

Re: Update on Tim Griffin

From: Karl Rove
Sent: Wednesday, August 09, 2006 3:14 PM
To: Scott Jennings; Sara Taylor
Subject: Re: Update on Tim Griffin

I raised Tim with Josh, who agrees we have a responsibility if he was called to active duty. I suspect we can work out something in the government.

It would be in Tim's better interest if he were able to practice law in Little Rock (adding to his legal record at home) if the Pryor issue is anything other than a dodge.

On 8/9/06 3:11 PM, "Scott Jennings" <SJennings@gwb43.com> wrote:

I just spoke with Tim, who had his phone conversation with Senator Pryor today. Tim didn't feel it went very well. He said Pryor seemed hung up on the fact that Tim has only practiced law specifically in Arkansas on a limited basis (although on year was as an AUSA in Little Rock). He also mentioned he thought Tim had future plans for elective office. Pryor sort of feigned ignorance about whether Tim was actually the person we were going to nominate; his office was notified of course when the Background Investigation was initiated. Leg Affairs is going to follow up with him.

I don't think this changes our planning. We have started Tim's background investigation and it should be complete in time to nominate him in September. If they decide not to confirm him this year, I think we continue on the track of a recess appointment in January.

This begs the question of what we do with Tim between now and then. He did say on the phone that he is going to be back in the U.S. very, very soon. He couldn't be specific, but I got the feeling he meant he would be returning sooner than he previously thought, so perhaps even before the end of the month.

HJC 00276

From: Persinger, John M.
Sent: Wednesday, August 09, 2006 3:36 PM
o: Kelley, William K.
Subject: RE:

Okay I will let Rene know.

Miguel called.

Jenny called to follow up on a previous conversation.

Norm Mailing, the King County (WA) Prosecutor called to discuss John McKay and the WD WA. I notified Bob that she called you.

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

From: Kelley, William K.

Sent: Wednesday, August 09, 2006 3:34 PM

To: Persinger, John M.

Subject:

Rene will have to come after my 4:00. Anything I need to know?

From: Hoyt, Robert F.
Sent: Thursday, August 10, 2006 8:25 AM
To: Kelley, William K.; Brosnahan, Jennifer R.
Subject: FW: W.D. Wash.

Kyle seems intent on bringing pressure on us to change the Republican commission members' decision on McKay. Can we meet for a few minutes to discuss what we think is the right thing to do here?

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, August 09, 2006 6:22 PM
To: Hoyt, Robert F.
Subject: W.D. Wash.

Additional info regarding the district court position in WDWA (Seattle):

Two Dem Senators from the state strongly support USA John McKay being interviewed. They will also support his nomination. Especially since all Ds on bi-partisan comm voted for him. They will also call the WH to request interviewing the three plus McKay.

ocal GOP members will also call WH expressing support for McKay and indicating he has strong rep ties and credentials. Also, the 2 prominent Rs in the state, former Sen Slade Gorton and the elected DA strongly support him.

From: Brosnahan, Jennifer R.
Sent: Thursday, August 10, 2006 9:31 AM
To: Hoyt, Robert F.; Kelley, William K.
Subject: RE: W.D. Wash.

Is he related to Mike McKay? I may be wrong, but I think the former (?) Republican chair of the commission was named Mike McKay. Just wondering.

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From: Kelley, William K.
Sent: Thursday, August 10, 2006 9:40 AM
To: Brosnahan, Jennifer R.; Hoyt, Robert F.
Subject: Re: W.D. Wash.

I believe they are brothers.

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

From: Brosnahan, Jennifer R.
To: Hoyt, Robert F.; Kelley, William K.
Sent: Thu Aug 10 09:31:06 2006
Subject: RE: W.D. Wash.

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Rep ties and credentials. Also, the 2 prominent Rs in the state, former Sen Slade Gorton and the elected DA strongly support him.

From: Looney, Andrea B.
Sent: Friday, August 11, 2006 10:35 AM
To: Klingler, Richard D.
Cc: 'sjennings@gwb43.com'
Subject: RE: Senator Pryor

So can we tell Tim that we don't see the need to reach out to Pryor again until right before he is actually nominated? Can we give him a sense of timing?

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

From: Klingler, Richard D.
Sent: Friday, August 11, 2006 10:30 AM
To: Looney, Andrea B.
Cc: 'sjennings@gwb43.com'
Subject: Re: Senator Pryor

There's no need to reach out about Tim until the eve of any nomination/interim appointment. I will have to speak to Pryor's office about the marshal candidate in not too long, but I assume I can avoid discussing Tim other than listening to whatever Bob Russell wants to say.

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

From: Looney, Andrea B. <Andrea_B_Looney@who.eop.gov>
CC: sjennings@gwb43.com <sjennings@gwb43.com>; Klingler, Richard D. <Richard_D._Klingler@who.eop.gov>
Sent: Fri Aug 11 10:23:00 2006
Subject: RE: Senator Pryor

Richard, when do you think you might speak to Pryor's office again? As we discussed, I don't see the need for us to reach out again beyond the normal procedures for a US Attorney nomination.

From: Tim Griffin
Sent: Friday, August 11, 2006 9:55 AM
To: Looney, Andrea B.
Cc: sjennings@gwb43.com; Klingler, Richard D.
Subject: Senator Pryor

Andrea, will you please let me know when you speak to Sen. Pryor next? I fear that if you tell him I am definitely the one, he will go to the press. I just want to have a heads up. Do you think you will wait until after my BI before speaking with him again?

Also, Senator Pryor is still under the impression that the decision to ask Bud to leave was done specifically for me by me. During our phone call last week, he was sort of rude in suggesting a coup of sorts. That is completely false. That decision was made without my knowledge or involvement in 2005, possibly before I even started at the White House. And my understanding is Bud was on a list of several US Attys. To the extent that can be addressed with him, I think it will be helpful. Even if he opposes me, I don't want him talking trash to the press about how I had Bud deposed.

Just a couple of things I have been mulling over as I sit in 120 degree weather in Kuwait. At least it isn't Iraq. No mortars. No IEDs.

HJC 00282

Thanks, TG

MAJ John T. Griffin

Judge Advocate

501st Special Troops Battalion

101st Airborne Division (Air Assault)

FOB Marez

Mosul, Iraq

From: Scott Jennings [SJennings@gwb43.com]
Sent: Friday, August 11, 2006 10:44 AM
To: Looney, Andrea B.; Klingler, Richard D.
Subject: RE: Senator Pryor

My political instinct is that we need Tim to stand down. We did what we said we would do, which is arrange a phone call. I don't think we need to do any more contact until we get ready to nominate.

For Richard: as a follow up to our conversation in the hallway, I spoke with Monica Goodling who is running the traps on Tim's possibly being hired at DOJ upon his return so he could then be made acting or interim through appt of the AG.

J. Scott Jennings
Special Assistant to the President and
Deputy Political Director
The White House
Washington D.C. 20502
sjennings@gwb43.com
Office: 202-456-

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

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From: Looney, Andrea B. <Andrea_B._Looney@who.eop.gov>
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Thanks, TG

MAJ John T. Griffin

Judge Advocate

501st Special Troops Battalion

101st Airborne Division (Air Assault)

FOB Marez

Mosul, Iraq

8/21/06 12:21pm 9816	John McKay (206) 553- office (206) 697- cell	Recommendation of judicial candidate.
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MESSAGE SHORTCUTS:

ADD NEW CALL	FIND	PRINT CALL LOG	DELETE SELECTED RECORD	TELEPHON'D	FYI	PLEASE SEE ME	STOPPED BY
	FIND ALL	SORT		PLEASE CALL	URGENT	RETURNED YOUR CALL	CALL ASAP

From: Miers, Harriet
Sent: Monday, August 21, 2006 1:41 PM
To: Roebke, Heather M.
Subject: John McKay

is coming to see me at 1:30 tomorrow and Bill should attend then also. Is he available?

From: Roebke, Heather M.
Sent: Monday, August 21, 2006 1:42 PM
To: Miers, Harriet
Subject: RE: John McKay

Yes, you were both scheduled to interview a Staff Assistant candidate (Landon's old position) at 1:30pm tomorrow, but I'll move him to make room for John McKay. Do you have his waves info or do I need to call McKay's assistant for it?

From: Miers, Harriet
Sent: Monday, August 21, 2006 1:41 PM
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Subject: John McKay

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From: Wolff, Candida P.
Sent: Wednesday, August 30, 2006 4:38 PM
To: Looney, Andrea B.; O'Hollaren, Sean B.
Subject: RE: Interim US Attorneys

seems okay to me although may be a problem for the AK attorney.

From: Looney, Andrea B.
Sent: Wednesday, August 30, 2006 3:51 PM
To: Wolff, Candida P.; O'Hollaren, Sean B.
Subject: Interim US Attorneys

The Patriot Act changed the law for appointments of interim US Attorneys so that there is no longer a 120 cap on their status per DOJ's interpretation. They can now remain indefinitely. Are you all aware of this change?

In late September, Tim Griffin gets back from Iraq. Pryor and Lincoln have already indicated strong opposition to Tim's appointment as US Attorney in Arkansas. They will not return the blue slip on him so confirmation is not a possibility. Originally, the thought was that we would recess appoint Tim. Now, I am told Political Affairs is working with DOJ on a plan to put Tim Griffin into the US Attorney slot as interim, and then never have to recess appoint him.

I wanted to put this on your radar screen and see if you had any thoughts . . .

From: Rodriguez, Susan Courtwright
Sent: Monday, September 11, 2006 10:02 AM
To: Lee, Kenneth K.; Fahrenkopf, Leslie; Klingler, Richard D.; Brosnahan, Jennifer R.; Smith, John M.; Hoyt, Robert F.; McIntosh, Brent J.
Subject: JSC agenda, Judicial Chart, and USA chart
Attachments: Judicial Vacancy Status Chart 9 11 06-by category.xls; USA Status Chart 9 11 06.xls

Please let me know if you have any items for the draft JSC agenda.

Also, the updated judicial vacancy status chart is attached, along with the USA status chart. E-mail me with any changes.

Regards,

Susan

From: Miers, Harriet
Sent: Sunday, September 17, 2006 3:13 PM
To: Brosnahan, Jennifer R.; Kelley, William K.
Subject: FW: United States Attorneys

We should talk about this tomorrow morning.

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, September 13, 2006 4:23 PM
To: Miers, Harriet
Subject: RE: United States Attorneys

Harriet, the U.S. Attorney ranks currently break down as follows:

I. Vacancies w/o Candidates

**D. Alaska
E.D. Tenn.
S.D.W.V.**

II. USAs Who Have Been (Or Will Be) Nominated for Other Things (I am strongly of the view that we should be working now to get their replacements selected and in the pipeline)

**S.D. Ga. (Lisa Wood)
N.D. Ind. (Joe Van Bokkelen)
E.D. Mich. (Steve Murphy)
D. Mont. (Bill Mercer)
E.D.N.Y. (Roz Mauskopf)
D.D.C. (Ken Wainstein)**

III. USAs Who, Rumor Has It, Will Be Leaving in Coming Months

**C.D. Cal. (Deb Yang)
N.D. Iowa (Chuck Larsen, Sr.)
M.D. Tenn. (Jim Vines)**

IV. USA in the Process of Being Pushed Out

E.D. Ark. (Bud Cummins)

V. USAs We Now Should Consider Pushing Out

D. Ariz. (Paul Charlton)
S.D. Cal. (Carol Lam)
N.D. Fla. (Greg Miller)
D. Me. (Paula Silsby)
W.D. Mich. (Margaret Chiara)
D. Nev. (Dan Bogden)
M.D. Pa. (Tom Marino)
W.D. Wash. (John McKay)

VI. Summary

I am only in favor of executing on a plan to push some USAs out if we really are ready and willing to put in the time necessary to select candidates and get them appointed -- it will be counterproductive to DOJ operations if we push USAs out and then don't have replacements ready to roll immediately. In addition, I strongly recommend that, as a matter of Administration policy, we utilize the new statutory provisions that authorize the AG to make USA appointments. We can continue to do selection in JSC, but then should have DOJ take over entirely the vet and appointment. By not going the PAS route, we can give far less deference to home-State Senators and thereby get (1) our preferred person appointed and (2) do it far faster and more efficiently, at less political cost to the White House.

Let me know when you have read this; I have one follow up item I would want to do over the phone. What say you?

Kyle

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

From: Harriet_Mlers@who.eop.gov [mailto:Harriet_Mlers@who.eop.gov]
Sent: Wednesday, September 13, 2006 2:39 PM
To: Sampson, Kyle
Subject: United States Attorneys

Kyle, any current thinking on holdover U. S. Attorneys? Any recent word on Debra Yang's intentions?

From: Rodriguez, Susan Courtwright
Sent: Monday, September 11, 2006 10:02 AM
To: Lee, Kenneth K.; Fahrenkopf, Leslie; Klingler, Richard D.; Brosnahan, Jennifer R.; Smith, John M.; Hoyt, Robert F.; McIntosh, Brent J.
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Attachments: Judicial Vacancy Status Chart 9 11 06-by category.xls; USA Status Chart 9 11 06.xls

Please let me know if you have any items for the draft JSC agenda.

Also, the updated judicial vacancy status chart is attached, along with the USA status chart. E-mail me with any changes.

Regards,

Susan

**U.S. ATTORNEY
VACANCIES**
Confidential Status Report
9/11/2006

UNITED STATES ATTORNEYS - APPOINTMENT SUMMARY

<i>Vacancy</i>	<i>Vice</i>	<i>Candidate Approved</i>	<i>Current Status</i>	<i>Assoc. Counsel</i>
Southern District of Alabama	David Preston York	Deborah J. Rhodes	Nominated 7.27.06	JS
District of Alaska	Timothy Mark Burgess		Interviewing	BH
Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	In Background	RK
District of Columbia	Kenneth L. Wainstein		Resignation forthcoming	JS
Southern District of Georgia	Lisa Godbey Wood		Resignation forthcoming	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tenpas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Iowa	Charles W. Larson		Resignation forthcoming	RK
District of Maine	Jay Patrick McCloskey		Awaiting names	LF
Eastern District of Michigan	Steven J. Murphy		Resignation forthcoming	JS
District of Minnesota	Thomas B. Hefflinger	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK
Eastern District of New York	Rosslyn R. Mauskopf		Resignation forthcoming	BM
Eastern District of North Carolina	Frank D. Whitney	George E. B. Holding	Nominated 6.9.06	JB
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Mattice, Jr.		Estes not cleared	BM
Middle District of Tennessee	James K. Vines		Resignation forthcoming	BM
Northern District of West Virginia	Thomas E. Johnston	Sharon L. Potter	Nominated 6.9.06	JB
Southern District of West Virginia	Karl K. Warner, II		Interviewing	JB

From: Rodriguez, Susan Courtwright
Sent: Monday, September 18, 2006 5:21 PM
To: Brosnahan, Jennifer R.
Cc: Perkins, Paul R.
Subject: Charts
Attachments: Judicial Vacancy Status Chart 9 18 06-by category-detailed.xls; USA Status Chart 9.18.06-detailed.xls

Jenny,

The two draft charts are attached (We can thank Paul for his help with these.) I can make the Judicial chart an "awaiting names" only chart. In other words, we can delete the "in background" "awaiting nom" sections. I just left the sections on there for this draft.

Susan

**U.S. ATTORNEY
VACANCIES**
Confidential Status Report
9/11/2006

UNITED STATES ATTORNEYS - APPOINTMENT SUMMARY

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District of Alaska	Timothy Mark Burgess		Interviewing	BH
Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	Awaiting names: The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an Interim U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Loocey, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.	RK
District of Columbia	Kenneth L. Wainstein		Awaiting names: No affirmative steps taken yet by our office to find a replacement for this vacancy.	JS
Southern District of Georgia	Lisa Godbey Wood		Awaiting names: No affirmative steps taken yet by our office to find a replacement for this vacancy.	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tempas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Indiana	Joseph S. Van Bokkelen		No affirmative steps taken yet by our office to find a replacement for this vacancy. Resignation forthcoming (pending Van Bokkelen's BI for US Dist. Ct., ND IN. We have not asked for names, given that Van Bokkelen was just recently approved by the POTUS.)	RK
Northern District of Iowa	Charles W. Larson		Resigning 12.31.06 (Letter of Intent to Resign 9.13.06)	RK
District of Maine	Jay Patrick McCloskey		Awaiting names: Senators encouraged waiting to make decision until after elections.	LF
Eastern District of Michigan	Steven J. Murphy		No affirmative steps taken yet by our office to find a replacement for this vacancy. Resignation forthcoming (Murphy nominated to 6th Cir.)	JS
District of Minnesota	Thomas B. Heffelfinger	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK
Eastern District of New York	Rosslyn R. Mauskopf		No affirmative steps taken yet by our office to find a replacement for this vacancy. Resignation forthcoming (Mauskopf nominated to ED NY.)	BM
Eastern District of North Carolina	Frank D. Whitney	George E. B. Holding	Nominated 6.9.06	JB
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Mattice, Jr.		Estes not cleared	BM
Middle District of Tennessee	James K. Vines		No affirmative steps taken yet by our office to find a replacement for this vacancy. Resignation forthcoming.	BM

**U.S. A. JRNEY
VACANCIES**

Confidential Status Report
9/1/2006

Northern District of West Virginia	Thomas E. Johnston	Sharon L. Potter	Nominated 6.9.06	JB
Southern District of West Virginia	Karl K. Warner, II		Interviewing- agreed to leave the Acting USA in place until after the election, and then we will reassess.	JB

From: Brosnahan, Jennifer R.
Sent: Monday, September 18, 2006 2:13 PM
To: Fahrenkopf, Leslie; Lee, Kenneth K.; Klingler, Richard D.; Smith, John M.; Hoyt, Robert F.; McIntosh, Brent J.
Cc: Rodriguez, Susan Courtwright
Subject: judicial and US Attorney vacancies

All -

This morning Harriet asked us to provide her a status report on each of the judicial vacancies in the "awaiting names" category, and on each of the current or impending US Attorney vacancies. If you could please let Susan know the status on your vacancies, we can create a chart for Harriet with the information she wants.

