

# EXHIBIT 1

THE WHITE HOUSE

April 15, 2009

MEMORANDUM FOR ALL EXECUTIVE DEPARTMENT AND AGENCY GENERAL COUNSELS

FROM: GREGORY CRAIG, COUNSEL TO THE PRESIDENT

SUBJECT: Reminder Regarding Document Requests

This is a reminder that executive agencies should consult with the White House Counsel's Office on all document requests that may involve documents with White House equities. We ask that such consultation take place well in advance of the deadline for responding.

This need to consult with the White House arises with respect to all types of document requests, including Congressional committee requests, GAO requests, judicial subpoenas, and FOIA requests. And it applies to all documents and records, whether in oral, paper, or electronic form, that relate to communications to and from the White House, including preparations for such communications.

Please be in touch with your points of contact in the White House Counsel's Office or, if you are uncertain whom to contact, please call Chris Weideman (202-456-3096) or Blake Roberts (202-456-2948). We will respond to your requests promptly.

# EXHIBIT

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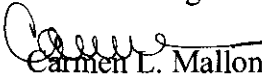
**U.S. Department of Justice**  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

**AUG 13 2013**

**MEMORANDUM**

TO: Paul Colborn  
Special Counsel  
Office of Legal Counsel

FROM:   
Carmen L. Mallon  
Chief of Staff

SUBJECT: Application of the Presidential Communications Privilege

This concerns the Freedom of Information Act (FOIA) request of Robyn Burrows on behalf of *Cause of Action* for any memoranda created after November 3, 1993, that was authored by the Department of Justice or the White House, and addresses the referral of agency documents to the White House in response to any document request. The requester references a November 3, 1993 memorandum on this topic, from former Associate Attorney General Webster Hubbell to All Agency Counsels that is publicly available and which the attached 2009 memorandum supersedes.

Attached is a one-page document that consists of a 2009 memorandum addressed to All Executive Departments and Agency General Counsels concerning documents that involve White House equities, from the Former Counsel to the President, Gregory Craig. We will be forwarding this document to the White House for review, with recommendations for handling prior to our response. Accordingly, please provide this Office with your views regarding disclosure of the document, and the application of any FOIA exemptions, including the presidential communications privilege. As this document concerns a policy that applies to numerous types of document requests and the former memorandum dated November 3, 1993 on this topic is publicly available, I recommend that the document be disclosed in full. Please advise whether you concur with my recommendation.

You may forward your response to the following address: Office of Information Policy, U.S. Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, Attention: Regina Okusanya, or you may e-mail her at [Regina.Okusanya@usdoj.gov](mailto:Regina.Okusanya@usdoj.gov)

A copy of the requester's initial letter is attached for your information. If you have any questions regarding this matter, please call Regina Okusanya of this Office at (202) 353-9300.

Attachments  
VRB:LAD:RFO

# EXHIBIT

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the WHITE HOUSE



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**The White House**

[Office of the Press Secretary](#)

For Immediate Release

August 31, 2015

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# Press Gaggle by Press Secretary Josh Earnest, 8/31/15



Aboard Air Force One  
En Route Anchorage, Alaska

12:03 P.M. EDT

MR. EARNEST: Welcome aboard Air Force One as we make our way to Alaska, a much anticipated trip I think by all of you, but most importantly, by the President. Obviously, the President will spend three days in Alaska, seeing the sights and sounds of some of the most beautiful parts not just of our country, but of the world. And the President is eagerly anticipating it.

The President is beginning his trip, as he should, by meeting with a group of Alaskan Native leaders to discuss some of the priorities in their communities. The President has spent time on tribal land in the past on at least two previous occasions, and the President is looking forward to meeting with these Alaskan Native leaders. You all will have an opportunity to hear from the President after he conducts that meeting.

Then the President will go and deliver a speech at the Glacier Conference. This is an international conference hosted by the United States -- we've got high-level diplomats from other countries that are concerned about Arctic policy and have largely cooperated effectively with the United States and other countries with significant interests in the Arctic.

And there, the President will have the opportunity to talk about a range of issues, including climate change. And I would anticipate that over the next three days you'll hear the President talk about that extensively. Our scientists tell us that there is no region of the world that is more directly affected right now by climate change than the Arctic. And there are many people who live in this region of the world that are dealing with the effects of climate change firsthand and on a daily basis. And so it's a good opportunity for us to highlight the significance of pursuing many of the policy changes that the President has advocated to fight carbon pollution and fight climate change.

So it should be an exciting couple of days here. I'm certainly looking forward to it. I hope all of you are as well. So, with that, we can go to your questions.

Q Is anyone traveling on this leg of the flight with the President related to the trip? Is the Governor on the plane, the Governor of Alaska? I think I read somewhere that he was going to be --

MR. EARNEST: Let me check on that for you. I'll get back to you on that. I don't have a tally of who all is on the plane, but I'll get back to you on that.

Q The Mt. McKinley announcement -- obviously some Republicans, especially from Ohio, have expressed disappointment in the announcement. I'm wondering if you could maybe talk a little bit about -- obviously you guys laid out your case for why you thought it was an appropriate change, but what this says about President McKinley's legacy and whether you'll be taking any steps to recognize him to kind of offset the change.

MR. EARNEST: Well, first of all, we refer to it as the Denali announcement today. But as you point out, we did make clear the reason behind this change. It's not an arbitrary change. In fact, this is an effort to align the policies of the federal government with what Alaskan Natives have referred to that way for thousands of years. And so this seems to be a common-sense way for us to acknowledge that name.

The Department of Interior, I understand, has said that they will work with leaders in Ohio, especially, who are especially interested in this to find an appropriate way to acknowledge President McKinley's contribution to our country. That's an appropriate thing to do and that's what the Department of Interior is looking at.

I brought a visual aid that Frank will track down for us. We can go on to other questions.

Q Josh, the President is going to be speaking about climate change in a state where a lot of residents are still reeling from declines in oil revenues, lower oil prices, and really want to see expanded energy development in the Arctic -- sorry in Alaska, which seems to conflict in certain ways with his message. What does the President plan to say to Alaskans who ask him to expand opportunities for energy development?

MR. EARNEST: Well, Josh, for years we have been talking about the President's approach to energy as an all-of-the-above approach. And I



think Alaska is a place where that approach is on display. There are some areas of Alaska where significant resources, including oil and gas, are being produced. There has been much discussion about this Shell operation that is in the Arctic. Each of those operations is subjected to very strict safety standards that this administration has only strengthened.

And this is indicative of the President's view that our economy does begin to -- needs to start taking the steps to transition to a low-carbon, clean energy economy. That's in the best interests of the U.S. economy. That's also in the best interests of our planet and the health of our communities and our kids.

But we know that transition is not going to occur overnight. And knowing that, the President believes that it is better for us to take advantage of the opportunities that exist when it comes to producing American oil and natural gas as opposed to relying on foreign imports -- for a couple of reasons.

One of those is that many of those imports come from some of the most dangerous, volatile regions of the world. But the other reason is that the United States has the strictest safety and environmental standards of any country in the world. And that means that this is the responsible way for us to pursue this transition -- both when it comes to factoring in our environmental priorities, but also when it comes to factoring in our economic priorities.

Q How does the President simultaneously press China and other countries whose contributions to the climate treaty you're awaiting to cut down their own emissions and phase out fossil fuels if he's simultaneously encouraging Alaska to have additional energy development that could increase emissions?

MR. EARNEST: Well, again, Josh, what we envision -- well, let me start by saying this: One of the reasons that President Xi made a commitment when he was standing alongside President Obama to cap their carbon emissions is because the United States has made similar commitments.

In fact, we've obviously made even more serious commitments to not just capping our carbon pollution, but actually starting to reduce it. And the

President is committed to that.

But again, we've acknowledged that those reductions are not going to occur overnight. And that means that our economy is still going to be reliant in part on oil and gas. And the President has reached the conclusion that it is better for us to rely on American-produced oil and gas than it is to rely on importing oil and gas -- not just because of the geopolitical considerations, but also because American oil and gas is produced under the strictest safety and environmental standards on the planet.

And that's how we can make a strong case to you that it's in the best interests of our planet and of our economy to pursue this all-of-the-above approach as we transition to low-carbon, clean energy.

Q The nations at the conference today have all done work to collaborate on strategic work in the Arctic. Are there concerns here in the U.S. about Russian incidents in the Arctic? They've been very aggressive, establishing military bases. They planted a flag on the Arctic Ocean floor. There seems to be some concern that they're pursuing the Arctic in a more vigorous and potentially belligerent way, and I wonder what the U.S. response is to that, if the President is going to talk about that at all.

MR. EARNEST: Well, let me say a couple of things about that. The first is, Julie, I think I read the very interesting story that ran on the front page of your paper yesterday on this topic. And I think just at a high level, I think it's worth pointing out that these issues as it relates to the Arctic are not the kinds of things that frequently make their way to the front page of The New York Times.

That's not at all a criticism of the editorial decisions of The New York Times; it actually serves to illustrate the significance of presidential trips like this -- that the President traveling to Alaska has the effect of servicing these important policy issues, whether they're related to our relationship with Russia, or questions about energy policy, or questions about climate change.

