One
 - Tiffany Cunningham (Federal Circuit)
- Panel Two
 - Chipman (ATF)
 - Jaddou (USCIS)
 - Milgram (DEA)
 - Polite (AAG-Crim)
 - Strickland (D. NM)

Cunningham's BI has been cleared; we and the Republicans have both reviewed Strickland's and Milgram's BIs and requested follow-up; and we have reviewed Polite's BI and requested follow-up. I will review Chipman tonight and Jaddou tomorrow after our hearing.

In order for this hearing to come together, we will need any BI follow-up requests to be prioritized as they are made. Appreciate your assistance on this.

Phil

From: Blau, Zachary (OLP)
Subject: RE: Call tomorrow?
To: Brest, Phillip (Judiciary-Dem)
Cc: Kingo, Lola A. (OLP)
Sent: March 12, 2021 4:25 PM (UTC-05:00)

Thanks!

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Friday, March 12, 2021 4:21 PM
To: Blau, Zachary (OLP) (b) (6)
Cc: Kingo, Lola A. (OLP) (b) (6)
Subject: RE: Call tomorrow?

(b)(6) Lane Giardina (Judiciary-Dem)

From: Brest, Phillip (Judiciary-Dem)
Sent: Friday, March 12, 2021 4:17 PM
To: 'Blau, Zachary (OLP)' (b) (6)
Cc: Kingo, Lola A. (OLP) (b) (6)
Subject: RE: Call tomorrow?

Maggie Hopkins (b) (6)

From: Blau, Zachary (OLP) (b) (6)
Sent: Friday, March 12, 2021 3:58 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Cc: Kingo, Lola A. (OLP) (b) (6)
Subject: RE: Call tomorrow?

Thanks! Talk in a few

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Friday, March 12, 2021 3:57 PM
To: Blau, Zachary (OLP) (b) (6)
Cc: Kingo, Lola A. (OLP) (b) (6)
Subject: RE: Call tomorrow?

(b) (6)

From: Blau, Zachary (OLP) (b) (6)
Sent: Friday, March 12, 2021 3:53 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Cc: Kingo, Lola A. (OLP) (b) (6)
Subject: RE: Call tomorrow?

What's the best number for you? I'll call Lola and then patch you in at 4.

From: Blau, Zachary (OLP)
Sent: Thursday, March 11, 2021 10:27 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6)

Cc: Kingo, Lola A. (OLP) (b) (6)

Subject: RE: Call tomorrow?

Great, will send an invite.

From: Brest, Phillip (Judiciary-Dem) (b) (6) >

Sent: Thursday, March 11, 2021 10:26 PM

To: Blau, Zachary (OLP) (b) (6) >

Cc: Kingo, Lola A. (OLP) (b) (6) >

Subject: Re: Call tomorrow?

Sure I'm free 4-4:30

On Mar 11, 2021, at 10:25 PM, Blau, Zachary (OLP) (b) (6) > wrote:

Hi Phil,

Any chance you have 10 minutes for a call tomorrow? We have a couple of small SJQ/logistics questions we wanted to get your input on.

The best window for me is after 4, but between 10 to 11, and then 12 to 1:30 also should work for us.

Thanks,
Zach

From: Blau, Zachary (OLP)
Subject: RE: SJQs
To: Brest, Phillip (Judiciary-Dem); Zubrensky, Michael A (OLP); Kingo, Lola A. (OLP)
Cc: Kader, Gabe (Judiciary-Dem); Bauer, Sarah (Judiciary-Dem); Hopkins, Maggie (Judiciary-Dem)
Sent: March 29, 2021 1:54 PM (UTC-04:00)

Yep, will do.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, March 29, 2021 1:50 PM
To: Zubrensky, Michael A (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Cc: Kader, Gabe (Judiciary-Dem) <(b) (6)> Bauer, Sarah (Judiciary-Dem) <(b) (6)> Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Subject: SJQs

Hi all,

When you send SJQs on Wednesday, can you be sure to include Gabe, Sarah, and Maggie, all copied here? I believe we already discussed which Republicans to include on the transmittal emails, but let me know if that's not the case.

Thanks,

Phil

From: Kingo, Lola A. (OLP)
Subject: BIs
To: Brest, Phillip (Judiciary-Dem)
Cc: Blau, Zachary (OLP); McCabe, Shannon (OLP)
Sent: March 30, 2021 3:18 PM (UTC-04:00)

Hi Phil!

I hope all is well.

We are planning on delivering BIs for a number of folks from the first slate. Would you kindly let us know who will be around on your team tomorrow to accept delivery and at what time? Also, this may be a good time to pick up some of the last administration's BIs from you, so if that works, please let us know how many boxes you will be returning and we'll arrange for a roundtrip. If we're pushing it on the pick up, all is well.

Thanks very much!

Best,
Lola

Lola A. Kingo
Chief Nominations Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Room 4239
Washington, D.C. 20530
(b) (6)

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: FDRs
To: Kingo, Lola A. (OLP)
Cc: Blau, Zachary (OLP); McCabe, Shannon (OLP)
Sent: April 1, 2021 8:57 AM (UTC-04:00)

Sorry that I missed this yesterday. This was standard practice during the Trump administration so I have no concerns.

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Wednesday, March 31, 2021 3:47 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Subject: FDRs

Hi Phil,

Just an FYI—because the folks we are filing today are all intents, we will use the Q.22 language from the previous administration. In addition, we won't transmit FDRs until nominations are transmitted to the Senate. If this raises any issues/concerns, please let us know. Thank you!

Lola A. Kingo
Chief Nominations Counsel
Office of Legal Policy (OLP)
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Room 4239
Washington, D.C. 20530
(b) (6)

From: McCabe, Shannon (OLP)
Subject: RE: BIs
To: Brest, Phillip (Judiciary-Dem)
Cc: Blau, Zachary (OLP); Kingo, Lola A. (OLP)
Sent: April 1, 2021 10:36 AM (UTC-04:00)

Great, thanks Phil! I'll reach out if I need any further information. Otherwise, I'll let you know when the courier is on their way around 3:45.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 1, 2021 10:33 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Subject: RE: BIs

Let's do 3:45.

The phone # is correct, but I've moved offices. I'm in Hart Senate Office Building, Room 221.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 10:26 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> Kingo, Lola A. (OLP) <(b) (6)>
Subject: RE: BIs

Hi Phil,

All of those times work for me. Once I set up the courier, I can give you a better idea of when they will arrive. When you get a moment, can you please confirm that the below delivery address and contact information is correct?

Phillip Brest - DSOB 152
120 Constitution Ave NE
Washington, DC
20002
(b) (6)

Thank you,
Shannon

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 1, 2021 8:58 AM
To: Kingo, Lola A. (OLP) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Good morning,

I am available during the following windows today to pick up BIs and to drop off **two bankers' boxes worth of BIs** to the courier. If that's too much, let me know.

- 12-1
- 3:45-4:30
- 5-6

Thanks.

Phil

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Tuesday, March 30, 2021 3:21 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Roger. Much appreciated!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, March 30, 2021 3:20 PM
To: Kingo, Lola A. (OLP) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> McCabe, Shannon (OLP) <(b) (6)>
Subject: Re: BIs

No one. Will need to wait until Thursday as (b) (6). I'll email you Thursday morning to set up a time and let you know how many boxes I'll be returning.

On Mar 30, 2021, at 3:18 PM, Kingo, Lola A. (OLP) <(b) (6)> wrote:

Duplicative Material, Document ID: 0.7.853.21544, Bates Number 22cv2850-21-01790-002854



From: Brest, Phillip (Judiciary-Dem)
Subject: RE: 4/28 noms hearing
To: Zubrensky, Michael A (OLP)
Cc: Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Sent: April 15, 2021 7:05 PM (UTC-04:00)

Fair point. We did get a big hearing room, which is good.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Thursday, April 15, 2021 6:38 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 noms hearing

I hear you and I'm sure the noms will be completely fine with whatever they're allowed – but you asked for ideal world #s so I gave you them! :)

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 15, 2021 2:36 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 noms hearing

7 is a lot and I'm not sure we'll be able to accommodate that many – especially for the second panel, when you're looking at a minimum of 16 guests not counting WHCO. That's just really not doable given OAP guidance. I will work with our Committee hearing clerk to figure out the maximum # of guests and get back to you, but you should start setting expectations now.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Thursday, April 15, 2021 2:30 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 noms hearing

Hi Phil – I've run your question by the folks you asked about and here's my report:

KBJ: 7
CJA: at most 5
Rodriguez: 4
Neals: 7
Quraishi: 5
DOJ: at most 2
WHCO: haven't heard back from Paige

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 14, 2021 2:51 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: 4/28 noms hearing

Hey Mike,

The nominees did well today, as did our members.

Re: logistics, I need to first confirm a room, as that will dictate the # of guests. Given that we will have two panels, we will have to arrange for SD-226 as the hearing room for the second panel nominees/guests.

Can you tell me how many guests each nominee would want to bring in an ideal world? And how many from DOJ/WHCO would like to attend?

Phil

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Wednesday, April 14, 2021 2:47 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: 4/28 noms hearing

Hi Phil – today's noms hearing seemed to go as well as possible, right? As for the next noms hearing on 4/28, we'd like to send out hearing logistics info to the five nominees as soon as possible. Is there something in writing that you'd like us to pass along to judicial noms that contains logistics info on what time to get to the hearing room, number of guests allowed, etc.?

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: Question on Judicial Nominees
To: McCabe, Shannon (OLP); Kingo, Lola A. (OLP); Zubrensky, Michael A (OLP); Blau, Zachary (OLP)
Cc: Hopkins, Maggie (Judiciary-Dem)
Sent: April 19, 2021 10:26 AM (UTC-04:00)

Thanks Shannon, greatly appreciate it

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Monday, April 19, 2021 10:26 AM
To: Kingo, Lola A. (OLP) <(b) (6)>; Brest, Phillip (Judiciary-Dem) <(b) (6)>
<(b) (6)>; Zubrensky, Michael A (OLP) <(b) (6)>; Blau, Zachary (OLP)
<(b) (6)>
Cc: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Subject: RE: Question on Judicial Nominees

Hi Phil,

I'd be happy to help with this. The requested information is below.

- Ketanji Brown Jackson, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, vice Merrick B. Garland, retired.
- Candace Jackson-Akiwumi, of Illinois, to be United States Circuit Judge for the Seventh Circuit, vice Joel M. Flaum, retired.
- Zahid N. Quraishi, of New Jersey, to be United States District Judge for the District of New Jersey, vice Peter G. Sheridan, retired.
- Julien Xavier Neals, of New Jersey, to be United States District Judge for the District of New Jersey, vice William J. Martini, retired.
- Regina M. Rodriguez, of Colorado, to be United States District Judge for the District of Colorado, vice Marcia S. Krieger, retired.

Thank you,
Shannon

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Monday, April 19, 2021 10:16 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>; Zubrensky, Michael A (OLP)
<(b) (6)>; Blau, Zachary (OLP) <(b) (6)>; McCabe, Shannon (OLP)
<(b) (6)>
Cc: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>
Subject: RE: Question on Judicial Nominees

Good morning, Phil,

We're adding Shannon McCabe, our ace Paralegal Specialist, who will send you the information for the five prospective nominees. Thank you!

Best,
Lola

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, April 19, 2021 9:53 AM
To: Zubrensky, Michael A (OLP) <(b) (6)>; Kingo, Lola A. (OLP) <(b) (6)>
Blau, Zachary (OLP) <(b) (6)>

Cc: Hopkins, Maggie (Judiciary-Dem) <(b) (6)>

Subject: Question on Judicial Nominees

Good morning all,

We are putting together blue slips for the judicial nominees. Because we have not yet received formal nominations, we were hoping you might advise who each of the nominees on 4/28 was nominated to replace, as we need this information for the blue slips. Thanks.

Phil

From: Zubrensky, Michael A (OLP)
Subject: RE: Hearing & SJQ questions
To: Brest, Phillip (Judiciary-Dem)
Cc: Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Sent: April 21, 2021 9:12 AM (UTC-04:00)

Thanks Phil. Will get back to you with the guest info.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:06 AM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: RE: Hearing & SJQ questions

A notice will go out today setting a 10 am hearing in Room G50 of the Dirksen Senate office building.

Can you ask the nominees whether their guests need to be distanced from one another or if they can be seated in immediate proximity? That will dictate what we can do, though I'd note 7 is a lot for any nominee. (No nominee to date has had more than 4 guests.) I also need to know how many from WHCO.

We will post once the witness list goes out, which I'm hoping will be Friday. I can't post the witness list until BIs are cleared and blue slips are returned.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:01 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP) <(b) (6)>
Subject: Hearing & SJQ questions

Hi Phil – our 4/28 judicial nominees are eager to get logistics info for next week's hearing. Is there any info you can pass along about hearing time, location, number of guests, Covid/safety protocols, etc.?