Re the "awaiting names" judicial vacancies, I think she wants some detail beyond the fact that we are still waiting. For example, when can we expect names, what have the senators promised or what have we demanded in terms of timing, and/or what is the cause of the delay, if there is one. (If a vacancy is new and is on track, please just indicate that.)

The vacancies in this category are:

5th Cir (2 seats)
SD Cal.
SD Ga.
ND Ill.
WD Mo.
ND NY
SD NY
D RI
ED Va.
Tax Court (2 seats)

As for US Attorney vacancies, she is thinking about the possibility of AG appointments vs. presidential appointments and would like an update on the status of all vacancies or seats that may become vacant soon. FYI, although it is tricky to begin looking for US Atty replacements while the incumbent is pending before the Senate for confirmation to another position, I believe that she and DOJ agree it is advisable to do so, with the appropriate cautions and disclaimers so that we don't presume confirmation of the incumbent or otherwise offend members of the Senate. So if you have a US Atty seat that is about to become vacant due to confirmation to another position, I would check with Harriet or Bill about whether/when/how to proceed with a replacement search. As for reporting on status, if nothing has been done with respect to one of these seats, please just indicate so.

D. Alaska
E.D. Tenn.
S.D.W.V.
S.D. Ga. (Lisa Wood)
N.D. Ind. (Joe Van Bokkelen)
E.D. Mich. (Steve Murphy)
D. Mont. (Bill Mercer)
E.D.N.Y. (Roz Mauskopf)
D.D.C. (Ken Wainstein)
E.D. Ark. (Bud Cummins)

If you have any questions, please let me know. Thanks for your help.

Jenny

From: Brosnahan, Jennifer R.
Sent: Monday, September 18, 2006 3:35 PM
To: Klingler, Richard D.; Rodriguez, Susan Courtwright
Subject: Re: judicial and US Attorney vacancies

Thanks, Richard.

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

From: Klingler, Richard D.
To: Rodriguez, Susan Courtwright
CC: Brosnahan, Jennifer R.
Sent: Mon Sep 18 14:34:29 2006
Subject: FW: judicial and US Attorney vacancies

D.Ct.:

N.D. Ill.: We are awaiting names from the Speaker's office. We were last told that the Speaker's interviews were being conducted in August. This vacancy issue has been escalated, with Andrea Looney indicating that Brian Conklin was pressing the Speaker's office to produce names.

W.D. Mo.: We were notified of this vacancy in mid-July. Senator Bond's office recently indicated that names should be forthcoming soon.

U.S. Attorney:

N.D. Ind.: We have not asked for names, given that Van Bokkelen has only very recently moved into background.

E.D. Ark.: The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an Interim U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.

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5th Cir (2 seats)

HJC 00300

SD Cal.
SD Ga.
ND Ill.
WD Mo.
ND NY
SD NY
D RI
ED Va.
Tax Court (2 seats)

As for US Attorney vacancies, she is thinking about the possibility of AG appointments vs. presidential appointments and would like an update on the status of all vacancies or seats that may become vacant soon. FYI, although it is tricky to begin looking for US Atty replacements while the incumbent is pending before the Senate for confirmation to another position, I believe that she and DOJ agree it is advisable to do so, with the appropriate cautions and disclaimers so that we don't presume confirmation of the incumbent or otherwise offend members of the Senate. So if you have a US Atty seat that is about to become vacant due to confirmation to another position, I would check with Harriet or Bill about whether/when/how to proceed with a replacement search. As for reporting on status, if nothing has been done with respect to one of these seats, please just indicate so.

D. Alaska
E.D. Tenn.
S.D.W.V.
S.D. Ga. (Lisa Wood)
N.D. Ind. (Joe Van Bokkelen)
E.D. Mich. (Steve Murphy)
D. Mont. (Bill Mercer)
E.D.N.Y. (Roz Mauskopf)
D.D.C. (Ken Wainstein)
E.D. Ark. (Bud Cummins)

If you have any questions, please let me know. Thanks for your help.

Jenny

From: Rodriguez, Susan Courtwright
Sent: Wednesday, September 20, 2006 10:51 AM
To: Brosnahan, Jennifer R.
Subject: Detailed Judicial Charts
Attachments: Judicial Vacancy Status Chart 9 20 06-by category-detailed.xls; USA Status Chart 9.20.06-detailed.xls

Jenny,

See the attached judicial and USA charts with detailed information on "awaiting names" status. Please review and let me know if you have any changes.

Regards,

Susan

**U.S. ATTORNEY
VACANCIES**
Confidential Status Report
9/20/2006

UNITED STATES ATTORNEYS - APPOINTMENT SUMMARY				
<i>Vacancy</i>	<i>Vice</i>	<i>Candidate Approved</i>	<i>Current Status</i>	<i>Assoc. Counsel</i>
Southern District of Alabama	David Preston York	Deborah J. Rhodes	Nominated 7.27.06	JS
District of Alaska	Timothy Mark Burgess		Interviewing	BH
Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	Awaiting names- The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an Interim U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.	RK
District of Columbia	Kenneth L. Wainstein		Awaiting names- No affirmative steps taken yet by our office to find a replacement for this vacancy.	JS
Southern District of Georgia	Lisa Godbey Wood		Georgia's Senators jointly recommended James D. Durham. We have received the resume and will set up an interview in the near future.	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tenpas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Indiana	Joseph S. Van Bokkelen		No affirmative steps taken yet by our office to find a replacement for this vacancy, as the U.S. Atty has not yet been nominated to the district court in ND Ind. Resignation forthcoming.	RK
Northern District of Iowa	Charles W. Larson		Resigning 12.31.06 (Letter of Intent to Resign 9.13.06)	RK
District of Maine	Jay Patrick McCloskey		Awaiting names- Senators encouraged waiting to make decision until after elections.	LF
Eastern District of Michigan	Steven J. Murphy		Resignation forthcoming (Murphy nominated to 6th Cir.) Given the political sensitivities surrounding Steve Murphy's nomination and the lack of an obvious and discreet Republican contact point in the Eastern District of Michigan, the office has not reached out to the state party to seek names.	JS
District of Minnesota	Thomas B. Hefflinger	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK

**U.S. ATTORNEY
VACANCIES**
Confidential Status Report
9/20/2006

			Resignation forthcoming (Mauskopf nominated to ED NY). Governor Pataki has provided us two candidates for this potential vacancy, and we have received good names from other sources. However, a number of the candidates for this vacancy are also candidates for the Mukasey seat in the Southern District of New York, for which we are awaiting names from the Governor, so we need to discuss how to proceed regarding candidates for both positions.	
Eastern District of New York	Roslyn R. Mauskopf			BM
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Mattice, Jr.		Estes not cleared	BM
			This vacancy arose immediately after we informed the Senators that Jerry Estes would not be nominated for the Eastern District of Tennessee, which left them very dissatisfied. This decision may be reconsidered and we are waiting for clarity on that decision before seeking names.	
Middle District of Tennessee	James K. Vines			BM
Northern District of West Virginia	Thomas E. Johnston	Sharon L. Potter	Nominated 6.9.06	JB
Southern District of West Virginia	Karl K. Warner, II		Interviewing- We have agreed to leave the Acting USA in place until after the Nov. election, and then we will reassess.	JB

From: Rodriguez, Susan Courtwright
Sent: Wednesday, September 20, 2006 2:42 PM
To: Brosnahan, Jennifer R.
Subject: Revised charts
Attachments: Judicial Vacancy Status Chart 9 20 06-Awaiting Names.xls; USA Status Chart 9.20.06-detailed.xls

Jenny,

The charts are attached with your revised changes. I also made each chart to fit on one sheet, so it would be easier to reference.

Susan

U.S. ATTORNEY VACANCIES
 Predecisional and Confidential Status Report
 Close hold
 9/20/2006

UNITED STATES ATTORNEYS -- APPOINTMENT SUMMARY				
Vacancy	Vice	Candidate Approved	Current Status	Assoc. Counsel
Southern District of Alabama	David Preston York	Deborah J. Rhodes	Nominated 7.27.06	JS
District of Alaska	Timothy Mark Burgess		Interviewing	BH
Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	Awaiting names- The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an AG-Appointed U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.	RK
District of Columbia	Kenneth L. Wainstein		Awaiting names- No affirmative steps taken yet by our office to find a replacement for this vacancy.	JS
Southern District of Georgia	Lisa Godbey Wood		Georgia's Senators jointly recommended James D. Durham. We have received the resume and will set up an interview in the near future.	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tenpas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Indiana	Joseph S. Van Bokkelen		No affirmative steps taken yet by our office to find a replacement for this vacancy, as the U.S. Atty has not yet been nominated to the district court in ND Ind.	RK
Northern District of Iowa	Charles W. Larson		Resigning 12.31.06 (Letter of Intent to Resign 9.13.06)	RK
District of Maine	Jay Patrick McCloskey		Awaiting names- Senators encouraged waiting to make decision until after elections.	LF
Eastern District of Michigan	Steven J. Murphy		Resignation forthcoming (Murphy nominated to 6th Cir.) Given the political sensitivities surrounding Steve Murphy's nomination and the lack of an obvious and discreet Republican contact point in the Eastern District of Michigan, the office has not reached out to the state party to seek names.	JS
District of Minnesota	Thomas B. Heffelfinger	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK
District of Nebraska	Michael Heavican		Just learned of resignation on 9.20.06	RK
Eastern District of New York	Roslyn R. Mauskopf		Resignation forthcoming (Mauskopf nominated to ED NY). Governor Pataki has provided us two candidates for this potential vacancy, and we have received good names from other sources. However, a number of the candidates for this vacancy are also candidates for the Mukasey seat in the Southern District of New York, for which we are awaiting names from the Governor, so we need to discuss how to proceed regarding candidates for both positions.	BM
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Mattice, Jr.		Potential candidate not cleared.	BM
Middle District of Tennessee	James K. Vines		This vacancy arose immediately after we informed the Senators of our decision regarding the Eastern District of Tennessee, which left them very dissatisfied. This decision may be reconsidered, and we are waiting for clarity on that decision before seeking names for this vacancy.	BM
Northern District of West Virginia	Thomas E. Johnston	Sharon L. Potter	Nominated 6.9.06	JB
Southern District of West Virginia	Karl K. Warner, II		Interviewing- We have agreed to leave the Acting USA in place until after the Nov. election, and then we will reassess.	JB

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

From: Brosnahan, Jennifer R.
Sent: Wednesday, September 20, 2006 2:53 PM
To: Miers, Harriet; Kelley, William K.
Cc: Klingler, Richard D.; McIntosh, Brent J.; Hoyt, Robert F.; Lee, Kenneth K.; Smith, John M.; Fahrenkopf, Leslie
Subject: Follow up on judicial/US Atty issues

Harriet and Bill,

Below are a few updates on judicial and US Attorney issues that we discussed on Monday:

1. Review of circuit court candidates by a bipartisan state commission: Kyle confirmed that Diane Sykes (CA7 - Wisconsin) is the only one he is aware of.
2. U.S. Attorneys "rumored to be leaving": Two of the three on Kyle's list are now publicly confirmed -- Chuck Larsen, Sr. (N.D. Iowa) and Jim Vines (M.D. Tenn.). We learned of one more today: Michael G. Heavican (D. Neb.). Also, Kyle says that Deb Yang (C.D. Cal.) is on the market, and he recommends waiting until the end of the year to begin searching for her replacement.
3. Attached are two charts providing the status updates you requested on all judicial vacancies for which we are currently "awaiting names" and on all current US Attorney vacancies.
4. The AG's authority to appoint US Attorneys: The USA PATRIOT Improvement and Reauthorization Act of 2005 ("PATRIOT Reauthorization Act") (enacted Mar. 9, 2006) authorized the AG to appoint a United States attorney for a district in which the position is vacant. 28 U.S.C. § 546. Kyle explained that AG appointees under this authority are not "Interim" or "Acting"; they are full US Attys with the same title and authority as PAS appointees; and there is no time limitation on their service -- they may serve until a successor is confirmed and appointed. (The former provision placed a 120-day limit on service, after which the court could appoint someone). The only limitation on the AG appointment authority is that he cannot appoint someone who was nominated, but whom the Senate has refused to confirm, to the position. Kyle's view is that we should take advantage of this authority except when there is a specific net benefit to going to PAS route.
Please let us know if you have any questions.

Thanks,
Jenny

U.S. ATTORNEY VACANCIES
 Predecisional and Confidential Status Report
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 9/20/2006

UNITED STATES ATTORNEYS -- APPOINTMENT SUMMARY

<i>Vacancy</i>	<i>Vice</i>	<i>Candidate Approved</i>	<i>Current Status</i>	<i>Assoc. Counsel</i>
Southern District of Alabama	David Preston York	Deborah J. Rhodes	Nominated 7.27.06	JS
District of Alaska	Timothy Mark Burgess		Interviewing	BH
Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	Awaiting names- The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an AG-Appointed U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.	RK
District of Columbia	Kenneth L. Wainstein		Awaiting names- No affirmative steps taken yet by our office to find a replacement for this vacancy.	JS
Southern District of Georgia	Lisa Godbey Wood		Georgia's Senators jointly recommended James D. Durham. We have received the resume and will set up an interview in the near future.	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tenpas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Indiana	Joseph S. Van Bokkelen		No affirmative steps taken yet by our office to find a replacement for this vacancy, as the U.S. Atty has not yet been nominated to the district court in ND Ind.	RK
Northern District of Iowa	Charles W. Larson		Resigning 12.31.06 (Letter of Intent to Resign 9.13.06)	RK
District of Maine	Jay Patrick McCloskey		Awaiting names- Senators encouraged waiting to make decision until after elections.	LF
Eastern District of Michigan	Steven J. Murphy		Resignation forthcoming (Murphy nominated to 6th Cir.) Given the political sensitivities surrounding Steve Murphy's nomination and the lack of an obvious and discreet Republican contact point in the Eastern District of Michigan, the office has not reached out to the state party to seek names.	JS
District of Minnesota	Thomas B. Heffelfinger	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK
District of Nebraska	Michael Heavican		Just learned of resignation on 9.20.06	RK
Eastern District of New York	Rosslyn R. Mauskopf		Resignation forthcoming (Mauskopf nominated to ED NY). Governor Pataki has provided us two candidates for this potential vacancy, and we have received good names from other sources. However, a number of the candidates for this vacancy are also candidates for the Mukasey seat in the Southern District of New York, for which we are awaiting names from the Governor, so we need to discuss how to proceed regarding candidates for both positions.	BM
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Mattice, Jr.		Potential candidate not cleared.	BM
Middle District of Tennessee	James K. Vines		This vacancy arose immediately after we informed the Senators of our decision regarding the Eastern District of Tennessee, which left them very dissatisfied. This decision may be reconsidered, and we are waiting for clarity on that decision before seeking names for this vacancy.	BM
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Southern District of West Virginia	Karl K. Warner, II		Interviewing- We have agreed to leave the Acting USA in place until after the Nov. election, and then we will reassess.	JB

JUDICIAL VACANCIES
Awaiting Names Status
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Close hold
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JUDICIAL VA. JACIES
Awaiting Names Status
Predecisional and Confidential Status Report
Close hold
9/20/2006

JUDICIAL VA. NCIES

Awaiting Names Status

Predecisional and Confidential Status Report

Close hold

9/20/2006

U.S. ATTORNEY VACANCIES
 Predecisional and Confidential Status Report
 Close hold
 9/20/2006

UNITED STATES ATTORNEYS - APPOINTMENT SUMMARY				
Vacancy	Vice	Candidate Approved	Current Status	Assoc. Counsel
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Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	Awaiting names- The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an AG-Appointed U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolf's views on this course. The proposed course has not been raised at JSC.	RK
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Southern District of Georgia	Lisa Godbey Wood		Georgia's Senators jointly recommended James D. Durham. We have received the resume and will set up an interview in the near future.	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tenpas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Indiana	Joseph S. Van Bokkelen		No affirmative steps taken yet by our office to find a replacement for this vacancy, as the U.S. Atty has not yet been nominated to the district court in ND Ind.	RK
Northern District of Iowa	Charles W. Larson		Resigning 12.31.06 (Letter of Intent to Resign 9.13.06)	RK
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District of Minnesota	Thomas B. Heffeling	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK
District of Nebraska	Michael Heavican		Just learned of resignation on 9.20.06	RK
Eastern District of New York	Rosilyn R. Mauskopf		Resignation forthcoming (Mauskopf nominated to ED NY). Governor Pataki has provided us two candidates for this potential vacancy, and we have received good names from other sources. However, a number of the candidates for this vacancy are also candidates for the Mukasey seat in the Southern District of New York, for which we are awaiting names from the Governor, so we need to discuss how to proceed regarding candidates for both positions.	BM
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Matice, Jr.		Potential candidate not cleared.	BM
Middle District of Tennessee	James K. Vines		This vacancy arose immediately after we informed the Senators of our decision regarding the Eastern District of Tennessee, which left them very dissatisfied. This decision may be reconsidered, and we are waiting for clarity on that decision before seeking names for this vacancy.	BM
Northern District of West Virginia	Thomas E. Johnston	Sharon L. Potter	Nominated 6.9.06	JB
Southern District of West Virginia	Karl K. Warner, II		Interviewing- We have agreed to leave the Acting USA in place until after the Nov. election, and then we will reassess.	JB

From: Rodriguez, Susan Courtwright
Sent: Monday, September 25, 2006 11:06 AM
To: Brosnahan, Jennifer R.; Fahrenkopf, Leslie; Lee, Kenneth K.; Klingler, Richard D.; Smith, John M.; Hoyt, Robert F.; McIntosh, Brent J.
Cc: Perkins, Paul R.
Subject: USA and US Marshal Charts
Attachments: USA Status Chart 9.25.06-detailed.xls; US Marshals 9.25.06.xls

When you have a moment, please review the USA and US Marshal charts attached. Please e-mail me with any updates or changes.
I especially need some help filling in the status for the US Marshal chart.