And that is the reason for this trip because it does give the American people and even people all around the world the opportunity to debate these very complicated issues, very significant issues, that otherwise

wouldn't capture the attention of policymakers or the American public. So let me make that observation first.

The second thing I will say is that over the years, Russia has been an effective interlocutor with the United States and other countries that have significant claims in the Arctic. And we have seen a pretty cooperative effort on the parts of these nations to ensure that resources in the Arctic are effectively managed. And we continue to urge not just Russia but other countries with interest in the Arctic to continue to pursue that effective cooperation.

One of the things I think that is clear is that there is more attention and more resources that the United States can devote on this, and that's something that the President will be talking about not just at the Glacier Conference today, but over the course of our three-day trip to Alaska.

Q To follow up on one thing you said about servicing this issue.

Obviously, this is -- climate change has been on the President's agenda, and he has wanted to call attention to it. But can you talk a little bit about the other reasons he's looking forward to this trip? He's only got a little more than a year left in office. I just wonder if you can talk about how much he's looking forward to the more tourist elements in what he's going to do.

MR. EARNEST: I think all of us are going to have an opportunity to over the course of this trip to see things that we've never seen before. And the President, I think on a personal level, is looking forward to the hike that is planned. The President often laments how -- that one of the challenges of the presidency is that he spends a lot of time inside, and he's going to have the opportunity to spend an extended period of time outside in one of the most beautiful parts not just of the country, but of the world. He's really looking forward to that.

But the principal reason that he's doing that is that all of you are coming, too, and the President is looking forward to making a persuasive case about how what he will see is worth protecting. And one way to do that is to not just give him the opportunity to see this region of the world firsthand, but to give all of you the opportunity to see this region of the world firsthand, and for you to share your own impressions and your own

pictures with the American people, and to help people understand firsthand why this is a priority -- not just protecting land in Alaska, but also making sure that we are confronting head on the challenges posed by climate change.

And some of the communities that we'll visit and some of the people that we'll meet are dealing with the impacts of climate change on a daily basis in their day-to-day lives. And that's a good reminder to all of us who don't have that sort of daily, tangible firsthand interaction with the effects of climate change yet that this is a challenge that's worth confronting.

Q Some critics have said that the President is just using the dramatic backdrop to make a political argument, that the glaciers are kind of a prop, that he's not really going to do anything to help the people in Alaska. Are there more tangible policy announcements that he's going to make to address some of the issues in Alaska? And he talked in his Weekly Address about the villages that need to be relocated -- will there be more tangible announcements on issues like that?

MR. EARNEST: I don't have any announcements to preview at this point, but I will say that the Denali announcement is not the only announcement on this trip.

The other thing that I'll say is that scientists can document that the impact of climate change on glaciers in the Arctic is real and able to be measured. And that is part of what is driving the President to make fighting climate change a policy priority. And I think this actually -- I would argue this is a pretty direct way for us to make the case that the kinds of policy arguments that the President is leading in Washington do have a consequential impact on the daily lives of Alaska Natives and people in Alaska all across that state.

Q The Washington Post is reporting that the administration is thinking about sanctions against China because of recent cyber activity. Is that something under consideration?

MR. EARNEST: I saw that story, as well. When talking about economic sanctions, I've often noted that it would be strategically unwise for us to discuss potential sanctions targets because that would only give the potential targets of sanctions the opportunity to take steps that would

allow them to evade those sanctions.

So it's not uncommon for me to observe that I don't have a lot to say about the decision-making process that goes into applying economic sanctions. One observation that I will make is that the only reason that the President's policy team could potentially consider sanctions against those who have committed acts of cyber theft against the United States or U.S. institutions, or benefitted from cyber theft, is because the President signed an executive order earlier this year giving the Secretary of the Treasury the authority to use sanctions in that way. This means that the United States government has an additional tool in the toolbox to confront this particular challenge.

So I don't have any sort of announcements or updates to share with you in terms of the policymaking process, but the reason that this is an option is because of a decision that the President made earlier this year.

Q Josh, is the administration concerned -- or do you think it's likely that if you were to slap new economic sanctions on China now, that President Xi would possibly cancel his upcoming state visit to the U.S.?

MR. EARNEST: Well, again, I wouldn't want to speculate on any potential actions or any potential deliberations. As it comes to our relationship with China, I was visiting with some of our folks earlier today in anticipation of this line of questioning, and I remembered that there was a lot of discussion as we traveled to a starkly different climate -- to Palm Springs, California -- where the President convened his first meeting with President Xi after President Xi had assumed the presidency in China to discuss the U.S.-China relationship. And there was extensive discussion about whether or not President Obama would raise our concerns about China's activity in cyberspace in the context of that very first presidential-level conversation. And President Obama told the press pool in the first interaction with the press after his first conversation with President Xi at Sunnylands that this was a topic that he did raise and a topic that continued to be of significant concern.

So the point is that it is no secret to leaders in China that President Obama and other leaders in the U.S. government have significant concerns with Chinese behavior in cyberspace. We've made that clear in

high-level conversations with Chinese officials. I think it was pretty crystal clear in the Department of Justice announcement of the indictment of five Chinese military officials for their actions in cyberspace.

So this is not -- our concerns in this area are not a surprise to anyone, and certainly are not a surprise to anyone in the Chinese government.

Q Just kind of following on that, well, I'm wondering if -- first I'm going to ask about I guess the Los Angeles Times story today that said that China was using the data they gathered in the OPM hack and other hacks to identify U.S. intelligence officials. I'm wondering if you can comment on the report at all, and if this is a concern that the intelligence community is in any way kind of addressing kind of proactively at this point.

MR. EARNEST: I have seen that report, Justin, but I don't have a particular comment on it for a couple of reasons. One is we have not formally indicated our conclusions about who may or may not have been responsible for that particular intrusion. The second as it relates to steps that need to be taken to safeguard certain officials in the intelligence community, I'd actually direct those questions to the intelligence community. They will be best equipped to describe to you as best they can any steps that they are taking to ensure that our intelligence professionals, as they're doing the important work of protecting the American people -- are as safe as possible as they do that work.

Q President Xi this week is hosting a sort of military parade to commemorate the 70th anniversary of World War II, and a lot of U.S. allies -- Prime Minister Modi, Prime Minister Abe -- have declined their invitations to go to that ceremony. I'm wondering if you think that it's appropriate, considering some of the regional tensions, for him to be hosting this, and if this is something that came up with Susan Rice.

MR. EARNEST: Justin, I don't know if this came up in the context of the National Security Advisor's trip to China. I can check on that for you.

Actually, I will acknowledge I was actually not aware of the Chinese President's plans to mark the end of the second world war, but you might check with the State Department to see if they have an official response to this. And I'll see if I can get my colleagues at the NSC to respond to

your question in terms of whether or not this came up in Dr. Rice's visit to China this week.

Q Just to follow up on Justin's first question, you said you haven't formally indicated your conclusions about who was responsible. Has the U.S. government made conclusions about who is responsible that you're just not making public? Or are you still investigating?

MR. EARNEST: This is an -- these kinds of cyber intrusions are extraordinarily complex. And this is something that our intelligence community and law enforcement officials are continuing to take a look at. Obviously, in the context of carrying out this investigation, a lot of evidence has been collected, but I don't have any updates in terms of what that evidence points to or any conclusions that may have been reached by the investigators themselves.

Q But you're not disputing characterizations by DNI Clapper or others that have said that it was China behind it?

MR. EARNEST: I have refrained from commenting on those comments and declining to characterize any conclusions that may or may not have been reached based on the intelligence that's been -- or the evidence that's been collected so far.

Q Josh, the President, in an interview on the Iran deal with The Forward, said that he was particularly offended by allegations of anti-Semitism directed at members of his administration. I was wondering if you could identify which members he was referring to.

MR. EARNEST: Well, you mean which claims he was referring to, or --

Q Were there certain people that -- in the administration that have been accused of anti-Semitism in the course of this Iran debate that have particularly irked the President?

MR. EARNEST: Well, I think the comment that most immediately comes to mind is the suggestion by Governor Huckabee that the Obama administration was essentially leading the nation of Israel to "the ovens." This was a comment that President Obama has previously commented on himself. He did that in the context of his news conference in Ethiopia.

That's the comment that first comes to mind, but it's certainly not the only example of the kind of political rhetoric that certainly the President and others find objectionable.

Q Senator Coons is expected to announce tomorrow whether or not he'll support the Iran deal. Obviously, he's a pretty pivotal member, especially in your guys' effort to hold -- to prevent kind of a vote from happening in the Senate. I'm wondering if you have any indication of which way he's leaning at this point, if you guys have been in conversations with him, and also if you have any kind of update on where your whip count is, how you're feeling about where the vote is.

MR. EARNEST: My understanding is that there are now 31 senators who have indicated that they intend to support the deal in Congress. Senator Merkley of Oregon announced his support for the Iran deal over the weekend, and I think that brings the number up to 31 in the Senate.

As it relates to Senator Coons, there have been extensive briefings that have been organized at Senator Coons' request. He's had conversations with a range of senior administration officials. I don't have any specific conversations to tell you about, but I think I would put Senator Coons in the category of those senators who have shown a genuine interest in trying to understand exactly what's included in the agreement, what sort of limitations will be imposed on Iran's nuclear program, and what sort of rigorous inspections they have agreed to.