Also wondering when you're planning to post SJQs on your website. Once they're posted, we will send some of the links to nominees in the pipeline so they can see proper formatting, etc.

Thanks!
Mike

From: Zubrensky, Michael A (OLP)
Subject: RE: BIs cleared
To: Brest, Phillip (Judiciary-Dem); Herwig, Paige L. EOP/WHO; Kingo, Lola A. (OLP); Blau, Zachary (OLP)
Sent: April 22, 2021 4:22 PM (UTC-04:00)

Hooray – thank you!

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, April 22, 2021 4:20 PM
To: Herwig, Paige L. EOP/WHO (b) (6); Zubrensky, Michael A (OLP)
(b) (6); Kingo, Lola A. (OLP) (b) (6); Blau, Zachary (OLP)
(b) (6)
Subject: RE: BIs cleared

The remaining two BIs – Jackson-Akiwumi and Neals – have now also been cleared.

We will plan to send an updated hearing notice tomorrow morning.

From: Brest, Phillip (Judiciary-Dem)
Sent: Thursday, April 22, 2021 10:42 AM
To: 'Herwig, Paige L. EOP/WHO' (b) (6); 'Zubrensky, Michael A (OLP)'
(b) (6); 'Kingo, Lola A. (OLP)' (b) (6); 'Blau, Zachary (OLP)'
(b) (6)
Subject: BIs cleared

Should have gone with the “BIs” cleared subject line in the first instance!

Rodriguez now cleared by both sides.

From: Brest, Phillip (Judiciary-Dem)
Sent: Wednesday, April 21, 2021 10:26 AM
To: 'Herwig, Paige L. EOP/WHO' (b) (6); 'Zubrensky, Michael A (OLP)'
(b) (6); 'Kingo, Lola A. (OLP)' (b) (6); 'Blau, Zachary (OLP)'
(b) (6)
Subject: Jackson (D.C. Cir) BI cleared

Judge Jackson’s BI has now been cleared by both sides.

From: Brest, Phillip (Judiciary-Dem)
Sent: Thursday, April 15, 2021 11:56 AM
To: 'Herwig, Paige L. EOP/WHO' (b) (6); 'Zubrensky, Michael A (OLP)'
(b) (6); 'Kingo, Lola A. (OLP)' (b) (6); 'Blau, Zachary (OLP)'
(b) (6)
Subject: Quraishi BI cleared

By both sides.

From: Kingo, Lola A. (OLP)
Subject: RE: FBI question
To: Brest, Phillip (Judiciary-Dem); Zubrensky, Michael A (OLP)
Sent: April 5, 2021 12:22 PM (UTC-04:00)

Ah, got it. Thanks!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Monday, April 5, 2021 12:20 PM
To: Kingo, Lola A. (OLP) <(b) (6)> Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: FBI question

Thanks. I ask just because I want to make sure that any CFC nominees get the proper level BI from the outset.

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Monday, April 5, 2021 12:17 PM
To: Zubrensky, Michael A (OLP) <(b) (6)> Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: FBI question

During my tenure at OLP, CFC noms get (b)(7)(E) per FBI. I can't speak to whether that was always the case during the Obama administration, but I'll double check the files and circle back. Thanks!

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Monday, April 5, 2021 11:54 AM
To: Kingo, Lola A. (OLP) <(b) (6)> Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: FBI question

Hi Lola – do CFC nominees get (b)(7)(E) per FBI by the FBI? Whatever level they get, has that been consistent across the Biden, Trump, and Obama administrations? Phil was wondering.

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BIs
To: McCabe, Shannon (OLP)
Sent: April 1, 2021 1:04 PM (UTC-04:00)

Thanks, appreciate the flexibility

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 1:03 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Yes, no problem. I'll plan on tomorrow around 12-1, unless I hear from you otherwise.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 1, 2021 1:01 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Hey Shannon sorry but would we be able to do this tomorrow instead? Let's say between 12 and 1 pm?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 12:06 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Today works just fine! Let me know if anything comes up on your end. Otherwise, I'll wait to hear from you around 3:45 when you're headed over.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 1, 2021 12:04 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Sounds good. Also if tomorrow is easier, that works for me, as well.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 11:57 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Yes, I'm in Main Justice. I'm assuming you don't have badge access to Main Justice, so I can meet you outside by the 9th street entrance, and you can temporarily park there. I'll give you the 7 new BIs, and I can take as many old BIs as I can carry. I'm available all afternoon, so I can make as many trips in and out of the building with the old BIs as needed, as your schedule allows.

My number is (b) (6). Call me with any issues/questions. Thank you!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 1, 2021 11:43 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Ah, I see. Okay so let's do the 3:45-4:30 range. I'll email you when I'm headed over. Am I coming to Main Justice? If so, where should I head? Also what's your # in case I need to call you if I run into any issues?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 11:42 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: Re: BIs

I am available all afternoon to receive the old boxes from you at DOJ. I can also give you the new BIs at the same time, rather than having the courier deliver them. Anytime tomorrow works as well, for me.

On Apr 1, 2021, at 11:37 AM, Brest, Phillip (Judiciary-Dem) <(b) (6)> wrote:

I can do 3:45-4:30, but not if I need to be in the Senate to accept the new BIs that are coming. So if that doesn't work, then I could bring two boxes to you tomorrow?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 11:27 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: Re: BIs

That works for me! I think that will save a lot of headache, so thank you for offering. Does the 3:45-4:30 window still work best for you?

On Apr 1, 2021, at 11:24 AM, Brest, Phillip (Judiciary-Dem) <(b) (6)> wrote:

So I think I have way too many BIs to return via envelope – it just doesn't make sense. The two full bankers' boxes are just a fraction of those I have left to return.

Is it possible for me to drive them over to DOJ?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 11:12 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

I just spoke to the courier service. I'm sorry to ask this, but would you be able to split the deliveries between today and tomorrow? The courier will need to be on a bike rather than a car in order to get as close as possible to your building, and he won't be able to bike with the boxes. The BIs will need to be delivered in multiple trips, and in envelopes rather than bankers' boxes.

It sounds like since January, the security protocols have changed, so you will likely have to

meet the courier outside, but I haven't gotten a final word on that yet. I apologize for the hassle! Feel free to give me a call if that's easier – (b) (6) .

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 1, 2021 10:40 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> Kingo, Lola A. (OLP)
<(b) (6)>
Subject: RE: BIs

Thanks. Is this a courier who has access to the Senate, or will I need to go outside?

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 10:36 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: Blau, Zachary (OLP) <(b) (6)> Kingo, Lola A. (OLP)
<(b) (6)>
Subject: RE: BIs

Duplicative Material, Document ID: 0.7.853.21991, Bates Number 22cv2850-21-01790-002856



From: Brest, Phillip (Judiciary-Dem)
Subject: Re: BIs
To: McCabe, Shannon (OLP)
Sent: April 2, 2021 11:35 AM (UTC-04:00)

(b) (6). There in 2 minutes

On Apr 2, 2021, at 11:33 AM, McCabe, Shannon (OLP) <(b) (6)> wrote:

Great — I'm outside on 10th near the guard station (b) (6).

Sent from my iPhone

On Apr 2, 2021, at 11:22 AM, Brest, Phillip (Judiciary-Dem) (b) (6) wrote:

Sure no problem. I'll head over now and call you from my work cell when I'm there (b) (6).

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, April 2, 2021 11:21 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Sorry on a call – yes! Can we do 10th street instead of 9th?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, April 2, 2021 11:19 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Hey Shannon,

Finished a bit early with something and wondering if it's okay for me to head over now. Let me know and thanks!

Phil

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 1, 2021 1:03 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Duplicative Material, Document ID: 0.7.853.56700, Bates Number 22cv2850-21-01790-002865

From: McCabe, Shannon (OLP)
Subject: RE: BIs
To: Brest, Phillip (Judiciary-Dem)
Sent: April 2, 2021 12:11 PM (UTC-04:00)

Sounds good!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, April 2, 2021 12:06 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

You too! And we'll need to find another time soon to do a similar handoff – maybe another Friday in a couple weeks. We have dozens more BIs to return.

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, April 2, 2021 12:03 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Many thanks to you for driving over! With that many BIs, it would have taken forever to go back and forth with a bike messenger, so I really appreciate it. Have a wonderful weekend!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, April 2, 2021 12:02 PM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Thanks again for the handoff!

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, April 2, 2021 11:32 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: Re: BIs

Duplicative Material, Document ID: 0.7.853.56814, Bates Number 22cv2850-21-01790-002868



From: Brest, Phillip (Judiciary-Dem)
Subject: BIs
To: Kingo, Lola A. (OLP)
Sent: April 8, 2021 5:51 PM (UTC-04:00)

Hey Lola,

Do you have some time tomorrow for us to connect on BIs? Lauren has now reviewed four of the five BIs for the nominees we intend to put on 4/28 (all but Rodriguez), so I have her follow-up questions and I want to make sure nothing falls through the cracks. Thanks!

Phil

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BIs
To: McCabe, Shannon (OLP)
Sent: April 16, 2021 12:28 PM (UTC-04:00)

Yes I just got it from the courier. Will let you know if anything changes re: next Friday. Thanks and hope you have a great weekend as well!

Phil

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

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, April 16, 2021 12:27 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Hi Phil,

I received confirmation that the BI was delivered. If that's not the case, please let me know. Next Friday works for a drop off of the old BIs -- let me know if anything changes on your end.

Have a great weekend,
Shannon

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

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Friday, April 16, 2021 9:38 AM
To: McCabe, Shannon (OLP) <(b) (6)>
Subject: RE: BIs

Sounds good, thanks Shannon

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

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Friday, April 16, 2021 9:36 AM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BIs

Confirming that the courier can drop off the BI between 11:30 and 2. I will let you know when they are on their way -- It will likely be on the earlier side of that window. From what I understand, you will need to meet them outside because they don't have badge access. I've given the courier your number so they can contact you directly.

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

From: McCabe, Shannon (OLP) <(b) (6)>
Sent: Thursday, April 15, 2021 9:01 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Cc: McCabe, Shannon (OLP) <(b) (6)>
Subject: Re: BIs

I'll check with the couriers and get back to you!

Sent from my iPhone

> On Apr 15, 2021, at 8:15 PM, Brest, Phillip (Judiciary-Dem) <(b) (6)>
wrote:

>
> I think next Friday would be good to drop BIs off, so would be great if you can courier the Cunningham BI tomorrow. Between 11:30 and 2 possible?
>
>> On Apr 15, 2021, at 8:13 PM, McCabe, Shannon (OLP) <(b) (6)> wrote:
>>
>> Hi Phil,
>>
>> When would be a good day and time to get you the latest BI? Did you have others you wanted to drop off? If not, I can have a courier bike over tomorrow with the BI we have for you.
>>
>> Thank you,
>> Shannon

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BI Calls
To: Kingo, Lola A. (OLP)
Sent: April 13, 2021 6:59 PM (UTC-04:00)

Hi Lola,

Just following up on the below. Thanks.

Phil

From: Brest, Phillip (Judiciary-Dem)
Sent: Monday, April 12, 2021 3:47 PM
To: 'Kingo, Lola A. (OLP)' <(b) (6)>
Subject: BI Calls

Morning Lola,

Can we set up calls for Jackson-Akiwumi, Neals, and Quraishi for Thursday (4/15) between 10 am and noon?

Thanks!

Phil

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BI Calls
To: Kingo, Lola A. (OLP)
Sent: April 13, 2021 7:17 PM (UTC-04:00)

I will confirm with Lauren and get back to you – but we should proceed as if this is set.

I'll get back to you once she confirms her availability at those specific times. Thanks!

From: Kingo, Lola A. (OLP) <(b) (6)>
Sent: Tuesday, April 13, 2021 7:14 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: BI Calls

Thanks, Phil! All three candidates are available on Thursday between 10 and noon. Please let me know if the following works (with the understanding, of course, that a call could run shorter/longer so the candidates may be called earlier/later):

10 AM—Quraishi (b) (6)
10:15 AM—Jackson-Akiwumi (b) (6)
10:30 AM—Neals (b) (6)

All the best,
Lola

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Tuesday, April 13, 2021 6:59 PM
To: Kingo, Lola A. (OLP) <(b) (6)>
Subject: RE: BI Calls

Duplicative Material, Document ID: 0.7.853.60133, Bates Number 22cv2850-21-01790-002873

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: BIs
To: McCabe, Shannon (OLP)
Sent: April 23, 2021 10:06 AM (UTC-04:00)

Great thanks Shannon

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

From: McCabe, Shannon (OLP) (b) (6)
Sent: Friday, April 23, 2021 9:51 AM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Subject: RE: BIs

No problem! Friday May 7th works for me.

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

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Friday, April 23, 2021 9:49 AM
To: McCabe, Shannon (OLP) (b) (6)
Subject: RE: BIs

Hey Shannon - sorry but I've had a few meetings scheduled midday so think we need to push the BI return to another day. Would Friday May 7th work?