Thanks,

Susan

U.S. ATTORNEY VACANCIES
 Predecisional and Confidential Status Report
 Close hold
 8/25/2006

UNITED STATES ATTORNEYS - APPOINTMENT SUMMARY				
Vacancy	Vice	Candidate Approved	Current Status	Assoc. Counsel
Southern District of Alabama	David Preston York	Deborah I. Rhodes	Nominated 7.27.06	JS
District of Alaska	Timothy Mark Burgess		Interviewing	BH
Eastern District of Arkansas	H.E. "Bud" Cummins, III	J. Timothy Griffin	Awaiting names- The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an AG-Appointed U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.	RK
District of Columbia	Kenneth L. Wainstein		Awaiting names- No affirmative steps taken yet by our office to find a replacement for this vacancy.	JS
Southern District of Georgia	Lisa Godbey Wood		Georgia's Senators jointly recommended James D. Durham. We have received the resume and will set up an interview in the near future.	JS
Central District of Illinois	Jan Paul Miller	Rodger A. Heaton	Nominated 7.27.06	RK
Southern District of Illinois	Ronald J. Tenpas	Philip J. Green	Nominated 6.9.06	RK
Northern District of Indiana	Joseph S. Van Bokkelen		No affirmative steps taken yet by our office to find a replacement for this vacancy, as the current U.S. Attorney has not yet been nominated to the District Court.	RK
Northern District of Iowa	Charles W. Larson		Resigning 12.31.06 (Letter of Intent to Resign 9.13.06)	RK
District of Maine	Jay Patrick McCloskey		Awaiting names- Senators encouraged waiting to make decision until after elections.	LF
Eastern District of Michigan	Steven J. Murphy		Resignation forthcoming (Murphy nominated to 6th Cir.) Given the political sensitivities surrounding Steve Murphy's nomination and the lack of an obvious and discreet Republican contact point in the Eastern District of Michigan, the office has not reached out to the state party to seek names.	BM
District of Minnesota	Thomas B. Hefflinger	Rachel K. Paulose	Nominated 8.3.06	RK
Western District of Missouri	Todd Peterson Graves	John Wood	In Background	RK
District of Montana	William W. Mercer		Awaiting names	BH
District of Nebraska	Michael Heavican		Just learned of resignation on 9.20.06	RK
Eastern District of New York	Resslyn R. Mauskopf		Resignation forthcoming (Mauskopf nominated to ED NY). Governor Pataki has provided us two candidates for this potential vacancy, and we have received good names from other sources. However, a number of the candidates for this vacancy are also candidates for the Mukasey seat in the Southern District of New York, for which we are awaiting names from the Governor, so we need to discuss how to proceed regarding candidates for both positions.	BM
District of Puerto Rico	Humberto S. Garcia	Rosa Rodriguez-Velez	In Background	LF
Eastern District of Tennessee	Harry S. Mattice, Jr.		Potential candidate not cleared.	BM
Middle District of Tennessee	James K. Vines		This vacancy arose immediately after we informed the Senators of our decision regarding the Eastern District of Tennessee, which left them very dissatisfied. This decision may be reconsidered, and we are waiting for clarity on that decision before seeking names for this vacancy.	BM
Northern District of West Virginia	Thomas E. Johnston	Sharon L. Potter	Nominated 6.9.06	JB

HIC 00314

U.S. ATTORNE .CANCIES
Predecisional and Confidential Status Report
Close hold
9/25/2006

Southern District of West Virginia	Karl K. Warner II	Interviewing- We have agreed to leave the Acting U.S. Attorney in place until after the Nov. election, and then we will reassess.	JB
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From: Raul Damas
Sent: 9/30/2006 2:58:32 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJennings;
Bcc:
Subject: Re: Weh's Garrison

I'll ask. Karl didn't mention it, and we talked a bit about their conversation.

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

From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:52:36 2006
Subject: RE: Weh's Garrison

did he mention USATTY, or anything else?

From: Raul Damas
Sent: Sat 9/30/2006 2:52 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

Ping?

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

From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:47:00 2006
Subject: RE: Weh's Garrison

what did Mickey ping KR on?

From: Raul Damas
Sent: Sat 9/30/2006 1:59 PM
To: Scott Jennings
Subject: Weh's Garrison

REDACTED

From: Raul Damas
Sent: 9/30/2006 3:02:01 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJennings;
Bcc:
Subject: Re: Weh's Garrison

Mickey think the feds bungled the Vigil case. He thinks it's 50/50.

REDACTED

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

From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 15:00:42 2006
Subject: RE: Weh's Garrison

anything else of note?

From: Raul Damas
Sent: Sat 9/30/2006 2:58 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

I ask. Karl didn't mention it, and we talked a bit about their conversation.

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

From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:52:36 2006
Subject: RE: Weh's Garrison

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To: Scott Jennings
Subject: Re: Weh's Garrison

Ping?

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

From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:47:00 2006
Subject: RE: Weh's Garrison

but did Mickey ping KR on?

From: Raul Damas
Sent: Sat 9/30/2006 1:59 PM
To: Scott Jennings
subject: Weh's Garrison

REDACTED

From: Raul Damas
sent: 9/30/2006 3:04:47 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJennings;
Bcc:
Subject: Re: Weh's Garrison

REDACTED

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 15:04:01 2006
Subject: RE: Weh's Garrison

REDACTED

From: Raul Damas
Sent: Sat 9/30/2006 3:02 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

Mickey think the feds bungled the Vigil case. He thinks it's 50/50.

REDACTED

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 15:00:42 2006
Subject: RE: Weh's Garrison

anything else of note?

From: Raul Damas
Sent: Sat 9/30/2006 2:58 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

I'll ask. Karl didn't mention it, and we talked a bit about their conversation.

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:52:36 2006
Subject: Weh's Garrison

?, or anything else?

From: Raul Damas
Sent: Sat 9/30/2006 2:52 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

Ping?

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

From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:47:00 2006
Subject: RE: Weh's Garrison

what did Mickey ping KR on?

From: Raul Damas
Sent: Sat 9/30/2006 1:59 PM
To: Scott Jennings
Subject: Weh's Garrison

REDACTED

From: Raul Damas
Sent: 9/30/2006 3:18:36 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJennings;
Bcc:
Subject: Re: Weh's Garrison

REDACTED

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 15:06:08 2006
Subject: RE: Weh's Garrison

REDACTED

From: Raul Damas
Sent: Sat 9/30/2006 3:04 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

REDACTED

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 15:04:01 2006
Subject: RE: Weh's Garrison

REDACTED

From: Raul Damas
Sent: Sat 9/30/2006 3:02 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

Mickey think the feds bungled the Vigil case. He thinks it's 50/50.

REDACTED

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 15:00:42 2006
Subject: RE: Weh's Garrison

Anything else of note?

HJC 00321

From: Raul Damas
Sent: Sat 9/30/2006 2:58 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

I'll ask. Karl didn't mention it, and we talked a bit about their conversation.

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:52:36 2006
Subject: RE: Weh's Garrison

did he mention USATTY, or anything else?

From: Raul Damas
Sent: Sat 9/30/2006 2:52 PM
To: Scott Jennings
Subject: Re: Weh's Garrison

Ping?

-----Original Message-----
From: Scott Jennings
To: Raul Damas
Sent: Sat Sep 30 14:47:00 2006
Subject: RE: Weh's Garrison

what did Mickey ping KR on?

From: Raul Damas
Sent: Sat 9/30/2006 1:59 PM
To: Scott Jennings
Subject: Weh's Garrison

REDACTED

HJC 00322

From: Scott Jennings [SJennings@gwb43.com]
Sent: Monday, October 02, 2006 4:31 PM
To: Hughes, Taylor A.
Subject: Re: Call from Sen. Domenici

Not sure if-when, but I did get that heads up

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

From: Hughes, Taylor A. <Taylor_A._Hughes@who.eop.gov>
To: Scott Jennings
Sent: Mon Oct 02 16:30:18 2006
Subject: RE: Call from Sen. Domenici

Thanks, have not yet rc'd a call

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

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Monday, October 02, 2006 4:30 PM
To: Hughes, Taylor A.
Subject: Fw: Call from Sen. Domenici

Meant to send to you as well

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

From: Scott Jennings
To: Karl Rove
CC: Sara Taylor; Raul Damas
Sent: Mon Oct 02 16:23:50 2006
Subject: Call from Sen. Domenici

Karl - a heads up that you may get a call from Senator Domenici again complaining about USATTY Iglesias. This is in the wake of the Vigil trial verdict he just finished, in which vigil was acquitted on 23 of 24 counts. Domenici will say this shows extreme incompetence and again ask us to remove. He has broached this subject with the Attorney General before, who told him we were not inclined to do so. As you might recall, this is the USATTY who refused to act on the election fraud that took place in NM in 2004.

Also, he could bring up following topics:

- * Woodward book. He is very troubled by what he is reading.
- * Section 181. He wants the President to reaffirm that we are committed to getting something done in the lame duck.

I was given a heads up on this possible call by Steve Bell.

HJC 00323

Let me know if you need more info on any of this -

HJC 00324

From: Hughes, Taylor A. [taylor_a._hughes@who.eop.gov]

Sent: Monday, October 02, 2006 5:12 PM

To: Karl Rove

Cc: Tanner, Christon R.

Subject: 2 calls

Cong. Wicker re: Dr. Ed Hill for Surgeon General. 202-225-1279 (office)
Sen. Domenici re: US Attorney in NV 202-224-7093 (office), 202-546- (home)

From: Karl Rove
Sent: 10/2/2006 8:50:55 PM
To: 'Harriet_Mlers@who.eop.gov' Harriet_Mlers@who.eop.gov;

cc:
Subject: Fw: Possible corruption in building of jail, courts is new focus

Domenici is calling me about the USA for New Mexico

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

From: Mickey Barnett
To: Karl Rove
CC: pjr@modrall.com <pjr@modrall.com>; Scott Jennings, Steve Bell <steve_bell@domenici.senate.gov>
Sent: Mon Oct 02 20:45:36 2006
Subject: Possible corruption in building of jail, courts is new focus

Karl

This article confirms what I mentioned Saturday. An FBI agent told me more than six months ago that their investigation was done and been turned over to the U S Attorney a long time ago. He said agents were totally frustrated with some even trying to get out of New Mexico. I can put you or anyone you designate with lawyers knowledgeable about the US Atty office--including lawyers in the office--that will show how poorly it is being run.

Scott Jennings was kind enough to set up an appointment at the Justice Department several months ago where Pat Rogers and I laid all this out. I hope Justice can now be persuaded to send out some cracker jack prosecutor and perhaps promote Iglesias to a Justice department position.

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Mickey

With Vigil case over, investigators move on

Possible corruption in building of jail, courts is new focus

By <<http://www.abqtrib.com/staff/kate-nash/>> Kate Nash (<<http://www.abqtrib.com/staff/kate-nash/contact/>> Contact)
Originally published 08:27 a.m., October 2, 2006
Updated 01:11 p.m., October 2, 2006

With the trial of former state Treasurer Robert Vigil complete, the U S Attorney's Office now has time to devote to a corruption case that could exceed Vigil's in prominence, complexity and profile.

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"It's basically with them," said FBI spokesman Bill Elwell. "As far as I know, we've completed our investigation."

... is "it"?

HJC 00326

Prominent officials are mum, though insiders have indicated the case may be a doozy in a state already well-acquainted with corruption allegations against public officials.

Here's what's publicly known about the case, one that surfaced earlier this year:

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The state Auditor's Office, meanwhile, has asked for documents from Bernalillo County as part of its inquiry into "procurement issues" in building the Metropolitan Detention Center. The office has turned those documents over to the FBI.

The Auditor's Office also asked the county for information about construction costs of the state District Courthouse.

And, the FBI has questioned at least one former Bernalillo County official about allegations that someone gave former state Sen. Manny Aragon, an Albuquerque Democrat, money to ensure a certain contractor got work at the Metropolitan Detention Center.

"The insinuation was that because he was president pro tem of the Senate, we would cave in order to get a favorable result from him," former County Manager Juan Vigil said in July.

Vigil said that was not the case.

Aragon, from 2004 until July, was the president of New Mexico Highlands University in Las Vegas. A member of the state Senate for 29 years, and president from 1988 to 2000, he accepted a \$200,000 contract buyout for leaving the Highlands post. Highlands officials cited unhappiness with his job performance as the reason for his departure.

Aragon, when reached at home Sunday, declined to comment.

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"They have been busy," Elwell said. "I know they have not been able to address it."

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Out of the \$160,000, two checks - totaling \$50,000 - were made out for cash. That was the same amount as a puzzling entry - "Manny - 50,000" - in Technologies West's books, Peel testified.

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Other documents from the 2002 lawsuit, a contractor named Glen Perkal tells how he took precautions to protect his company, Integrity

HJC 00327

Networking Systems, when he was told by a court official to hire Technologies West as a subcontractor for telecommunications work at the state District Courthouse.

Before he struck the deal, Perkal said he wanted the court's request in writing to protect his company "from somebody coming in and saying that the money didn't need to be spent or that work didn't need to be done or whatever. Basically, it alleviated us of the responsibility for, you know, adding that cost into the contract or worrying about what it was really being used for."

On Sept. 25, 2000, Perkal apparently got what he wanted. A letter signed by Court Administrator Bennina Armijo-Sisneros specified that Technologies West should be awarded the work.

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Perkal said he called Parra and "told him we couldn't do the project the way he wanted us to do it, with all of this extra money involved, because we were concerned that somebody would find out, that we would get in trouble."

Perkal also said "somewhere in the neighborhood of a million and a half dollars" was the difference between the two proposals he had prepared, then withdrew, for work on Metro Court.

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HJC 00328

From: Karl Rove [KR@georgewbush.com]
Sent: Monday, October 02, 2006 8:51 PM
To: Miers, Harriet
Subject: Fw: Possible corruption in building of jail, courts is new focus

Domenici is calling me about the USA for New Mexico

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

From: Mickey Barnett
To: Karl Rove
CC: pjr; Scott Jennings; Steve Bell

Sent: Mon Oct 02 20:45:36 2006
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By <<http://www.abqtrib.com/staff/kate-nash/>> Kate Nash (<<http://www.abqtrib.com/staff/kate-nash/contact/>> Contact) Originally published 08:27 a.m., October 2, 2006 Updated 01:11 p.m., October 2, 2006

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HJC 00329

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From: Wolff, Candida P.
Sent: Thursday, October 05, 2006 3:49 PM
To: Dick, Denise Y.; Fiddelke, Debbie S.; O'Hollaren, Sean B.
Cc: Aylward, Patrick S.; Kratovil, Lindley; Noyes, Joel P.; Dryden, Logan E.
Subject: RE: Sen. Domenici

Denise, I had a conversation with Steve bell a day ago on some issues that Domenici may be raising. I would prefer not to have them in writing. If Josh can give me a quick call or I can come down before he returns the calls.

From: Dick, Denise Y.
Sent: Thursday, October 05, 2006 3:41 PM
To: Wolff, Candida P.; Fiddelke, Debbie S.; O'Hollaren, Sean B.
Cc: Aylward, Patrick S.; Kratovil, Lindley; Noyes, Joel P.; Dryden, Logan E.
Subject: Sen. Domenici

He called for Josh. The assistant said that it was time sensitive and urgent. Let us know if you have any intel.

Thanks.

From: Karl Rove [KR@georgewbush.com]
Sent: Tuesday, October 10, 2006 11:10 PM
To: Hughes, Taylor A.
Subject: Fw: Domenici/USATTY

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

From: Scott Jennings
To: Karl Rove
CC: Sara Taylor
Sent: Tue Oct 10 19:57:39 2006
Subject: Domenici/USATTY

I received a call from Steve Bell tonight and need to update you on the USATTY situation in New Mexico.