And Senator Coons has spent a lot of time studying the deal, and we've made what we believe is a very aggressive case for why we believe that he should support the agreement. But I am not aware of what conclusion he has reached or his timeline for announcing a decision. But, yes, Senator Coons is among those senators that has had what I think could be fairly described as a large number of conversations with members of the President's national security team about the deal to prevent Iran from obtaining a nuclear weapon.

Q Josh, the State Department today is releasing another batch of Hillary Clinton emails. Just wondering, sort of logistically, is that something the White House gets ahead of time, the emails? Do you see them ahead of time, or is it -- you'll read them when the public does later this evening?



MR. EARNEST: I am aware that the State Department is planning to release another batch of emails. These are emails that Secretary Clinton has asked the State Department to release voluntarily. There is a process, however, of reviewing these emails prior to their release to make sure that sensitive information is not inadvertently released to the public.

As is true of any process where extensive documentation is about to be made public, the White House is in the loop on that process. But those decisions ultimately are made by the State Department. And so I know that there are some State Department -- some White House officials that have some insight into what is being released, but I don't believe that all of the documents that will be released are necessarily documents that have been reviewed by White House officials. Does that make sense? I think typically the way the process works is that State Department officials review the documents; where there are documents with White House equities that are prepared for release, White House officials will have an opportunity to see them before they are released.

And that is standard operating procedure, and I'm confident that was the process that was carried out by previous administrations, as well.

Q One more foreign policy question. Yesterday, Governor Walker was asked about whether he thought building a wall on the border of Canada was a good idea, and I was just wondering if the White House sees border security with Canada as a major issue and whether it's something that this White House has ever looked at.

MR. EARNEST: Well, Roberta, I can tell you that the United States has a very strong national security relationship with Canada. We cooperate on a wide variety of issues. And as I recall, there are actually even Canadian military personnel that are involved in our ongoing effort inside of Iraq to train and equip Iraqi security forces to take the fight to ISIL. That represents a significant contribution on the part of Canada, and I think it's a testament to the strength of our alliance with Canada.

That cooperation also extends to border security. And there have been occasions that have been previously announced where U.S. and Canadian law enforcement and national security officials have succeeded in apprehending individuals that we were concerned about. And certainly in

the aftermath of the tragic shooting of the Canadian soldier -- I guess that was last year -- the coordination efforts and information intelligence sharing between the United States and Canada was further ramped up.

And we certainly value that relationship, and that relationship extends to the security of our long-undefended border.

Q So no wall needed?

MR. EARNEST: I'm not aware of anybody in this administration who believes that that should be a top priority.

Q Josh, we learned over the weekend from a readout of Ambassador Rice's trip to Pakistan that the President had extended a specific invitation to Prime Minister Sharif to visit the White House. To your knowledge, has the Prime Minister accepted that invitation?

MR. EARNEST: I assume that he has. I have not seen a formal statement of his accepting it, but I'm not sure that was necessary. But it is true that Ambassador Rice did invite the Prime Minister to visit the White House in late October. And we certainly are looking forward to that visit. There are obviously a lot of important issues to discuss.

Q Following on that, in the Pakistani press, there was a lot of attention paid to whether the U.S. would provide the next tranche of what has been \$300 million in security aid. Kind of time and again, the Pentagon has not yet certified that the Pakistani government has disrupted the terrorism network that the aid is sort of reliant on, and so I'm wondering if that was part of the conversation with Ambassador Rice and if there were any assurances made to the Pakistanis that that additional aid would be coming.

MR. EARNEST: Let me just say as a general matter that the first item on the National Security Advisor's agenda, as you'd expect, was the security relationship between the United States and Pakistan. The United States and Pakistan have been able to effectively cooperate on a range of security and counterterrorism priorities, and we certainly are appreciative of that kind of relationship.

We have indicated on a number of occasions that there is more work we believe that the Pakistani government can do to confront extremist groups

and others that pose a security threat to the interest of the Pakistani people as well as the national security interests of the United States. And that certainly was part of the discussion that Ambassador Rice had with the Pakistani officials, and I'm confident that will be on the agenda when Prime Minister Sharif visits the United States later this fall.

Q In The Forward interview, the President said that he expected the U.S.-Israel security cooperation talks to proceed, and he said the same thing in his webcast on Friday that he thought they would go quickly and smoothly. Does he have specific plans yet to invite Prime Minister Netanyahu to the U.S. or to meet with him somewhere to talk about that personally?

MR. EARNEST: I'm not aware of any meetings that are in the works at this point. As you know, the President does speak rather frequently with Prime Minister Netanyahu.

I would also point out that Adam Szubin, who is the Treasury official responsible for implementing the sanctions by the Treasury Department, about a range of officials -- on a range of issues, including against some Iranian officials, is actually in Israel right now to talk about our coordinated efforts to counter Iran's destabilizing activities in the region.

I'll just point out again that Mr. Szubin is traveling in Israel, conducting those high-level negotiations with the Israelis, even though the Senate Banking Committee won't even give him a hearing to consider his nomination. So I think this is a pretty open-and-shut case when it comes to Republicans in the United States Senate once again placing their own political interests ahead of the national security interests of the United States.

Q -- big kind of push when Walmart announced that it was raising the wages for workers, saying that it tied in with the administration's effort on the minimum wage. Some Walmart stores are saying now that they're cutting hours for workers in order to offset the costs. I'm wondering what your guys' reaction to that is, and if it at all strikes a blow for your messaging on the minimum wage.

MR. EARNEST: We've long acknowledged that individual decisions -- individual companies are going to make business decisions that they

believe are in the best interest of their business. And the reason that we cited that Walmart's announcement is that it was -- they were just the latest company to indicate that they believed that raising the wages of their workers was in the best interest of their business.

And so it has long been our view -- and this is a view that the President has frequently articulated -- that businesses benefit from ensuring that their workers are properly compensated. And that's consistent with the decision that Walmart has made. I can't speak to any individual decisions that they've made about changing the work hours, but we continue to believe that Walmart's decision to raise compensation for their workers is consistent with the President's view that fairly compensating workers is a good business decision.

Q Josh, with Congress soon to be returning from their recess, should we anticipate that the White House will submit its Guantanamo plan to Congress relatively soon?

MR. EARNEST: Well, Josh, this is something that the administration has been hard at work on over the month of August. I don't have any updates for you in terms of timing. I think you are aware that there are a couple of site visits that administration personnel have made to a couple of potential sites here in the United States that could be a place to house Gitmo detainees after that facility is -- after the prison there is closed, but I don't have any updates in terms of the development of that plan or timing on which it might be presented to members of Congress.

Q There's been a sense I think from some members of Congress that you guys are making this legislative push to sort of give yourselves -- to shield yourselves for taking executive action if Congress fails to do something themselves. Is it fair -- would it be fair to describe this as Congress's last chance before the White House would act unilaterally on Guantanamo?

MR. EARNEST: I think what I would -- the way that I would describe this, Justin, is that I think we've been pretty blunt about the fact that Congress -- members of Congress in both parties, to be fair, have put in place significant obstacles that have prevented the administration from making nearly as much progress as we would like to make in closing the prison at Guantanamo Bay. And Congress has been effective in thwarting that

effort.

And that's why we're seeking to engage with Congress once again to try to get them to work cooperatively with the administration to pursue the kind of national security goal that isn't just advocated by President Obama, it actually was advocated by former President Bush, who opened the prison in the first place.

So there's no reason this has to break down along party lines. What we're hopeful is that Congress will acknowledge that what two Presidents of different parties have now confronted, which is that continuing to operate the prison at Guantanamo Bay is not just an unwise use of taxpayer dollars, it actually poses an unnecessary risk to the national security of the United States. The President is eager to confront that by closing the prison, and finding a way that is consistent with our national security objectives of closing that prison.

Q Just to follow on that, is this a case, as it was -- as the President said about immigration, where "if Congress won't act, I will?"

MR. EARNEST: I think it is fair to say that we have taken a number of steps to try to reduce the prison population there so we can get closer to closing the prison. The President and his team are always considering a wide array of options.

But the fact is the best way for us to do this is for members of Congress in both parties to work effectively with the administration to achieve an objective that is advocated by Presidents of both parties, which is to close the prison at Guantanamo Bay. And again, the reason that the President has made that a priority is because he believes that continuing to operate the prison at Guantanamo Bay is an unwise use of taxpayer dollars -- it certainly is an inefficient use of taxpayer dollars -- but also poses an unnecessary risk to our national security.

Q Governor Christie made some headlines over the weekend by suggesting that immigrants to the U.S. should be tracked like FedEx packages. I'm wondering if you have a response to that, but also on the -- I know the kind of headlines -- but on the more substantive point, if the U.S. is doing enough -- if somebody has got a visa, to sort of track and follow them after they've entered the country and sort of gotten to the

end of their visas here.

MR. EARNEST: Well, I did notice that Governor Christie himself took what I think we would all agree is an uncharacteristic step of signaling some discomfort with his comments. And I think that was probably appropriate. Let me just say that the -- again, Congress had a really good opportunity to confront the myriad problems that are posed by our broken immigration system, and one of them was to reform the legal immigration system, particularly as it relates to visas.