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

From: McCabe, Shannon (OLP) (b) (6)
Sent: Thursday, April 22, 2021 12:50 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Subject: RE: BIs

Okay sounds good. I'll tentatively plan on noon-ish tomorrow, but I'll check in again in the morning.

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

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, April 22, 2021 12:48 PM
To: McCabe, Shannon (OLP) (b) (6)
Subject: RE: BIs

It depends a bit on how today goes. I think likely yes around noon, but will need to confirm tomorrow morning.

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

From: McCabe, Shannon (OLP) (b) (6)
Sent: Thursday, April 22, 2021 12:47 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6)
Subject: RE: BIs

Hi Phil,

Does tomorrow still work for me to take some of those old BIs off your hand? I'm flexible tomorrow so let me know a good time for you.

Thank you,
Shannon

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

From: Brest, Phillip (Judiciary-Dem) (b) (6)

Sent: Friday, April 16, 2021 12:28 PM

To: McCabe, Shannon (OLP) (b) (6)

Subject: RE: Bls

Duplicative Material, Document ID: 0.7.853.58859, Bates Number 22cv2850-21-01790-002871

From: Zubrensky, Michael A (OLP)
Subject: RE: 4/28 Logistics
To: Brest, Phillip (Judiciary-Dem)
Sent: April 12, 2021 10:04 PM (UTC-04:00)

Thanks Phil – appreciate the offer. We’re still trying to figure out what info to pass along to judicial noms but I think it will be helpful to consult and coordinate with you.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Monday, April 12, 2021 6:59 PM

To: Zubrensky, Michael A (OLP) <(b) (6)>

Subject: 4/28 Logistics

Hey Mike,

I understand from Paige that you’re working on a logistics document for the nominees for 4/28.

I’m happy to help provide information from the Senate side. Just let me know if you want to touch base in the next day or two.

Phil

From: Zubrensky, Michael A (OLP)
Subject: RE: Jackson (D.C. Cir) BI cleared
To: Brest, Phillip (Judiciary-Dem)
Sent: April 21, 2021 10:41 AM (UTC-04:00)

Excellent, thanks!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 21, 2021 10:26 AM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)>
Subject: Jackson (D.C. Cir) BI cleared

Duplicative Material, Document ID: 0.7.853.29946, Bates Number 22cv2850-21-01790-002863

From: Brest, Phillip (Judiciary-Dem)
Subject: RE: fyi
To: Zubrensky, Michael A (OLP)
Sent: April 21, 2021 9:31 PM (UTC-04:00)

Thanks

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:29 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: fyi

Okey doke, thanks. At a minimum, I can make sure Zach and Shannon are together when they come to Dirksen.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:16 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: fyi

Oh no – not at all. Didn't mean it like that. It's more we'll just need to time arrivals for DOJ, nominees, and guests so I don't have to run in and out of the building every five minutes to let folks in. But we can figure that all out.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:14 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: fyi

Sure thing – the last thing we want to do is add to your burden at the hearing, so we can certainly forego DOJ attendance.

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:12 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: fyi

No it just means I'll have to have someone meet them, so the logistics are a bit more complicated. But that's fine.

COVID-era hearings are very challenging to plan. We should chat tomorrow or Friday.

From: Zubrensky, Michael A (OLP) <(b) (6)>
Sent: Wednesday, April 21, 2021 9:10 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Subject: RE: fyi

I doubt it. Will they need them to get in the building?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Wednesday, April 21, 2021 7:43 PM
To: Zubrensky, Michael A (OLP) <(b) (6)>
Subject: RE: fyi

Do they have Senate badges, by chance?

From: Zubrensky, Michael A (OLP) <(b) (6)>

Sent: Wednesday, April 21, 2021 7:41 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: RE: fyi

gracias

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Wednesday, April 21, 2021 7:34 PM

To: Zubrensky, Michael A (OLP) <(b) (6)>

Subject: RE: fyi

Yes that should be fine

From: Zubrensky, Michael A (OLP) <(b) (6)>

Sent: Wednesday, April 21, 2021 7:28 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: RE: fyi

Hi Phil, would it be ok if Zach Blau and Shannon McCabe from OLP attended the hearing?

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Sent: Wednesday, April 21, 2021 5:34 PM

To: Zubrensky, Michael A (OLP) <(b) (6)>

Subject: RE: fyi

Thanks

From: Zubrensky, Michael A (OLP) <(b) (6)>

Sent: Wednesday, April 21, 2021 5:31 PM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Subject: fyi

WHCO folks not planning to attend 4/28 noms hearing

From: Zubrensky, Michael A (OLP)
Subject: RE: SJC Call re: 4/28 Nominees
To: Herwig, Paige L. EOP/WHO; Brest, Phillip (Judiciary-Dem)
Sent: April 22, 2021 9:04 AM (UTC-04:00)

Sure thing - thanks

From: Herwig, Paige L. EOP/WHO <(b) (6)>

Sent: Thursday, April 22, 2021 8:23 AM

To: Brest, Phillip (Judiciary-Dem) <(b) (6)>

Cc: Zubrensky, Michael A (OLP) <(b) (6)>

Subject: Re: SJC Call re: 4/28 Nominees

I can join for the first 15 - but then Tona and I have something we can't move at 245. Mike, can you join the whole time?

Sent from my iPhone

On Apr 22, 2021, at 7:16 AM, Brest, Phillip (Judiciary-Dem) <(b) (6)>
wrote:

Morning,

Are either or both of you – or anyone from either of your teams – available to join a call tomorrow at 2:30 to give some topline on the 4/28 nominees? It will be chiefs and/or lead noms counsels for down dais Dems.

Let me know.

Phil

From: Zubrensky, Michael A (OLP)
Subject: RE: BIs cleared
To: Brest, Phillip (Judiciary-Dem)
Sent: April 22, 2021 11:05 AM (UTC-04:00)

Great!

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 22, 2021 10:42 AM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)> Kingo, Lola A. (OLP) <(b) (6)> Blau, Zachary (OLP)
<(b) (6)>
Subject: BIs cleared

Duplicative Material, Document ID: 0.7.853.29946, Bates Number 22cv2850-21-01790-002863



From: Brest, Phillip (Judiciary-Dem)
Subject: RE: SJC Call re: 4/28 Nominees
To: Herwig, Paige L. EOP/WHO; Zubrensky, Michael A (OLP)
Sent: April 22, 2021 2:13 PM (UTC-04:00)

[I will forward it to you](#)

From: Herwig, Paige L. EOP/WHO <(b) (6)>
Sent: Thursday, April 22, 2021 2:13 PM
To: Brest, Phillip (Judiciary-Dem) <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)>
Subject: RE: SJC Call re: 4/28 Nominees

[Phil, is there a call-in or a link to use?](#)

From: Brest, Phillip (Judiciary-Dem) <(b) (6)>
Sent: Thursday, April 22, 2021 7:17 AM
To: Herwig, Paige L. EOP/WHO <(b) (6)> Zubrensky, Michael A (OLP)
<(b) (6)>
Subject: SJC Call re: 4/28 Nominees

Duplicative Material, Document ID: 0.7.853.107142, Bates Number 22cv2850-21-01790-002881



From: Brest, Phillip (Judiciary-Dem)
Subject: RE: SJC Call re: 4/28 Nominees
To: Zubrensky, Michael A (OLP); Herwig, Paige L. EOP/WHO
Sent: April 22, 2021 6:07 PM (UTC-04:00)

[Here's the zoom link for tomorrow's call. See you at 2:30.](#)

Katherine Kazmin is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

(b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

One tap mobile

(b) (6) US (San Jose)

(b) (6) US (New York)

Dial by your location

(b) (6) US (San Jose)

(b) (6) US (New York)

Meeting ID: (b) (6)

Find your local number: (b) (6)

Join by SIP

(b) (6)

Join by H.323

(b) (6) (US West)

(b) (6) (US East)

Meeting ID: (b) (6)

Passcode: (b) (6)

From: Zubrensky, Michael A (OLP) (b) (6)
Sent: Thursday, April 22, 2021 4:08 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6); Herwig, Paige L. EOP/WHO
(b) (6)
Subject: RE: SJC Call re: 4/28 Nominees

Thanks, sounds good – I'll let her know

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, April 22, 2021 3:32 PM
To: Zubrensky, Michael A (OLP) (b) (6); Herwig, Paige L. EOP/WHO
(b) (6)
Subject: RE: SJC Call re: 4/28 Nominees

[Hey Mike – as Paige and I just discussed, we do think it makes sense to have the Chair introduce her.](#)

From: Zubrensky, Michael A (OLP) (b) (6)
Sent: Thursday, April 22, 2021 3:27 PM
To: Herwig, Paige L. EOP/WHO (b) (6); Brest, Phillip (Judiciary-Dem) (b) (6)
(b) (6)

Subject: RE: SJC Call re: 4/28 Nominees

On another note, KBJ is asking who will introduce her at the hearing. RJD?

From: Herwig, Paige L. EOP/WHO (b) (6)
Sent: Thursday, April 22, 2021 2:15 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6); Zubrensky, Michael A (OLP)
(b) (6)
Subject: RE: SJC Call re: 4/28 Nominees

Oh, my goodness.

Clearly, when I read this at 7:20 this AM, without the benefit of coffee, I was 100% **not** processing that. Great!

From: Brest, Phillip (Judiciary-Dem) (b) (6)
Sent: Thursday, April 22, 2021 2:14 PM
To: Herwig, Paige L. EOP/WHO (b) (6); Zubrensky, Michael A (OLP)
(b) (6)
Subject: RE: SJC Call re: 4/28 Nominees

But just to be doubly clear – this is for tomorrow not today.

From: Herwig, Paige L. EOP/WHO (b) (6)
Sent: Thursday, April 22, 2021 2:13 PM
To: Brest, Phillip (Judiciary-Dem) (b) (6); Zubrensky, Michael A (OLP)
(b) (6)
Subject: RE: SJC Call re: 4/28 Nominees

Duplicative Material, Document ID: 0.7.853.107153, Bates Number 22cv2850-21-01790-002883



From: Hinchman, Robert (OLP)
Subject: RE: Just checking if OPCL needs any help with the FDMS
To: Robinson-Smith, Andria (OPCL); Winn, Peter A. (OPCL)
Cc: Jones, Kevin R (OLP); Ciobanu, Ileana (OLP); Gormsen, Eric T (OLP)
Sent: July 15, 2021 5:02 PM (UTC-04:00)
Attached: CPCLO 004–2020 Notice OLP Judges as pub 2021_07_14.pdf, CPCLO 002–2021 Notice DOJ-002 pub 2021_07_14.pdf, CPCLO 006–2020 Notice OLP as pub 2021_07_14.pdf

To: OPCL - Peter, Andria

cc: OLP - Kevin, Eric, Ileana

As I'm sure OPCL is already aware, three Systems of Records Notices were published on Wed., July 14.

My recollection is that OPCL itself takes care of handling comments received on SOR Notices, while I create FDMS Dockets for any SOR NPRMs on behalf of OPCL.

Please let me know if you need me to create FDMS Dockets for the attached Notices.

(I'm going to be on annual leave on Friday, July 16, but, if necessary, I'll create the FDMS Dockets on Monday.)

Thanks.

Bob

From: Hinchman, Robert (OLP)
Sent: Monday, July 12, 2021 10:09 AM
To: Robinson-Smith, Andria (OPCL) (b) (6)
Subject: RE: Just checking if OPCL needs any help with the FDMS

Andria,

I'm happy to create FDMS dockets for the NPRMs for SORNs DOJ-002 and OLP-002.

However, I'm having trouble locating the NPRMs as published in the Federal Register or in the FDMS "FR Feed" list.

I've heard that the Federal Register is running a bit behind its usual publication schedule.

Have these NPRMs actually published yet? If so, could you please send me the FR cites?

Thanks.

Bob

From: Robinson-Smith, Andria (OPCL) (b) (6)
Sent: Monday, July 12, 2021 9:27 AM
To: Hinchman, Robert (OLP) (b) (6); Winn, Peter A. (OPCL) (b) (6)
Harman-Stokes, Katherine M. (OPCL) (b) (6); Proia, Andrew (OPCL) (b) (6)
Cc: Jones, Kevin R (OLP) (b) (6); Gormsen, Eric T (OLP) (b) (6); Inman, Susan D. (OLP) (b) (6); Henneberg, Maureen (OJP) (b) (6)
Subject: RE: Just checking if OPCL needs any help with the FDMS

Good morning, Bob. Hope you are doing well!

Yes, would you please create Dockets in the FDMS for OPCL published NPRMs related to SORNs DOJ-002 and OLP-002?

Please let me know what is needed from OPCL to assist.