Last week, Senator Domenici reached the Chief of Staff and asked that we remove the USATTY. Steve wanted to make sure we all understood that they couldn't be more serious about this request, which was first made to the Attorney General last year by Domenici.

You are aware of the issues, I believe—voter fraud in 2004, and more recently mishandling of the Vigil trial.

HIC 00334

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Sent: Tuesday, October 10, 2006 7:58 PM
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From: Scott Jennings
Sent: Wednesday, October 11, 2006 10:33 AM
To: Wolff, Candida P.
Subject: FW: Possible corruption in building of jail, courts is new focus

An example of the complaints, re: USATTY in New Mexico.

From: Mickey Barnett
Sent: Monday, October 02, 2006 8:46 PM
To: Karl Rove
Cc: pjr Scott Jennings; Steve Bell
Subject: Possible corruption in building of jail, courts is new focus

Karl

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By Kate Nash (Contact)

Originally published 08:27 a.m., October 2, 2006

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From: Scott Jennings
Sent: Sunday, October 15, 2006 2:05 PM
To: Karl Rove; Sara Taylor
Subject: FW: FBI Story

Steve Bell sent this email to Candi and me – essentially saying that the US Attorney in PA has no trouble going after Weldon, so why should the US Attorney in New Mexico be shy about doing his job on Madrid.

From: Bell, Steve (Domenic)
Sent: Sunday, October 15, 2006 12:22 PM
To: Scott Jennings; Wolff, Candida P.
Subject: FW: FBI Story

Seems like other USAttorneys can do their work even in election season...

And FBI has already admitted they have turned over their evidence to the USA in NM and are merely awaiting his action...

Bell

From: HAWilson
Sent: Sunday, October 15, 2006 9:42 AM
To: BryceDustman; ecknell@heatherforcongress.com; stevensonfrist; Bell, Steve (Domenic)
Subject: FBI Story

FBI or those close to them are talking about public corruption cases ongoing in other states.

Weldon faces probe on daughter's deals

By KIMBERLY HEFLING and LARA JAKES JORDAN, Associated Press Writers 2 hours, 42 minutes ago

WASHINGTON - The

FBI is investigating whether Rep. Curt Weldon ([news](#), [bio](#), [voting record](#)), R-Pa., used his influence to secure lobbying and consulting contracts for his daughter, two people familiar with the inquiry said Saturday.

The inquiry focuses on lobbying contracts worth \$1 million that Weldon's daughter, Karen Weldon, obtained from foreign clients and whether they were assisted by the congressman, they said. They spoke on condition of anonymity because of the confidentiality of the criminal investigation.

Weldon, a 10-term Republican from the Philadelphia suburbs, long has denied any wrongdoing, and his top aide said Saturday no one had notified him of an investigation.

"I think if there was an investigation, somebody would have contacted us," said Russ Caso, Weldon's chief of staff.

Caso said Weldon and his staff were "100 percent caught off guard" when they learned of the investigation, first

reported late Friday by McClatchy Newspapers. This account cited two individuals with specific knowledge of the existence of the investigation; they declined to be identified because of the confidentiality of criminal investigations.

Caso, whose boss is in a tight race for re-election on Nov. 7 against Democrat Joe Sestak, tried to cast doubt on reports of the investigation. "Unidentified sources mean nothing," Caso said. "There's no substance in that story. It's a flimsy story."

Two people familiar with the investigation told the AP on Saturday that the inquiry was being handled by agents from the FBI's field offices in Washington and Philadelphia and was being coordinated by the Justice Department's Public Integrity Section. Spokesmen for the Justice Department and the FBI declined comment Saturday.

Those two people familiar with the investigation confirmed that federal agents were examining Weldon's work between 2002 and 2004 to help two Russian companies and two Serbian brothers connected to former Yugoslav President

Slobodan Milosevic. They had hired Solutions North America Inc., a company operated by Karen Weldon and Charles Sexton, a Republican ally of the congressman.

Weldon, vice chairman of the House Armed Services committee, is a Russian speaker regarded by some as a foreign policy expert who has clashed at times with the Bush administration.

Over the last few days, the Democratic Congressional Campaign Committee has mailed fliers to voters in Weldon's district accusing Karen Weldon of getting help from her father on lobbying projects.

Michael Puppio, Weldon's campaign manager, questioned the timing of the mailing and published reports about the investigation. He accused Democrats of "attempting to smear the congressman and his entire family" in the final weeks of the campaign.

Jen Psaki, a spokeswoman for the DCCC, said it's "bizarre, paranoid and absurd" for the Weldon campaign to imply there's a link in the timing of the mailing and the published reports.

The Weldon investigation comes at a critical time for Republicans who are fighting to maintain a majority in the House of Representatives in a midst of scandals.

Friday, Rep. Bob Ney ([news](#), [bio](#), [voting record](#)), R-Ohio, pleaded guilty in the Jack Abramoff lobbying scandal, which has touched on federal lawmakers, former aides and members of the Bush administration.

At the same time, an inquiry is under way on Capitol Hill into whether Republican House leaders or their top aides covered up questionable behavior of former Rep. Mark Foley ([news](#), [bio](#), [voting record](#)) toward teenage males who worked as House pages.

From: Karl Rove
Sent: Tuesday, October 24, 2006 2:40 PM
To: Taylor A. Hughes
Subject: FW: fyi

----- Forwarded Message

From: Sara Taylor <st@gwb43.com>
Date: Tue, 24 Oct 2006 14:38:21 -0400
To: Karl Rove <KR@georgewbush.com>
Conversation: fyi
Subject: Fw: fyi

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

From: Mike McElwain <mmcelwain@NRCC.org>
To: Sara Taylor; Kelley McCullough - Chairman's Office
Sent: Tue Oct 24 14:34:33 2006
Subject: FW: fyi

BREAKING: US Attorney Sitting on Renzi Indictment Until After Election!

<http://www.loftydonkey.com/article/133/breaking-us-attorney-sitting-on-renzi>

Posted Oct 21, 03:50 PM

Remember that Phoenix New Times article <<http://www.phoenixnewtimes.com/Issues/2006-10-12/news/news.html>> about the land deal that Rick Renzi was involved in?

Well we have learned that Renzi was wiretapped presumably by the *FBI* soliciting a bribe in exchange for introducing a bill for a landswap in Cochise County.

An AP reporter discovered that Renzi may be indicted for income tax fraud and a related charge to the bribery.

Renzi has been interviewed by the *FBI*.

The U.S. Attorney for Arizona Paul Charlton <<http://www.usdoj.gov/usao/az/usa.html>> has decided not to indict Renzi until after the election. The prosecutor assigned to the case is Howard Sukenic.

HJC 00342

<http://pview.findlaw.com/view/1265576_1> He along with the spokesman for the U.S. Attorneys office is refusing to comment.

The investigation has been concluded, they succeeded in getting a federal grand jury to indict him but are sitting on the indictment until after the election in order to keep the seat in Republican control.

There really is a Culture of Corruption, and it is making its way to the Judicial branch.

----- End of Forwarded Message

From: Raul Damas
Sent: 10/24/2006 7:29:46 PM
To: Jennings, Jeffery S. Jeffery_S._Jennings@who.eop.gov;
Cc:
Subject: RE: re: our call

What do you want me to do? I'm not sure how I can interface with him.

That link is now dead, by the way.

From: Jennings, Jeffery S. [mailto:Jeffery_S._Jennings@who.eop.gov]
Sent: Tuesday, October 24, 2006 7:27 PM
To: Raul Damas
Subject: FW: re: our call

From: Miers, Harriet
Sent: Tuesday, October 24, 2006 2:50 PM
To: Jennings, Jeffery S.
Subject: RE: re: our call

Perhaps this presents a different situation where the US Atty can knock it down because the article impugns his conduct of his office. Will be interesting to see.

From: Jennings, Jeffery S.
Sent: Tuesday, October 24, 2006 2:35 PM
To: Miers, Harriet
Subject: RE: re: our call

FYI - hitting blogs now:

<http://www.loftydonkey.com/article/133/breaking-us-attorney-sitting-on-renzi>

From: Miers, Harriet
Sent: Tuesday, October 24, 2006 1:25 PM
To: Jennings, Jeffery S.
Subject: RE: re: our call

Scott, I just finished speaking with Paul McNulty. He said what we suspected he would. He has been contacted by a number of frustrated members of the Congress asking why people can't be vindicated in the event nothing is going on. He acknowledged that the situation is frustrating, but reiterated their position that they cannot confirm or deny the existence of an investigation. He said the AG did an interview last week to put things in as good a perspective as possible by explaining that no one should be talking and that a refusal to deny should be given no meaning beyond that Justice does not admit or deny the existence of any investigation. I observed that at some point, immediately preceding an election, unattributed statements about the existence of an investigation was rankly unfair. He is continuing to think about the situation, but I did not get a lot of encouragement that they will deviate from normal course.

From: Jennings, Jeffery S.
Sent: Tuesday, October 24, 2006 12:56 PM
To: Miers, Harriet
Subject: re: our call

The person I called you about said the USATY in his area, as well as the local FBI office, said they were unaware of any investigation.

From: Raul Damas
Sent: Tuesday, October 24, 2006 9:12 PM
To: Sara Taylor
Subject: Email to Jennings from Harriet Miers

From: Miers, Harriet
Sent: Tuesday, October 24, 2006 2:50 PM
To: Jennings, Jeffery S.
Subject: RE: re: our call

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Sent: Tuesday, October 24, 2006 12:56 PM
To: Miers, Harriet
Subject: re: our call

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From: Raul Damas
Sent: 10/25/2006 7:49:14 AM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTaylor;
Cc:
Bcc:
Subject: RE: NYT: Congressman From Arizona Is the Focus of an Inquiry

The NRCC has a call. I've asked that we all be looped in. I also included Diaz on the thread.

From: Sara Taylor
Sent: Wednesday, October 25, 2006 7:41 AM
To: Raul Damas
Subject: RE: NYT: Congressman From Arizona Is the Focus of an Inquiry
Importance: High

Sloppy journalism.....we should convene a call with his key aides.../ lawyer.

Not sure honesty - theirs is likely fire given the smoke, but if he hasn't been called, then he may not want to draw attention to.

From: Raul Damas
Sent: Wednesday, October 25, 2006 7:40 AM
To: Sara Taylor
Subject: RE: NYT: Congressman From Arizona Is the Focus of an Inquiry

Should we hit back hard, saying this is much ado about nothing?

~0% of these "reports" are merely a rehashing of previous questions Renzi has faced, and answered.

The Times admits the leakers didn't even reference a specific land deal that was being investigated.

From: Sara Taylor
Sent: Wednesday, October 25, 2006 7:30 AM
To: Mike McElwain; Jay McCleskey - Political; Raul Damas
Subject: FW: NYT: Congressman From Arizona Is the Focus of an Inquiry
Importance: High

They can manage their way out of this..... so long as the first two statements are true...

From: Aaron Baer - Research\Communications
Sent: Wednesday, October 25, 2006 7:21 AM
To: Aaron Baer - Research\Communications
Subject: NYT: Congressman From Arizona Is the Focus of an Inquiry

Congressman From Arizona Is the Focus of an Inquiry

NEW YORK TIMES
By DAVID JOHNSTON

WASHINGTON, Oct. 24 — Federal authorities in Arizona have opened an inquiry into whether Representative Rick Renzi introduced legislation that benefited a military contractor that employs his father, law enforcement officials said Tuesday.

Officials said the inquiry was at an early stage and that no search warrants had been issued, suggesting that investigators had to determine whether there was a basis to open a formal investigation or empanel a grand jury.

Renzi, 48, a Republican who represents the First Congressional District, is a former insurance executive and real estate

investor who was first elected in 2002. Almost from the start, he has been a target of citizen watchdog groups who have accused him of ethical laxity in office.

Law enforcement officials said that the most serious accusation involved Mr. Renzi's sponsorship of legislation in 2003 that appeared to indirectly benefit the ManTech International Corporation, a communications company based in Virginia that employs Mr. Renzi's father, Eugene, a retired Army general, as executive vice president.

Representative Renzi's office did not return a reporter's telephone calls on Tuesday to discuss the inquiry. In the past, Mr. Renzi has dismissed questions about whether his efforts aided ManTech, saying it did not need any assistance from him.

Mr. Renzi's legislation, which was signed into law in November 2003, exempted the Fort Huachuca Army base in Arizona from maintaining water levels in the nearby San Pedro River, as base officials had agreed in a 2002 deal with the United States Fish and Wildlife Service. Environmentalists criticized Mr. Renzi's measure, saying it threatened water levels in one of the last undammed rivers in the West and would benefit private contractors like ManTech that operated at the base and relied on its continued operation.

ManTech has more than \$450 million in military contracts at the base, which include classified military work, as well as options for more than \$1.1 billion in additional contracts, according to news reports about Mr. Renzi's legislation. Employees of the company were the largest contributors to Mr. Renzi's campaign in 2002 and the second-largest in 2004.

Groups like Citizens for Responsibility and Ethics in Washington have raised additional questions about Mr. Renzi, like his employment of a top staff member in December 2005 who continued to operate a fund-raising consulting business while she worked for Mr. Renzi. House ethics rules limit outside earned income to less than \$25,000 a year.

Aaron Baer
Republican National Committee

Raul Damas

From: Raul Damas
Sent: 10/25/2006 5:33:03 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTaylor;
Cc:
Subject: FW: Renzi update

From: Jonathan Collegio [mailto:jcollegio@NRCC.org]
Sent: Wednesday, October 25, 2006 5:30 PM
To: Raul Damas; Larry Telford; Jay McCleskey - Political; Tucker Bounds - Communications
Cc: Carl Forti; Ed Patru
Subject: Renzi update

FYI
I hear from Jennifer Talhelm (AP) that "sources" are telling her that the NYT piece went "perhaps dangerously" overboard with their coverage this morning.
In the same vein, I'm also hearing that DOJ may be releasing a statement saying something along the lines that whenever they're given a "tip" on something they are required to follow up with a preliminary investigation, and that the media went way overboard in covering this thing.

Best,

Jonathan Collegio
Press Secretary
National Republican Congressional Committee
1000 First Street, SE
Washington, DC 20003
(202) 479- (Direct)
jcollegio@nrcc.org

From: Martin, Catherine
Sent: Friday, November 17, 2006 6:07 PM
To: Perino, Dana M.
Subject: Fw: USA replacement plan

-----Original Message-----
From: Tasia.Scolinos@usdoj.gov
To: Martin, Catherine
Sent: Fri Nov 17 17:40:56 2006
Subject: RE: USA replacement plan

Its only six US attorneys (there are 94) and I think most of them will resign quietly - they don't get anything out of making it public they were asked to leave in terms of future job prospects. I don't see it as being a national story - especially if it phases in over a few months. Any concerns on your end?

-----Original Message-----
From: Catherine_Martin@who.eop.gov
[mailto:Catherine_Martin@who.eop.gov]
Sent: Friday, November 17, 2006 1:29 PM
To: Scolinos, Tasia
Subject: Fw: USA replacement plan
Importance: High

Are you looped in on this? What is your comms plan?

-----Original Message-----
From: Kelley, William K.
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 12:32:06 2006
Subject: FW: USA replacement plan

<<USA replacement plan.doc>>
The email below, and the attached document, reflect a plan by DOJ to replace several US Attorneys. By statute, US Attorneys serve for four year terms, which are commonly (but not always) extended by inaction -- in practice, they serve until replaced. They serve at the pleasure of the President, but often have very strong home-state political juice, including with their Senators.

Before executing this plan, we wanted to give your offices a

heads up and seek input on changes that might reduce the profile or political fallout. Thanks.

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steeled to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is worth.

We'll stand by for a green light from you. Upon the green light, we'll (1) circulate the below plan to the list of folks in Step 3 (and ask that you circulate it to Karl's shop), (2) confirm that Kelley is making the Senator/Bush political lead calls, and (3) get Battle making the calls to the USAs. Let us know.

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Kyle Sampson
Chief of Staff
U.S. Department of Justice
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Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305- cell
kyle.sampson@usdoj.gov

PLAN FOR REPLACING CERTAIN UNITED STATES ATTORNEYS

November 15, 2006

STEP 1

U.S. Attorney calls: On or about November 15-17, Mike Battle contacts the following U.S. Attorneys:

- Paul Charlton (D. Ariz.)
- Carol Lam (S.D. Cal.)
- Margaret Chiara (W.D. Mich.)
- Dan Bogden (D. Nev.)
- John McKay (W.D. Wash.)
- David Iglesias (D.N.M.)

Battle informs the U.S. Attorneys as follows:

- What are your plans with regard to continued service as U.S. Attorney?
- The Administration is grateful for your service as U.S. Attorney, but has determined to give someone else the opportunity to serve as U.S. Attorney in your district for the final two years of the Administration.
- We will work with you to make sure that there is a smooth transition, but intend to have a new Acting or Interim U.S. Attorney in place by the end of the year.