So that was a reform -- or those were a set of reforms that were blocked by Republicans in the House of Representatives. We've talked at length about our disappointment with the decision of House Republicans to block common-sense immigration reform. And that's why many of the problems that have been caused by our broken immigration system persist.

And this will certainly have to be something that the next President confronts, and it's why the debate about immigration reform in the current presidential election is an important one. Because the American people should have a clear understanding of how the people running for President will confront this issue once they get in the Oval Office, because it's going to be a problem that -- because of congressional obstruction, that will still exist when the next President takes office.

Q It seems we baited you into talking about the 2016 presidential election. Wanted to ask about the 2020 presidential election. Somebody who President Obama has had conversations with in the last year, Kanye West, said last night that he was planning a bid for the White House. I'm wondering if that's something that the President talked to him about at all, and if -- I know you'll be looking for a job in a little bit -- maybe being press secretary of Kanye's campaign might be open.

MR. EARNEST: I heard a little bit about Mr. West's announcement. Let me just say I look forward to seeing what slogan he chooses to embroider on his campaign hat.

Q -- see a poster?

MR. EARNEST: Why don't we move to the visual aid portion of the

program. So what I have brought with me -- and we'll have more of these on the ground when we arrive in Alaska -- this is actually a National Parks Service map of Denali National Park with the renamed centerpiece of the national park on the map. So this is the mountain -- the peak formerly known at Mt. McKinley that is now Denali.

So a little --

Q And these things all said Denali previously except for the mountain itself?

MR. EARNEST: That's correct. So, previously, Mt. McKinley was located in Denali National Park, but now the center attraction of the National Park has been renamed Denali.

Q So just to clarify for our friends listening on the ground, the administration has now formally changed the name of Mt. McKinley to Denali on the official National Parks Service maps.

MR. EARNEST: Yes. So the National Parks Service has started producing maps with the highest peak in North America now labeled Denali.

Q So, Josh, did the administration take a look at how much it's going to cost to do all this map-renaming and whatnot? Is there any cost estimate of the impact of this renaming decision?

MR. EARNEST: I'd check with the Department of Interior about that. My guess is they're not going to throw away any perfectly good maps, but you've got a sample here of the next run.

Q One more last one. We heard right before we got off the ground that the President was going to be doing the interview, TV segment with Bear Grylls. I'm wondering if you could both shed any light on what exactly they're going to be doing, and then maybe talk about how this is part of your guys' media strategy to -- the President and you have both talked about it in the past -- reach out to --

MR. EARNEST: Well, as I think NBC announced earlier today, the President will be spending some time on his hike tomorrow with Bear Grylls for his "Running Wild" series. And so I don't want to -- this is a special that will run later this fall, so I don't want to give away a lot of details about what

the President will be doing with Mr. Grylls, but he's certainly looking forward to it. And it does provide an appropriate platform for the President to talk about conservation.

Throughout his series, Bear Grylls has traveled to unique places all around the world -- including many places inside the United States -- to showcase the beauty of our land. And talking about these issues and talking about the impact on climate change on some of these lands is something that the President will do in the context of this interview. But discussions about climate change will not be the only thing that they do, and so we'll --

Q Was the President a Boy Scout or anything? Does he know how to make fire?

MR. EARNEST: I don't know if the President was a Boy Scout. That is a really good question.

Q Can you find out?

Q -- head of the Boy Scouts.

MR. EARNEST: Exactly, he is the head of the Boy Scouts. I don't -- I'll find out if he was as a kid.

Q Do you know whether he is a fan of the show? Or has he ever seen the show?

MR. EARNEST: The President has seen the show before. And again, I think it's just sort of an admittedly unorthodox but legitimately interesting way for the President to reach an audience that obviously cares about this conversation. And this administration has taken some historic steps to provide -- to protect large swaths of land and water in this country -- that a total of 9.8 million acres of water in both the Beaufort and Chukchi Seas have been protected by the administration from offshore energy production, and another 32.5 million acres of water in Bristol Bay have been similarly protected. And as you all know, the President -- the administration did make a recommendation to make significant parts of the coastal plain in the Arctic National Wildlife Reserve permanently off limits to oil and gas exploration.



So there are a number of steps that this administration has taken to protect this precious land, and the President will have the opportunity to spend some time on this precious land with Bear Grylls for his television special.

So it's just a -- again, an interesting way for us to reach an audience that cares about it.

Q Did the Secret Service have any concerns about him doing the show and pushing him to his limit?

MR. EARNEST: Well, I would say that there -- I will not deny your suspicion that there may have been some suggestions put forward by the Bear Grylls team that were not approved by the Secret Service.  
(Laughter.)

Q Can't tell us what he's not going to do; we'll find out what he is going to do.

MR. EARNEST: Yes, that's no fun. We have been able to work with the Secret Service to find a couple of interesting things for the President to do with Bear Grylls. It should be fun.

END

12:50 P.M. EDT



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# EXHIBIT

4

## Ryan Mulvey

---

**From:** Bridges, Gregory - AMS <Gregory.Bridges@ams.usda.gov>  
**Sent:** Monday, October 19, 2015 5:37 PM  
**To:** Aram Gavoor  
**Subject:** RE: Freedom of Information Act (FOIA) #2016-AMS-00276

Mr. Gavoor:

I was a pleasure speaking with you as well. We will process our response to your request under terms stated in your response. In addition, we will perform all necessary steps to comply with the guidance stated in the Executive of Office of the President's memorandum.

### Greg Bridges

FOIA Officer  
USDA Agricultural Marketing Service  
1400 Independence Avenue, S.W.  
Stop 0202  
Washington, D.C. 20250

---

**From:** Aram Gavoor [mailto:aram.gavoor@causeofaction.org]  
**Sent:** Monday, October 19, 2015 4:24 PM  
**To:** Bridges, Gregory - AMS  
**Subject:** RE: Freedom of Information Act (FOIA) #2016-AMS-00276

Dear Mr. Bridges:

It was a pleasure to speak with you. Per your email, please contact me after AMS has completed its search for Items three, four and five of my request. Depending on the volume of documents, I may wish to further clarify the scope of the request.

You mentioned during our conversation that AMS may be consulting with various entities in the government the hold "equity" in the documented requested in Items four and five. In discussing Item five – which requests records of communication between any employee of the American Egg Board and any employee of the Executive Office of the President – I understood you to indicate that the Department of Agriculture adheres to a memo describing pre-production consultations with the White House where FOIA requests implicate White House equities. Is the attached document, a memorandum from White House Counsel Gregory Craig to the general counsels of the executive departments and agencies, the memo you mentioned?

Again, thank you for your responsiveness and insight.

Kind regards,  
Aram Gavoor

Aram Gavoor | Senior Counsel | Cause of Action  
1919 Pennsylvania Avenue NW, Suite 650  
Washington, DC 20006  
[Aram.Gavoor@causeofaction.org](mailto:Aram.Gavoor@causeofaction.org)  
Direct: [202-499-2427](tel:202-499-2427) | Main: [202-499-4232](tel:202-499-4232)  
Admitted in District of Columbia, New York and Connecticut.

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---

**From:** Bridges, Gregory - AMS [<mailto:Gregory.Bridges@ams.usda.gov>]

**Sent:** Monday, October 19, 2015 3:43 PM

**To:** Aram Gavoor

**Subject:** Freedom of Information Act (FOIA) #2016-AMS-00276

Dear Gavoor:

This is a follow-up to our teleconference on October 19, 2015, regarding FOIA #2016-AMS-00276-F (see attached). During this discussion, you requested to be contacted after AMS has completed our search for items three, four, and five on your request in order to possibly narrow the scope of the request.

Please reply back to this request stating the information above is accurate. If any revisions are needed, please reply back with required changes. If you have any questions, please contact me.

**Greg Bridges**

FOIA Officer

USDA Agricultural Marketing Service

1400 Independence Avenue, S.W.

Stop 0202

Washington, D.C. 20250

# EXHIBIT

## 5

From: Siskel, Edward (b) (6)  
Sent: Friday, January 11, 2013 4:38 PM  
To: Kravitz, Hirsh  
Cc: Beard, Susan  
Subject: RE: FOIA Request - HQ-2012-01643-F (Gordon LI)

Hirsh-- Thank you for consulting with us on this proposed FOIA release. We have reviewed and do not have any questions or concerns. Thanks, Ed

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

From: Kravitz, Hirsh [mailto:[Hirsh.Kravitz@hq.doe.gov](mailto:Hirsh.Kravitz@hq.doe.gov)]  
Sent: Wednesday, December 26, 2012 3:40 PM  
To: Siskel, Edward  
Subject: FW: FOIA Request - HQ-2012-01643-F (Gordon LI)

Hi Ed:

This is another FOIA for review. There are no white house equities but Susan thought you may want to see it as it involves (b) (6). Thank you

Hirsh

# EXHIBIT

6

From: Defense Freedom Of Information Policy Office  
To: (b)(6) CIV WHS-ESD: "Gottlieb, Mike"  
Subject: RE: Significant FOIA Responses 10-F-0642  
Date: Tuesday, June 19, 2012 3:53:16 PM

---

Mike:

Have I overlooked a response from you on this one?

