
From: USDOJ-Office of Public Affairs <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>
Sent: Tuesday, February 5, 2019 10:05 AM
To: Rosenstein, Rod (ODAG)
Subject: ACTING ATTORNEY GENERAL AND SECRETARY OF HOMELAND SECURITY SUBMIT JOINT REPORT ON IMPACT OF FOREIGN INTERFERENCE ON ELECTION AND POLITICAL/CAMPAIGN INFRASTRUCTURE IN 2018 ELECTIONS

Acting Attorney General Matthew G. Whitaker and Secretary of Homeland Security Kirstjen Nielsen today submitted a joint report to President
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[REDACTED]

TUESDAY, FEBRUARY 5, 2019

ACTING ATTORNEY GENERAL AND SECRETARY OF HOMELAND SECURITY SUBMIT JOINT REPORT ON IMPACT OF FOREIGN INTERFERENCE ON ELECTION AND POLITICAL/CAMPAIGN INFRASTRUCTURE IN 2018 ELECTIONS

Report Concludes No Material Impact of Foreign Interference on Election or Political/Campaign Infrastructure in 2018 Elections

WASHINGTON Acting Attorney General Matthew G. Whitaker and Secretary of Homeland Security Kirstjen M. Nielsen yesterday submitted a joint report to President Donald J. Trump evaluating the impact of any foreign interference on election infrastructure or the infrastructure of political organizations, including campaigns and candidates in the 2018-midterm elections.

The classified report was prepared pursuant to section 1(b) of Executive Order 13848, *Imposing Certain Sanctions in the Event of Foreign Influence in a United States Election*, which the President issued on Sept. 12, 2018.

Throughout the 2018 midterm election cycle, the Departments of Justice and Homeland Security worked closely with federal, state, local, and private sector partners, including all 50 states and more than 1400 local jurisdictions, to support efforts to secure election infrastructure and limit risk posed by foreign interference. Efforts to safeguard the 2020 elections are already underway.

Although the specific conclusions within the joint report must remain classified, the Departments have concluded there is no evidence to date that any identified activities of a foreign government or foreign agent had a material impact on the integrity or security of election infrastructure or political/campaign infrastructure used in the 2018 midterm elections for the United States Congress. This finding was informed by a report prepared by the Office of the Director of National Intelligence (ODNI) pursuant to the same Executive Order and is consistent with what was indicated by the U.S. government after the 2018 elections.

While the report remains classified, its findings will help drive future efforts to protect election and political/campaign infrastructure from foreign interference.

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From: O'Callaghan, Edward C. (ODAG)
Sent: Tuesday, February 12, 2019 6:00 PM
To: Rosenstein, Rod (ODAG); Flores, Sarah Isgur (OPA)
Subject: 60 Minutes

(b) (5) [Redacted]

Edward C. O'Callaghan
Principal Associate Deputy Attorney General
United States Department of Justice

(o) (b) (6) [Redacted]
(c) (b) (6) [Redacted]

From: Ellis, Corey F. (ODAG)
Sent: Thursday, February 14, 2019 9:28 AM
To: Rosenstein, Rod (ODAG)
Subject: FW: DOJ response re: upcoming 60 Minutes interview with Andy McCabe

From: Kupec, Kerri (OPA) (b) (6) >
Sent: Thursday, February 14, 2019 9:27 AM
To: Kupec, Kerri (OPA) (b) (6) >
Subject: DOJ response re: upcoming 60 Minutes interview with Andy McCabe

Below is the statement we provided yesterday to 60 Minutes.

Attributable to a Department of Justice Spokesperson:

“As to the specific portions of this interview provided to the Department of Justice by 60 Minutes in advance, the Deputy Attorney General again rejects Mr. McCabe’s recitation of events as inaccurate and factually incorrect. The Deputy Attorney General never authorized any recording that Mr. McCabe references. As the Deputy Attorney General previously has stated, based on his personal dealings with the President, there is no basis to invoke the 25th Amendment, nor was the DAG in a position to consider invoking the 25th Amendment. Finally, the Deputy Attorney General never spoke to Mr. Comey about appointing a Special Counsel. The Deputy Attorney General in fact appointed Special Counsel Mueller, and directed that Mr. McCabe be removed from any participation in that investigation. Subsequent to this removal, DOJ’s Inspector General found that Mr. McCabe did not tell the truth to federal authorities on multiple occasions, leading to his termination from the FBI.”

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

(b) (6)

(b) (6)

From: Rosenstein, Rod (ODAG)
Sent: Thursday, February 21, 2019 8:28 AM
To: Baughman, Matthew (ODAG); Stafford, Steven (OPA); Sutton, Sarah E. (OPA)
Cc: Ellis, Corey F. (ODAG); Edward C O'Callaghan (b) (6); Peterson, Andrew (ODAG)
Subject: RE: 2/21 Wharton Event

Revised draft for Wharton this afternoon.

From: Baughman, Matthew (ODAG) (b) (6) >
Sent: Monday, February 18, 2019 3:43 PM
To: Rosenstein, Rod (ODAG) (b) (6) >
Cc: Ellis, Corey F. (ODAG) (b) (6) >
Subject: FW: 2/21 Wharton Event

Here are the draft remarks will forward the agenda in the next email.

From: Baughman, Matthew (ODAG)
Sent: Sunday, February 17, 2019 4:26 PM
To: O'Callaghan, Edward C. (ODAG) (b) (6) >; Ellis, Corey F. (ODAG) (b) (6) >; Peterson, Andrew (ODAG) (b) (6) >
Cc: Leeman, Gabrielle (ODAG) (b) (6) >
Subject: 2/21 Wharton Event

Attached is a draft of the speech. Also, for reference, below is the event invite they've sent out. Note that the speech portion of the event is open press. Gabi is putting together the event binder that we'll have by Tuesday.

<http://i1.cmail20.com/ei/ij/8C/4A5/B3D/065921/csfinal/EMMA-EmailHeaders-1280x2757-9900000000079e3c.png>

The Legal Studies and Business Ethics department, in partnership with the Andrea Mitchell Center for the Study of Democracy present:

Rod Rosenstein, W'86

DEPUTY ATTORNEY GENERAL OF THE UNITED STATES

**Thursday, February 21, 2019 | 3:15 PM | Doors open at 2:45 PM
Jon M. Huntsman Hall, Room G-06**

Introductory remarks from Theodore Ruger, Dean and Bernard G. Segal Professor of Law, Penn Law

<http://i2.cmail20.com/ei/j/8C/4A5/B3D/065921/csfinal/1-9900000000079e3c.png>

Discussing democracy and the rule of law in America today, with Amanda Shanor, Associate Professor, Legal Studies and Business Ethics

Rod J. Rosenstein is the 37th Deputy Attorney General of the United States. As Deputy Attorney General, he advises and assists the Attorney General in formulating and implementing Department of Justice policies and programs and in providing overall supervision to all organizational units of the Department of Justice. Mr. Rosenstein has spent over 27 years in government service.