Thank you,
Andria Robinson-Smith
(b) (6)

From: Hinchman, Robert (OLP) (b) (6)
Sent: Wednesday, July 7, 2021 3:24 PM
To: Winn, Peter A. (OPCL) (b) (6); Robinson-Smith, Andria (OPCL) (b) (6);
(b) (6); Harman-Stokes, Katherine M. (OPCL) (b) (6); Proia, Andrew
(OPCL) (b) (6)
Cc: Jones, Kevin R (OLP) (b) (6); Gormsen, Eric T (OLP) (b) (6); Inman,
Susan D. (OLP) (b) (6); Henneberg, Maureen (OJP) (b) (6)
Subject: Just checking if OPCL needs any help with the FDMS

Recently, OLP received ODAG clearance to authorize OPCL to move forward with two of its SORNs, which we did.

I seem to recall that a few times in the past I created Dockets in the FDMS for OPCL published NPRMs related to SORNs.

Does OPCL need me to do that for either of the recently cleared SORNs or is someone in OPCL handling the FDMS Docket matters?

Also, if someone in OPCL is handling FDMS Docket matters but needs their account password reset, please let me know that as well.

Thanks.

Bob

(4); (d); (e)(1), (2), and (3), (e)(4)(G) and (H), and (e)(5); and (g) of the Privacy Act, pursuant to 5 U.S.C. 552a(j)(2), (k)(1), (k)(2), and (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the **Federal Register**.

HISTORY:

50 FR 37299 (Sept. 12, 1985): Last published in full;

66 FR 8425 (Jan. 31, 2001): Added one routine use;

72 FR 3410 (Jan. 25, 2007): Added one routine use; and

82 FR 24147 (May 25, 2017): Rescinded 72 FR 3410, and added two routine uses.

[FR Doc. 2021-14994 Filed 7-13-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

[CPCLO Order No. 002-2021]

Privacy Act of 1974; Systems of Records

AGENCY: United States Department of Justice.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, 5 U.S.C. 552a, and Office of Management and Budget (OMB) Circular No. A-108, notice is hereby given that the Department of Justice (Department or DOJ), proposes to modify an existing DOJ system of records previously titled, “Department of Justice Computer Systems Activity and Access Records,” JUSTICE/DOJ-002. The Department proposes to modify JUSTICE/DOJ-002 to reflect changes in technology, including the increased ability of the Department to link individuals to information technology, information system, or network activity, and to better describe the Department’s records linking individuals to reported cybersecurity incidents or their access to certain DOJ information technologies, information systems, and networks through the internet or other authorized connections.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is effective upon publication, subject to a 30-day period in which to comment on the routine uses, described below. Please submit any comments by August 13, 2021.

ADDRESSES: The public, Office of Management and Budget (OMB), and Congress are invited to submit any

comments by mail to the Department of Justice, ATTN: Privacy Analyst, Office of Privacy and Civil Liberties, 145 N St. NE, Suite 8W.300, Washington, DC 20530, by facsimile at 202-307-0693, or by email to privacy.compliance@usdoj.gov.

FOR FURTHER INFORMATION CONTACT:

Nickolous Ward, DOJ Chief Information Security Officer, (202) 514-3101, 145 N Street NE, Washington, DC 20530.

SUPPLEMENTARY INFORMATION:

In accordance with the Federal Information Security Modernization Act of 2014, among other authorities, DOJ is responsible for complying with information security policies and procedures requiring information security protections commensurate with the risk and magnitude of harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of DOJ information and information systems. *See, e.g.*, 44 U.S.C. 3554 (2018). Consistent with these requirements, DOJ must ensure that it maintains accurate audit and activity records of the observable occurrences on its information systems and networks (also referred to as “events”) that are significant and relevant to the security of DOJ information and information systems. These audit and activity records may include, but are not limited to, information that establishes what type of event occurred, when the event occurred, where the event occurred, the source of the event, the outcome of the event, and the identity of any individuals or subjects associated with the event.

Additionally, monitored events—whether detected utilizing information systems maintaining audit and activity records, reported to the Department by information system users, or reported to the Department by the cybersecurity research community and members of the general public conducting good faith vulnerability discovery activities—may constitute occurrences that (1) actually or imminently jeopardize, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or (2) constitute a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies. The Department has developed a formal process to track and document these reported “incidents,” which may, in limited circumstances, include records of individuals reporting, or otherwise associated with, an actual or suspected event or incident.

The system of records previously titled JUSTICE/DOJ-002, “Computer Systems Activity and Access Records,” covers the Department’s tracking of all DOJ information technology, information system, and/or network activity, including any access, whether authorized or unauthorized, by users to any DOJ information technology, DOJ information systems, and/or DOJ networks. These records assist Department information security professionals in protecting DOJ data, ensuring the secure operation of DOJ information systems, and tracking and documenting incidents reported to the Department. JUSTICE/DOJ-002 was first published at 64 FR 73,585, on December 30, 1999, and later modified at 66 FR 8,425, on January 31, 2001, and 82 FR 24,147, on May 25, 2017. The revisions to this notice reflect advances in technology, such as the ability of authorized users to connect to Department information systems through the internet or other authorized network connections, as well as the increased ability of the Department to link the identity of individuals or subjects associated with an actual or suspected event or incident for security and administrative purposes.

The Department proposes to modify JUSTICE/DOJ-002 by: Revising the title of the system of records to, “Department of Justice Information Technology, Information System, and Network Activity and Access Records;” modifying and clarifying the location of the system’s records; clarifying the individuals covered by the system to include any and all individuals who access Department information systems for any reason and from any location; clarifying the way in which the records maintained in this system of records are retrieved; expanding the routine uses of records for disclosures that are functionally equivalent to the purpose for which the DOJ information is collected, or that are necessary and proper uses of the DOJ information, to enhance the flexibility of JUSTICE/DOJ-002; and to notify the public that the Department intends to claim certain Privacy Act exemptions, promulgated elsewhere in the **Federal Register**. DOJ is republishing the entire system of records notice for ease of reference to these changes.

In accordance with Privacy Act requirements of 5 U.S.C. 552a(r), the Department has provided a report to OMB and to Congress on this revised system of records.

Dated: July 1, 2021.

Peter A. Winn,

*Acting Chief Privacy and Civil Liberties
Officer, United States Department of Justice.*

JUSTICE/DOJ-002

SYSTEM NAME AND NUMBER:

Department of Justice Information Technology, Information System, and Network Activity and Access Records, JUSTICE/DOJ-002.

SECURITY CLASSIFICATION:

Unclassified, Controlled Unclassified Information, and Classified records.

SYSTEM LOCATION:

Records will be maintained electronically at Department of Justice offices, other sites utilized by the Department of Justice, and in information technology, information systems, or networks owned, operated by, or operated on behalf of the Department of Justice. Most records will be maintained electronically at one or more of the Department's Core Enterprise Facilities (CEF), including, but not limited to: CEF East, Clarksburg, WV 26306; CEF West, Pocatello, ID 83201; or CEF-DC, Sterling, VA 20164. Records may also be maintained at the individual information technology or end point of activity within the DOJ network, and may be located locally on the physical information technology or end point before being consolidated and stored for analysis and investigation.

Records within this system of records may be transferred to a Department-authorized cloud service provider, where records would be limited to locations within the Continental United States. Access to these electronic records includes all locations at which DOJ System Managers operate or are supported, including but not limited to the Robert F. Kennedy Department of Justice Building, 950 Pennsylvania Avenue NW, Washington, DC 20530. Some or all system information may also be duplicated at other locations where the Department has granted direct access to support DOJ System Manager operations, system backup, emergency preparedness, and/or continuity of operations. To determine the location of particular records maintained in this system of records, contact the system manager using the contact information listed in the "SYSTEM MANAGER(S)" paragraph, below.

SYSTEM MANAGER(S):

DOJ Chief Information Security Officer, (202) 514-3101, 145 N Street NE, Washington, DC 20530.

The Department has delegated to component-level Chief Information Officers and Chief Information Security Officers, subject to the oversight of the DOJ Chief Information Officer and/or DOJ Chief Information Security Officer, certain responsibilities for maintaining DOJ information technology, information system, and network activity and access records. Processes and procedures detailed in this system of records notice may be implemented by component-level Chief Information Officers and/or Chief Information Security Officers, at the direction of the DOJ Chief Information Officer and/or DOJ Chief Information Security Officer. Correspondence and/or requests from individuals may be referred to the appropriately delegated component-level Chief Information Officer and/or Chief Information Security Officer.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Federal Information Security Modernization Act of 2014, 44 U.S.C. 3551 *et seq.*; Executive Order No. 13587, Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information (2011); Executive Order No. 13800, Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure (2017); OMB Circular A-130, Managing Information as a Strategic Resource (2016); OMB Memorandum M-17-12, Preparing for and Responding to a Breach of Personally Identifiable Information (Jan. 3, 2017); OMB Memorandum M-20-32, Improving Vulnerability Identification, Management, and Remediation (Sept. 2, 2020).

PURPOSE(S) OF THE SYSTEM:

The purpose of this system of records is to ensure that the Department can track information system access and implement information security protections commensurate with the risk and magnitude of harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of DOJ information and information systems. Records in this system of records are used by system administrators and security personnel, or persons authorized to assist these personnel, for the purpose of: Reviewing and analyzing DOJ information and DOJ information system activity and access events for indications of inappropriate, unusual, or abnormal activity; tracking, documenting, and handling cybersecurity events and incidents; drafting, reviewing, and revising DOJ audit and accountability policies; supporting audit reviews, analyses,

reporting requirements, and after-the-fact investigations of events; planning and managing system services; and otherwise performing their official duties. Authorized DOJ personnel may use the records in this system for the purpose of investigating improper access or other improper activity related to information system access; initiating disciplinary or other such action; or, where the record(s) may appear to indicate a violation or potential violation of the law, referring such record(s) to the appropriate investigative arm of DOJ, or other law enforcement agency for investigation.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The categories of individuals covered by this system encompass all individuals who are provided DOJ information technology, access DOJ information systems, or transmit information across the DOJ network. This includes: Individuals who use authorized DOJ information technology, information systems, and/or networks to send or receive DOJ information or DOJ-related communications, access internet sites, or access any DOJ information technologies, information systems, or DOJ information; individuals from outside DOJ who communicate electronically with DOJ users, DOJ information technologies, DOJ information systems, and/or DOJ networks; individuals reporting, tracking, documenting and/or otherwise associated with cybersecurity incident and/or event activities; and any individuals who attempt to access DOJ information technologies, DOJ information systems, and/or DOJ networks, with or without authorization.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records in this system of records may include:

A. Access and activity logs that establish the types of events that occurred on an information system; when the events occurred; where the events occurred; the source of the events; the outcome of the events; and the identity of any individuals or subjects associated with the events. Such information includes, but is not limited to: Time stamps recording the data and time of access or activity; source and destination addresses; user, device, and process identifiers, including internet Protocol (IP) address, Media Access Control (MAC) address, and event descriptions; success/fail indications; filenames involved; full text recording of privileged commands; and/or access control or flow control rules

invoked. Such information may be collected and aggregated by the operating system or application software locally within an information technology, information system, or network.

B. Information relating to any individuals accessing DOJ information, DOJ information technologies, DOJ information systems, or DOJ networks, including but not limited to: Records contained within JUSTICE/DOJ-020 DOJ Identity, Credential, and Access Service Records System, 84 FR 60110 (Nov. 7, 2019); user names; persistent identifiers (such as a User ID); contact information, such as title, office, component, and agency; and the authorization of an individual's access to systems, files, or applications, such as signed consent forms or Rules of Behavior forms, or access authentication information (including but not limited to passwords, challenge questions/answers used to confirm/validate a user's identity, and other authentication factors).

C. Records on the use of electronic mail, instant messaging, other chat services, electronic call detail information (including name, originating/receiving numbers, duration, and date/time of call), and electronic voicemail.

D. Records of internet access from any information technology connected to a DOJ information system, on a DOJ network, or through authorized connections to DOJ networks and DOJ information systems, including the IP address of the information technology being used to initiate the internet connection and the information accessed.

E. Audit reviews, analyses, and reporting, including but not limited to, audits that result from monitoring of account usage, remote access, wireless connectivity, mobile device connection, configuration settings, system component inventory, physical access, and communications at the information system boundaries.

F. Actual or suspected incident or event report information, including but not limited to: Information related to individuals reporting, tracking, documenting and/or otherwise associated with a cybersecurity incident and/or event; information related to reporting, tracking, investigating, and/or addressing an incident or event (*e.g.*, data/time of the incident or event; location of incident or event; type of incident or event; storage medium information; safeguard information; external/internal entity report tracking; data elements associated with the incident or event; information on

individuals impacted; information on information system(s) impacted; remediation, response, or notification actions; lessons learned; risk of harm and compliance assessments); and information related to discovering, testing, reporting, tracking, investigating, and/or addressing a security vulnerability or indicator of a security vulnerability.