V/r

(b)(6)

Defense Freedom of Information and Policy Office

(b)(6)

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

From: (b)(6) CIV WHS/ESD  
Sent: Tuesday, June 05, 2012 4:45 PM  
To: 'Gottlieb, Mike'  
Subject: FW: Significant FOIA Responses 10-F-0642

Good afternoon Mike:

OSD/JS would like to make their release on this by next week, June 12, 2012.

There really don't appear to be WH equities within the document being released as the report is a transition report prepared by the DoD during the time period between November 2008 and January 2009. I am making you aware of the release because the first sentence of the first paragraph of the response letter makes mention of the fact that we found no records pertaining to their request for records prepared by the transition team working for President-elect Obama.

<https://www.intelink.gov/inteldocs/browse.php?fFolderId=461691>

V/r

(b)(6)

Defense Freedom of Information and Policy Office

(b)(6)

Non-responsive

13-L-1252/DOD-OSD/150



# EXHIBIT

7

**Flamberg, Gemma (HHS/OGC)**

---

**From:** Flamberg, Gemma (HHS/OGC)  
**Sent:** Tuesday, October 18, 2011 5:43 PM  
**To:** 'Roberts, Blake C.'  
**Subject:** FW: HHS FOIA Request 2011-0756KG - Records of Communication between HHS staff and Congresswoman Nancy Pelosi  
**Attachments:** 2011-0756 Original Request.pdf; 2011-0756 - WH-EOP - UPDATED extracted files - responsive records.pdf  
**Importance:** High

Blake – I don't believe that these are the kinds of records that you need to review, but figured I would give you the option. These are basically just a collection of letters that the WH wrote back to Pelosi over several years saying "thanks, got your letter, we are referring it for response."

# EXHIBIT

## 8



Keable, Edward &lt;edward.keable@sol.doi.gov&gt;

**Fwd: White House Equities in FOIA Request OS-2012-00080**

1 message

Keable, Edward &lt;edward.keable@sol.doi.gov&gt;

Sat, Apr 13, 2013 at 1:30 PM

To: "Dominguez, Daniel" &lt;EOP (b) (6)&gt;

----- Forwarded message -----

From: Keable, Edward &lt;edward.keable@sol.doi.gov&gt;

Date: Sat, Dec 15, 2012 at 2:22 PM

Subject: Fwd: White House Equities in FOIA Request OS-2012-00080

To: "Green, Jason" &lt;EOP (b) (6)&gt;

Jason,

This is the third FOIA DOI has with WH equities I referred to in my email to you earlier this week. We are releasing some documents responsive to this request that do not have WH equities. Not sure of the volume.

(b) (5)

Let me know if you have any questions on this one or the two that I made reference to last week.

Thanks,

Ed

----- Forwarded message -----

From: Clarice Julka &lt;clarice\_julka@ios.doi.gov&gt;

Date: Fri, Dec 14, 2012 at 1:57 PM

Subject: White House Equities in FOIA Request OS-2012-00080

To: Edward Keable &lt;edward.keable@sol.doi.gov&gt;

Cc: Richard Ha &lt;richard\_ha@ios.doi.gov&gt;

Hi Ed,

We are releasing a partial response to the FOIA request (2012-00080). Richard Ha, the FOIA processor, who reviewed this one, prepared the below summary. Attached to this email are the six files containing the WH equities.

Clarice

On December 5, 2011, Buster Johnson, Chairman of the Mohave County Board of Supervisors, sent a FOIA requesting seeking "[a]ll email records archived and retained by the DOI from or to the [54 listed] individual email addresses dating from January 1, 2009 to the date of this letter and using the word 'withdrawal' in connection with the words 'Arizona, uranium or Grand Canyon.' . . . This request should be interpreted to include all attachments as well."

In response, the DOI OS FOIA office located and organized responsive electronic mail from 42 individuals into 42 pdf files, one pdf file for each individual. Six pdf files had joint DOI-White House records that could be interpreted

as White House equities. These six pdf files either had electronic mail sent to, from, or cc'ed White House officials; or had some discussion of White House activities.

File (b) (5) has electronic mail from and to Office of Science and Technology Policy, Executive Office of the President. Files (b) (5) (b) (5), and (b) (5) has discussion of, draft, and final White House Reports. Files (b) (5) and (b) (5) has criticism of GOP-opposition to the Obama Administration on uranium withdrawal. File (b) (5) has discussion with and meeting-preparation notes with White House officials.

—  
Edward T. Keable  
Deputy Solicitor-General Law  
Office of the Solicitor  
U.S. Department of the Interior  
Phone: 202-208-4423  
Fax: 202-208-5584  
edward.keable@sol.doi.gov

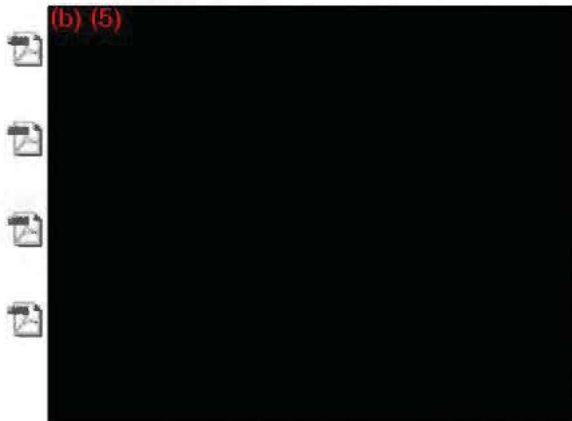
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—  
Edward T. Keable  
Deputy Solicitor-General Law  
Office of the Solicitor  
U.S. Department of the Interior  
Phone: 202-208-4423  
Fax: 202-208-5584  
edward.keable@sol.doi.gov

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**6 attachments**



# EXHIBIT

## 9





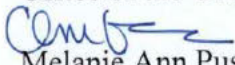
U.S. Department of Justice  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

JAN 30 2013



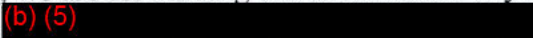
MEMORANDUM

TO: Edward N. Siskel  
Associate Counsel to the President  
Office of the Counsel to the President

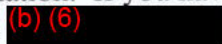
FROM:   
Melanie Ann Pustay  
Director

SUBJECT: Freedom of Information Act (FOIA) Request/Lawsuit of Charles Roth Seeking Communications Regarding Decisions on Immigration Matters Issued by the Attorney General; OIP No. AG/11-00279 (F)

This concerns the above-referenced FOIA request which was received by this Office. **Please be advised that this request is currently the subject of litigation in National Immigrant Justice Center v. U.S. Department of Justice, No. 12-CV-4691, (N.D. Ill.). Accordingly, we request your response as soon as possible. Please be advised that our production date for this material is February 19, 2013.**

The attached documents contain information of interest to the White House. The documents consist of an internal Department of Justice e-mail (b) (5)  (b) (5)  as well as an invitation with an attachment to a Domestic Policy Council meeting concerning the development of the Department of Justice's immigration regulations. Accordingly, we are forwarding this information to your Office for consultation. We recommend, (b) (5)  that the documents be disclosed with the material highlighted in yellow excised pursuant to Exemptions 5 and 6 of the FOIA (deliberative process privilege and personal privacy). Please let me know if you agree with this determination. For your information, we have outlined in blue the material for which we would like the White House's views.

Please be advised that the numbers on each of the documents are for administrative purposes only and were not on the original documents. Please also be advised that the material highlighted in green is not responsive to the request and will be excised as such prior to our response to the requester.

A copy of the requester's initial letter is attached for your information. If you have any questions regarding this matter, please feel free to contact me directly at (b) (6) .

-2-

Otherwise, please e-mail your response to Ginae Barnett at [Ginae.Barnett@usdoj.gov](mailto:Ginae.Barnett@usdoj.gov). Thank you for your attention to this matter.

Attachments  
MAP:VRB:GEB



# EXHIBIT 10

<b>From:</b>	Lee, Jennifer </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JENNIFER.LEE (b)(6)>
<b>To:</b>	"Jonathan_Su (b)(6)"
<b>CC:</b>	"Holzer, James </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=James.holzer>"
<b>Subject:</b>	Re: DHS/OS/PRIV 12-0433 with WH Equities
<b>Date:</b>	2012/09/04 02:25:28
<b>Type:</b>	Note

Dear Jonathan,  
 Many thanks for your continued assistance with these requests. We can make COB Friday work. Please note, though, that these docs need to be released quite soon in order for DHS to administratively process and close the request for the fiscal year.

We greatly appreciate your help in ensuring that DHS reduces its backlog in accordance with Kathy Ruemmler's FOIA guidance memo.

Kind regards,  
 Jennifer

---

**From:** Su, Jonathan [mailto:Jonathan\_Su (b)(6)]  
**Sent:** Monday, September 03, 2012 10:27 PM  
**To:** Lee, Jennifer  
**Cc:** Holzer, James  
**Subject:** RE: DHS/OS/PRIV 12-0433 with WH Equities

Thanks. I'm working on both. Can you give me until the end of this week (COB 9/7/2012)?