After graduating from the Wharton School of Business and Harvard Law School, Mr. Rosenstein started his legal career as a law clerk to Judge Douglas H. Ginsburg of the United States Court of Appeals for the District of Columbia Circuit. Mr. Rosenstein began his career with the Department as an attorney with the Attorney General's Honors Program and previously served as U.S. Attorney for the District of Maryland from 2005 to 2017.

[Learn more about Rod Rosenstein](#)

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Questions? Contact [Wharton Events](#)

Wharton Events
3620 Locust Walk
Steinberg Hall - Dietrich Hall, Suite 320
Philadelphia, PA | 19104 US

[Forward](#)

Matthew H. Baughman

Office of the Deputy Attorney General

Associate Deputy Attorney General

(b) (6) (desk)

(b) (6) (cell)

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2019.02.21.Penn....

From: Rosenstein, Rod (ODAG)
Sent: Thursday, February 21, 2019 10:06 AM
To: Baughman, Matthew (ODAG); Stafford, Steven (OPA); Sutton, Sarah E. (OPA)
Cc: Ellis, Corey F. (ODAG); 'Edward C O'Callaghan (b) (6)'; 'Peterson, Andrew (ODAG)'
Subject: RE: 2/21 Wharton Event

Updated draft.

From: Rosenstein, Rod (ODAG)
Sent: Thursday, February 21, 2019 8:28 AM
To: Baughman, Matthew (ODAG) (b) (6) >; Stafford, Steven (OPA) (b) (6) >; Sutton, Sarah E. (OPA) (b) (6) >
Cc: Ellis, Corey F. (ODAG) (b) (6) >; Edward C O'Callaghan (b)(6) Edward O'Callaghan (b)(6) Edward O'Callaghan >; Peterson, Andrew (ODAG) (b) (6) >
Subject: RE: 2/21 Wharton Event

Duplicative Information - See Document ID 0.7.22218.434472

From: Ellis, Corey F. (ODAG)
Sent: Thursday, February 21, 2019 4:12 PM
To: Baughman, Matthew (ODAG)
Cc: Rosenstein, Rod (ODAG)
Subject: Fwd: Greetings

Corey F. Ellis

(b) (6)

Begin forwarded message:

From: "Shappert, Gretchen (USAVI)" (b) (6) >
Date: February 21, 2019 at 4:10:22 PM EST
To: "Ellis, Corey F. (ODAG)" (b) (6) >
Subject: Greetings

Good afternoon, Corey:

Whoever helped draft this speech did a *terrific* job. Well said!

BTW I will be in DC the last weekend of March, March 30th & 31st. I would love to join you and Jane for brunch if you are available.

Best,

Gretchen

From: USDOJ-Office of Public Affairs <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>
Sent: Thursday, February 21, 2019 5:00 PM
To: Shappert, Gretchen (USAVI) (b) (6) >
Subject: DEPUTY ATTORNEY GENERAL ROD J. ROSENSTEIN DELIVERS REMARKS AT THE WHARTON SCHOOL'S LEGAL STUDIES AND BUSINESS ETHICS LECTURE SERIES

Thank you for that kind introduction, Dean Ruger. It is a great honor to join you here.

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FOR IMMEDIATE RELEASE

THURSDAY, FEBRUARY 21, 2019

DEPUTY ATTORNEY GENERAL ROD J. ROSENSTEIN DELIVERS REMARKS AT THE WHARTON SCHOOL'S LEGAL STUDIES AND BUSINESS ETHICS LECTURE SERIES

Philadelphia, PA

Remarks as prepared for delivery

Thank you for that kind introduction, Dean Ruger. It is a great honor to join you here.

When I spoke at Wharton two years ago, it was one of my first significant public events as Deputy Attorney General. I came back today for one of my last significant events as Deputy Attorney General. Each time, I brought one of my daughters.

I encourage my children to spend time in Philadelphia for two reasons. First, I grew up about 20 miles from here. I arrived on this campus in 1982, at age 17. This city, and this university, shaped me. The second and more important reason is that Philadelphia is the home of the United States Constitution. I mention the Constitution in almost every speech. It is not just the words that matter. The history and context matter.

History and context are important. When I attended Penn, we had fewer sources of information. As a result, my world seemed a lot smaller than yours, and a great deal slower. News arrived twice a day mornings and evenings and there were only a few outlets. Reporters generally refrained from passing on gossip and innuendo. Most people had limited ability to communicate with anyone beyond their neighborhood.

Today, you are relentlessly bombarded with information, much of it of unknown reliability. The internet lets people share their most ignorant thoughts. Many news stories rely on anonymous sources, without providing details to assess their credibility and bias. Some critics worry that our society will be unable to distinguish fact from opinion, and truth from fiction.

But I remain optimistic about your generation. Most adults were raised with the mindset that they could rely on one or two trusted intermediaries to deliver objective facts – a local newspaper, perhaps, and a favorite television news anchor.

But members of your generation take a different approach. You do not rely on any one news source. You recognize that some people who appear regularly on television – the ones who always form an opinion before they know the facts – those characters are in the entertainment business. Because you understand that, you are more skeptical, and less gullible.

I work in a town where almost everyone is obsessed with breaking news, but I unplugged the television in my office. I try not to worry too much about what a commentator may say in the next 30 minutes. Instead, our law enforcement team focuses on what it takes to keep America safe for the next 30 years, and beyond.

When you study history, you learn to focus on the things that matter. How many of you know the origin of the phrase, “There is nothing new under the sun?” It is from the Book of Ecclesiastes, written 2,500 years ago. It is not meant to be taken literally. It is a lesson about human nature. Human nature is why we need rules, and it is why rules only work if we enforce them.

In 1787, Benjamin Franklin joined other leaders at Independence Hall to establish rules for America. When Franklin was walking home from the Constitutional Convention – about two miles from here – a woman named Elizabeth Powel asked him what type of government the Founders created. Franklin replied with these words: “A republic, ... if you can keep it.”

Mrs. Powel’s question illustrates that it was not certain that our nation would be a democratic republic. Franklin’s answer reminds us that it is not inevitable that we will remain a democratic republic. The Constitution comes with a condition.

Some people think that politicians are responsible for keeping the republic. But Franklin spoke to an ordinary citizen – a woman, who did not even have the right to vote. The lesson is that everyone is responsible.

When I was drafting these remarks last night, my daughter showed me an essay she wrote about a time when she asked me a question and referred to the government as “they.” And I replied, “Who are they?” They are us. The people are the government. This is a participatory activity.

I have worked with law enforcement professionals for three decades. Some of them do the job for the money, but most are inspired by the realization that they are the government, a calling that we recognize as patriotism.

At the Department of Justice, our patriotic mission is to promote the rule of law.