RECORD SOURCE CATEGORIES:

Records covered by this system of records are generated internally (*i.e.*, information technology, information system, and/or network activity logs) regardless of the location from which an individual accesses DOJ information or DOJ information systems, manually sourced from DOJ personnel, or sourced directly from the individual on whom the record pertains.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system of records may be disclosed outside the Department as a routine use pursuant to 5 U.S.C. 552a(b)(3) under the circumstances or for the purposes described below, to the extent such disclosures are compatible with the purposes for which the information was collected:

A. To an organization or individual in both the public or private sector where there is reason to believe the recipient is or could become the target of a particular criminal activity or conspiracy or other threat, to the extent the information is relevant to the protection of life, health, or property. Information may be similarly disclosed to other recipients who share the same interests as the target or who may be able to assist in protecting against or responding to the activity or conspiracy.

B. To appropriate officials and employees of a federal agency for which the Department is authorized to provide a service, when disclosed in accordance with an interagency agreement and when necessary to accomplish an agency function articulated in the interagency agreement.

C. To any person(s) or appropriate Federal, state, local, territorial, tribal, or foreign law enforcement authority authorized to assist in an approved investigation of or relating to the improper usage of DOJ information technologies, DOJ information systems, and/or DOJ networks.

D. To any criminal, civil, or regulatory law enforcement authority (whether

Federal, state, local, territorial, tribal, or foreign) where the information is relevant to the recipient entity's law enforcement responsibilities.

E. To a governmental entity lawfully engaged in collecting law enforcement, law enforcement intelligence, or national security intelligence information for such purposes.

F. To any person, organization, or governmental entity in order to notify them of a serious terrorist threat for the purpose of guarding against or responding to such a threat.

G. To Federal, state, local, territorial, tribal, foreign, or international licensing agencies or associations which require information concerning the suitability or eligibility of an individual for a license or permit.

H. Where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature—the relevant records may be referred to the appropriate Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law.

I. To complainants and/or victims to the extent necessary to provide such persons with information and explanations concerning the progress and/or results of the investigation or case arising from the matters of which they complained and/or of which they were a victim.

J. To any person or entity that the Department has reason to believe possesses information regarding a matter within the jurisdiction of the Department, to the extent deemed to be necessary by the Department in order to elicit such information or cooperation from the recipient for use in the performance of an authorized activity.

K. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the Department of Justice determines that the records are arguably relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

L. To an actual or potential party to litigation or the party's authorized representative for the purpose of negotiation or discussion of such matters as settlement, plea bargaining, or in informal discovery proceedings.

M. To the news media and the public, including disclosures pursuant to 28

CFR 50.2, unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

N. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, interagency agreement, or other assignment for the Federal government, when necessary to accomplish an agency function related to this system of records.

O. To designated officers and employees of state, local, territorial, or tribal law enforcement or detention agencies in connection with the hiring or continued employment of an employee or contractor, where the employee or contractor would occupy or occupies a position of public trust as a law enforcement officer or detention officer having direct contact with the public or with prisoners or detainees, to the extent that the information is relevant and necessary to the recipient agency's decision.

P. To appropriate officials and employees of a federal agency or entity that requires information relevant to a decision concerning the hiring, appointment, or retention of an employee; the issuance, renewal, suspension, or revocation of a security clearance; the execution of a security or suitability investigation; the letting of a contract; or the issuance of a grant or benefit.

Q. To a former employee of the Department for purposes of: Responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

R. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

S. To the National Archives and Records Administration for purposes of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

T. To appropriate agencies, entities, and persons when: (1) The Department suspects or has confirmed that the security or confidentiality of

information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

U. To another Federal agency or entity, when the Department determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

V. To any agency, organization, or individual for the purpose of performing authorized audit or oversight operations of DOJ, and meeting related reporting requirements.

W. To such recipients and under such circumstances and procedures as are mandated by federal statute or treaty.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system of records are stored on paper and/or in electronic form. Records are stored securely in accordance with applicable Executive Orders, statutes, and agency implementing recommendations.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are collected in real time from all DOJ information technologies and endpoints on the DOJ network and aggregated in databases searchable by identifying characteristics, including, but not limited to, name, user ID, email address, or IP address. Records may be retrieved as part of routine network and information system security monitoring, cybersecurity incident response, database activity monitoring, or in support of other administrative or security investigations in accordance with appropriate laws, rules, and policies.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records of verification, authorization, access, and other activities generated by DOJ information technologies, DOJ information systems, and/or DOJ networks shall be retained in accordance with applicable records schedules, including but not limited to General Records Schedule 3.1 and 3.2. After the appropriate retention period, records will be destroyed/deleted, in accordance with appropriate media sanitization procedures.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Information in this system is safeguarded in accordance with appropriate laws, rules, and policies, including the Department's automated systems security and access policies. Access to such information is limited to Department personnel, contractors, and other personnel who have an official need for access in order to perform their duties. Records are maintained in an access-controlled area, with direct access permitted to only authorized personnel. Electronic records are accessed only by authorized personnel with accounts on the Department's network. Additionally, direct access to certain information may be restricted depending on a user's role and responsibility within the organization and system. Paper records are safeguarded in accordance with appropriate laws, rules, and policies.

RECORD ACCESS PROCEDURES:

A request for access to a record from this system of records must be submitted in writing and comply with 28 CFR part 16, and should be sent by mail to the Justice Management Division, ATTN: FOIA Contact, Room 1111, Robert F. Kennedy Department of Justice Building, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001, or by email at JMDFOIA@usdoj.gov. The envelope and letter should be clearly marked "Privacy Act Access Request." The request should include a general description of the records sought, and must include the requester's full name, current address, and date and place of birth. The request must be signed and dated and either notarized or submitted under penalty of perjury. While no specific form is required, requesters may obtain a form (Form DOJ-361) for use in certification of identity from the FOIA/Privacy Act Mail Referral Unit, Justice Management Division, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001, or from the Department's website at <http://>

www.justice.gov/oip/forms/cert_ind.pdf. Some information may be exempt from the access provisions as described in the “EXEMPTIONS PROMULGATED FOR THE SYSTEM” paragraph, below. An individual who is the subject of a record in this system may access any stored records that are not exempt from the access provisions. A determination whether a record may be accessed will be made at the time a request is received.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend information maintained in the system should direct their requests to the address indicated in the “RECORD ACCESS PROCEDURES” section, above. The envelope and letter should be clearly marked “Privacy Act Amendment Request.” The request must comply with 28 CFR 16.46, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Some information may be exempt from the amendment provisions as described in the “EXEMPTIONS PROMULGATED FOR THE SYSTEM” paragraph, below. An individual who is the subject of a record in this system may seek amendment of those records that are not exempt. A determination whether a record may be amended will be made at the time a request is received.

NOTIFICATION PROCEDURES:

Individuals may be notified if a record in this system of records pertains to them when the individuals request information utilizing the same procedures as those identified in the “RECORD ACCESS PROCEDURES” paragraph, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Attorney General will promulgate regulations exempting this system of records from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). These exemptions apply only to the extent that information in the system of records is subject to exemption, pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). The Department is in the process of promulgating regulations in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e), that will be published in the **Federal Register**.

HISTORY:

64 FR 73,585 (Dec. 30, 1999): First published in full.

66 FR 8425 (Jan. 31, 2001): Modified to add a new routine use.

72 FR 3410 (Jan. 25, 2007): Modified to add a new routine use.

82 FR 24147 (May 25, 2017): Rescinded 72 FR 3410 (Jan. 25, 2007), and modified to add new routine uses.

[FR Doc. 2021-14986 Filed 7-13-21; 8:45 am]

BILLING CODE 4410-NW-P

DEPARTMENT OF JUSTICE

[CPCLO Order No. 004-2020]

Privacy Act of 1974; Systems of Records

AGENCY: Office of Legal Policy, United States Department of Justice.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, as amended, and Office of Management and Budget (OMB) Circular No. A-108, notice is hereby given that the Office of Legal Policy (OLP), a component within the United States Department of Justice (DOJ or Department), proposes to modify its System of Records Notice currently titled “United States Judges Records System,” JUSTICE/OLP-002. OLP proposes to modify this system of records notice as part of the Department’s overall effort to update DOJ leadership system of records notices in light of organizational, procedural, and technological changes at the Department.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), the modifications to this system of records will be effective upon publication, subject to a 30-day period in which to comment on the modified routine uses, described below. Please submit any comments by August 13, 2021.

ADDRESSES: The public, OMB, and Congress are invited to submit any comments by mail to the United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, Two Constitution Square (2Con), 145 N Street NE, Suite 8W.300, Washington, DC 20530; by facsimile at 202-307-0693; or by email at privacy.compliance@usdoj.gov. To ensure proper handling, please reference the above CPCLO Order No. on your correspondence.

FOR FURTHER INFORMATION CONTACT: Matrina Matthews, Executive Officer, Office of Legal Policy, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Room 4234, Washington, DC 20530-0001; telephone: (202) 616-0040.

SUPPLEMENTARY INFORMATION: The Assistant Attorney General, OLP, is responsible for assisting the Attorney

General in, *inter alia*, advising and assisting in the selection and appointment of Federal judges. OLP is comprised of attorneys and other DOJ personnel responsible for assisting the Assistant Attorney General, OLP, in executing the responsibilities of the office. The Department established the system of records, “United States Judges Records System,” JUSTICE/OLP-002, to maintain records needed to assist the Assistant Attorney General, OLP, and the personnel within OLP, in assessing candidates for potential nomination to be a Federal judge and securing a judicial nominee’s confirmation and appointment. Since JUSTICE/OLP-002 was last published in full, 50 FR 30309 (July 25, 1985), OLP, and the Department as a whole, have undertaken a number of organizational, procedural, and technological changes that have modernized the information and information system that are used to collect, use, maintain, and disseminate these records. The Department has determined that updates to this system of records notice are necessary to describe the Department’s organizational, procedural, and technological changes.

Specifically, JUSTICE/OLP-002 is being updated as follows: The system of records is being renamed the “Judicial Nominations Files”; the system location paragraph has been updated to account for the location of both hard copies and the Department’s data centers; the authorities paragraph has been clarified to include statutes outlining the role and responsibilities of the Attorney General, as delegated to the Assistant Attorney General and OLP; the categories-of-individuals paragraph has been updated to include individuals who were candidates for, nominated for, or nominated and confirmed for, Federal judgeships, excluding those appointed to the United States Court of Appeals for the Armed Forces, the United States Court of Appeals for Veterans Claims, the United States Tax Court, and the United States Court of Military Commission Review; the categories-of-individuals paragraph has also been updated to include individuals who were candidates for, nominated for, and/or confirmed to a position on the U.S. Sentencing Commission or related Executive Branch positions; the categories-of-records paragraph has been clarified to better articulate information that could be maintained in an individual’s file; the routine uses have been updated: (1) To add or update routine uses that appear in almost every DOJ system of records notice that allow for disclosures

www.justice.gov/oip/forms/cert_ind.pdf. Some information may be exempt from the access provisions as described in the “EXEMPTIONS PROMULGATED FOR THE SYSTEM” paragraph, below. An individual who is the subject of a record in this system may access any stored records that are not exempt from the access provisions. A determination whether a record may be accessed will be made at the time a request is received.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend information maintained in the system should direct their requests to the address indicated in the “RECORD ACCESS PROCEDURES” section, above. The envelope and letter should be clearly marked “Privacy Act Amendment Request.” The request must comply with 28 CFR 16.46, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Some information may be exempt from the amendment provisions as described in the “EXEMPTIONS PROMULGATED FOR THE SYSTEM” paragraph, below. An individual who is the subject of a record in this system may seek amendment of those records that are not exempt. A determination whether a record may be amended will be made at the time a request is received.

NOTIFICATION PROCEDURES:

Individuals may be notified if a record in this system of records pertains to them when the individuals request information utilizing the same procedures as those identified in the “RECORD ACCESS PROCEDURES” paragraph, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Attorney General will promulgate regulations exempting this system of records from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). These exemptions apply only to the extent that information in the system of records is subject to exemption, pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). The Department is in the process of promulgating regulations in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e), that will be published in the **Federal Register**.

HISTORY:

64 FR 73,585 (Dec. 30, 1999): First published in full.

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[FR Doc. 2021-14986 Filed 7-13-21; 8:45 am]

BILLING CODE 4410-NW-P

DEPARTMENT OF JUSTICE

[CPCLO Order No. 004-2020]

Privacy Act of 1974; Systems of Records

AGENCY: Office of Legal Policy, United States Department of Justice.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, as amended, and Office of Management and Budget (OMB) Circular No. A-108, notice is hereby given that the Office of Legal Policy (OLP), a component within the United States Department of Justice (DOJ or Department), proposes to modify its System of Records Notice currently titled “United States Judges Records System,” JUSTICE/OLP-002. OLP proposes to modify this system of records notice as part of the Department’s overall effort to update DOJ leadership system of records notices in light of organizational, procedural, and technological changes at the Department.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), the modifications to this system of records will be effective upon publication, subject to a 30-day period in which to comment on the modified routine uses, described below. Please submit any comments by August 13, 2021.