---

**From:** Lee, Jennifer [mailto:Jennifer.Lee (b)(6)]  
**Sent:** Monday, September 03, 2012 10:23 PM  
**To:** Su, Jonathan  
**Cc:** Holzer, James  
**Subject:** Re: DHS/OS/PRIV 12-0433 with WH Equities

Dear Jonathan,  
 (b)(6) I'm following up on the last remaining DHS FOIA consults pending with WHCO: FOIA requests 12-0297 and 12-0433.

DHS plans to release the docs soon to close out these requests before the FY ends. To ensure that any WHCO comments receive full consideration and to allow time for clarifying questions, if needed, please do let me (or James) know as soon as possible if you have any comments on 12-0297 or 12-0433.

Many thanks,  
 Jennifer

---

**From:** Su, Jonathan [mailto:Jonathan\_Su (b)(6)]  
**Sent:** Monday, August 27, 2012 11:16 AM  
**To:** Lee, Jennifer  
**Subject:** RE: DHS/OS/PRIV 12-0433 with WH Equities

Hi Jennifer. Is there someone in your office that I work with while you're away? I'm so sorry to bother you while you're out.

---

**From:** Lee, Jennifer [mailto:Jennifer.Lee (b)(6)]  
**Sent:** Monday, August 20, 2012 4:08 PM  
**To:** Su, Jonathan  
**Subject:** FW: DHS/OS/PRIV 12-0433 with WH Equities

Dear Jonathan,  
 Attached for your review, please find a new FOIA consultation from DHS. The 14 pages of responsive documents relate to a meeting with Jewish community leaders attended by Secretary Napolitano at the EEOB on April 18, 2012. The main WH equity is the biographical information on the attendees provided on pages 13-14. **Please let me know if your office has any concerns with the proposed redactions by COB Friday, August 31.**

(b)(6)

Kind regards,

--

Jennifer Lee  
 Special Assistant to the Chief Privacy Officer  
 Department of Homeland Security | Privacy Office  
 (b)(6) Jennifer.Lee (b)(6)

---

**From:** Holzer, James  
**Sent:** Monday, August 20, 2012 10:49 AM  
**To:** Lee, Jennifer  
**Cc:** Holzer, James  
**Subject:** DHS/OS/PRIV 12-0433 with WH Equities  
**Importance:** High

Jennifer,  
 .. Attached are documents responsive to FOIA request 12-0433 for your review.. These records also contain WH equities and we will need to consult with them after your review... I have attached a copy of the initial request, and a draft letter with my name as the sender to the WH.. Please let me know if there are questions or concerns.

Regards,

James

# EXHIBIT 11



Seth Greenfeld - LG &lt;seth.greenfeld@gsa.gov&gt;

---

**RE: GSA EOP Email**

[REDACTED]

Su, Jonathan (b) (6)  
To: "Seth Greenfeld (LG)" <seth.greenfeld@gsa.gov>

Thu, Apr 19, 2012 at 5:23 PM

(b) (5)  
[REDACTED]

Jonathan

**From:** Seth Greenfeld (LG) [mailto:seth.greenfeld@gsa.gov]  
**Sent:** Thursday, April 19, 2012 5:02 PM  
**To:** Su, Jonathan  
**Subject:** GSA EOP Email

Good afternoon. Attached is a responsive document we discovered while processing a FOIA request. The request was for "all e-mails, notes, voicemails, and/or any other record of communication from and/or to Martha Johnson and Robert Peck discussing the Las Vegas convention held at the M Resort or the investigation into the matter or political concerns regarding the issue."

Seth S. Greenfeld  
Senior Assistant General Counsel  
General Law Division, Office of General Counsel  
U.S. General Services Administration  
(202) (b) (6)

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# EXHIBIT 12



Seth Greenfeld - LG <seth.greenfeld@gsa.gov>

---

## FOIA Requests

1 message

---

Seth Greenfeld (LG) <seth.greenfeld@gsa.gov>

Tue, May 1, 2012 at 12:53 PM

To: Jonathan Su (b)(6) /

Cc: "Kris Durmer (L)" <kris.durmer@gsa.gov>, "Lennard Loewentritt (L)" <lennard.loewentritt@gsa.gov>

Per your request, here are the five FOIA requests that in some manner ask for the 2010 Western Regions Conference website and its contents.

Seth S. Greenfeld  
Senior Assistant General Counsel  
General Law Division, Office of General Counsel  
U.S. General Services Administration  
(202) (b) (6)

---

### 5 attachments

FOIA 217367.pdf  
30K

FOIA 217447.pdf  
26K

FOIA 217507.pdf  
30K

FOIA 217587.pdf  
395K

FOIA 219427.pdf  
29K

# EXHIBIT 13





Seth Greenfeld - LG &lt;seth.greenfeld@gsa.gov&gt;

**FOIA**

1 message

**Seth Greenfeld - LG** <seth.greenfeld@gsa.gov>

Fri, Apr 12, 2013 at 5:22 PM

**Jonathan Su** (b)(6)

Good afternoon. I was told by our Office of Administrative Services that you wanted to see the FOIA about the renovations to a bathroom at the Department of Interior. Attached please find the incoming request, a proposed response from our FOIA Office, and the proposed responsive documents (which are marked for redaction).

I was also told you wanted to see FOIAs about public affairs officers and West Wing renovations, but those were already sent to you so I assume someone passing the message along here was confused. If you want to see those again though, let me know and I can forward them.

Seth S. Greenfeld  
 Senior Assistant General Counsel  
 General Law Division, Office of General Counsel  
 U.S. General Services Administration  
 (202) (b) (6)

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**3 attachments**

 **Incoming Online FOIA 237108.pdf**  
 117K

 **237108 Draft Response Letter (from OAS).docx**  
 49K

 **237108 FOIA (Documents).pdf**  
 481K

# EXHIBIT 14

From: Wright, Andrew  
To: (b)(6) DoD OGC  
Cc: (b)(6) DoD GC  
Subject: RE: Fox News FOIA re Bonuses/Awards  
Date: Wednesday, October 17, 2012 4:35:36 PM

---

Thank you.

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

From: (b)(6) DoD OGC [mailto:(b)(6)]  
Sent: Wednesday, October 17, 2012 4:33 PM  
To: Wright, Andrew  
Cc: (b)(6) DoD GC  
Subject: FW: Fox News FOIA re Bonuses/Awards

Andy,

Just a heads up on DoD's response to Fox News FOIA re bonuses/awards - DoD released attached response on Sept 27.

Names removed - please see sample attached.

Happy to discuss as needed - (b)(6)

V/r,

(b)(6)

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Non-responsive

13-L-1252/OSD/255

13-L-1252/DOD-OSD/202

# EXHIBIT 15

**Hitter, Thomas E.**

---

**From:** Hitter, Thomas E.  
**Sent:** Monday, April 29, 2013 1:44 PM  
**To:** Leinwand, Jessica  
**Subject:** RE: Judicial Watch FOIA Litigation re Solyndra

Sounds good.

---

**From:** Leinwand, Jessica  
**Sent:** Monday, April 29, 2013 1:43 PM  
**To:** Hitter, Thomas E.  
**Subject:** RE: Judicial Watch FOIA Litigation re Solyndra

Would 2:30 work? I can give you a call.

---

**From:** Hitter, Thomas E.  
**Sent:** Monday, April 29, 2013 1:40 PM  
**To:** Leinwand, Jessica  
**Cc:** Siskel, Edward; Su, Jonathan; Dominguez, Daniel  
**Subject:** RE: Judicial Watch FOIA Litigation re Solyndra

Thanks Jess. Yes, I can be available at any time other than 3:00 to 3:30.

---

**From:** Leinwand, Jessica  
**Sent:** Monday, April 29, 2013 1:25 PM  
**To:** Hitter, Thomas E.  
**Cc:** Siskel, Edward; Su, Jonathan; Dominguez, Daniel  
**Subject:** FW: Judicial Watch FOIA Litigation re Solyndra

Tom,  
I reviewed the proposed production **Exemption 5** [REDACTED]). Are you free to discuss  
sometime this afternoon? Looping others for s/a (**Exemption 5** [REDACTED]).

Thanks,  
Jess

---

**From:** Hitter, Thomas E.  
**Sent:** Thursday, April 25, 2013 4:24 PM  
**To:** Leinwand, Jessica  
**Cc:** Taransky, Naomi Stern  
**Subject:** Judicial Watch FOIA Litigation re Solyndra

Jess –

As you may already know, there is currently a pending FOIA lawsuit brought by the organization Judicial Watch regarding DOE's loan guarantee to Solyndra, in which OMB, Treasury, and DOE are defendants. OMB remains under a court order to produce materials to Judicial Watch on a rolling basis and our next upcoming court imposed deadline is Tuesday, April 30. This will be our tenth production. In our previous nine productions we worked with Phil Toomajian and Ed Siskel. **Exemption 5** [REDACTED]

Exemption 5

Exemption 5

Our next proposed production, which is attached here, consists of 120 pages of emails (including attachments) between OMB and Treasury. Exemption 5

Could your office please review and let us know if there are any questions or concerns by **5:00pm Monday?**

I'm copying Naomi, my colleague in OMB OGC, who is also working on this matter. Please let us know if you have any questions.