The term “rule of law” describes the government’s obligation to follow neutral principles. The idea dates at least to the fourth century BC, when Greek philosopher Aristotle wrote that “[i]t is more proper that law should govern than any one of the citizens.”

Last year, President Donald Trump issued a proclamation explaining that “we govern ourselves in accordance with the rule of law rather [than] . . . the whims of an elite few or the dictates of collective will. Through law, we have ensured liberty.”

As the President recognized, law provides the framework for freedom. At its best, law reflects moral choices; principled decisions that promote society’s best interests, and protect citizens’ fundamental rights. That is the point of the Penn motto: “Leges sine moribus vanae.” Laws without morals are useless.

The rule of law is indispensable to a thriving and vibrant society. It shields citizens from government overreach. It allows businesses to invest with confidence. It gives innovators protection for their discoveries. It keeps people safe from dangerous criminals. And it allows us to resolve differences peacefully through reason and logic.

When you follow the law, it does not always yield the outcome you would choose. In fact, one indicator that you are following the law is when you respect a result although you do not agree with it. You respect it because it is dictated by the facts and the law.

Abraham Lincoln discussed the issue in his first published speech, in 1838. Lincoln worried about sharp political divisions and rising passions in our young republic. He argued that respect for the law is essential to bind society together.

“Let reverence for the laws,” he implored, “be breathed by every American [parent] . . . let it be taught in schools, in seminaries, and in colleges; let it be written in Primers, spelling books, and in Almanacks let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice.”

And, Lincoln concluded, “let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions” keep the rule of law.

Two decades later, in 1858, Lincoln engaged in a series of seven lengthy debates with his Senate opponent, Stephen Douglas. The opening speaker addressed the audience for one hour. The other speaker took an hour and a half to reply. Then the first debater spent another half hour to respond.

People disagreed sometimes vehemently but they listened patiently, and they learned about opposing arguments.

Attention spans are much shorter today. The structural protections that preserve liberty are difficult to explain in a soundbite. But it remains essential for citizens to understand them. Our system of government is not self-executing. Liberty is protected by cultural norms as well as by constitutional text.

Theodore Roosevelt observed that a government’s survival depends on the character of citizens. He said that “[t]he average citizen must be a good citizen if our republics are to succeed.”

Many of you will hold leadership roles in the private sector. Even if you never serve in government, you will be responsible for supporting the law, even when it is difficult, or costly.

A scholar once described the legal system as “wise restraints that make men free.” Law provides the framework for people to conduct their lives freely and enter into transactions with confidence. Business depends on law. It provides the floor that supports the market, and the walls around it.

The integrity and reliability of the financial system rests on the credibility of the legal system. Our economy attracts investors because they expect fair treatment in our courts. And investors and consumers are more confident when they know that the Department of Justice will protect them from fraud.

White collar crime skews the playing field for law-abiding competitors. It erodes confidence that hard work, discipline, and talent lead to success.

Some people mistakenly describe white-collar crime as victimless. The damage is not always obvious, but financial fraud, bribery, corruption, price-fixing, insider trading all those crimes harm people.

Prosecutions are an important deterrent to crime, but strong corporate compliance programs are the first line of defense.

That is why the Department of Justice should reward companies that try in good faith to deter crime those that voluntarily implement meaningful compliance programs. When crimes occur, good corporate citizens investigate it, report it to the authorities, cooperate in investigations, and implement appropriate remedies.

Law enforcement agencies should give the greatest consideration to companies that establish effective compliance programs, because it frees our agents and prosecutors to focus on people who commit more serious financial crimes or pose other threats to America.

During my tenure as Deputy Attorney General, we updated Department policies to reflect those principles and to create stronger incentives to uphold the law.

We also completed a comprehensive review and streamlining of other Department guidance. Our team executed a strategy to maximize the impact of our \$28 billion budget and 115,000 employees. We consulted stakeholders, revised policies, and used results-driven management to build morale, cut bureaucracy, and increase efficiency. Our productivity increased more in 2018 than ever before, and crime fell.

Changes within large organizations can be difficult. But the ability to adapt to change is essential. A distinguished Wharton alumnus, Nassim Nicholas Taleb, coined the term “anti-fragile” to describe the most successful business model. According to Taleb, the opposite of fragility is not merely robustness or resiliency. Anti-fragile things do not just bounce back. They grow stronger, like muscles.

Complacency can be deadly. Taleb tells a story that illustrates the danger of forgetting that past performance is never a reliable indicator of future outcomes: “Consider a turkey that is fed every day. Every ... feeding [strengthens] the bird’s [confidence] that it is the general rule of life [that humans always] ‘look... out for its best interests’ On the ... [day] before Thanksgiving, something unexpected will happen to the turkey.” Taleb refers to that as a “Black Swan” event a occurrence so low in probability that we ignore the risk, but so great in impact that it renders projections meaningless.

Corporations need to prepare for unexpected events, but government should provide certainty when possible.

That principle underlies my approach to corporate liability. Companies *can* be held legally responsible for criminal acts by their employees, but that is not always the most reasonable outcome. In our Foreign Corrupt Practices Act cases, we established a policy that incentivizes exemplary corporate conduct. Companies that self-report violations, cooperate with investigations, and remediate harm are rewarded with a presumption that we will decline to pursue the company with criminal charges. Instead, we focus our limited resources on companies that fail to take compliance obligations seriously.

We also changed our individual accountability policies to recognize differences between criminal and civil corporate enforcement matters.

The most effective deterrent to most crimes is identifying and punishing the individuals who engaged in criminal activity. But civil cases are different. The primary goal of affirmative civil enforcement cases is to recover money, so we revised our policy to permit us to negotiate civil releases for individuals when obtaining damages from individual employees is not feasible.

That allows us to resolve matters and provide certainty to companies and their employees when the resolution achieves the government's objectives. There is no reason to delay a settlement that favorably resolves civil claims only because of a bureaucratic prohibition on releasing individuals we would not sue anyway.

At the Department of Justice, we work to encourage good corporate citizenship and deter fraud. I encourage you to do your part. Embrace change, adapt to new circumstances, but always emphasize your commitment to the rule of law.

Speaking of change, technological developments pose significant law enforcement challenges, because people who create and market new tools often do not consider the implications for public safety.

Electronic devices collect and transmit tremendous amounts of information about their customers. Many users do not understand that the companies use that data for commercial advantage. And all users are vulnerable when hackers steal data.

Then there are social media platforms, which provide unprecedented opportunities for the free exchange of ideas. But many people do not realize how they are exploited by malicious actors who deceive them.

Soon, we will need to come to terms with "deep fake" videos, which may defeat our ability to rely on things that we see and hear directly.

The speed and volume of technological advances exceeds the capacity of most people to comprehend the risks, let alone to protect against them.

Criminals are early adopters. They will deploy smarter, adaptive malware capable of thwarting existing defenses. They will use impenetrable communications platforms that defeat our ability to detect and prevent crimes.

Forestalling those ominous consequences will require concrete steps.