ADDRESSES: The public, OMB, and Congress are invited to submit any comments by mail to the United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, Two Constitution Square (2Con), 145 N Street NE, Suite 8W.300, Washington, DC 20530; by facsimile at 202-307-0693; or by email at privacy.compliance@usdoj.gov. To ensure proper handling, please reference the above CPCLO Order No. on your correspondence.

FOR FURTHER INFORMATION CONTACT: Matrina Matthews, Executive Officer, Office of Legal Policy, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Room 4234, Washington, DC 20530-0001; telephone: (202) 616-0040.

SUPPLEMENTARY INFORMATION: The Assistant Attorney General, OLP, is responsible for assisting the Attorney

General in, *inter alia*, advising and assisting in the selection and appointment of Federal judges. OLP is comprised of attorneys and other DOJ personnel responsible for assisting the Assistant Attorney General, OLP, in executing the responsibilities of the office. The Department established the system of records, “United States Judges Records System,” JUSTICE/OLP-002, to maintain records needed to assist the Assistant Attorney General, OLP, and the personnel within OLP, in assessing candidates for potential nomination to be a Federal judge and securing a judicial nominee’s confirmation and appointment. Since JUSTICE/OLP-002 was last published in full, 50 FR 30309 (July 25, 1985), OLP, and the Department as a whole, have undertaken a number of organizational, procedural, and technological changes that have modernized the information and information system that are used to collect, use, maintain, and disseminate these records. The Department has determined that updates to this system of records notice are necessary to describe the Department’s organizational, procedural, and technological changes.

Specifically, JUSTICE/OLP-002 is being updated as follows: The system of records is being renamed the “Judicial Nominations Files”; the system location paragraph has been updated to account for the location of both hard copies and the Department’s data centers; the authorities paragraph has been clarified to include statutes outlining the role and responsibilities of the Attorney General, as delegated to the Assistant Attorney General and OLP; the categories-of-individuals paragraph has been updated to include individuals who were candidates for, nominated for, or nominated and confirmed for, Federal judgeships, excluding those appointed to the United States Court of Appeals for the Armed Forces, the United States Court of Appeals for Veterans Claims, the United States Tax Court, and the United States Court of Military Commission Review; the categories-of-individuals paragraph has also been updated to include individuals who were candidates for, nominated for, and/or confirmed to a position on the U.S. Sentencing Commission or related Executive Branch positions; the categories-of-records paragraph has been clarified to better articulate information that could be maintained in an individual’s file; the routine uses have been updated: (1) To add or update routine uses that appear in almost every DOJ system of records notice that allow for disclosures

that are functionally equivalent to the purpose for which the DOJ information is collected, or are necessary and proper uses of the DOJ information (for example, disclosures to NARA, and disclosures to identify and mitigate actual or suspected breaches); and (2) to revise the White House disclosure routine use to clearly indicate the purposes for which records would be disclosed to the White House and its staff; the records-storage paragraph has been updated to include the electronic storage of records; the paragraph on policies and practices for the retrieval of records in the system has been updated to account for the electronic storage of records; the records-retention paragraph has been updated to include the appropriate records control schedules; the access, amendment, and notification procedures have been clarified to detail the process for requesting access to, amendment of, or notification of, records within this system of records not otherwise exempt from such requests; the exemptions paragraph has been modified to claim certain Privacy Act exemptions for this system, consistent with the Notice of Proposed Rulemaking published elsewhere in the **Federal Register**, that will modify the exemptions claimed for this system of records; and a history paragraph has been added. The Department has republished the system of records notice in its entirety for the convenience of the public.

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and Congress on this new system of records.

Dated: July 1, 2021.

Peter A. Winn,

Acting Chief Privacy and Civil Liberties Officer, United States Department of Justice.

JUSTICE/OLP-002

SYSTEM NAME AND NUMBER:

Judicial Nominations Files, JUSTICE/OLP-002.

SECURITY CLASSIFICATION:

Classified and Controlled Unclassified Information.

SYSTEM LOCATION:

Hard-copy records will be maintained at OLP, Robert F. Kennedy Department of Justice Building, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001.

Electronic records will be maintained at one or more of the Department's data centers, including, but not limited to, the Justice Data Center, Rockville, MD 20854, and/or at one or more of the Department's Core Enterprise Facilities

(CEF), including, but not limited to, the Department's CEF East, Clarksburg, WV 26306, or CEF West, Pocatello, ID 83201. Records within this system of records may be transferred to a Department-authorized cloud service provider, in which records would be limited to locations within the continental United States. Access to these electronic records includes all locations at which OLP operates or at which OLP operations are supported, including the Robert F. Kennedy Department of Justice Building. Some or all system information may also be duplicated at other locations where the Department has granted direct access to support OLP operations, system backup, emergency preparedness, and/or continuity of operations.

To determine the location of particular OLP records, contact the system manager, whose contact information is listed in the "SYSTEM MANAGER(S)" paragraph, below.

SYSTEM MANAGER(S):

Assistant Attorney General, Office of Legal Policy, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001; phone: 202-514-4601; general inquiries to the Department can be submitted online at: <https://www.justice.gov/contact-us>.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

These records are maintained pursuant to the United States Constitution, Art. II, Sec. 2, Clause 2; 28 U.S.C. ch. 31; 28 U.S.C. 44; 5 U.S.C. 301; and 28 CFR part 0, subpart D-2.

PURPOSE(S) OF THE SYSTEM:

This system is maintained for the purpose of assisting the Assistant Attorney General, OLP, in carrying out OLP's responsibilities including, but not limited to: Advising and assisting the Attorney General in the selection and appointment of Federal judges; assessing candidates for potential nomination to a Federal judgeship; securing a judicial nominee's confirmation and appointment to a Federal judgeship; and providing advice and assistance in the selection and appointment of candidates to positions on the U.S. Sentencing Commission or an Executive Branch position.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system may encompass records on: Individuals who were candidates for Federal judgeships but who were never nominated; individuals who were nominated for Federal judgeships but who were never confirmed; individuals who were nominated and confirmed for Federal judgeships, excluding those

appointed to the United States Court of Appeals for the Armed Forces, the United States Court of Appeals for Veterans Claims, and the United States Court of Military Commission Review; and individuals who were considered for, nominated for, and/or confirmed to a position on the U.S. Sentencing Commission or an Executive Branch position.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records consists of records pertaining to: (1) Files of individuals who were candidates for Federal judgeships but who were never nominated, which may include: Scheduling documents, Congressional actions and requests (for example, Senate Questionnaires), FBI background files and related paperwork, Financial Disclosure Reports, nomination forms and the Attorney General cover letters that accompany them, resumes, documents reflecting notes or assessments of candidates, and any other related documents necessary and relevant to assessing the potential nomination of a candidate for a Federal judgeship; (2) files of individuals who were nominated for Federal judgeships but who were never confirmed, which may include: Those documents mentioned in (1), above, as well as American Bar Association (ABA) rating letters; (3) files of individuals who were nominated and confirmed for Federal judgeships, which may include: Those documents mentioned in (1) and (2), above, as well as appointment records, oaths of office, Senate confirmation documentation, commission documentation, tax checks and credit reports waivers, medical reports, and nomination files of confirmed individuals that are maintained by employees working on the judicial nominations and confirmations; and (4) files on individuals who were candidates for, nominated for, or confirmed to the United States Sentencing Commission or an Executive Branch position, which may include those documents mentioned in (1) and (3), above, and any other related documents necessary and relevant to assessing the potential nomination and/or confirmation of a nominee for the United States Sentencing Commission or an Executive Branch position.

RECORD SOURCE CATEGORIES:

Non-exempt sources of information contained in this system include the general public, organizations, associations, the subjects of the records themselves, government agencies, as appropriate, and other relevant parties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b), all or a portion of the records or information contained in this system of records may be disclosed as a routine use pursuant to 5 U.S.C. 552a(b)(3) under the circumstances or for the purposes described below, to the extent such disclosures are compatible with the purposes for which the information was collected:

(A) To officials and employees of the White House concerning the selection, vetting, appointment, confirmation, or other activities related to a judicial candidate, judicial nominee, a confirmed Federal judge, or a candidate for or nominee to the United States Sentencing Commission or an Executive Branch position.

(B) Where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature—the relevant records may be referred to the appropriate Federal, State, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law.

(C) To any person or entity that OLP has reason to believe possesses information regarding a matter within the jurisdiction of OLP, to the extent deemed to be necessary by OLP in order to elicit such information or cooperation from the recipient for use in the performance of an authorized activity.

(D) In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the Department of Justice determines that the records are arguably relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

(E) To an actual or potential party to litigation or the party's authorized representative for the purpose of negotiation or discussion of such matters as settlement, plea bargaining, or informal discovery proceedings.

(F) To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, interagency agreement, or other assignment for the Federal Government, when necessary to accomplish an

agency function related to this system of records.

(G) To a former employee of the Department for the purposes of: Responding to an official inquiry by a Federal, State, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

(H) To a Member of Congress, or staff acting on the Member's behalf, when the Member or staff requests the information for investigative or confirmation-related purposes.

(I) To the National Archives and Records Administration for the purposes of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

(J) To appropriate agencies, entities, and persons when: (1) The Department suspects or has confirmed that there has been a breach of the system of records; (2) the Department has determined that, as a result of the suspected or confirmed breach, there is a risk of harm to individuals, the Department (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(K) To another Federal agency or Federal entity, when the Department determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach, or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

(L) To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

(M) To any criminal, civil, or regulatory law enforcement authority (whether Federal, State, local, territorial, tribal, foreign, or international) where the information is relevant to the recipient entity's law enforcement responsibilities.

(N) To a governmental entity lawfully engaged in collecting law enforcement, law enforcement intelligence, or national security intelligence information, for such purposes.

(O) To any person, organization, or governmental entity in order to notify them of a serious terrorist threat for the purpose of guarding against or responding to such threat.

(P) To any person or entity if deemed by OLP to be necessary in order to elicit information or cooperation from the recipient for use by OLP in the performance of an authorized law enforcement activity.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system may be stored in electronic form, stored in paper folders, and/or stored on magnetic disks, hard disks, removable storage devices, or other electronic media. Electronic records are stored in databases and/or on hard disks, removable storage devices, or other electronic media. Records are stored securely in accordance with applicable executive orders, statutes, and agency implementing recommendations.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

For individuals who were candidates for Federal judgeships but who were never nominated, information is retrieved by use of the name of the nominee and by the year in which a decision was made not to nominate the candidate. For individuals who were nominated for Federal judgeships but who were never confirmed, information is retrieved by use of the name of the nominee and by the year in which a decision was made not to re-nominate the candidate. For individuals who were nominated and confirmed for Federal judgeships, information is retrieved by use of the name of the nominee and by the year in which they were confirmed. For individuals who were candidates for, nominated for, or confirmed to the United States Sentencing Commission or an Executive Branch position, information is retrieved by use of the name of the individual and by the year in which a decision was made on the individual's candidacy, nomination, or confirmation. Records for each of these categories are filed alphabetically by year.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of in accordance with guidelines approved by the National Archives and Records Administration (DAA-0060-2012-0009). Records are destroyed for

candidates who are not nominated three years after the decision is made not to nominate the candidate. Records are destroyed for candidates who are nominated but not confirmed five years after the decision is made by the President not to re-nominate the candidate. Records for files of candidates who are nominated and confirmed are transferred to the National Archives sixty years after the date of confirmation.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Information in this system is maintained in accordance with applicable laws, rules, and policies on protecting individual privacy. The servers storing electronic data and the backup tapes stored onsite are located in locked rooms with access limited to authorized agency personnel. Backup tapes stored offsite are maintained in accordance with a government contract that requires adherence to applicable laws, rules, and policies on protecting individual privacy. Internet connections are protected by multiple firewalls. Security personnel conduct periodic vulnerability scans using DOJ-approved software to ensure security compliance, and security logs are enabled for all computers to assist in troubleshooting and forensics analysis during incident investigations. Users of individual computers can only gain access to the data with a valid user identification and password.

RECORD ACCESS PROCEDURES:

All requests for access to records must be in writing and should be addressed to the Chief, Initial Request Staff, Office of Information Policy, 1425 New York Avenue NW, Suite 11050, Washington, DC 20530-0001. Requests may also be made online at <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. The envelope, letter, and/or subject line should be clearly marked "Privacy Act Access Request." The request must describe the records sought in sufficient detail to enable Department personnel to locate them with a reasonable amount of effort in accordance with 28 CFR 16.41(d). The request must include a general description of the records sought and must include the requester's full name, current address, and date and place of birth. The request must be signed and either notarized or submitted under penalty of perjury. Some information may be exempt from the access provisions as described in the "EXEMPTIONS PROMULGATED FOR THE SYSTEM" paragraph, below. An individual who is the subject of a record in this system of records may request

access to those records that are not exempt from access. A determination of whether a record may be accessed will be made at the time a request is received.