Thanks,

Tom

**Hitter, Thomas E.**

---

**From:** Hitter, Thomas E.  
**Sent:** Wednesday, May 22, 2013 5:10 PM  
**To:** Leinwand, Jessica  
**Subject:** Judicial Watch - Solyndra FOIA  
**Attachments:** FY2011-168.pdf; 1- Complaint.pdf

Jess – FYI. Attached is the FOIA request (and corresponding compliant) from Judicial Watch seeking documents pertaining to Solyndra.

# EXHIBIT 16



**Ray, Kathy (OST)**

---

**From:** McQuaid, Nicholas <[REDACTED]> Ex. 6  
**Sent:** Monday, May 06, 2013 2:23 PM  
**To:** Ray, Kathy (OST)  
**Subject:** RE: A new FOIA response for your review

Thanks Kathy. I will take a look.

**From:** [Kathy.Ray@dot.gov](mailto:Kathy.Ray@dot.gov) [mailto:[Kathy.Ray@dot.gov](mailto:Kathy.Ray@dot.gov)]  
**Sent:** Monday, May 06, 2013 1:20 PM  
**To:** McQuaid, Nicholas  
**Subject:** FW: A new FOIA response for your review

Nick:

See below. It turns out there was something I had pending with Russ...

Thanks!

Kathy Ray  
DOT FOIA Officer  
(202) 366-5546

**From:** Ray, Kathy (OST)  
**Sent:** Monday, March 04, 2013 2:34 PM  
**To:** Anello, Russell M. ([REDACTED]) Ex. 6  
**Subject:** A new FOIA response for your review

Russ:

Attached is a FOIA response regarding the Secretary's travel. The responsive documents are travel vouchers for Secretaries Mineta, Peters, and LaHood since January 2001.

The only vouchers that are attached for review are those that has not been previously reviewed/released (March 2012 – November 2012). [REDACTED]

EXEMPTION 5

If you have any questions, please let me know.

Thanks!

Kathy Ray  
(202) 366-5546

# EXHIBIT 17

From: Siskel, Edward (b) (6)  
Sent: Thursday, August 30, 2012 6:27 PM  
To: Richards, Jocelyn  
Cc: Smith, Isiah  
Subject: RE:

Jocelyn-- Thank you for consulting with us about the proposed FOIA release. We have reviewed and do not have any questions or concerns. Thanks, Ed

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

From: Richards, Jocelyn [mailto:[Jocelyn.Richards@hq.doe.gov](mailto:Jocelyn.Richards@hq.doe.gov)]  
Sent: Thursday, August 30, 2012 4:33 PM  
To: Siskel, Edward  
Cc: Smith, Isiah  
Subject:

Mr. Siskel -  
Department of Energy is responding to a FOIA request, HQ-2012-01044, filed by Justin McCarthy of Judicial Watch. Judicial Watch has requested copies of records of the travel calendar for Secretary of Energy Steven Chu from January 1, 2012, to March 21, 2012.

The attached responsive document has been bracketed by DOE for release with information exempted pursuant to (b) (5)

(b) (5)  
(b) (5) I am available  
at (202) 586-5529, and my supervisor, Isiah Smith, is available at (202) 586-6724 if you would like to discuss.

Sincerely,

Jocelyn Richards

Jocelyn Richards  
Attorney-Advisor  
Office of the Assistant General Counsel for General Law U.S. Department of Energy  
1000 Independence Ave., SW  
Washington, D.C. 20585  
(202) 586-5529

From: Richards, Jocelyn  
Sent: Wednesday, September 06, 2012 3:48 PM  
To: 'Siskel, Edward'  
Cc: Smith, Isiah  
Subject: DOE FOIA HQ-2012-01420-F  
Attachments: Response Docs HQ-2012-01420-F.pdf; Incoming Request for HQ-2012-01420-F.pdf

Ed -  
Department of Energy is responding to a FOIA request, HQ-2012-01420-F, filed by Jim Snyder of Bloomberg News. Bloomberg News has requested copies of the travel records for the head of the Energy Department.

DOE has identified White House related information contained in the attached six page document. I have also attached the incoming request. Can you please review the attached document and let us know if there are any sensitivities associated with the release of this information? I am available at (202) 586-5529, and my supervisor, Isiah Smith, is available at (202) 586-6724 if you would like to discuss.

Sincerely,

Jocelyn

Jocelyn Richards  
Attorney-Advisor  
Office of the Assistant General Counsel for General Law U.S. Department of Energy  
1000 Independence Ave., SW  
Washington, D.C. 20585  
(202) 586-5529

From: Siskel, Edward (b) (6)  
Sent: Tuesday, January 19, 2016 12:40 PM  
To: Richards, Jocelyn  
Cc: Kravitz, Hersh  
Subject: RE: DOE FOIA

Jocelyn-- Thank you for consulting with us on the proposed FOIA release. We have reviewed the documents and do not have any questions or concerns. Thanks, Ed

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

From: Richards, Jocelyn [mailto:[Jocelyn.Richards@hq.doe.gov](mailto:Jocelyn.Richards@hq.doe.gov)]  
Sent: Friday, November 02, 2012 2:13 PM  
To: Siskel, Edward  
Subject: FW: DOE FOIA

Mr. Siskel,  
The requester, a news media representative, has sent an inquiry regarding the status of this FOIA request. Our package is ready to go pending your approval of these six pages. The pages in question concern Secretary Chu's travel on Air Force One and appear fairly innocuous. Is it possible to get concurrence on this information? Thanks so much for your attention to this, I know you must be very busy at this time of year.

Sincerely,

Jocelyn Richards

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

From: Richards, Jocelyn  
Sent: Friday, October 26, 2012 5:12 PM  
To: 'Siskel, Edward'  
Subject: DOE FOIA

Mr. Siskel -  
DOE is reviewing a FOIA request for the travel records of Secretary Chu. Six pages of the responsive documents contain information with potential White House equities. Can you please review the attached six pages and let me know if these are cleared for release. I have also attached the incoming FOIA request. Please give me a call at (202) 586-5529 if you have any questions.

Sincerely,

Jocelyn Richards

Jocelyn Richards  
Attorney-Advisor  
Office of the Assistant General Counsel for General Law U.S. Department of Energy  
1000 Independence Ave., SW  
Washington, D.C. 20585  
(202) 586-5529

# EXHIBIT 18

**From:** [Greenfield, Deborah - SOL](#)  
**To:** ["Hartnett, Kathleen R."; "Kimball, Astri B."; Hildner, Laura](#)  
**Subject:** FW: DOL FOIAs: 679020 Jud Watch and 681443 Forward Observer  
**Date:** Monday, July 02, 2012 11:27:22 AM  
**Attachments:** [679020 Jud Watch Records WH.pdf](#)  
[679020 Jud Watch Records Biden.pdf](#)  
[681443 Fwd Observer Records Biden.pdf](#)  
[679020 Jud Watch Request.pdf](#)  
[681443 Forward Observer FOIA.pdf](#)  
[681443 Fwd Observer Records WH.pdf](#)

---

Dear Colleagues,

I have attached pages from the Secretary's calendar that are responsive to two separate FOIA requests, one from Judicial Watch and the other from the Forward Observer. The requests are also attached. Kathleen, the first and last attachments, with the notation WH in the title, are for your review.

Laura and Astri, the second and third attachments, with the notation Biden, are for your review (these involve the Secretary's community colleges bus trip with Dr. Biden).

The fourth and fifth attachments are the FOIA requests.

Please let me know if you have any questions. We are hoping to get the responses out shortly.

Thanks for your attention to this,

Deborah Greenfield  
Deputy Solicitor  
U.S. Department of Labor  
(b) (6)

---

**From:** Hayes, Charlotte - ASAM  
**Sent:** Monday, July 02, 2012 10:44 AM  
**To:** Greenfield, Deborah - SOL  
**Subject:** DOL FOIAs: 679020 Jud Watch and 681443 Forward Observer

Deborah

Please find attached the referenced FOIA requests and calendar and travel records as discussed regarding the White House and Dr. Biden.

Charlotte Hayes  
Deputy Assistant Secretary  
OASAM  
US Department of Labor  
(b) (6)

# EXHIBIT 19



**Kroloff, Noah**

---

**From:** McNamara, Phil [REDACTED]  
**Sent:** Friday, October 16, 2009 5:20 PM  
**To:** Shlossman, Amy; Kroloff, Noah; Smith, Sean; McNamara, Phil; Button, Christopher; Kim, Leezie; Sandweg, John; Hartman, Katrina; Brown, Mary Ellen; Grossman, Jordan; Whithorne, Bobby; Kudwa, Amy  
**Subject:** RE: FOIA requests on the Secretary's Schedule

Sounds good. Moving forward on FOIA requests this is the process we will use. We will always do Steps 1 through 5 and Step 7. If the FOIA request is specific to S1 or S2's schedule or travel, we will insert Step 6. Otherwise, if the FOIA request is simply for a staff member and not S1/S2 we will skip Step 6.