First, innovators should place security on the same footing as novelty and convenience, and design technology accordingly, in the same way that we build automobiles with horns, emergency lights, seatbelts and airbags; we equip ships with lifeboats and floatation devices; and we construct high-rise buildings with sprinklers and fire escapes. Anticipating worst-case scenarios must be part of the development process.

Second, we need companies to work cooperatively with law enforcement agencies to address novel risks.

The trajectory that we are on now – a culture in which some technology companies work to defeat legitimate law enforcement activities – will not end well. Protecting honest people from being harmed by criminals is a worthy endeavor, but protecting criminals from being caught imposes a heavy cost.

To return to my theme: upholding the law is not the job of government alone. It depends on countless decisions citizens make as they go about their lives. That is why it is so difficult to reform corrupt foreign governments. You cannot just adopt a Constitution. It only works in tandem with a culture of honesty, fairness, and integrity.

My time as a law enforcement official is coming to an end, a lot later than I expected. People joke about the revolving door between government and the private sector. The door never revolved for me. It was one way in, and one way out.

Thirty-five years ago – when I was sitting in your chairs – if I used my Wharton education and my HP-12C calculator to compute the net present value of my likely career, I would have taken a different path. My first law enforcement job paid less than half of a private law firm salary. My wife reminds me that the gap grows each year. But the noble mission of the Department of Justice inspires me every day. The rewards are difficult to measure in monetary terms.

When you study anyone's career, there usually appears to be an obvious logic to their path. Each person was in the right place, at the right time, to take advantage of the next opportunity. But that appearance of logic is always wrong. It is a product of hindsight bias, the tendency to see a pattern in retrospect that never exists in real time.

The truth is that everyone's life is a product of random events and consequential decisions. The random events are things that happen to you, beyond your control. The consequential decisions are what you choose to do in response.

I hope many of you will choose to devote at least a few years to public service. If you do, remember that truth is not determined by opinion polls, and history is not written by television pundits. Ignore the mercenary critics and focus on the things that matter, because a republic that endures for centuries is not governed by the news cycle.

I am proud of what the Department of Justice accomplished on my watch in the Trump Administration. We made rapid progress in achieving the Administration's law enforcement priorities – reducing violent crime, enhancing support for the police, curtailing opioid abuse, protecting consumers, and restoring immigration enforcement – while preserving national security, and strengthening federal efforts in many other areas. Our nation is safer, elections are more secure, and citizens are better informed about covert foreign influence efforts and schemes to commit fraud, steal intellectual property, and launch cyberattacks.

In 1940, Attorney General Robert Jackson explained that government lawyers “must at times risk ourselves and our records to defend our legal processes from discredit, and to maintain a dispassionate, disinterested, and impartial enforcement of the law,” even if it requires us to incur criticism.

I took more than my fair share of criticism. But I kept the faith, I followed the rules, and I left my office in good hands. Those are the things that matter.

So let me conclude with advice that a legendary Philadelphian, Rocky Balboa, gave to his son: “The world ain’t all sunshine and rainbows.... But it ain’t about how hard *you* hit. It’s about how hard you can *get* hit, and keep moving forward; how much you can take, and keep moving forward... [Y]ou got to be willing to take the hits.”

My daughter inscribed that on a plaque and gave it to me as a birthday gift, so I know she got the point. I hope you get it, too.

Thank you very much.

###

ODAG

19-147

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

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WFpbGluZ2lkPTlwMTkwMjlxLjIwOTczNDEmZWVzc2FnZWlkaWU1EQi1QUkQtQIVMLTIwMTkwMjlxLjIwOTczNDEmZGF0YWJhc2VpZD0xMDAxJnNlcmIhbD0xNzQ0MDcyMiZlbWFpbGkPWdyZXRjaGVuLnNoYXBwZXJ0QHVzZG9qLmdvdiZ1c2VyaWQ9Z3JldGNvZW4uc2hhcHBlcnRAdXNkb2ouZ292JmZsPSZleHRyYT1NdWx0aXZhcmlhdGVJZD0mJiY=&&104&&https://instagram.com/thejusticedept/?utm_medium=email&utm_source=govdelivery

This email was sent to (b)(6) Gretchen Shappert using GovDelivery, on behalf of [U.S. Department of Justice Office of Public Affairs](#) · 950 Pennsylvania Ave., NW · Washington, DC 20530 · 202-514-2007 · TTY (866) 544-5309. GovDelivery may not use your subscription information for any other purposes. [Click here to unsubscribe](#).

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O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Sunday, February 24, 2019 12:23 PM
To: Rosenstein, Rod (ODAG)
Subject: Fwd: Briefing Materials for Mon's SDNY/AG Meeting
Attachments: HB Summary Memo.pdf; ATT00001.htm; SDNY Memo to AG.2.22.19.pdf; ATT00002.htm; SDNY Memo to AG - GSB Recused.2.22.19.pdf; ATT00003.htm

FYI. I emailed John Demers to ask if he could join the briefing on Halk Bank given my recusal. I have not yet heard back.

Edward C. O'Callaghan

(b) (6)

Begin forwarded message:

From: "Lan, Iris (ODAG)" <(b) (6)>
Date: February 22, 2019 at 4:13:36 PM EST
To: "O'Callaghan, Edward C. (ODAG)" <(b) (6)>
Cc: "Ellis, Corey F. (ODAG)" <(b) (6)>, "Peterson, Andrew (ODAG)" <(b) (6)>
Subject: Briefing Materials for Mon's SDNY/AG Meeting

Attached are electronic copies of the memos from SDNY for the meeting on Mon. Angie placed a hard copy set in your closet, and DAG and OAG have hard copies too.

From: Peterson, Andrew (ODAG)
Sent: Monday, March 4, 2019 9:14 AM
To: Rosenstein, Rod (ODAG)
Cc: Ellis, Corey F. (ODAG); O'Callaghan, Edward C. (ODAG)
Subject: 190307 FCPA Conference v3
Attachments: 190307 FCPA Conference v3.docx

Here is the draft of your speech for the anti-bribery conference on Thursday.