STEP 2

Senator calls: On or about November 15-17 (very important that Senator calls and U.S. Attorney calls happen simultaneously), Bill Kelley or appropriate Associate Counsel contacts the following Republican home-state Senators or, where there is no Republican home-state Senator, the home-state "Bush political lead":

- Jon Kyl (re Charlton)
- John Ensign (re Bogden)
- Pete Domenici (re Iglesias)
- California political lead (re Lam)
- Michigan political lead (re Chiara)
- Washington political lead (re McKay)

Kelley informs the Senators/Bush political leads as follows:

- The Administration has determined to give someone else the opportunity to serve as U.S. Attorney in [relevant district] for the final two years of the Administration.
- [Relevant U.S. Attorney] has been informed of this determination and knows that we intend to have a new Acting or Interim U.S. Attorney in place by the end of the year.
- We will look to you, Senator/Bush political lead, to recommend candidates that we should consider for appointment as the new U.S. Attorney. As always, we ask that you recommend at least three candidates for the President's consideration. Importantly, we ask that you make recommendations as soon as possible.

STEP 3

Prepare to Withstand Political Upheaval: U.S. Attorneys desiring to save their jobs (aided by their allies in the political arena as well as the Justice Department community), likely will make efforts to preserve themselves in office. We should expect these efforts to be strenuous. Direct and indirect appeals of the Administration's determination to seek these resignations likely will be directed at: various White House offices, including the Office of the Counsel to the President and the Office of Political Affairs; Attorney General Gonzales and DOJ Chief of Staff Sampson; Deputy Attorney General McNulty and ODAG staffers Moschella and Elston; Acting Associate AG Bill Mercer; EOUSA Director Mike Battle; and AGAC Chair Johnny Sutton. Recipients of such "appeals" must respond identically:

- What? U.S. Attorneys serve at the pleasure of the President (there is no right, nor should there be any expectation, that U.S. Attorneys would be entitled to serve beyond their four-year term).
- Who decided? The Administration made the determination to seek the resignations (not any specific person at the White House or the Department of Justice).
- Why me? The Administration is grateful for your service, but wants to give someone else the chance to serve in your district.
- I need more time! The decision is to have a new Acting or Interim U.S. Attorney in place by the end of the year (granting "extensions" will hinder the process of getting a new U.S. Attorney in place and giving that person the opportunity to serve for a full two years).

STEP 4

Evaluation and Selection of "Interim" Candidates: During November-December 2006, the Department of Justice, in consultation with the Office of the Counsel to the President, evaluates and selects candidates for Attorney General-appointment (or candidates who may become Acting U.S. Attorney by operation of law) to serve upon the resignation of above-listed U.S. Attorneys.

STEP 5

Selection, Nomination, and Appointment of New U.S. Attorneys: Beginning as soon as possible in November 2006, Office of the Counsel to the President and Department of Justice carry out (on an expedited basis) the regular U.S. Attorney appointment process: obtain recommendations from Senators/Bush political leads and other sources; evaluate candidates; make recommendations to the President; conduct background investigations; have President make nominations and work to secure confirmations of U.S. Attorney nominees.

From: Martin, Catherine
Sent: Friday, November 17, 2006 6:08 PM
To: Sullivan, Kevin F.; Perino, Dana M.; Mamo, Jeanie S.
Subject: Fw: USA replacement plan

Tasia may have a better feel than us. But I think we need to know who they are (I didn't see a list attached) and where they are from bc the senators might make a big deal.

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

From: Tasia.Scolinos@usdoj.gov
To: Martin, Catherine
Sent: Fri Nov 17 17:40:56 2006
Subject: RE: USA replacement plan

Its only six US attorneys (there are 94) and I think most of them will resign quietly - they don't get anything out of making it public they were asked to leave in terms of future job prospects. I don't see it as being a national story - especially if it phases in over a few months. Any concerns on your end?

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Importance: High

Are you looped in on this? What is your comms plan?

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To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
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The email below, and the attached document, reflect a plan by DOJ to replace several US Attorneys. By statute, US Attorneys serve for four year terms, which are commonly (but not always) extended by inaction -- in practice, they serve until replaced. They serve at the pleasure of the President, but often have very strong home-state political juice, including with their Senators.

Before executing this plan, we wanted to give your offices a heads up and seek input on changes that might reduce the profile or political fallout. Thanks.

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From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
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Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steered to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is

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Washington, D.C. 20530
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(202) 305- cell
kyle.sampson@usdoj.gov

From: Martin, Catherine
Sent: Friday, November 17, 2006 6:10 PM
To: Mamo, Jeanie S.; Perino, Dana M.; Sullivan, Kevin F.
Subject: Fw: USA replacement plan

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From: Fiddelke, Debbie S.
To: Kelley, William K.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 17:46:33 2006
Subject: RE: USA replacement plan

Bill - out of concern about reaction on the Hill, especially from the Republican members affected, we'd have the following questions. Thanks. - Deb

-Why these 6 slots? (Are they being removed because of poor service for DOJ? There is no explanation in the attachment.)

-Were these US Attorneys recommended to us by their home state Senators 4 years ago?

-Is there precedent for doing this?

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kyle.sampson@usdoj.gov

From: Sullivan, Kevin F.
Sent: Friday, November 17, 2006 6:18 PM
To: Martin, Catherine
Subject: Re: USA replacement plan

Some of these will be tough to explain - the judge who sentenced duke cunningham? Renzi? Congrats of kevin's confirmation by the way

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

From: Martin, Catherine
To: Mamo, Jeanie S.; Perino, Dana M.; Sullivan, Kevin F.
Sent: Fri Nov 17 18:10:17 2006
Subject: Fw: USA replacement plan

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From: Fiddelke, Debbie S.
To: Kelley, William K.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 17:46:33 2006
Subject: RE: USA replacement plan

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U.S. Department of Justice
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Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305- cell
kyle.sampson@usdoj.gov

From: Mamo, Jeanie S.
Sent: Friday, November 17, 2006 6:11 PM
To: Martin, Catherine
Subject: RE: USA replacement plan

Did you see the email I sent on this earlier?

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From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steeled to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is worth.

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<<USA replacement plan.doc>>

Kyle Sampson
Chief of Staff
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.

(202) 305- cell
kyle.sampson@usdoj.gov

From: Perino, Dana M.
Sent: Friday, November 17, 2006 6:17 PM
To: Martin, Catherine; Mamo, Jeanie S.; Sullivan, Kevin F.
Subject: RE: USA replacement plan

Here is the list from the attachment in text below:

U.S. Attorney calls: On or about November 15-17, Mike Battle contacts the following U.S. Attorneys:

- Paul Charlton (D. Ariz.)
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To: Mamo, Jeanie S.; Perino, Dana M.; Sullivan, Kevin F.
Subject: Fw: USA replacement plan

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From: Fiddelke, Debbie S.
To: Kelley, William K.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 17:46:33 2006
Subject: RE: USA replacement plan

Bill - out of concern about reaction on the Hill, especially from the Republican members affected, we'd have the following questions. Thanks. - Deb

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From: Mamo, Jeanie S.
Sent: Friday, November 17, 2006 6:18 PM
To: Perino, Dana M.
Subject: RE: USA replacement plan

She must not have gotten our emails.. not sure..

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From: Mamo, Jeanie S.
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Touché..

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Maybe I'm paranoid about this, but I wouldn't be paranoid if everyone wasn't against us.

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From: Perino, Dana M.
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To: Martin, Catherine; Sullivan, Kevin F.; Mamo, Jeanie S.
Subject: RE: USA replacement plan

Cathie - did you see jeanie's background points on why I should reach for me oxygen tank?

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

From: Martin, Catherine
Sent: Friday, November 17, 2006 6:08 PM
To: Sullivan, Kevin F.; Perino, Dana M.; Mamo, Jeanie S.
Subject: Fw: USA replacement plan

Tasia may have a better feel than us. But I think we need to know who they are (I didn't see a list attached) and where they are from bc the senators might make a big deal.

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

From: Tasia.Scolinos@usdoj.gov
To: Martin, Catherine
Sent: Fri Nov 17 17:40:56 2006
Subject: RE: USA replacement plan

Its only six US attorneys (there are 94) and I think most of them will resign quietly - they don't get anything out of making it public they were asked to leave in terms of future job prospects. I don't see it as being a national story - especially if it phases in over a few months. Any concerns on your end?

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

From: Catherine Martin@who.eop.gov [mailto:Catherine_Martin@who.eop.gov]
Sent: Friday, November 17, 2006 1:29 PM
To: Scolinos, Tasia
Subject: Fw: USA replacement plan
Importance: High

Are you looped in on this? What is your comms plan?

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

From: Kelley, William K.
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 12:32:06 2006
Subject: FW: USA replacement plan

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From: Mamo, Jeanie S.
Sent: Friday, November 17, 2006 7:28 PM
To: Perino, Dana M.
Subject: RE: USA replacement plan

Hmmmm....odd.. she must not be in a place with good bb service..

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

From: Perino, Dana M.
Sent: Friday, November 17, 2006 7:27 PM
To: Mamo, Jeanie S.
Subject: Re: USA replacement plan

No

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

From: Mamo, Jeanie S.
To: Perino, Dana M.
Sent: Fri Nov 17 19:24:53 2006
Subject: RE: USA replacement plan

Did she ever reply to this?

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

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To: Martin, Catherine; Sullivan, Kevin F.; Mamo, Jeanie S.
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From: Wolff, Candida P.
Sent: Monday, November 20, 2006 8:25 AM
To: Fiddelke, Debbie S.; Looney, Andrea B.; O'Hollaren, Sean B.
Subject: RE: USA replacement plan

I can attest that Domenici actively called to remove his USA. He called Josh and I did some work to prepare Josh for the call. I can not tell from this email chain who the replacement is.

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

From: Fiddelke, Debbie S.
Sent: Friday, November 17, 2006 6:04 PM
To: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
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Bill's response and my reply.

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From: Fiddelke, Debbie S.
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To: Kelley, William K.
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From: Kelley, William K.
Sent: Friday, November 17, 2006 5:53 PM
To: Fiddelke, Debbie S.
Subject: Re: USA replacement plan

These were selected by DOJ for a variety of management/performance related reasons.

They undoubtedly were recommended by home state Senators, though I don't know any of the specifics.

There is precedent for removing US Attys, though I don't think we've done it in any orchestrated way. At the beginning of the Clinton Administration they removed all the US Attys at once, and were criticized for it.

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From: Kelley, William K.
Sent: Monday, November 20, 2006 11:03 AM
To: Fiddelke, Debbie S.
Subject: RE: USA replacement plan

Yes.

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From: Fiddelke, Debbie S.
To: Kelley, William K.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 17:46:33 2006
Subject: RE: USA replacement plan

Bill - out of concern about reaction on the Hill, especially from the Republican members affected, we'd have the following questions. Thanks. - Deb

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Subject: FW: USA replacement plan
portance: High

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kyle.sampson@usdoj.gov

From: Fiddelke, Debbie S.
Sent: Monday, November 20, 2006 11:04 AM
To: Kelley, William K.
Subject: RE: USA replacement plan

Thanks. Andrea's checking with DOJ on how hard these members pushed for the current USAs, and whether they indicated support for seeing someone new in the post.

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

From: Kelley, William K.
Sent: Monday, November 20, 2006 11:03 AM
To: Fiddelke, Debbie S.
Subject: RE: USA replacement plan

Yes.

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

From: Fiddelke, Debbie S.
Sent: Friday, November 17, 2006 5:58 PM
To: Kelley, William K.
Subject: RE: USA replacement plan

I think our concern would be in how Kyl, Ensign and Domenici would respond. Is there anyway to pull whether they merely wrote a letter on behalf of these USAs or if they called and were actively involved in pushing their nominations?

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To: Fiddelke, Debbie S.
Subject: Re: USA replacement plan

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From: Brosnahan, Jennifer R.
Sent: Monday, November 20, 2006 11:07 AM
To: Hoyt, Robert F.; Lee, Kenneth K.
Subject: FW: USA replacement plan

Importance: High

Attachments: USA replacement plan.doc



USA replacement
plan.doc (36 K...

Need your help re some US attorney issues in CA9. Can you let us know what the level of involvement was of Sen. Kyl and Sen. Ensign in the appointments of the US Attorneys in their states?

Thanks.
Jenny

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Please note his comment about "political upheaval" that might result and reference to Senators. I think we need to take the ramifications of this quite seriously as I know we are.

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Prepare to Withstand Political Upheaval: U.S. Attorneys desiring to save their jobs (aided by their allies in the political arena as well as the Justice Department community), likely will make efforts to preserve themselves in office. We should expect these efforts to be strenuous. Direct and indirect appeals of the Administration's determination to seek these resignations likely will be directed at: various White House offices, including the Office of the Counsel to the President and the Office of Political Affairs; Attorney General Gonzales and DOJ Chief of Staff Sampson; Deputy Attorney General McNulty and ODAG staffers Moschella and Elston; Acting Associate AG Bill Mercer; EOUSA Director Mike Battle; and AGAC Chair Johnny Sutton. Recipients of such "appeals" must respond identically:

- **What?** U.S. Attorneys serve at the pleasure of the President (there is no right, nor should there be any expectation, that U.S. Attorneys would be entitled to serve beyond their four-year term).
- **Who decided?** The Administration made the determination to seek the resignations (not any specific person at the White House or the Department of Justice).
- **Why me?** The Administration is grateful for your service, but wants to give someone else the chance to serve in your district.
- **I need more time!** The decision is to have a new Acting or Interim U.S. Attorney in place by the end of the year (granting "extensions" will hinder the process of getting a new U.S. Attorney in place and giving that person the opportunity to serve for a full two years).

STEP 4

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From: Miers, Harriet
Sent: Friday, November 17, 2006 12:26 PM
To: Kelley, William K.
Subject: RE:

Agree. Who do we need together to review and conclude our thoughts?

From: Kelley, William K.
Sent: Friday, November 17, 2006 11:57 AM
To: Miers, Harriet
Subject:

Reminder -- we need to address DOJ's US Attorney plan. Thanks.

From: Miers, Harriet
Sent: Friday, November 17, 2006 12:27 PM
To: Kelley, William K.
Subject: RE:

We should make sure that our people like leg and commn and Scott are ok, don't you think?

From: Kelley, William K.
Sent: Friday, November 17, 2006 12:26 PM
To: Miers, Harriet
Subject: RE:

Don't think so -- I think their plan makes sense.

From: Miers, Harriet
Sent: Friday, November 17, 2006 12:26 PM
To: Kelley, William K.
Subject: RE:

Agree. Who do we need together to review and conclude our thoughts?

From: Kelley, William K.
Sent: Friday, November 17, 2006 11:57 AM
To: Miers, Harriet
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Reminder -- we need to address DOJ's US Attorney plan. Thanks.

From: Fiddelke, Debbie S.
Sent: Friday, November 17, 2006 1:27 PM
To: Wolff, Candida P.; O'Hollaren, Sean B.; Looney, Andrea B.
Subject: FW: USA replacement plan

Importance: High

Attachments: USA replacement plan.doc



USA replacement
plan.doc (36 K...

My instinct is that this would be slightly radioactive. Andrea - what do you think?

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

From: Kelley, William K.
Sent: Friday, November 17, 2006 12:32 PM
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Subject: FW: USA replacement plan
Importance: High

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Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

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PLAN FOR REPLACING CERTAIN UNITED STATES ATTORNEYS

November 15, 2006

STEP 1

U.S. Attorney calls: On or about November 15-17, Mike Battle contacts the following U.S. Attorneys:

- Paul Charlton (D. Ariz.)
- Carol Lam (S.D. Cal.)
- Margaret Chiara (W.D. Mich.)
- Dan Bogden (D. Nev.)
- John McKay (W.D. Wash.)
- David Iglesias (D.N.M.)

Battle informs the U.S. Attorneys as follows:

- What are your plans with regard to continued service as U.S. Attorney?
- The Administration is grateful for your service as U.S. Attorney, but has determined to give someone else the opportunity to serve as U.S. Attorney in your district for the final two years of the Administration.
- We will work with you to make sure that there is a smooth transition, but intend to have a new Acting or Interim U.S. Attorney in place by the end of the year.

STEP 2

Senator calls: On or about November 15-17 (very important that Senator calls and U.S. Attorney calls happen simultaneously), Bill Kelley or appropriate Associate Counsel contacts the following Republican home-state Senators or, where there is no Republican home-state Senator, the home-state "Bush political lead":

- Jon Kyl (re Charlton)
- John Ensign (re Bogden)
- Pete Domenici (re Iglesias)
- California political lead (re Lam)
- Michigan political lead (re Chiara)
- Washington political lead (re McKay)

Kelley informs the Senators/Bush political leads as follows:

- The Administration has determined to give someone else the opportunity to serve as U.S. Attorney in [relevant district] for the final two years of the Administration.
- [Relevant U.S. Attorney] has been informed of this determination and knows that we intend to have a new Acting or Interim U.S. Attorney in place by the end of the year.
- We will look to you, Senator/Bush political lead, to recommend candidates that we should consider for appointment as the new U.S. Attorney. As always, we ask that you recommend at least three candidates for the President's consideration. Importantly, we ask that you make recommendations as soon as possible.