Although no specific form is required, you may obtain forms for this purpose from the FOIA/Privacy Act Mail Referral Unit, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530, or on the Department of Justice website at <https://www.justice.gov/oip/make-foia-request-doj>.

More information regarding the Department's procedures for accessing records in accordance with the Privacy Act can be found at 28 CFR part 16 Subpart D, "Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974."

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records maintained in this system of records must direct their requests to the address indicated in the "RECORD ACCESS PROCEDURES" paragraph, above. All requests to contest or amend records must be in writing, and the envelope, letter, and/or subject line should be clearly marked "Privacy Act Amendment Request." All requests must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record. Some information may be exempt from the amendment provisions as described in the "EXEMPTIONS PROMULGATED FOR THE SYSTEM" paragraph, below. An individual who is the subject of a record in this system of records may contest or amend those records that are not exempt. A determination of whether a record is exempt from the amendment provisions will be made after a request is received.

More information regarding the Department's procedures for amending or contesting records in accordance with the Privacy Act can be found at 28 CFR 16.46, "Requests for Amendment or Correction of Records."

NOTIFICATION PROCEDURES:

Individuals may request to be notified if a record in this system of records pertains to them by utilizing the same procedures identified in the "RECORD ACCESS PROCEDURES" paragraph, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Attorney General has exempted this system from subsections (c)(3); (d); (e)(1), (e)(4)(G), (H), and (I); and (f) of the Privacy Act, pursuant to 5 U.S.C. 552a(k)(1), (k)(2), (k)(5), and (k)(6).

Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the **Federal Register**.

HISTORY:

50 FR 30309 (Sept. 12, 1985): Last published in full;
66 FR 8425 (Jan. 31, 2001): Added one routine use;
72 FR 3410 (Jan. 25, 2007): Added one routine use; and
82 FR 24147 (May 25, 2017): Rescinded 72 FR 3410, and added two routine uses.

[FR Doc. 2021-14988 Filed 7-13-21; 8:45 am]

BILLING CODE P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board's Awards and Facilities Committee hereby gives notice of the scheduling of a teleconference for the transaction of National Science Board business, as follows:

TIME AND DATE: Monday, July 19, 2021, from 12:00–1:00 p.m. EDT.

PLACE: This meeting will be held by teleconference through the National Science Foundation.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The agenda of the teleconference is Committee Chair's Opening Remarks; discussion of context of the Arecibo Observatory clean-up costs award; and Committee Chair's Closing Remarks.

CONTACT PERSON FOR MORE INFORMATION:

Point of contact for this meeting is: Michelle McCrackin, mmccrack@nsf.gov, (703) 292-7000. Meeting information and updates may be found at the National Science Board website www.nsf.gov/nsb.

Chris Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2021-15085 Filed 7-12-21; 4:15 pm]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meeting

The National Science Board's ad hoc Committee on Nominating the NSB Class of 2022–2028, hereby gives notice of the scheduling of a teleconference for the transaction of National Science Board business, as follows:

TIME AND DATE: Monday, July 19, 2021, from 5:00–6:00 p.m. EDT.

PLACE: This meeting will be held by teleconference through the National

the Senior Agency Official for Privacy, where there exists a legitimate public interest in the disclosure of the information, except to the extent it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure pursuant to 5 U.S.C. 552a(b)(12). Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Paper records are contained in file folders stored within filing cabinets. Electronic records are maintained in computers, computer databases, email, and electronic media such as removable hard drives, magnetic disks, compact discs, and computer tapes.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records in the system are retrieved by permittee's name, permit number or date of activity.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records in this system are retained in accordance with the NPS Service Records Schedule Resource Management and Lands (Category 1). This schedule has been approved by NARA (Job No. N1-79-08-1). The disposition is temporary. Retention of records with short-term operational value and not considered essential for the ongoing management of land and cultural and natural resources are destroyed 15 years after closure. Paper records are disposed of by shredding or pulping, and records contained on electronic media are degaussed or erased in accordance with 384 Departmental Manual 1.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The records contained in this system are safeguarded in accordance with 43 CFR 2.226 and other applicable security rules and policies. Paper records are maintained in file cabinets located in secured DOI facilities under the control of authorized personnel.

Access to DOI networks and records in this system requires DOI credentials or a valid username, password and is limited to DOI personnel who have a need to know the information for the

performance of their official duties. Computers and storage media are encrypted in accordance with DOI security policy. Computers containing files are password protected to restrict unauthorized access. The computer servers in which electronic records are stored are located in secured DOI facilities.

Computerized records systems follow the National Institute of Standards and Technology privacy and security standards as developed to comply with the Privacy Act of 1974, as amended, 5 U.S.C. 552a; Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*; Federal Information Security Modernization Act of 2014, 44 U.S.C. 3551 *et seq.*; and the Federal Information Processing Standards 199: Standards for Security Categorization of Federal Information and Information Systems. Security controls include user identification, passwords, database permissions, encryption, firewalls, audit logs, and network system security monitoring, and software controls.

Access to records in the system is limited to authorized personnel who have a need to access the records in the performance of their official duties, and each user's access is restricted to only the functions and data necessary to perform that person's job responsibilities. System administrators and authorized users are trained and required to follow established internal security protocols and must complete all security, privacy, and records management training and sign the DOI Rules of Behavior.

RECORD ACCESS PROCEDURES:

An individual requesting records on himself or herself should send a signed, written inquiry to the applicable System Manager identified above. The request must include the specific bureau or office that maintains the record to facilitate location of the applicable records. The request envelope and letter should both be clearly marked "PRIVACY ACT REQUEST FOR ACCESS." A request for access must meet the requirements of 43 CFR 2.238.

CONTESTING RECORD PROCEDURES:

An individual requesting corrections or the removal of material from his or her records should send a signed, written request to the applicable System Manager as identified above. The request must include the specific bureau or office that maintains the record to facilitate location of the applicable records. A request for corrections or removal must meet the requirements of 43 CFR 2.246.

NOTIFICATION PROCEDURES:

An individual requesting notification of the existence of records on himself or herself should send a signed, written inquiry to the applicable System Manager as identified above. The request must include the specific bureau or office that maintains the record to facilitate location of the applicable records. The request envelope and letter should both be clearly marked "PRIVACY ACT INQUIRY." A request for notification must meet the requirements of 43 CFR 2.235.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

79 FR 9272 (February 18, 2014).

Teri Barnett,

Departmental Privacy Officer, Department of the Interior.

[FR Doc. 2021-14985 Filed 7-13-21; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF JUSTICE

[CPCLO Order No. 006-2020]

Privacy Act of 1974; Systems of Records

AGENCY: Office of Legal Policy, United States Department of Justice.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, as amended, and Office of Management and Budget (OMB) Circular No. A-108, notice is hereby given that the Office of Legal Policy (OLP), a component within the United States Department of Justice (DOJ or Department), proposes to modify its system of records notice titled "General Files System of the Office of Legal Policy," JUSTICE/OLP-003. OLP proposes to modify this system of records notice as part of the Department's overall effort to update leadership system of records notices in light of organizational, procedural, and technological changes at the Department.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), the modifications to this system of records will be effective upon publication, subject to a 30-day period in which to comment on the modified routine uses, described below. Please submit any comments by August 13, 2021.

ADDRESSES: The public, OMB, and Congress are invited to submit any comments by mail to the United States Department of Justice, Office of Privacy

and Civil Liberties, ATTN: Privacy Analyst, Two Constitution Square (2Con), 145 N Street NE, Suite 8W.300, Washington, DC 20530; by facsimile at 202-307-0693; or by email at privacy.compliance@usdoj.gov. To ensure proper handling, please reference the above CPCLO Order No. on your correspondence.

FOR FURTHER INFORMATION CONTACT: Matrina Matthews, Executive Officer, Office of Legal Policy, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Room 4234, Washington, DC 20530-0001; telephone: (202) 616-0040.

SUPPLEMENTARY INFORMATION: OLP is principally responsible for planning, developing, and coordinating the implementation of major policy initiatives of high priority to the Department and to the Administration. In addition, the Assistant Attorney General, OLP, consistent with 28 CFR 0.23, is responsible for: Examining and studying legislation and other policy proposals and coordinating Departmental efforts to secure enactment of those of special interest to the Department and the Administration; advising and assisting the Attorney General and the Deputy Attorney General regarding the selection and appointment of Federal judges; representing the Department on the Administrative Conference of the United States and, as appropriate, on regulatory reform matters; advising appropriate Departmental officials, from time to time, on investigation, litigation, negotiation, penal, or correctional policies to ensure the compatibility of those policies with overall Departmental goals; and performing such other duties and functions as may be specially assigned by the Attorney General and the Deputy Attorney General.

The Department established the system of records, "General Files System of the Office of Legal Policy," JUSTICE/OLP-003, to assist the Assistant Attorney General, OLP, and the personnel within OLP in carrying out the responsibilities of the Office. Since JUSTICE/OLP-003 was last published in full, 50 FR 37299 (Sept. 12, 1985), OLP and the Department as a whole have undertaken a number of organizational, procedural, and technological changes that have modernized the information and information system that are used to collect, use, maintain, and disseminate these records.

Specifically, JUSTICE/OLP-003 is being updated as follows: The system location paragraph has been updated to account for the location of both hard copies and the Department's data

centers; the authorities paragraph has been clarified to include statutes outlining the role and responsibilities of the Assistant Attorney General and OLP, as delegated by the Attorney General; the routine uses have been updated to include additional routine uses that appear in almost every DOJ system of records notice, which allow for disclosures that are functionally equivalent to the purpose for which the DOJ information is collected, or are necessary and proper uses of the DOJ information (for example, disclosures to NARA, disclosure to identify and mitigate actual or suspected breaches, and disclosures to the public or news media, when appropriate); the records-storage paragraph has been updated to include the electronic storage of records; the paragraph detailing the policies and practices for the retrieval of records in the system has been updated to account for the electronic storage of records; the records-retention paragraph has been updated to include the appropriate records control schedules; the access, amendment, and notification procedures have been clarified to detail the process for requesting access to, amendment of, or notification of, records within this system of records not otherwise exempt from such requests; and a history paragraph has been added. The Department has not amended the Privacy Act exemptions already claimed for this system of records, so that paragraph remains unchanged. The Department has published this system of records in its entirety for the benefit of the public.

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and Congress on this new system of records.

Dated: July 1, 2021.

Peter A. Winn,

Acting Chief Privacy and Civil Liberties Officer, United States Department of Justice.

JUSTICE/OLP-003

SYSTEM NAME AND NUMBER:

General Files System of the Office of Legal Policy, JUSTICE/OLP-003.

SECURITY CLASSIFICATION:

Classified and Controlled Unclassified Information.

SYSTEM LOCATION:

Hard-copy records will be maintained at OLP, Robert F. Kennedy Department of Justice Building, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001.

Electronic records will be maintained at one or more of the Department's data centers, including, but not limited to,

the Justice Data Center, Rockville, MD 20854, and/or at one or more of the Department's Core Enterprise Facilities (CEF), including, but not limited to, the Department's CEF East, Clarksburg, WV 26306, or CEF West, Pocatello, ID 83201. Records within this system of records may be transferred to a Department-authorized cloud service provider, in which records would be limited to locations within the continental United States. Access to these electronic records includes all locations at which OLP operates or at which OLP operations are supported, including the Robert F. Kennedy Department of Justice Building. Some or all system information may also be duplicated at other locations where the Department has granted direct access to support OLP operations, system backup, emergency preparedness, and/or continuity of operations.

To determine the location of particular OLP records, contact the system manager, whose contact information is listed in the "SYSTEM MANAGER(S)" paragraph, below.

SYSTEM MANAGER(S):

Assistant Attorney General, Office of Legal Policy, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001; phone: 202-514-4601; general inquiries to the Department can be submitted online at: <https://www.justice.gov/contact-us>.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

These records are maintained pursuant to 28 U.S.C. ch. 31; 5 U.S.C. 301; and 28 CFR part 0, subpart D-2.