From: Leeman, Gabrielle (ODAG)
Sent: Friday, March 8, 2019 9:07 AM
To: Rosenstein, Rod (ODAG); O'Callaghan, Edward C. (ODAG); Ellis, Corey F. (ODAG); Peterson, Andrew (ODAG); Bacon, Antoinette T. (ODAG); Baughman, Matthew (ODAG); Braverman, Adam L. (ODAG); Cook, Steven H. (ODAG); Gauhar, Tashina (ODAG); Goldsmith, Andrew (ODAG); Groves, Brendan M. (ODAG); Harris, Stacie B. (ODAG); Hovakimian, Patrick (ODAG); Hunt, Ted (ODAG); Lan, Iris (ODAG); Masling, Mark (ODAG); Michalic, Mark (ODAG); Perkins, Paul (ODAG); Raman, Sujit (ODAG); Thiemann, Robyn (ODAG); Weinsheimer, Bradley (ODAG); Wetmore, David H. (ODAG)
Cc: Powell, SeLena Y (ODAG); Suero, Maya A. (ODAG); Gamble, Nathaniel (ODAG); Heane, Kristen (ODAG)
Subject: FOIA Requests
Attachments: Notification of Records Search to be Conducted in Response to the FOIA, Marshall, OIP No. DOJ-2019-001390; Notification of Records Search to be Conducted in Response to the FOIA, Balsamo, OIP No. DOJ-2019-001710; Notification of Records Search to be Conducted in Response to the FOIA, Noon, OIP No. DOJ-2019-001853; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001622 (DAG); Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001618 (DAG); Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001520; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001521; Notification of Records Search to be Conducted in Response to the FOIA, Leopold, OIP No. DOJ-2019-001758; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001630 ; Notification of Records Search to be Conducted in Response to the FOIA, Taylor, OIP No. DOJ-2019-001848; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001787; Notification of Records Search to be Conducted in Response to the FOIA, Dunagan, OIP No. DOJ-2019-001808; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-000790; Subject: Notification of Records Search to be Conducted in Response to the FOIA, Mack, OIP No. DOJ-2019-002504; Notification of Records Search to be Conducted in Response to the FOIA, Moss, OIP No. DOJ-2019-002565; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001984; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001979; Notification of Records Search to be Conducted in Response to the FOIA, Evers, OIP No. DOJ-2019-001591 (DAG); Notification of Records Search to be Conducted in Response to the FOIA, Anderson, OIP No. DOJ-2019-002333

Hi all,

Over the past month, we received the attached 19 FOIA requests, which are also described below. Unless noted otherwise, the request will search the files of the DAG, all ODAG attorneys present during the relevant timeframe, SeLena, and Maya. Please let me know if you have any questions.

The requester, **Adam Marshall of the Reporters Committee for Freedom of the Press**, is seeking:

- Communications regarding whether Julian Assange or Wikileaks are members of the news media, or containing various terms as listed in the request.
- Timeframe: since January 20, 2009

The requester, **Mike Balsamo of the Associated Press**, is seeking:

- Email between the Offices of the Attorney General or Deputy Attorney General and William Barr.
- Timeframe: January 1, 2016 to January 7, 2019.

The requester, **Alison Noon of Law360**, is seeking:

- Emails of Deputy Attorney General Rod J. Rosenstein containing the term “shutdown” or phrase “shut down”.
- Timeframe: since December 16, 2018
- The official that will be searched for this request is: *Deputy Attorney General Rod J. Rosenstein*

The requester, **Austin Evers of American Oversight**, is seeking:

- Communications between William Barr and Deputy Attorney General Rod Rosenstein regarding the Special Counsel’s investigation.
- Timeframe: Since June 1, 2018
- The official that will be searched for this request is: *Deputy Attorney General Rod J. Rosenstein*

The requester, **Austin Evers of American Oversight**, is seeking:

- Communications pertaining to ethical issues arising from William Barr’s potential participation in the Special Counsel’s investigation.
- Timeframe: Since November 1, 2018

The requester, **Austin Evers of American Oversight**, is seeking:

- Communications with US Attorney John Huber.
- Timeframe: Since July 27, 2017
- The officials that will be searched for this request are: *Deputy Attorney General Rod J. Rosenstein and Edward O’Callaghan*

The requester, **Austin Evers of American Oversight**, is seeking:

- Communications with the House Oversight and Government Reform Committee, Sub-Committee on Government Operations pertaining to testimony of United States Attorney John Huber before that sub-committee.
- Timeframe: Since November 1, 2018

The requester, **Jason Leopold of BuzzFeed News**, is seeking:

- Various records pertaining to (1) the BuzzFeed News article entitled “President Trump Directed His Attorney Michael Cohen to Lie to Congress About the Moscow Tower Project,” and (2) the Washington Post article entitled “Inside the Mueller Team’s Decision to Dispute BuzzFeed’s Explosive Story On Trump and Cohen.”

The requester, **Austin Evers of American Oversight**, is seeking:

- Records regarding former Acting Attorney General’s potential recusal from the Special Counsel’s investigation.
- Timeframe: since November 1, 2018

The requester **(b) (6)**, is seeking:

- records of email communication between Patricia Santos of the Office of the Deputy Attorney General and individuals listed in the request.
- Timeframe: Since September 24, 2018
- The official that will be searched for this request is: *Patricia Santos*

The requester, **Austin Evers of American Oversight**, is seeking:

- Emails between the Offices of the Attorney General, Deputy Attorney General, or Legislative Affairs; and Congressman Steve King or any congressional staff.
- Timeframe: since January 20, 2017

The requester, **Sean Dunagan of Judicial Watch**, is seeking:

- Emails of Deputy Attorney General Rod Rosenstein.
- Timeframe: January 24 to January 25, 2019
- The official that will be searched for this request is: *Deputy Attorney General Rod J. Rosenstein*

The requester, **Austin Evers of American Oversight**, is seeking:

- Emails of Senior Counsel to the Deputy Attorney General David Wetmore with certain individuals, and/or containing certain terms specified in the request, concerning the “Zero Tolerance” policy and related matters.
- The official that will be searched for this request is: *David Wetmore*

The requester, **Sarah Mack of The Lesniak Institute for American Leadership**, is seeking:

- Various records pertaining to the Wire Act (see attached request).
- Timeframe: Since September 21, 2011

The requester, **Bradley Moss of the James Madison Project**, is seeking:

- Records pertaining to attacks on U.S. personnel in Cuba, China, or Russia.
- Timeframe: since January 2016

The requester, **Austin Evers of American Oversight**, is seeking:

- Communications with the White House about Steve Wynn, Wynn Las Vegas, or Wynn Resorts (See Attached).
- Timeframe: from January 20, 2017

The requester, **Austin Evers of American Oversight**, is seeking:

- Communications with Steve Wynn or others acting on Wynn’s behalf (See Attached).
- Timeframe: from January 20, 2017

The requester, **Austin Evers of American Oversight**, is seeking:

- Email pertaining to the processing, review, or timing of release of Acting Attorney General Matthew Whitaker’s Form 278s.
- Timeframe: November 6, 2018 to November 20, 2018.

The requester, **Scott Anderson of Lawfare**, is seeking:

- Certain records of the Offices of the Attorney General and Deputy Attorney General pertaining to former Acting Attorney General Matthew Whitaker and a Department press conference on January 28, 2019.
- Timeframe: January 28, 2019 to February 14, 2019

Thank you!

-Gabi

From: Hotchkiss, Eric (OIP)
Sent: Thursday, February 21, 2019 8:25 AM
To: Leeman, Gabrielle (ODAG)
Cc: Villanueva, Valeree A (OIP)
Subject: Notification of Records Search to be Conducted in Response to the FOIA, Leopold, OIP No. DOJ-2019-001758
Attachments: 01. Initial Request (01.20.19).pdf

The purpose of this email is to notify you that the records of the below-listed officials will be searched in response to the attached Freedom of Information Act (FOIA) request.