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Prepare to Withstand Political Upheaval: U.S. Attorneys desiring to save their jobs (aided by their allies in the political arena as well as the Justice Department community), likely will make efforts to preserve themselves in office. We should expect these efforts to be strenuous. Direct and indirect appeals of the Administration's determination to seek these resignations likely will be directed at: various White House offices, including the Office of the Counsel to the President and the Office of Political Affairs; Attorney General Gonzales and DOJ Chief of Staff Sampson; Deputy Attorney General McNulty and ODAG staffers Moschella and Elston; Acting Associate AG Bill Mercer; EOUSA Director Mike Battle; and AGAC Chair Johnny Sutton. Recipients of such "appeals" must respond identically:

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From: Fiddelke, Debbie S.
Sent: Friday, November 17, 2006 5:47 PM
To: Looney, Andrea B.; Wolff, Candida P.; O'Hollaren, Sean B.
Subject: RE: USA replacement plan

I've sent these questions back to Bill Kelley. Will let you know how they respond.

From: Looney, Andrea B.
Sent: Friday, November 17, 2006 1:51 PM
To: Fiddelke, Debbie S.; Wolff, Candida P.; O'Hollaren, Sean B.
Subject: RE: USA replacement plan

Agree that it could be. I would want to know the following:

- Why these 6 slots? (Are they being removed because of poor service for DOJ? There is no explanation in the attachment.)
- Were these US Attorneys recommended to us by their home state Senators 4 years ago?
- Is there precedent for doing this?

I am happy to call DOJ if you want. Let me know.

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

From: Fiddelke, Debbie S.
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To: Wolff, Candida P.; O'Hollaren, Sean B.; Looney, Andrea B.
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Sent: Friday, November 17, 2006 12:32 PM
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Subject: FW: USA replacement plan
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To: Miers, Harriet; Kelley, William K.

Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
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HJC 00410

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HJC00411

From: Fiddelke, Debbie S.
Sent: Friday, November 17, 2006 6:04 PM
To: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Subject: FW: USA replacement plan

Bill's response and my reply.

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From: Fiddelke, Debbie S.
Sent: Friday, November 17, 2006 6:15 PM
To: Looney, Andrea B.
Subject: RE: USA replacement plan

Sure, I'll keep you posted.

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

From: Looney, Andrea B.
Sent: Friday, November 17, 2006 6:11 PM
To: Fiddelke, Debbie S.
Subject: RE: USA replacement plan

You are dead on. Thanks for sharing.

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HJC 00414

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To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steeled to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is worth.

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<<USA replacement plan.doc>>

Kyle Sampson
Chief of Staff
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950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305-ell
kyle.sampson@usdoj.gov

HJC 00415

From: Martin, Catherine
Sent: Friday, November 17, 2006 1:25 PM
To: Sullivan, Kevin F.; Perino, Dana M.; Mamo, Jeanie S.
Subject: Fw: USA replacement plan

Importance: High

Attachments: USA replacement plan.doc

What do you all think? Not sure when it would happen.

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

From: Kelley, William K.
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 12:32:08 2006
Subject: FW: USA replacement plan



USA replacement
plan.doc (36 K...

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Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

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<<USA replacement plan.doc>>

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HJC 00416

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(202) 305- cell
kyle.sampson@usdoj.gov

From: Mamo, Jeanie S.
Sent: Friday, November 17, 2006 6:18 PM
To: Perino, Dana M.
Subject: RE: USA replacement plan

She must not have gotten our emails.. not sure..

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

From: Perino, Dana M.
Sent: Friday, November 17, 2006 6:17 PM
To: Martin, Catherine; Mamo, Jeanie S.; Sullivan, Kevin F.
Subject: RE: USA replacement plan

Here is the list from the attachment in text below:

U.S. Attorney calls: On or about November 15-17, Mike Battle contacts the following U.S. Attorneys:

- Paul Charlton (D. Ariz.)
- Carol Lam (S.D. Cal.)
- Margaret Chiara (W.D. Mich.)
- Dan Bogden (D. Nev.)
- John McKay (W.D. Wash.)
- David Iglesias (D.N.M.)

Battle informs the U.S. Attorneys as follows:

- What are your plans with regard to continued service as U.S. Attorney?
- The Administration is grateful for your service as U.S. Attorney, but has determined to give someone else the opportunity to serve as U.S. Attorney in your district for the final two years of the Administration.
- We will work with you to make sure that there is a smooth transition, but intend to have a new Acting or Interim U.S. Attorney in place by the end of the year.

STEP 2

Senator calls: On or about November 15-17 (very important that Senator calls and U.S. Attorney calls happen simultaneously), Bill Kelley or appropriate Associate Counsel contacts the following Republican home-state Senators or, where there is no Republican home-state Senator, the home-state "Bush political lead":

- Jon Kyl (re Charlton)
- John Ensign (re Bogden)
- Pete Domenici (re Iglesias)
- California political lead (re Lam)
- Michigan political lead (re Chiara)
- Washington political lead (re McKay)

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

From: Martin, Catherine
Sent: Friday, November 17, 2006 6:10 PM
To: Mamo, Jeanie S.; Perino, Dana M.; Sullivan, Kevin F.
Subject: Fw: USA replacement plan

Leg just weighed in. I guess I couldn't open the list on my bberry.

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

From: Fiddelke, Debbie S.

To: Kelley, William K.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 17:46:33 2006
Subject: RE: USA replacement plan

Bill - out of concern about reaction on the Hill, especially from the Republican members affected, we'd have the following questions. Thanks. - Deb

-Why these 6 slots? (Are they being removed because of poor service for DOJ? There is no explanation in the attachment.)

-Were these US Attorneys recommended to us by their home state Senators 4 years ago?

-Is there precedent for doing this?

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

From: Kelley, William K.
Sent: Friday, November 17, 2006 12:32 PM
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Subject: FW: USA replacement plan
Importance: High

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From: Perino, Dana M.
Sent: Friday, November 17, 2006 1:29 PM
To: Martin, Catherine; Sullivan, Kevin F.; Mamo, Jeanie S.
Subject: RE: USA replacement plan

Someone get me the oxygen can!!

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

From: Martin, Catherine
Sent: Friday, November 17, 2006 1:25 PM
To: Sullivan, Kevin F.; Perino, Dana M.; Mamo, Jeanie S.
Subject: Fw: USA replacement plan
Importance: High

What do you all think? Not sure when it would happen.

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

From: Kelley, William K.
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Sent: Fri Nov 17 12:32:06 2006
Subject: FW: USA replacement plan

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kyle.sampson@usdoj.gov

From: Perino, Dana M.
Sent: Friday, November 17, 2006 3:41 PM
To: Mamo, Jeanie S.; Martin, Catherine; Sullivan, Kevin F.
Subject: RE: USA replacement plan

Give me a double shot – I can't breathe.

From: Mamo, Jeanie S.
Sent: Friday, November 17, 2006 3:02 PM
To: Perino, Dana M.; Martin, Catherine; Sullivan, Kevin F.
Subject: RE: USA replacement plan

Issues in the press for which Dana will need the oxygen can:

Carol Lam prosecuted Rep. Randy "Duke" Cunningham

AP in Arizona reports that US Attorney's (Paul Charlton) office in Arizona is scrutinizing a land deal involving Rep. Rick Renzi (obviously, USA's office will not confirm this.)

From just a quick news clip search I cannot find any other high-profile cases that would draw particular scrutiny for others, but also do not know the extent of home-state political support.

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Sent: Friday, November 17, 2006 1:29 PM
To: Martin, Catherine; Sullivan, Kevin F.; Mamo, Jeanie S.
Subject: RE: USA replacement plan

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HJC 00422

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From: Hoyt, Robert F.
Sent: Monday, November 20, 2006 11:18 AM
To: Brosnahan, Jennifer R.; Lee, Kenneth K.
Subject: Re: USA replacement plan

I have had no US Atty experience with either state. In case its relevant, Ensign collected names for the D. Nev. Marshal position.

For WD Wash, please note the following -- Rep Doc Hastings is our home state lead; and McKay thinks he's under consideration for the District Court seat for which we are about to recommend Richard Jones.

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

From: Brosnahan, Jennifer R.
To: Hoyt, Robert F.; Lee, Kenneth K.
Sent: Mon Nov 20 11:07:24 2006
Subject: FW: USA replacement plan

Need your help re some US attorney issues in CA9. Can you let us know what the level of involvement was of Sen. Kyl and Sen. Ensign in the appointments of the US Attorneys in their states?

- nanks.
Jenny

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

From: Kelley, William K.
Sent: Monday, November 20, 2006 11:04 AM
To: Brosnahan, Jennifer R.
Subject: FW: USA replacement plan
Importance: High

Jenny -- Please see below. WH Leg has asked us to look to see what the level of involvement was of Sen. Kyl and Sen. Ensign in the appointments of the US Attorneys in their states.

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Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

HJC 00424

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From: Brosnahan, Jennifer R.
Sent: Monday, November 20, 2006 11:18 AM
To: Kelley, William K.
Subject: RE: USA replacement plan

I've asked Bob to shed some light on that for us. Also, I've asked Ken, in case he knows from any download he may have gotten from Bob upon inheriting responsibility for the 9th Circuit.

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

From: Kelley, William K.
Sent: Monday, November 20, 2006 11:04 AM
To: Brosnahan, Jennifer R.
Subject: FW: USA replacement plan
Importance: High

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HJC 00426

From: Brosnahan, Jennifer R.
Sent: Monday, November 20, 2006 11:20 AM
To: Kelley, William K.
Subject: FW: USA replacement plan

FYI, please see below. Shall I check with Ben Powell, who handled CA9 before Bob?

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

From: Hoyt, Robert F.
Sent: Monday, November 20, 2006 11:18 AM
To: Brosnahan, Jennifer R.; Lee, Kenneth K.
Subject: Re: USA replacement plan

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From: Brosnahan, Jennifer R.
Sent: Monday, November 20, 2006 5:51 PM
To: Kelley, William K.
Subject: RE: USA replacement plan

Ben doesn't remember working on any US Attorneys for those states, which makes sense since both Bogden (Nevada) and Charlton (Arizona) have been in place since 2001. I could call Brett K. and see who handled US Attorneys before Kyle came to WHCO. Shall I?

Ben notes that Senator Ensign participated in the normal way with a US Marshal vacancy, by providing names, etc. and that neither Kyl nor Ensign was "overbearing" in forcing people on us.

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

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To: Brosnahan, Jennifer R.
Subject: FW: USA replacement plan
Importance: High

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HJC 00429

From: Looney, Andrea B.
Sent: Tuesday, November 21, 2006 5:53 PM
To: Wolff, Candida P.; Fiddelke, Debbie S.; O'Hollaren, Sean B.
Subject: FW: USA replacement plan

Importance: High

Attachments: USA replacement plan.doc



USA replacement
plan.doc (36 K...

I spoke with Kyle, and he thinks that Senator Kyl will be our biggest problem. Paul Charlton (D. Ariz.) was strongly supported by Senator Kyl. However, Kyle says that Charlton has failed on multiple levels, and they feel very strongly that his removal is warranted. I would recommend we support their plan, but be prepared to manage Senator Kyl if he comes our way and support DOJ's decision.

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

From: Kelley, William K.
Sent: Friday, November 17, 2006 12:32 PM
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Subject: FW: USA replacement plan
Importance: High

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HJC 00430

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HJC00431

From: Martin, Catherine
Sent: Tuesday, November 21, 2006 2:11 PM
To: Kelley, William K.; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: RE: USA replacement plan

Where are we on this? We have some communications concerns about the SD and AZ b/c of their high profile cases and investigations involving Duke Cunningham and Renzi...just want to make sure that we are prepared for some of the criticism that would come.

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

From: Kelley, William K.
Sent: Friday, November 17, 2006 12:32 PM
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Subject: FW: USA replacement plan
Importance: High

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steeled to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is worth.

We'll stand by for a green light from you. Upon the green light, we'll (1) circulate the below plan to the list of folks in Step 3 (and ask that you circulate it to Karl's shop), (2) confirm that Kelley is making the Senator/Bush political lead calls, and (3) get Battle making the calls to the USAs. Let us know.

<<USA replacement plan.doc>>

Kyle Sampson
Chief of Staff
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305- cell
kyle.sampson@usdoj.gov

HJC 00432

From: Kelley, William K.
Sent: Tuesday, November 21, 2006 2:14 PM
To: Martin, Catherine
Subject: Re: USA replacement plan

Not resolved. The appearance concern is real, of course, but there is obviously no connection. I'll raise it with DOJ.

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

From: Martin, Catherine
To: Kelley, William K.; Fiddelke, Debbie S.; Jennings, Jeffery S.
Sent: Tue Nov 21 14:11:28 2006
Subject: RE: USA replacement plan

Where are we on this? We have some communications concerns about the SD and AZ b/c of their high profile cases and investigations involving Duke Cunningham and Renzi...just want to make sure that we are prepared for some of the criticism that would come.

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

From: Kelley, William K.
Sent: Friday, November 17, 2006 12:32 PM
To: Fiddelke, Debbie S.; Jennings, Jeffery S.; Martin, Catherine
Subject: FW: USA replacement plan
Importance: High

The email below, and the attached document, reflect a plan by DOJ to replace several US Attorneys. By statute, US Attorneys serve for four year terms, which are commonly (but not always) extended by inaction -- in practice, they serve until replaced. They serve at the pleasure of the President, but often have very strong home-state political juice, including with their Senators.

Before executing this plan, we wanted to give your offices a heads up and seek input on changes that might reduce the profile or political fallout. Thanks.

HJC00433

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov
Subject: USA replacement plan
Importance: High

Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steeled to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is worth.

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<<USA replacement plan.doc>>

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950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305- cell
kyle.sampson@usdoj.gov

HJC 00434

From: Martin, Catherine
Sent: Tuesday, November 21, 2006 2:51 PM
To: Kelley, William K.
Subject: RE: USA replacement plan

Thanks. I've raised it with their communications office as well so that they can get prepared.

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

From: Kelley, William K.
Sent: Tuesday, November 21, 2006 2:14 PM
To: Martin, Catherine
Subject: Re: USA replacement plan

Not resolved. The appearance concern is real, of course, but there is obviously no connection. I'll raise it with DOJ.

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

From: Martin, Catherine
To: Kelley, William K.; Fiddelke, Debbie S.; Jennings, Jeffery S.
Sent: Tue Nov 21 14:11:28 2006
Subject: RE: USA replacement plan

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Importance: High

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<<USA replacement plan.doc>>

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(202) 514-2001 wk.
(202) 305- cell
kyle.sampson@usdoj.gov

From: Karl Rove
Sent: 11/25/2006 8:38:52 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
cc:
Subject: Give me a report on what US Attorney slots are vacant

Or expected to be open soon.

HJC 00437

From: Scott Jennings
Sent: 11/25/2006 10:02:54 PM
To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR;
c:
cc:
Subject: Re: Give me a report on what US Attorney slots are vacant

Yes sir. It will be lengthy- there are several.

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

From: Karl Rove
To: Scott Jennings
Sent: Sat Nov 25 20:38:52 2006
Subject: Give me a report on what US Attorney slots are vacant

Or expected to be open soon.

HJC 00438

From: Perkins, Paul R.
Sent: Monday, November 27, 2006 2:41 PM
To: Fahrenkopf, Leslie
Subject: ED AR

Awaiting names- The Arkansas Senators have objected to Tim Griffin, who was approved to move into background for the position. DOJ's plan, endorsed by Scott Jennings, is to move Tim into an AG-Appointed U.S. Attorney position after a period assisting the incumbent. The point has been briefed to Andrea Looney, who indicated she would seek Candi Wolff's views on this course. The proposed course has not been raised at JSC.

From: Kelley, William K.
Sent: Thursday, November 30, 2006 11:40 AM
To: Jennings, Jeffery S.; Fiddelke, Debbie S.; Martin, Catherine
Subject: US Atty Plan

DOJ would like to go forward with the plan to replace certain US Attorneys. We don't have any reason to believe that the US Attorneys in question in Nevada and Arizona are close or important to the home state Senators, and DOJ is prepared to deal with the public affairs issues that were raised. Before proceeding, however, DOJ asked us to reconfirm that we are ready to stand strong in the face of political pressure on this issue. So -- are we? Also, Scott, can I take your sign-off as Karl's, or should I raise this separately with him?

From: Sullivan, Kevin F.
Sent: Thursday, November 30, 2006 11:49 AM
To: Martin, Catherine
Subject: Re: US Atty Plan

Yes

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

From: Martin, Catherine
To: Sullivan, Kevin F.
Sent: Thu Nov 30 11:47:26 2006
Subject: Fw: US Atty Plan

You okay with this? I've talked to Tasia and she is prepared to deal with communications issues.

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

From: Kelley, William K.
To: Jennings, Jeffery S.; Fiddelke, Debbie S.; Martin, Catherine
Sent: Thu Nov 30 11:40:20 2006
Subject: US Atty Plan

DOJ would like to go forward with the plan to replace certain US Attorneys. We don't have any reason to believe that the US Attorneys in question in Nevada and Arizona are close or important to the Home state Senators, and DOJ is prepared to deal with the public affairs issues that were raised. Before proceeding, however, DOJ asked us to reconfirm that we are ready to stand strong in the face of political pressure on this issue. So -- are we? Also, Scott, can I take your sign-off as Karl's, or should I raise this separately with him?