PURPOSE(S) OF THE SYSTEM:

This system is maintained for the purpose of assisting the Assistant Attorney General, OLP, in carrying out OLP's responsibilities. OLP is principally responsible for planning, developing, and coordinating the implementation of major policy initiatives of high priority to the Department and to the Administration. In addition, the Assistant Attorney General, OLP, consistent with 28 CFR 0.23: Examines and studies legislation and other policy proposals and coordinates Departmental efforts to secure enactment of those of special interest to the Department and the Administration; advises and assists the Attorney General and the Deputy Attorney General regarding the selection and appointment of Federal judges; represents the Department on the Administrative Conference of the United States and, as appropriate, on regulatory reform matters; advises appropriate Departmental officials, from

time to time, on investigation, litigation, negotiation, penal, or correctional policies to ensure the compatibility of those policies with overall Departmental goals; and performs such other duties and functions as may be specially assigned by the Attorney General and the Deputy Attorney General.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system may encompass individuals who are involved with official Federal investigations, policy decisions, and administrative matters of significance. Such individuals include, but are not limited to, subjects of litigation, targets of investigations, Members and staff members of Congress, government officials, and individuals of national prominence or notoriety. The system also encompasses individuals who were candidates for Federal judgeships but who were never nominated, individuals who were nominated for Federal judgeships but who were never confirmed, and individuals who were nominated and confirmed for Federal judgeships, excluding those appointed to the United States Court of Appeals for the Armed Forces, the United States Court of Appeals for Veterans Claims, the United States Tax Court, and the United States Court of Military Commission Review. The Assistant Attorney General, OLP, maintains records indexed to the name of the individual.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include case files, litigation materials, exhibits, internal memoranda and reports, or other records on a given subject or individual. Records vary in number and kind according to the breadth of the responsibilities assigned to the Assistant Attorney General, OLP. Records include those of such significance that the Assistant Attorney General, OLP, has policy or administrative interest, and may include those which pertain to investigative or law enforcement cases for which the Assistant Attorney General, OLP, is asked to provide an analysis and establish future policy direction. A computerized index containing the subject title and/or individual's name is also maintained.

RECORD SOURCE CATEGORIES:

Sources of information contained in this system not otherwise exempt include individuals; organizations; State, local, and foreign government agencies as appropriate; the executive and legislative branches of the Federal Government; relevant third parties, and other Department and OLP systems of

records, including but not limited to, JUSTICE/OLP-002, Judicial Nominations Files.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b), all or a portion of the records or information contained in this system of records may be disclosed as a routine use pursuant to 5 U.S.C. 552a(b)(3) under the circumstances or for the purposes described below, to the extent such disclosures are compatible with the purposes for which the information was collected:

(A) Where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature—the relevant records may be referred to the appropriate Federal, State, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law.

(B) To complainants and/or victims to the extent necessary to provide such persons with information and explanations concerning the progress and/or results of the investigation or case arising from the matters of which they complained and/or of which they were a victim.

(C) To any person or entity that OLP has reason to believe possesses information regarding a matter within the jurisdiction of OLP, to the extent deemed to be necessary by OLP in order to elicit such information or cooperation from the recipient for use in the performance of an authorized activity.

(D) In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the Department of Justice determines that the records are relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

(E) To an actual or potential party to litigation or the party's authorized representative for the purpose of negotiation or discussion of such matters as settlement, plea bargaining, or informal discovery proceedings.

(F) To the news media and the public, including disclosures pursuant to 28 CFR 50.2, unless it is determined that release of the specific information in the context of a particular case would

constitute an unwarranted invasion of personal privacy.

(G) To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, interagency agreements, or other assignment for the Federal Government, when necessary to accomplish an agency function related to this system of records.

(H) To a former employee of the Department for the purpose of: Responding to an official inquiry by a Federal, State, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

(I) To Federal, State, local, territorial, tribal, foreign, or international licensing agencies or associations that require information concerning the suitability or eligibility of an individual for a license or permit.

(J) To a Member of Congress, or staff acting upon the Member's behalf, when the Member or staff requests the information for investigative or policy decision-making purposes, or on behalf of, or at the request of, the individual who is the subject of the record.

(K) To the National Archives and Records Administration for purposes of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

(L) To appropriate agencies, entities, and persons when: (1) The Department suspects or has confirmed that there has been a breach of the system of records; (2) the Department has determined that, as a result of the suspected or confirmed breach, there is a risk of harm to individuals, the Department (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(M) To another Federal agency or Federal entity, when the Department determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach; or (2) preventing, minimizing, or remedying

the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

(N) To any agency, organization, or individual for the purpose of performing authorized audit or oversight operations of OLP and meeting related reporting requirements.

(O) To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

(P) To any criminal, civil, or regulatory law enforcement authority (whether Federal, State, local, territorial, tribal, foreign, or international) where the information is relevant to the recipient entity's law enforcement responsibilities.

(Q) To a governmental entity lawfully engaged in collecting law enforcement, law enforcement intelligence, or national security intelligence information for such purposes.

(R) To any person, organization, or governmental entity in order to notify them of a serious terrorist threat for the purpose of guarding against or responding to such threat.

(S) To any person or entity if deemed by OLP to be necessary in order to elicit information or cooperation from the recipient for use by OLP in the performance of an authorized law enforcement activity.

(T) To officials and employees of the White House, and during Presidential transitions, the President-elect and Vice President-elect and their designees, or any Federal agency which requires information relevant to an agency concerning the hiring, appointment, or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation, the classifying of a job, or the issuance of a grant or benefit.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system may be stored in electronic form, stored in paper folders, and/or stored on magnetic disks, hard disks, removable storage devices, or other electronic media. Electronic records are stored in databases and/or on hard disks, removable storage devices, or other electronic media. Records are stored securely in accordance with applicable executive orders, statutes, and agency implementing recommendations.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved manually by personal identifier (e.g., name of the

individual, registration number, employee identification number, etc.); subject title; or in some cases, by other identifying search terms.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of in accordance with guidelines approved by the National Archives and Records Administration (DAA-006-2013-0005 (pending), DAA-0060-2012-0009, and DAA-006-2016-0006 (pending)).

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Information in this system is maintained in accordance with applicable laws, rules, and policies on protecting individual privacy. The servers storing electronic data and the backup tapes stored onsite are located in locked rooms with access limited to authorized agency personnel. Backup tapes stored offsite are maintained in accordance with a government contract that requires adherence to applicable laws, rules, and policies on protecting individual privacy. Internet connections are protected by multiple firewalls. Security personnel conduct periodic vulnerability scans using DOJ-approved software to ensure security compliance, and security logs are enabled for all computers to assist in troubleshooting and forensics analysis during incident investigations. Users of individual computers can only gain access to the data with a valid user identification and password.

RECORD ACCESS PROCEDURES:

All requests for access to records must be in writing and should be addressed to the Chief, Initial Request Staff, Office of Information Policy, 1425 New York Avenue NW, Suite 11050, Washington, DC 20530-0001. Requests may also be made online at <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. The envelope, letter, and/or subject line should be clearly marked "Privacy Act Access Request." The request must describe the records sought in sufficient detail to enable Department personnel to locate them with a reasonable amount of effort in accordance with 28 CFR 16.41(d). The request must include a general description of the records sought and must include the requester's full name, current address, and, when necessary to identify records, date and place of birth. The request must be signed and either notarized or submitted under penalty of perjury. Some information may be exempt from the access provisions as described in the "EXEMPTIONS PROMULGATED FOR THE SYSTEM" paragraph, below. An

individual who is the subject of a record in this system of records may request access to those records that are not exempt from access. A determination of whether a record may be accessed will be made at the time a request is received.

Although no specific form is required to submit a request, you may obtain forms for this purpose from the FOIA/Privacy Act Mail Referral Unit, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530, or on the Department of Justice website at <https://www.justice.gov/oip/make-foia-request-doj>.

More information regarding the Department's procedures for accessing records in accordance with the Privacy Act can be found at 28 CFR part 16 Subpart D, "Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974."

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records maintained in this system of records must direct their requests to the address indicated in the "RECORD ACCESS PROCEDURES" paragraph, above. All requests to contest or amend records must be in writing, and the envelope, letter, and/or subject line should be clearly marked "Privacy Act Amendment Request." All requests must state clearly and concisely what record is being contested, the reason(s) for contesting it, and the proposed amendment to the record. Some information may be exempt from the amendment provisions as described in the "EXEMPTIONS PROMULGATED FOR THE SYSTEM" paragraph, below. An individual who is the subject of a record in this system of records may request to contest or amend those records that are not exempt. A determination of whether a record is exempt from the amendment provisions will be made after a request is received.

More information regarding the Department's procedures for amending or contesting records in accordance with the Privacy Act can be found at 28 CFR 16.46, "Requests for Amendment or Correction of Records."

NOTIFICATION PROCEDURES:

Individuals may request to be notified if a record in this system of records pertains to them by utilizing the same procedures identified in the "RECORD ACCESS PROCEDURES" paragraph, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Attorney General has exempted this system from subsections (c)(3) and

(4); (d); (e)(1), (2), and (3), (e)(4)(G) and (H), and (e)(5); and (g) of the Privacy Act, pursuant to 5 U.S.C. 552a(j)(2), (k)(1), (k)(2), and (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the **Federal Register**.

HISTORY:

50 FR 37299 (Sept. 12, 1985): Last published in full;

66 FR 8425 (Jan. 31, 2001): Added one routine use;

72 FR 3410 (Jan. 25, 2007): Added one routine use; and

82 FR 24147 (May 25, 2017): Rescinded 72 FR 3410, and added two routine uses.

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DEPARTMENT OF JUSTICE

[CPCLO Order No. 002-2021]

Privacy Act of 1974; Systems of Records

AGENCY: United States Department of Justice.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, 5 U.S.C. 552a, and Office of Management and Budget (OMB) Circular No. A-108, notice is hereby given that the Department of Justice (Department or DOJ), proposes to modify an existing DOJ system of records previously titled, “Department of Justice Computer Systems Activity and Access Records,” JUSTICE/DOJ-002. The Department proposes to modify JUSTICE/DOJ-002 to reflect changes in technology, including the increased ability of the Department to link individuals to information technology, information system, or network activity, and to better describe the Department’s records linking individuals to reported cybersecurity incidents or their access to certain DOJ information technologies, information systems, and networks through the internet or other authorized connections.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is effective upon publication, subject to a 30-day period in which to comment on the routine uses, described below. Please submit any comments by August 13, 2021.

ADDRESSES: The public, Office of Management and Budget (OMB), and Congress are invited to submit any

comments by mail to the Department of Justice, ATTN: Privacy Analyst, Office of Privacy and Civil Liberties, 145 N St. NE, Suite 8W.300, Washington, DC 20530, by facsimile at 202-307-0693, or by email to privacy.compliance@usdoj.gov.

FOR FURTHER INFORMATION CONTACT:

Nickolous Ward, DOJ Chief Information Security Officer, (202) 514-3101, 145 N Street NE, Washington, DC 20530.

SUPPLEMENTARY INFORMATION:

In accordance with the Federal Information Security Modernization Act of 2014, among other authorities, DOJ is responsible for complying with information security policies and procedures requiring information security protections commensurate with the risk and magnitude of harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of DOJ information and information systems. *See, e.g.*, 44 U.S.C. 3554 (2018). Consistent with these requirements, DOJ must ensure that it maintains accurate audit and activity records of the observable occurrences on its information systems and networks (also referred to as “events”) that are significant and relevant to the security of DOJ information and information systems. These audit and activity records may include, but are not limited to, information that establishes what type of event occurred, when the event occurred, where the event occurred, the source of the event, the outcome of the event, and the identity of any individuals or subjects associated with the event.

Additionally, monitored events—whether detected utilizing information systems maintaining audit and activity records, reported to the Department by information system users, or reported to the Department by the cybersecurity research community and members of the general public conducting good faith vulnerability discovery activities—may constitute occurrences that (1) actually or imminently jeopardize, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or (2) constitute a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies. The Department has developed a formal process to track and document these reported “incidents,” which may, in limited circumstances, include records of individuals reporting, or otherwise associated with, an actual or suspected event or incident.

The system of records previously titled JUSTICE/DOJ-002, “Computer Systems Activity and Access Records,” covers the Department’s tracking of all DOJ information technology, information system, and/or network activity, including any access, whether authorized or unauthorized, by users to any DOJ information technology, DOJ information systems, and/or DOJ networks. These records assist Department information security professionals in protecting DOJ data, ensuring the secure operation of DOJ information systems, and tracking and documenting incidents reported to the Department. JUSTICE/DOJ-002 was first published at 64 FR 73,585, on December 30, 1999, and later modified at 66 FR 8,425, on January 31, 2001, and 82 FR 24,147, on May 25, 2017. The revisions to this notice reflect advances in technology, such as the ability of authorized users to connect to Department information systems through the internet or other authorized network connections, as well as the increased ability of the Department to link the identity of individuals or subjects associated with an actual or suspected event or incident for security and administrative purposes.

The Department proposes to modify JUSTICE/DOJ-002 by: Revising the title of the system of records to, “Department of Justice Information Technology, Information System, and Network Activity and Access Records;” modifying and clarifying the location of the system’s records; clarifying the individuals covered by the system to include any and all individuals who access Department information systems for any reason and from any location; clarifying the way in which the records maintained in this system of records are retrieved; expanding the routine uses of records for disclosures that are functionally equivalent to the purpose for which the DOJ information is collected, or that are necessary and proper uses of the DOJ information, to enhance the flexibility of JUSTICE/DOJ-002; and to notify the public that the Department intends to claim certain Privacy Act exemptions, promulgated elsewhere in the **Federal Register**. DOJ is republishing the entire system of records notice for ease of reference to these changes.

In accordance with Privacy Act requirements of 5 U.S.C. 552a(r), the Department has provided a report to OMB and to Congress on this revised system of records.