Should you have any questions concerning this matter, please feel free to reply to or call - Eric Hotchkiss (b) (6)

The requester, Jason Leopold of BuzzFeed News, is seeking:

- various records pertaining to (1) the BuzzFeed News article entitled “President Trump Directed His Attorney Michael Cohen to Lie to Congress About the Moscow Tower Project,” and (2) the Washington Post article entitled “Inside the Mueller Team’s Decision to Dispute BuzzFeed’s Explosive Story On Trump and Cohen.”

The officials that will be searched for this request are:

- Deputy Attorney General Rod Rosenstein
- Edward O’Callaghan
- Corey Ellis
- Antoinette Bacon
- Matthew Baughman
- Christopher Catizone
- Steven Cook
- Mary Daly
- Sarah Isgur Flores
- Tashina Gauhar
- Andrew Goldsmith
- Brendan Groves
- Patrick Hovakimian
- Stacie Harris
- Ted Hunt
- Iris Lan
- Mark Masling
- Mark Michalic
- John Moran

- Michael Murray
- Paul Perkins
- Andrew Peterson
- Sujit Raman
- Matthew Sheehan
- Robyn Thiemann
- Bradley Weinsheimer
- David Wetmore
- Connie Wu
- Maya Suero
- SeLena Powell
- Please advise our office if any of the above custodians should be included or removed from this search.

The FOIA requires agencies to conduct a reasonable search in response to FOIA requests. For your information, this search will encompass the email and computer files (e.g. C or H drive) maintained by the officials listed above.

To the extent officials within your office maintain other types of records, such as paper records or material maintained within a classified system that would be responsive to this request, but would not be located as a result of OIP's unclassified electronic search, please indicate so in response to this email as soon as possible. OIP staff will make arrangements to conduct those searches as necessary. Similarly, if your office would not maintain any records responsive to this request and/or you can readily identify the officials, be they either current or former employees, who would maintain records responsive to this request, you may indicate so in response to this email.

Please note that the Federal Records Act, as amended in 2014 and [DOJ Policy Statement 0801.04](#) provide that government employees should not use a non-official account including, but not limited to, email, text, or instant message, for official business. However, should this occur, the communication must be fully captured in a DOJ recordkeeping system – either by copying any such messages to one's official account or forwarding them to one's official account within twenty days. Should any records custodians have official records responsive to this FOIA request, which are maintained only in a non-official account, and not copied into an official account, then those records should be provided to OIP.

This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

REQUESTER INFORMATION

Name: Jason Leopold

Affiliation: Senior Investigative Reporter/BuzzFeed News

Address (b) (6)

Email (b) (6)

Phone (b) (6)

RECORDS SOUGHT

I request disclosure from the Office of the Attorney General and the Deputy Attorney General and the following records:

1. All records, which includes but is not limited to emails, memos, letters, mentioning or referring to the following news report published by BuzzFeed: **President Trump Directed His Attorney Michael Cohen To Lie To Congress About The Moscow Tower Project**; all records mentioning or referring to the authors of the news report, Jason Leopold and Anthony Cormier.
2. All records, same type as above, memorializing discussions by the special counsel's office to issue a public statement about the BuzzFeed news report.
3. All records, same type as above, memorializing any and all communications and discussions between the Office of Special Counsel Robert Mueller and the Office of Deputy Attorney General and the Attorney General mentioning or referring to the BuzzFeed news report and authors Jason Leopold and Anthony Cormier.
4. All correspondence between the Justice Department Office of Public Affairs, same type as above, with other members of the news media mentioning or referring to the BuzzFeed News report.
5. All correspondence, same type as above, between the Office of Attorney General and the Office of Deputy Attorney General and the Office of Public Affairs and the Washington Post mentioning between January 17 and January 20, 2019.
6. All correspondence, same type as above, between the Office of the Deputy Attorney General and the Office of Public Affairs mentioning or referring to the BuzzFeed News **President Trump Directed His Attorney Michael Cohen To Lie To Congress About The Moscow Tower Project** and the Washington Post report: **Inside the Mueller team's decision to dispute BuzzFeed's explosive story on Trump and Cohen**

Reasonably Foreseeable Harm. The FOIA Improvement Act of 2016 amended the FOIA as follows (5 USC 552(a)(8)):

(A) An agency shall—

(i) withhold information under this section only if—

(I) the agency reasonably foresees that disclosure would harm an interest protected by an

exemption described in subsection (b); or
(II) disclosure is prohibited by law; and
(ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and
(II) take reasonable steps necessary to segregate and release nonexempt information. . . .

DOJ DAG and AG should not fail to meet the requirements of Section 552(a)(8) when processing my request and release responsive records to me in full or at least in part.

INSTRUCTIONS REGARDING SEARCH

1. Request for Public Records:

Please search for any records even if they are already publicly available.

2. Request for Electronic and Paper/Manual Searches:

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted. I further request that the agencies conduct a search of its "soft files" as well as files in its locked cabinets.

3. Request regarding Photographs and other Visual Materials:

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the agencies maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

4. Request for Duplicate Pages:

I request disclosure of any and all supposedly "duplicate" pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, though certain pages may have been previously released to me, the existence of those pages within new context renders them functionally new pages. As such, the only way to properly analyze released information is to analyze that information within its proper context. Therefore, I request disclosure of all "duplicate" pages.

5. Request to Search Emails:

Please search for emails relating to the subject matter of my request.

6. Request for Search of Records Transferred to Other Agencies:

I request that in conducting its search, the agencies disclose releasable records even if they are available publicly through other sources outside the agencies, such as NARA.

FORMAT

I request that any releases stemming from this request be provided to me in digital format (soft-copy) on a compact disk or other like media.

FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am the senior investigative reporter for BuzzFeed News and formerly senior investigative reporter and on-air correspondent for VICE News. Additionally, my reporting has been published in The Guardian, The Wall Street Journal, The Financial Times, Salon, CBS Marketwatch, The Los Angeles Times, The Nation, Truthout, Al Jazeera English and Al Jazeera America.

I request a complete waiver of all search and duplication fees. If my request for a waiver is denied, I request that I be considered a member of the news media for fee purposes.

Under 5 U.S.C. §552(a)(4)(A)(iii), "Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." Disclosure in this case meets the statutory criteria, as the records sought detail the operations and activities of government. This request is also not primarily in my commercial request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

If I am not granted a complete fee waiver, I request to be considered a member of the news media for fee purposes. I am willing to pay all reasonable duplication expenses incurred in processing this FOIA request.

I will appeal any denial of my request for a waiver administratively and to the courts if necessary.

The following list contains the entire submission, and is formatted for ease of viewing and printing.