HJC 00440

From: Martin, Catherine
Sent: Thursday, November 30, 2006 11:56 AM
To: Kelley, William K.; Jennings, Jeffery S.; Fiddelke, Debbie S.
Cc: Mamo, Jeanie S.; Perino, Dana M.
Subject: Re: US Atty Plan

We are okay with it.

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

From: Kelley, William K.
To: Jennings, Jeffery S.; Fiddelke, Debbie S.; Martin, Catherine
Sent: Thu Nov 30 11:40:20 2006
Subject: US Atty Plan

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HJC 00441

From: Fiddelke, Debbie S.
Sent: Thursday, November 30, 2006 11:44 AM
To: Looney, Andrea B.
Cc: O'Hollaren, Sean B.; Wolff, Candida P.
Subject: FW: US Atty Plan
Importance: High

Andrea - based on your conversations w/ DOJ, do you share the assessments on how the members will react?

From: Kelley, William K.
Sent: Thursday, November 30, 2006 11:40 AM
To: Jennings, Jeffery S.; Fiddelke, Debbie S.; Martin, Catherine
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From: Looney, Andrea B.
Sent: Thursday, November 30, 2006 11:45 AM
To: Fiddelke, Debbie S.
Cc: O'Hollaren, Sean B.; Wolff, Candida P.
Subject: RE: US Atty Plan

No. I spoke with Kyle, and he thinks that Senator Kyl will be our biggest problem. Paul Charlton (D. Ariz.) was strongly supported by Senator Kyl. However, Kyle says that Charlton has failed on multiple levels, and they feel very strongly that his removal is warranted. I would recommend we support their plan, but be prepared to manage Senator Kyl if he comes our way and support DOJ's decision.

From: Fiddelke, Debbie S.
Sent: Thursday, November 30, 2006 11:44 AM
To: Looney, Andrea B.
Cc: O'Hollaren, Sean B.; Wolff, Candida P.
Subject: FW: US Atty Plan
Importance: High

Andrea - based on your conversations w/ DOJ, do you share the assessments on how the members will react?

From: Kelley, William K.
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From: Fiddelke, Debbie S.
Sent: Thursday, November 30, 2006 12:01 PM
To: Kelley, William K.; Jennings, Jeffery S.; Martin, Catherine
Subject: Re: US Atty Plan

Charlton was supported by Kyl. This wouldn't cause us to oppose moving forward, but is something we'll need to manage.

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

From: Kelley, William K.
To: Jennings, Jeffery S.; Fiddelke, Debbie S.; Martin, Catherine
Sent: Thu Nov 30 11:40:20 2006
Subject: US Atty Plan

DOJ would like to go forward with the plan to replace certain US Attorneys. We don't have any reason to believe that the US Attorneys in question in Nevada and Arizona are close or important to the home state Senators, and DOJ is prepared to deal with the public affairs issues that were raised. Before proceeding, however, DOJ asked us to reconfirm that we are ready to stand strong in the face of political pressure on this issue. So -- are we? Also, Scott, can I take your sign-off as Karl's, or should I raise this separately with him?

From: Kelley, William K.
Sent: Friday, December 01, 2006 2:28 PM
To: Jennings, Jeffery S.
Subject: Fw: US Atty Plan

Scott--Did you get this? DOJ very much wants to pull this trigger, and they are waiting onus. Many thanks.

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

From: Kelley, William K.
To: Jennings, Jeffery S.; Fiddelke, Debbie S.; Martin, Catherine
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From: Scott Jennings
Sent: 12/4/2006 9:15:50 AM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Subject: I emailed

With kyle sampson about a usatty vacancy list this weekend. Need u to follow up with him and get it for me.

From: Jane Cherry
Sent: 12/4/2006 9:22:25 AM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJennings;
Subject: RE: I emailed

Today is your lucky day. Matt Teague just arrived at SBA. Is checking for me.

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

From: Scott Jennings
Sent: Monday, December 04, 2006 9:19 AM
To: Jane Cherry
Subject: Re: I emailed

Yes.

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

From: Jane Cherry
To: Scott Jennings
Sent: Mon Dec 04 09:18:18 2006
Subject: RE: I emailed

Ok to just email him?

---Original Message---

From: Scott Jennings
Sent: Monday, December 04, 2006 9:16 AM
To: Jane Cherry
Subject: I emailed

With kyle sampson about a usatty vacancy list this weekend. Need u to follow up with him and get it for me.

From: Scott Jennings
Sent: 12/4/2006 9:22:42 AM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Subject: Re: I emailed

Good

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

From: Jane Cherry
To: Scott Jennings
Sent: Mon Dec 04 09:22:25 2006
Subject: RE: I emailed

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

From: Scott Jennings
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To: Jane Cherry
Subject: Re: I emailed

Yes.

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

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Sent: Mon Dec 04 09:18:18 2006
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Ok to just email him?

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With Kyle Sampson about a usatty vacancy list this weekend. Need u to follow up with him and get it for me.

From: Jennings, Jeffery S.
Sent: Monday, December 04, 2006 4:46 PM
To: Kelley, William K.
Subject: RE: US Atty Plan

Yes - I think we are fine to move ahead.

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

From: Kelley, William K.
Sent: Friday, December 01, 2006 2:28 PM
To: Jennings, Jeffery S.
Subject: Fw: US Atty Plan

Scott--Did you get this? DOJ very much wants to pull this trigger, and they are waiting on us. Many thanks.

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Subject: RE: US Atty Plan

Thanks.

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From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

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Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

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From: Martin, Catherine
Sent: Thursday, December 07, 2006 10:35 AM
To: Perino, Dana M.
Subject: FW: US Atty Plan
Importance: High

Nice heads up from Bill Kelley. I asked him yesterday and he just couldn't remember when....

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
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From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:47 AM
To: Fiddelke, Debbie S.
Subject: RE: US Atty Plan

DOJ reports that Senator Kyl is just fine.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
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From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:53 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Subject: RE: US Atty Plan

What about the Dem Senators affected? We are the last hours of a lame duck session, where a few things are going to have to fall right to get some of what we want, including a number of nominations. Do we really need to add this into the middle of it?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:48 AM
To: Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan

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To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: O'Hollaren, Sean B.
Sent: Thursday, December 07, 2006 10:59 AM
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

Can this be put off until next week?

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Sent: Thu Dec 07 10:52:40 2006
Subject: RE: US Atty Plan

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To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

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HJC 00456

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:02 AM
To: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

I think it is too late.

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

From: O'Hollaren, Sean B.
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 10:59:20 2006
Subject: Re: US Atty Plan

Can this be put off until next week?

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Subject: RE: US Atty Plan
Importance: High

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HJC 00457

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

NYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 11:09 AM
To: Kelley, William K.; O'Hollaren, Sean B.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan

I hope that's not the case, could you let us know?

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:02 AM
To: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

I think it is too late.

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

From: O'Hollaren, Sean B.
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 10:59:20 2006
Subject: Re: US Atty Plan

Can this be put off until next week?

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Sent: Thu Dec 07 10:52:40 2006
Subject: RE: US Atty Plan

What about the Dem Senators affected? We are the last hours of a lame duck session, where a few things are going to have to fall right to get some of what we want, including a number of nominations. Do we really need to add this into the middle of it?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:48 AM
To: Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan

DOJ reports that Sen. Kyl is just fine.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.

HJC 00459

Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:14 AM
o: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; O'Hollaren, Sean B.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 11:08:51 2006
Subject: RE: US Atty Plan

I hope that's not the case, could you let us know?

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:02 AM
To: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
o: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

I think it is too late.

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

From: O'Hollaren, Sean B.
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 10:59:20 2006
Subject: Re: US Atty Plan

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To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Sent: Thu Dec 07 10:52:40 2006
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From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 11:19 AM
To: Kelley, William K.
Subject: RE: US Atty Plan

It probably is very unlikely, and I hope it is. But even if minimal, it is an added element of risk in an environment where we can little afford it. And I don't see any difference between doing this today and doing it on Monday, when Congress is safely adjourned.

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:14 AM
To: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; O'Hollaren, Sean B.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 11:08:51 2006
Subject: RE: US Atty Plan

I hope that's not the case, could you let us know?

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:02 AM
To: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

I think it is too late.

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

From: O'Hollaren, Sean B.
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 10:59:20 2006
Subject: Re: US Atty Plan

Can this be put off until next week?

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

From: Fiddelke, Debbie S.

HJC 00463

To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Sent: Thu Dec 07 10:52:40 2006
Subject: RE: US Atty Plan

What about the Dem Senators affected? We are the last hours of a lame duck session, where a few things are going to have to fall right to get some of what we want, including a number of nominations. Do we really need to add this into the middle of it?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:48 AM
To: Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan

DOJ reports that Sen. Kyl is just fine.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Kelley, William K.
ent: Thursday, December 07, 2006 11:42 AM
o: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

DOJ reports that it is too late, and that they've had no negative reactions thus far. The only R in doubt is Ensign, for whom I've put in a msg. For the Ds, it would take quite a sequence of events to occur for there to be a real problem today. Also, as you know, the original plan was to do this a while ago, when there would have been more time available for the disgruntled to really gum things up. I'm sorry you're unhappy about this -- we probably could have delayed till later had we appreciated this would be a big problem. I thought we had given everybody with equities sufficient notice, but evidently we didn't focus sufficiently on the timing.

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

From: Fiddelke, Debbie S.
To: Kelley, William K.
Sent: Thu Dec 07 11:19:26 2006
Subject: RE: US Atty Plan

It probably is very unlikely, and I hope it is. But even if minimal, it is an added element of risk in an environment where we can little afford it. And I don't see any difference between doing this today and doing it on Monday, when Congress is safely adjourned.

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:14 AM
To: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

I'm in a mtg at DOJ that can't be interrupted. I'll check asap, but I'm sure that some notifications have been made already. Isn't it exceedingly unlikely that any disgruntled US Atty, who by definition is a Republican, is going to have the time and juice to do any harm to us with Democratic Senators? Also, they all know both that their statutory terms have expired AND that they serve at the pleasure of the President in any event.

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; O'Hollaren, Sean B.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 11:08:51 2006
Subject: RE: US Atty Plan

I hope that's not the case, could you let us know?

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

From: Kelley, William K.
nt: Thursday, December 07, 2006 11:02 AM
o: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

HJC 00465

I think it is too late.

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

From: O'Hollaren, Sean B.
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 10:59:20 2006
Subject: Re: US Atty Plan

Can this be put off until next week?

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Sent: Thu Dec 07 10:52:40 2006
Subject: RE: US Atty Plan

What about the Dem Senators affected? We are the last hours of a lame duck session, where a few things are going to have to fall right to get some of what we want, including a number of nominations. Do we really need to add this into the middle of it?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:48 AM
To: Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
: Wolff, Candida P.; Looney, Andrea B.
subject: RE: US Atty Plan

DOJ reports that Sen. Kyl is just fine.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

I the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

HJC 00466

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 12:27 PM
To: Kelley, William K.; Martin, Catherine; Fiddelke, Debbie S.
Subject: RE: US Atty Plan

My guess is Domenici is elated.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 12:28 PM
To: Jennings, Jeffery S.; Martin, Catherine; Fiddelke, Debbie S.
Subject: Re: US Atty Plan

The COS said he "couldn't be happier."

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

From: Jennings, Jeffery S.
To: Kelley, William K.; Martin, Catherine; Fiddelke, Debbie S.
Sent: Thu Dec 07 12:26:58 2006
Subject: RE: US Atty Plan

My guess is Domenici is elated.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Perino, Dana M.
Sent: Thursday, December 07, 2006 1:51 PM
To: Martin, Catherine
Subject: RE: US Atty Plan

damn

From: Martin, Catherine
Sent: Thursday, December 07, 2006 10:35 AM
To: Perino, Dana M.
Subject: FW: US Atty Plan
Importance: High

Nice heads up from Bill Kelley. I asked him yesterday and he just couldn't remember when....

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Jennings
Sent: 12/7/2006 11:14:25 PM
To: Scott Jennings;
Subject: FW:

From: Kelley, William K.
Sent: Thursday, December 07, 2006 6:14 PM
To: Jennings, Jeffery S.
Subject: RE:

First, it really isn't up to Jerry whether someone is retained as US Atty. The short answer is that his term was four years (and he serves at the pleasure of the President in any event), and the Administration thought it a good thing to give someone else a chance to serve. In Ryan's case, I understand that DOJ believed that there were management problems in the office that justified the change in any event. I would tell him very little about the specifics, though. Also, it is highly inappropriate for Ryan to be calling folks and complaining – he absolutely serves at the pleasure of the President, and he should be grateful to the President for the opportunity to serve at all.

DOJ had the head of Executive Office of US Attorneys, which is responsible for management of US Attorneys around the country, call Ryan with the news. Jerry evidently is outraged that the AG or DAG didn't make the call. Maybe that is regrettable, but it was a management decision. Finally, I gather that Ryan is irked that he's got to find a job with little notice, and in a short time. In fact, he's been given till January 31, and I'm sure will be treated reasonably.

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 6:05 PM
To: Kelley, William K.
Subject: RE:

Ok – would there be a set of talking points we could give Karl to call him? In other words – why we are executing this decision?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 4:30 PM
To: Jennings, Jeffery S.
Subject:

Scott–FYI, Jerry Parsky called Ken Lee, outraged at the treatment of Kevin Ryan, and outraged that he hadn't been consulted. Also, FYI, he's evidently having lunch with the President next week.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:50 AM
To: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

Also -- it might be of some comfort that the Nevada guy appointment as US Attorney antedates Ensign's election. So there's little or no reason to fear that he'll be personally invested in the incumbent, and some reason to expect that he'll welcome the patronage opportunity.

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

From: Fiddelke, Debbie S.
To: Kelley, William K.
Sent: Thu Dec 07 11:19:26 2006
Subject: RE: US Atty Plan

It probably is very unlikely, and I hope it is. But even if minimal, it is an added element of risk in an environment where we can little afford it. And I don't see any difference between doing this today and doing it on Monday, when Congress is safely adjourned.

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From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:14 AM
To: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; O'Hollaren, Sean B.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 11:08:51 2006
Subject: RE: US Atty Plan

I hope that's not the case, could you let us know?

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:02 AM
To: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

think it is too late.

HJC 00471

From: Fiddelke, Debbie S.
ent: Thursday, December 07, 2006 11:58 AM
.o: Kelley, William K.
Subject: RE: US Atty Plan

Thanks much for the information and for following up. Our concern will probably end up being much ado about nothing. The end of a legislative session is just a dicey time for both legislation and noms.

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:50 AM
To: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

Also -- it might be of some comfort that the Nevada guy appointment as US Attorney antedates Ensign's election. So there's little or no reason to fear that he'll be personally invested in the incumbent, and some reason to expect that he'll welcome the patronage opportunity.

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

From: Fiddelke, Debbie S.
To: Kelley, William K.
Sent: Thu Dec 07 11:19:26 2006
Subject: RE: US Atty Plan

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Sent: Thursday, December 07, 2006 11:14 AM
To: Fiddelke, Debbie S.
Subject: Re: US Atty Plan

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; O'Hollaren, Sean B.; Martin, Catherine; Jennings, Jeffery S.
CC: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 11:08:51 2006
Subject: RE: US Atty Plan

hope that's not the case, could you let us know?

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

HJC 00472

From: Kelley, William K.
Sent: Thursday, December 07, 2006 11:02 AM
To: O'Hollaren, Sean B.; Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: Re: US Atty Plan

I think it is too late.

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

From: O'Hollaren, Sean B.
To: Fiddelke, Debbie S.; Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Sent: Thu Dec 07 10:59:20 2006
Subject: Re: US Atty Plan

Can this be put off until next week?

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

From: Fiddelke, Debbie S.
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.; O'Hollaren, Sean B.
Sent: Thu Dec 07 10:52:40 2006
Subject: RE: US Atty Plan

What about the Dem Senators affected? We are the last hours of a lame duck session, where a few things are going to have to fall right to get some of what we want, including a number of nominations. Do we really need to add this into the middle of it?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:48 AM
To: Fiddelke, Debbie S.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan

DOJ reports that Sen. Kyl is just fine.

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 10:33 AM
To: Kelley, William K.; Martin, Catherine; Jennings, Jeffery S.
Cc: Wolff, Candida P.; Looney, Andrea B.
Subject: RE: US Atty Plan
Importance: High

Do we need to do this while Congress is in session? Why can't it wait until Monday? As I reported earlier - Charlton was supported by Kyl, and we need to manage that.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:30 AM
To: Martin, Catherine; Fiddelke, Debbie S.; Jennings, Jeffery S.
Subject: US Atty Plan

HJC 00473

FYI the US Atty plan is being executed today. Domenici is just fine. Haven't heard about anybody else.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:49 AM
To: Jennings, Jeffery S.
Subject: FW:

Scott--Please see below. The plan calls for OPA to touch base with our political leads in the blue states.

Do you want me to forward to you another copy of the plan?

From: Sampson, Kyle [mailto:Kyle.Sampson@usdoj.gov]
Sent: Thursday, December 07, 2006 10:36 AM
To: Kelley, William K.
Subject: RE:

Great. Sen. Kyl is fine.
Is OPA calling the political leads in CA, WA, and MI?
We will commence calling the USAs in the next hour or so.

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 10:29 AM
To: Sampson, Kyle
Subject:

Domenici's COS is happy as a clam and will get us names forthwith.

Left message for Ensign's COS. Said I needed to talk to him asap, but didn't give details.

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 2:01 PM
To: Kelley, William K.
Subject: RE:

Yes – we will make any calls you need at the appropriate time. Are we waiting, per OLA's request?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:49 AM
To: Jennings, Jeffery S.
Subject: FW:

Scott--Please see below. The plan calls for OPA to touch base with our political leads in the blue states.

Do you want me to forward to you another copy of the plan?

From: Sampson, Kyle [mailto:Kyle.Sampson@usdoj.gov]
Sent: Thursday, December 07, 2006 10:36 AM
To: Kelley, William K.
Subject: RE:

Great. Sen. Kyl is fine.
Is OPA calling the political leads in CA, WA, and MI?
We will commence calling the USAs in the next hour or so.

From: Kelley, William K. [mailto:William_K._Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 10:29 AM
To: Sampson, Kyle
Subject:

Domenici's COS is happy as a clam and will get us names forthwith.

Left message for Ensign's COS. Said I needed to talk to him asap, but didn't give details.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 2:09 PM
To: Jennings, Jeffery S.
Subject: RE:

No. It is a go. Thanks.

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 2:01 PM
To: Kelley, William K.
Subject: RE:

Yes - we will make any calls you need at the appropriate time. Are we waiting, per OLA's request?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 10:49 AM
To: Jennings, Jeffery S.
Subject: FW:

Scott-Please see below. The plan calls for OPA to touch base with our political leads in the blue states.

Do you want me to forward to you another copy of the plan?

From: Sampson, Kyle [mailto:Kyle.Sampson@usdoj.gov]
Sent: Thursday, December 07, 2006 10:36 AM
To: Kelley, William K.
Subject: RE:

Great. Sen. Kyl is fine.
Is OPA calling the political leads in CA, WA, and MI?
We will commence calling the USAs in the next hour or so.

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 10:29 AM
To: Sampson, Kyle
Subject:

Ensign's COS is happy as a clam and will get us names forthwith.

Left message for Ensign's COS. Said I needed to talk to him asap, but didn't give details.

From: Paola, Lindsey N.
Sent: Thursday, December 07, 2006 10:21 AM
To: Kelley, William K.
Subject: phone numbers

Main office phone numbers:

202-224-6621 - Domenici

202-224-6244 - Ensign

Lindsey N. Paola
Counsel's Office
The White House
Phone: 202-456-
Cell: 202-725-
Fax: 202-456-

From: Lee, Kenneth K.
Sent: Thursday, December 07, 2006 2:55 PM
To: Brosnahan, Jennifer R.
Subject: FW: USA replacement plan

Importance: High

Attachments: USA replacement plan.doc



USA replacement
plan.doc (36 K...

FYI -- I'm calling about this -- I'll explain when you call.

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

From: Brosnahan, Jennifer R.
Sent: Monday, November 20, 2006 11:07 AM
To: Hoyt, Robert F.; Lee, Kenneth K.
Subject: FW: USA replacement plan
Importance: High

Need your help re some US attorney issues in CA9. Can you let us know what the level of involvement was of Sen. Kyl and Sen. Ensign in the appointments of the US Attorneys in their states?

**Thanks.
Jenny**

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

From: Kelley, William K.
Sent: Monday, November 20, 2006 11:04 AM
To: Brosnahan, Jennifer R.
Subject: FW: USA replacement plan
Importance: High

Jenny -- Please see below. WH Leg has asked us to look to see what the level of involvement was of Sen. Kyl and Sen. Ensign in the appointments of the US Attorneys in their states.

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 15, 2006 11:02 AM
To: Miers, Harriet; Kelley, William K.
Cc: Paul.J.McNulty@usdoj.gov

HJC 00480

Subject: USA replacement plan
Importance: High

Harriet/Bill, please see the attached. Please note (1) the plan, by its terms, would commence this week; (2) I have consulted with the DAG, but not yet informed others who would need to be brought into the loop, including Acting Associate AG Bill Mercer, EOUSA Director Mike Battle, and AGAC Chair Johnny Sutton (nor have I informed anyone in Karl's shop, another pre-execution necessity I would recommend); and (3) I am concerned that to execute this plan properly we must all be on the same page and be steeled to withstand any political upheaval that might result (see Step 3); if we start caving to complaining U.S. Attorneys or Senators then we shouldn't do it -- it'll be more trouble than it is worth.

We'll stand by for a green light from you. Upon the green light, we'll (1) circulate the below plan to the list of folks in Step 3 (and ask that you circulate it to Karl's shop), (2) confirm that Kelley is making the Senator/Bush political lead calls, and (3) get Battle making the calls to the USAs. Let us know.

<<USA replacement plan.doc>>

**Kyle Sampson
Chief of Staff
U.S. Department of Justice
350 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305- cell
kyle.sampson@usdoj.gov**

From: Coffin, Shannen W.
Sent: Thursday, December 07, 2006 5:17 PM
To: Kelley, William K.
Subject: RE:

Bill, I learned after the fact that Mark Corallo called Karl R. about the US attorney issue I had discussed with you earlier. Would have told you if I had known that had happened, but Mark called me about it after he called Karl.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 5:10 PM
To: Addington, David S.; Coffin, Shannen W.; Miers, Harriet; Troy, Tevi D.; Zinsmeister, Karl
Subject:

The replacement for Judge Lamberth on the Cobell matter has been announced. Now to preside is Judge James Robertson. For the non-lawyers, we'll talk.

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 6:05 PM
To: Kelley, William K.
Subject: RE:

Ok – would there be a set of talking points we could give Karl to call him? In other words – why we are executing this decision?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 4:30 PM
To: Jennings, Jeffery S.
Subject:

Scott–FYI, Jerry Parsky called Ken Lee, outraged at the treatment of Kevin Ryan, and outraged that he hadn't been consulted. Also, FYI, he's evidently having lunch with the President next week.

From: Lee, Kenneth K.
Sent: Thursday, December 07, 2006 6:02 PM
To: Roebke, Heather M.
Subject: RE:

Sounds good. Thanks.

It's about Gerry Parsky and the U.S. Attorney replacement plan.

From: Roebke, Heather M.
Sent: Thursday, December 07, 2006 6:02 PM
To: Lee, Kenneth K.
Subject: RE:

Things should open up again around 7pm. Can I call you when she frees up?

From: Lee, Kenneth K.
Sent: Thursday, December 07, 2006 6:01 PM
To: Roebke, Heather M.
Subject:

When does HEM get back from her meetings? Can I get about 5 minutes in her schedule tonight? Thanks.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 6:14 PM
To: Jennings, Jeffery S.
Subject: RE:

First, it really isn't up to Jerry whether someone is retained as US Atty. The short answer is that his term was four years (and he serves at the pleasure of the President in any event), and the Administratin thought it a good thing to give someone else a chance to serve. In Ryan's case, I understand that DOJ believed that there were management problems in the office that justified the change in any event. I would tell him very little about the specifics, though. Also, it is highly inappropriate for Ryan to be calling folks and complaining -- he absolutely serves at the pleasure of the President, and he should be grateful to the President for the opportunity to serve at all.

DOJ had the head of Executive Office of US Attorneys, which is responsible for management of US Attorneys around the country, call Ryan with the news. Jerry evidently is outraged that the AG or DAG didn't make the call. Maybe that is regrettable, but it was a management decision. Finally, I gather that Ryan is irked that he's got to find a job with little notice, and in a short time. In fact, he's been given till January 31, and I'm sure will be treated reasonably.

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 6:05 PM
To: Kelley, William K.
Subject: RE:

Ok -- would there be a set of talking points we could give Karl to call him? In other words -- why we are executing this decision?

From: Kelley, William K.
Sent: Thursday, December 07, 2006 4:30 PM
To: Jennings, Jeffery S.
Subject:

Scott--FYI, Jerry Parsky called Ken Lee, outraged at the treatment of Kevin Ryan, and outraged that he hadn't been consulted. Also, FYI, he's evidently having lunch with the President next week.

From: Lee, Kenneth K.
Sent: Thursday, December 07, 2006 6:17 PM
To: Jennings, Jeffery S.
Subject: RE: Ryan

I will give you a call to give you an update on this, but the decision couldn't have come as a surprise to him... see below:

<http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1144330163905>

http://www.sfweekly.com/issues/2006-10-04/news/feature_2.html

From: Jennings, Jeffery S.
Sent: Thursday, December 07, 2006 6:15 PM
To: Lee, Kenneth K.
Subject: Ryan

The CA USATTY issue – there was mention that there might be some articles about the management issues there...? Would you have them or links to them?

J. Scott Jennings
Special Assistant to the President and
Deputy Director, Office of Political Affairs
(202) 456-

From: Fiddelke, Debbie S.
Sent: Thursday, December 07, 2006 9:17 PM
To: Kelley, William K.
Subject: RE:

Thanks.

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

From: Kelley, William K.
Sent: Thursday, December 07, 2006 9:13 PM
To: 'kyle.sampson@usdoj.gov'; Fiddelke, Debbie S.
Subject: Re:

Ensign's COS is accepting, but not thrilled. He's close enough to the US Atty that he's seeing him socially on Saturday night.

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

From: Sampson, Kyle
To: Kelley, William K.
CC: sjennings@who.eop.gov
Sent: Thu Dec 07 21:06:00 2006
Subject: RE:

do not mind at all
scott -- call me
(703) 820- hm
(202) 305- cell
202) 514-3892 desk

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 6:15 PM
To: Sampson, Kyle
Subject:

Kyle--Do you mind talking to Scott Jennings about the particulars of Ryan's situation? Ryan is the only one so far calling in political chits (which is reason enough to justify the decision, in my view), but Karl would like to know some particulars as he fields these calls.

From: Kelley, William K.
Sent: Thursday, December 07, 2006 9:11 PM
To: Jennings, Jeffery S.
Subject: Fw:

Scott -- See below. You can call Kyle.

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

From: Sampson, Kyle
To: Sampson, Kyle; Kelley, William K.
Sent: Thu Dec 07 21:07:17 2006
Subject: RE:

bill, please forward to Jennings, thx

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 9:06 PM
To: 'Kelley, William K.'
Cc: 'sjennings@who.eop.gov'
Subject: RE:

Do not mind at all
Scott -- call me
(703) 820- hm
(202) 305- cell
(202) 514-3892 desk

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 6:15 PM
To: Sampson, Kyle
Subject:

Kyle--Do you mind talking to Scott Jennings about the particulars of Ryan's situation? Ryan is the only one so far calling in political chits (which is reason enough to justify the decision, in my view), but Karl would like to know some particulars as he fields these calls.

JOSHUA BOLTEN'S PHONE LOG

Date & Time	Name & Number	Message	Status
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10/5/06 3:25 pm	Sen, Domenici C: 202-228- C: 202-494- (Chris)	Please call. It is time sensitive and urgent.	Done 4:10 pm
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10/2		pm	Sen. Domenici		202-224-7093 202-546-	Office Home	Re: US Attorney in NV	
10/13			Sen. Domenici		202-546- 202-228-			---
10/18			Steve Bell		202-224-7094			10/18 LM 10/19 a.
10/26			Steve Bell		202-224-7094			10/26 LM. 10/26 10:34 a
11/7			Steve Bell		(202) 228- (202) 224-6621 or 7094	Cell Office		11/7 2:15p
11/7			Steve Bell		(202) 228- (202) 224-6621 or 7094	Cell Office		11/7 pm
11/9			Steve Bell		202-224-7094			11/9 p.m.
11/13		4:52 p	Sen. Domenici		202-224-7090			
11/20			Steve Bell		202-224-7094			11/20 LM
11/27		p.m.	Steve Bell		202-224-7094	Office	Returning call	12/5 p.m.
12/5		p.m.	Steve Bell					12/5 3:29 p
12/11		p.m.	Steve Bell		202-224-7094		NON-RESPONSIVE MATERIAL REDACTED	12/11 LM

Bill Kelley

11/15/04
4:13pm
7970

Kyle Sampson
514-1061

Please call

11/23/04 2:26pm 8027	Kyle Sampson 514-1061	Please Call.
11/30/04 2:01pm 8048	Kyle Sampson	Please Call.
12/1/04 2:03pm 8062	Kyle Sampson 514-1061	
12/6/04 6:32pm 8100	Kyle Sampson 514-1061	Please Call.
12/9/04 12:28pm 8119	Kyle Sampson 514-1061	Please Call.
12/13/04 3:26pm 8129	Kyle Sampson 514-1061	Please call
12/13/04 4:31pm 8130	Kyle Sampson 514-1061	Non Responsive Material Redacted
12/23/04 10:33am 8229	Kyle Sampson 514-1061	Please Call.
1/5/05 9:23am 8311	Kyle Sampson	Please Call.

1/12/05 9:00am 8372	Kyle Sampson 514-1061	Please Call.
1/18/05 4:06pm 8411	Kyle Sampson 514-1061	Please call.
2/8/05 5:54pm 8501	Kyle Sampson 514-1061	Please Call.
3/18/05 3:13pm 8668	Kyle Sampson 514-1061	Returned your call.
4/26/05 8:30am 8792	Kyle Sampson 514-1061	Please Call.
5/23/05 4:08pm 8991	Kyle Sampson 514-1061	Please Call.
5/24/05 2:22pm 9009	Kyle Sampson 514-1061	Please Call.
5/26/05 11:04am 9022	Kyle Sampson 514-1061	Please Call.
6/1/05 2:08pm 9047	Kyle Sampson 514-1061	Returned your call.

6/22/05 6:15pm 9205	Kyle Sampson 514-1061	Please Call.
6/24/05 10:35am 9215	Kyle Sampson 514-1061	Returned your call.
7/11/05 12:09pm 9314	Kyle Sampson 514-1061	Please Call.
7/12/05 4:07pm 9339	Kyle Sampson 514-1061	Non Responsive Material Redacted
7/12/05 7:33pm 9342	Kyle Sampson 514-1061	Returned your call.
7/20/05 6:03pm 9427	Kyle Sampson 514-1061	Non Responsive Material Redacted
7/26/05 7:09pm 9473	Kyle Sampson 305- (cell)	Non Responsive Material Redacted
8/23/05 4:02pm 9595	Kyle Sampson 514-1061	Please Call.
9/23/05 3:23pm 9781	Kyle Sampson 514-1061	Returned your call. He will be in meetings but wants you to ask that he be interrupted.

10/7/05 10:09am 9909	Kyle Sampson 514-1061	Please Call.
10/20/05 12:19pm 10039	Kyle Sampson 305- (cell) 514-1061	Non Responsive Material Redacted
10/20/05 4:02pm 10044	Kyle Sampson 514-1061	Please Call.
10/20/05 6:37pm 10047	Kyle Sampson 305- (cell) 514-1061	He asked that you call him on his cell phone.
12/20/05 3:27pm 10337	Kyle Sampson 514-3892	Please Call.
1/13/06 6:01pm 10406	Kyle Sampson 514-3892	Please Call.
2/2/06 2:27pm 10518	Kyle Sampson 514-3892	He says it is fairly urgent and needs to speak with you.
2/14/06 10:28am 10588	Kyle Sampson 514-3892	Please Call.
3/14/06 9:05am 10708	Kyle Sampson 202-514-3892	Please Call.

3/23/06 2:20pm 10759	Kyle Sampson 514-3892	Kyle asked that you call him at your earliest convenience.
3/23/06 5:15pm 10762	Kyle Sampson 514-3892	Please Call.
5/9/06 10:55am 10990	Kyle Sampson 514-3892	Please Call.
5/11/06 11:34am 11010	Kyle Sampson 514-3892	Please Call.
5/11/06 6:49pm 11023	Kyle Sampson 514-3892	Please Call.
6/5/06 5:14pm 11155	Kyle Sampson 514-3892	Please Call.
6/5/06 6:49pm 11157	Kyle Sampson 514-3892	Non Responsive Material Redacted
11/28/06 7:03am 11650	Kyle Sampson 514-1061	Please Call (re: US Attorney Replacement Plan - he wants to know you're thoughts on it and he some modifications to it) today.
11/28/06 7:57pm 11651	Kyle Sampson 514-1061	Please Call.

11/30/06 5:11pm 11664	Kyle Sampson 514-1061	Please Call.
12/7/06 9:28am 11688	Kyle Sampson 514-1061	He wanted to confirm that you are calling Sens Ensign, Domenici this morning. They're reaching out to the CA, MI and WA political leads. The AG is calling Sen Kyl right now. He asked that you confirm that you're reaching out to those Senators via phone or email
12/13/06 1:47pm 11708	Kyle Sampson 514-1061	Please Call.
12/20/06 6:11pm 11752	Kyle Sampson 514-1061	Please Call.
12/21/06 7:25am 11753	Kyle Sampson 514-1061	Non Responsive Material Redacted
1/24/07 9:28am 11886	Kyle Sampson 514-1061	Please Call.
2/8/07 3:06pm 11950	Kyle Sampson 514-1061	Please Call.
2/12/07 6:14pm 11963	Kyle Sampson 514-1061	Please Call.