Contact information

First name	(b) (6)
Last name	(b) (6)
Mailing Address	(b) (6)
City	(b) (6)
State/Province	(b) (6)
Postal Code	(b) (6)
Country	United States
Phone	(b) (6)
Company/Organization	Self
Email	(b) (6)

Request

Request ID 40016
Confirmation ID 39491

Request description 1. All emails between Patricia Santos and Shawn Flinn during November and December 2018. 2. All emails between Patricia Santos and Mark Michalic between September 24, 2018 - present referencing William Taylor (or Will Taylor, Taylor, William or Will) and any reply discussions. 3. All emails between Patricia Santos and Mary Lamary between October 1, 2018 and November 15, 2018. I request they be produced in electronic format if possible.

Supporting documentation

Fees

Request category ID	other
Fee waiver	no
Willing to pay	\$100

Expedited processing

Expedited Processing no

From: Ellis, Corey F. (ODAG)
Sent: Monday, March 11, 2019 12:36 PM
To: Rosenstein, Rod (ODAG)
Cc: O'Callaghan, Edward C. (ODAG); Peterson, Andrew (ODAG)
Subject: FW: DAG Talkers for budget media rollout DRAFT
Attachments: FY 2020 Roll Out DAG Talkers + SS Edits.docx; ATT00001.htm

From: Sutton, Sarah E. (OPA) (b) (6) >
Sent: Friday, March 8, 2019 10:26 PM
To: Ellis, Corey F. (ODAG) (b) (6) >; Peterson, Andrew (ODAG) (b) (6) >
Subject: Fwd: DAG Talkers for budget media rollout DRAFT

See attached!

From: Ellis, Corey F. (ODAG)
Sent: Monday, March 11, 2019 1:00 PM
To: Rosenstein, Rod (ODAG); O'Callaghan, Edward C. (ODAG); Peterson, Andrew (ODAG)
Cc: Suero, Maya A. (ODAG)
Subject: FY 2020 Roll Out DAG Talkers + additional edits
Attachments: FY 2020 Roll Out DAG Talkers + SS Edits.docx

From: Rosenstein, Rod (ODAG)
Sent: Monday, March 11, 2019 1:11 PM
To: Ellis, Corey F. (ODAG); O'Callaghan, Edward C. (ODAG); Peterson, Andrew (ODAG); Sutton, Sarah E. (OPA)
Cc: Suero, Maya A. (ODAG)
Subject: RE: FY 2020 Roll Out DAG Talkers + additional edits
Attachments: FY 2020 Roll Out DAG Talkers.RR.docx

Importance: High

This does NOT include any edits in your 1:00 draft. Please add anything appropriate.

From: Ellis, Corey F. (ODAG) (b) (6) >
Sent: Monday, March 11, 2019 1:00 PM
To: Rosenstein, Rod (ODAG) (b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6) >; Peterson, Andrew (ODAG) (b) (6) >
Cc: Suero, Maya A. (ODAG) (b) (6) >
Subject: FY 2020 Roll Out DAG Talkers + additional edits

From: Ellis, Corey F. (ODAG)
Sent: Monday, March 11, 2019 1:17 PM
To: Rosenstein, Rod (ODAG); O'Callaghan, Edward C. (ODAG); Peterson, Andrew (ODAG); Sutton, Sarah E. (OPA)
Cc: Suero, Maya A. (ODAG)
Subject: RE: FY 2020 Roll Out DAG Talkers + additional edits
Attachments: FY 2020 Roll Out DAG Talkers + SS + CFE edits.docx

From: Rosenstein, Rod (ODAG) (b) (6) >
Sent: Monday, March 11, 2019 1:11 PM
To: Ellis, Corey F. (ODAG) (b) (6) >; O'Callaghan, Edward C. (ODAG) (b) (6) >; Peterson, Andrew (ODAG) (b) (6) >; Sutton, Sarah E. (OPA) (b) (6) >
Cc: Suero, Maya A. (ODAG) (b) (6) >
Subject: RE: FY 2020 Roll Out DAG Talkers + additional edits
Importance: High

Duplicative Information - See Document ID 0.7.22218.436460

From: USDOJ-Office of Public Affairs <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>
Sent: Monday, March 11, 2019 2:10 PM
To: Rosenstein, Rod (ODAG)
Subject: DEPUTY ATTORNEY GENERAL ROD J. ROSENSTEIN GIVES OPENING REMARKS AT BRIEFING ON THE FY 2020 JUSTICE DEPARTMENT FUNDING PROPOSAL

Welcome and thank you for your interest in the FY 2020 President's Budget Request for the Department of Justice. I am pleased to present a
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[REDACTED]

MONDAY, MARCH 11, 2019

DEPUTY ATTORNEY GENERAL ROD J. ROSENSTEIN GIVES OPENING REMARKS AT BRIEFING ON THE FY 2020 JUSTICE DEPARTMENT FUNDING PROPOSAL

Washington, D.C.

Remarks as prepared for delivery

Welcome and thank you for your interest in the FY 2020 President's Budget Request for the Department of Justice. I am pleased to present a \$29.2 billion budget for the Department that makes good on the President's and the Attorney General's commitments to:

- Fight terrorism and combat foreign intelligence and cyber threats;
- Strengthen our borders and reduce the backlog on our immigration courts;
- Combat the opioid crisis; and
- Reduce violent crime.

This budget accomplishes the goal of keeping people safe through targeted initiatives, while maintaining fiscal accountability.

National security, including countering cyber threats, remains the Department's highest priority, and that is why our budget requests \$132 million for the Department to respond to these evolving threats. Because these threats are continually evolving, they require the Department to be agile in developing new means for protecting America. Terrorists seek to gain entry to the United States, and foreign powers seek to influence us through a variety of techniques, from foreign ownership of key infrastructures, to espionage. This budget provides resources to protect against all those threats.

Highlights include:

- \$72.5 million to strengthen our cyber capabilities,
- \$33.7 million to extend our counterterrorism efforts,
- \$24.7 million to further the Department's counterintelligence efforts, including those aimed at countering foreign influence over the United States.

With this budget, we are also implementing the President's promise to secure our borders and restore a lawful immigration system.

While dramatic progress has been made at the border in recent months, much remains to be done. It is critical that we focus on increased enforcement of criminal immigration laws.

- This budget includes \$72.1 million to enhance our border security and immigration enforcement. Specifically with this funding, the Executive Office of Immigration Review (EOIR) will be able to hire 100 new immigration judges to help reduce the backlog of immigration cases.
- 10 new attorneys and support staff to continue current efforts to secure the border between the United States and Mexico. These are immigration judges and their staff attorneys and are therefore in addition to the 35 prosecutors sent in May 2018.

This budget renews our continued commitment to thwart opioid misuse and heroin abuse.

According to the Centers for Disease Control and Prevention, more than 70,200 Americans died from drug overdoses in 2017, a 10 percent increase from the previous year. Over two-thirds of these overdose deaths were caused by heroin, fentanyl, and prescription opioids. The President declared a National Public Health Emergency in October 2017, and the Department remains committed to doing its part to protect the American people from the impact of drugs and drug-related crime nationwide.

For FY 2020, we have requested \$290.5 million to help us combat the opioid epidemic on multiple fronts, including:

- \$13.1 million to fund five new DEA heroin enforcement groups,
- \$11.7 million to target Transnational Organized Crime, and
- \$11.7 million to support cyber investigations of drug organizations.

This budget will help us combat violent crime and restore public safety:

Protecting the American people from violent crime is a top priority for the Department of Justice. In 2015 and 2016, Americans experienced the largest increases in violent crime in a quarter-century, rising by nearly 7 percent, and murder increasing by a shocking 20 percent.

In 2017 and 2018, the Department revitalized Federal efforts to fight violent crime, including the launch of the reinvigorated Project Safe Neighborhoods initiative, which brings together all levels of law enforcement and the communities they serve to develop effective, locally-based strategies to reduce violent crime. As a result of our work, nationwide violent crimes have begun to decrease. According to the FBI's Uniform Crime Report, both murder and violent crime went down in 2017.

Just recently the FBI released its preliminary crime statistics for the first six months of 2018. They are only preliminary numbers, but they show a 6.7 percent decline in murders, a 12.5 percent decline in robbery, and a 12.7 percent decline in burglary compared to the first six months of 2017.

This Budget includes \$137.9 million towards extending those efforts.

A few highlights include:

- \$119.7 million in agencies throughout the Department, such as ATF, US Marshals Service, FBI, the US Attorneys, and OJP, to continue reducing violent crime,
- \$18.2 million for the FBI to improve its strategic targeting of Transnational Organized Crime groups.

This budget funds our key priorities. It provides more resources for the field, increases prosecutors, and combats both violent crime and the growing opioid epidemic.

I am proud of what the Department of Justice accomplished on my watch in this Administration. We made rapid progress in achieving the Administration's law enforcement priorities—reducing violent crime, enhancing support for the law enforcement, combatting the opioid crisis, protecting consumers, and restoring immigration enforcement—while preserving national security, and strengthening federal efforts in many other areas. Our nation is safer, elections are more secure, and citizens are better informed about covert foreign influence efforts and schemes to commit fraud, steal intellectual property, and launch cyberattacks. By doing so, Department of Justice will better promote public safety. We will uphold the Constitution and enforce our nation's laws; we will seek the highest level of productivity and professionalism; and we will ensure equal justice for all Americans.

With that, I will turn the podium over to Lee Lofthus, the Assistant Attorney General for Administration, and Jolene Lauria, the Department's Controller. They will walk you through details of the Department's fiscal year 2020 request.

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From: Rosenstein, Rod (ODAG)
Sent: Wednesday, March 13, 2019 7:46 PM
To: Horwitz, Sari
Subject: RE: Off the record

Ha ha. I would settle for a story about the large proportion of time I spent not working on a particular case.

From: Horwitz, Sari (b) (6) >
Sent: Wednesday, March 13, 2019 7:29 PM
To: Rosenstein, Rod (ODAG) (b) (6) >
Subject: Re: Off the record

Off the record: I think I should write a story about the proportion of time you've been the DAG with the denominator being the total time you've been at DOJ. Although you've probably been DAG for more time than some others, it's a small proportion of the overall time you've been at DOJ. :)

Sent from my iPhone

On Mar 13, 2019, at 4:37 PM, Horwitz, Sari (b) (6) > wrote:

Thank you, Rod. Can you please tell me how to reach you when you leave DOJ because we're writing more fentanyl stories and we'd like to talk to you about them.
Sari

Sent from my iPhone

On Mar 13, 2019, at 4:05 PM, Rosenstein, Rod (ODAG) (b) (6) > wrote:

[EXTERNAL EMAIL]

Correction on my analogy: you start with 900 newspaper subscribers with under \$100,000 income and 100 with over \$100,000 income. Your circulation falls to 400 under \$100,000 and 99 over \$100,000. So you have (1) fewer under-\$100,000; (2) fewer wealthy subscribers; and (3) fewer total subscribers. But instead you advertise that you are focusing more on wealthy subscribers, increasing the percentage from 10% to 20%.

From: Rosenstein, Rod (ODAG)
Sent: Wednesday, March 13, 2019 3:53 PM
To: 'Horwitz, Sari' (b) (6) >
Subject: Off the record

Your (impressive) fentanyl article may misinterpret a Sally Yates statement in 2016, in representing that "Yates said in 2016 that USSC data showed that the NUMBER of serious drug prosecutions ... increased." The linked 2016 press release touts an increase

in the PROPORTION of cases that might be deemed serious, but a substantial decline in the overall NUMBER of cases.

In other words, DOJ was prosecuting fewer cases, and a larger percentage of them were “serious.” I am pretty sure that the substantial drop in the total number of cases more than outweighed the increase in the “serious” proportion; in other words, there were fewer “non-serious” cases AND fewer “serious” cases, but the number of non-serious cases declined more than the number of serious cases. In that case, contrary to the import of the press release, DOJ really was prosecuting fewer drug cases of all types.

An analogy: you start with 900 newspaper subscribers with under \$100,000 income and 100 with over \$100,000 income. Your circulation falls to 400 under \$100,000 and 100 over \$100,000. So you have (1) fewer under-\$100,000; (2) fewer wealthy subscribers; and (3) fewer total subscribers. But instead you advertise that you are focusing more on wealthy subscribers, increasing the percentage from 10% to 20%.

I have not thoroughly checked the data, but I think I have it right.

Feel free to schedule a meeting through Sarah Sutton if you want to discuss DOJ statistics, or anything else I can talk about.

O'Callaghan, Edward C. (ODAG)

From: O'Callaghan, Edward C. (ODAG)
Sent: Wednesday, March 13, 2019 8:01 PM
To: Rosenstein, Rod (ODAG)
Cc: Lan, Iris (ODAG)
Subject: Fwd: AW Memo
Attachments: (b)(3) (FRCP Rule 6(e)), (b)(5), (b)(6), (b)(7)(C) per EOUSA; ATT00001.htm (b)(3) (FRCP Rule 6(e)), (b)(5), (b)(6), (b)(7)(C) per EOUSA
(003).docx; ATT00002.htm

As requested from SDNY.

Edward C. O'Callaghan

(b) (6)

Begin forwarded message:

From: "Khuzami, Robert (USANYS)" <(b) (6)>
To: "O'Callaghan, Edward C. (ODAG)" <(b) (6)>
Subject: AW Memo

Ed, attached per the DAG's request. Thx much.

Rob

Robert Khuzami
Deputy United States Attorney
United States Attorney's Office for the
Southern District of New York
One St. Andrew's Plaza
New York City, New York 10007

(b) (6)

(b) (6)