1. ESEC will receive the FOIA request from the Privacy Office (which coordinates FOIA requests for DHS HQ components).
2. ESEC will alert OPA and Deputy Chief of Staff to the request for their visibility.
3. ESEC will task out the request to the appropriate folks (some requests are specific to individuals, others are open-ended).
4. Those tasked with searching for documents will respond back to ESEC with the requested documents.
5. ESEC will pass those documents to OGC for an initial review.
6. IF TRAVEL / SCHEDULE REQUEST FOR S1/S2: OGC will then pass to WH Counsel's Office. WH will pass back to OGC.
7. ~~After their review, OGC will transmit the requested documents to Privacy Office for final release to the requesting party.~~

---

**From:** Shlossman, Amy [mailto:[REDACTED]]  
**Sent:** Friday, October 16, 2009 10:27 AM  
**To:** Kroloff, Noah; Smith, Sean; McNamara, Phil; Button, Christopher; Kim, Leezie; Sandweg, John; Hartman, Katrina; Brown, Mary Ellen; Grossman, Jordan; Whithorne, Bobby; Kudwa, Amy  
**Subject:** FOIA requests on the Secretary's Schedule

WH Counsel has asked that all FOIA's related to Cabinet members' schedules/ travel be sent to their office [REDACTED] Blake Roberts [REDACTED] for review prior to release due to WH meetings, calls, etc. Assume OGC will coordinate this, but we need to make sure nothing goes out prior to being reviewed by WH counsel and our front office.

As we've been doing, we need to continue to alert WH cab affairs and comms as soon as the requests are received (prior to the responsive docs being pulled).

Thanks.

3/25/2010

000681

# EXHIBIT 20



August 6, 2013

**VIA FACSIMILE**

Mr. Robert Eckert  
FOIA Officer  
U.S. Department of Health and Human Services  
Mary E. Switzer Building, Room 2206  
330 C Street, SW  
Washington, D.C. 20201  
Facsimile: (202) 690-8320

**RE: Freedom of Information Act Request**

Dear Mr. Eckert:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, Cause of Action hereby requests access to the work calendars of the Secretary, Deputy Secretary, and Chief of Staff from January 2013 to the present.

For fee purposes, Cause of Action qualifies as a “representative of the news media” under 5 U.S.C. § 552(a)(4)(A)(ii)(II). Cause of Action is organized and operated, among other things, to publish and broadcast “news,” *i.e.*, information that is about current events or that would be of current interest to the public. Cause of Action gleans the information that it regularly publishes from a wide variety of sources and methods, including whistleblowers/insiders, government agencies, universities, scholarly works, and FOIA requests. Cause of Action routinely and systematically disseminates information acquired from such sources to the public through various media. For example, Cause of Action maintains a frequently visited website, [www.causeofaction.org](http://www.causeofaction.org), where it distribute its articles, blog posts, published reports, and newsletters, all of which address current events that are of interest to the general public. Cause of Action also disseminates news to the public via Twitter and Facebook, and it provides news updates to subscribers via e-mail. As a result of these activities, federal agencies have continually recognized Cause of Action’s news media status in connection with its FOIA requests.<sup>1</sup>

<sup>1</sup> See, e.g., FOIA Request 2013-01234-F, Dep’t of Energy (July 1, 2013); FOIA Request 2013-145F, Consumer Fin. Prot. Bureau (May 29, 2013); FOIA Request 2013-073, Dep’t of Homeland Sec. (Apr. 5, 2013); FOIA Request 2012-RMA-02563F, Dep’t of Agric. (May 3, 2012); FOIA Request 2012-00270, Dep’t of Interior (Feb. 17, 2012); Dep’t of Commerce (Mar. 1, 2012); FOIA Request No. 12-00455-F, Dep’t of Educ. (Jan. 20, 2012).

Mr. Robert Eckert  
August 6, 2013  
Page 2

In an effort to facilitate production, Cause of Action requests that all responsive records be produced in electronic format (*e.g.*, e-mail, pdf). If a certain set of responsive records can be produced more readily, we respectfully request that those records be produced first and that the remaining records be produced on a rolling basis as circumstances permit.

If you have any questions about this request, please contact me by e-mail at [allan.blutstein@causeofaction.org](mailto:allan.blutstein@causeofaction.org) or by telephone at (202) 499-4232. Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read 'Allan Blutstein', written over a horizontal line.

ALLAN BLUTSTEIN  
SENIOR COUNSEL

# EXHIBIT 21

<b>From:</b>	Su, Jonathan <Jonathan_Su@([b)(6)]>
<b>To:</b>	"Grossman, Seth </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Seth.Grossman>"
<b>CC:</b>	"Palmer, David </O=DHS ORG/OU=E2K3 ADMIN GROUP/CN=RECIPIENTS/CN=DAVID.PALMER>"
<b>Subject:</b>	RE: Proactive Disclosure
<b>Date:</b>	2012/03/09 17:15:21
<b>Type:</b>	Note

Seth: Could you help me in deciphering the proposed redactions. Is text in red proposed to be redacted, and text in black proposed to disclose? Anything else I should know? Thanks.

---

**From:** Grossman, Seth [mailto:Seth.Grossman@([b)(6)]]  
**Sent:** Wednesday, March 07, 2012 8:27 PM  
**To:** Su, Jonathan  
**Cc:** Palmer, David  
**Subject:** FW: Proactive Disclosure

Jonathan,

Here are another set of FOIA docs for WH consultation.

Thanks,  
Seth

---

**From:** Holzer, James  
**Sent:** Wednesday, March 07, 2012 9:11 AM  
**To:** Grossman, Seth  
**Cc:** Holzer, James  
**Subject:** Proactive Disclosure

Good morning Seth,  
Attached for White House consultation are SI calendars. Please let me know if I can provide additional information.

Regards,

James

**James V.M.L. Holzer, I, MHR, CIPP/G**  
Director  
Disclosure and FOIA Operations  
Privacy Office  
U.S. Department of Homeland Security  
Main: 1.866.431.0486 or ([b)(6)]  
([b)(6)]  
Fax: 703.235.0443  
Visit our [FOIA website](#)

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<b>Sender:</b>	Su, Jonathan <Jonathan_Su@([b)(6)]>
<b>Recipient:</b>	"Grossman, Seth </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Seth.Grossman>"; "Palmer, David </O=DHS ORG/OU=E2K3 ADMIN GROUP/CN=RECIPIENTS/CN=DAVID.PALMER>"
<b>Sent Date:</b>	2012/03/09 17:15:16
<b>Delivered Date:</b>	2012/03/09 17:15:21

**Generator:** Microsoft Word 14 (filtered medium)

# EXHIBIT 22

**From:** [Greenfield, Deborah - SOL](#)  
**To:** [Hartnett, Kathleen R.](#) (b) (6)  
**Subject:** FW: Name of WH personnel in OSEC calendar under review for FOIA Appeal  
**Date:** Monday, April 08, 2013 4:32:09 PM  
**Attachments:** [April07SolisEntry.pdf](#)

---

This is the issue. We withheld this entry, and it is now on appeal. Any issues with disclosing?

Deborah Greenfield  
Deputy Solicitor  
U.S. Department of Labor  
200 Constitution Ave. NW  
Suite S-2002  
Washington, D.C. 20210  
(b) (6)

*This message may contain information that is privileged and exempt from disclosure under applicable law. Do not share or copy without consulting the Office of the Solicitor. If you think you received this e-mail in error, please notify the sender immediately.*

---

**From:** Howe, Susan (Suey)- SOL  
**Sent:** Thursday, March 07, 2013 4:20 PM  
**To:** Greenfield, Deborah - SOL  
**Cc:** Audette, Rose - SOL  
**Subject:** Name of WH personnel in OSEC calendar under review for FOIA Appeal

Deborah,

(b) (6) in the MALS FOIA Appeals Unit is currently working on an appeal from Americans for Limited Government regarding the 2009 desk calendar of former Secretary Solis. Earlier this week, (b) (6) and Ray Mitten reviewed the calendar entries in detail with Charlotte Hayes, who asked that we consult you regarding an entry from April 7, 2009, in which the Secretary had lunch with Cecilia Munoz. The calendar page is attached and the entry reads as follows:

Lunch- Cecilia Munoz (Secys Dining Room)

Charlotte and Joe Plick advised we should contact you, for consultation with the WH, to determine whether Ms. Munoz's name can be released or whether it should be withheld. Any guidance that you can provide would be greatly appreciated.

Suey

Suey Howe  
Deputy Associate Solicitor for Management Legal Services  
Division of Management and Administrative Legal Services (MALS)  
Office of the Solicitor  
U.S. Department of Labor  
(b) (6)



# EXHIBIT

## 23

From: Kravitz, Hirsh  
Sent: Tuesday, June 08, 2010 12:05 PM (b) (6)  
To: Shehan, Kevin; 'Roberto J. Gonzalez@' (b) (6)  
Subject: RE: clarification [FW: Documents for WH review]

Hi Kevin,

I was not involved in the FOIA for Secretary Chu's calendar. I believe Isiah might have been working on that or Jocelyn

Hirsh

Hirsh Kravitz  
Attorney-Advisor  
Office of the Assistant General Counsel for General Law United States Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585  
(202) 586-8499  
(202) 586-8685  
[hirsh.kravitz@hq.doe.gov](mailto:hirsh.kravitz@hq.doe.gov)

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

From: Shehan, Kevin  
Sent: Tuesday, June 08, 2010 12:02 PM  
To: 'Roberto J. Gonzalez' (b) (6)  
Cc: Kravitz, Hirsh  
Subject: clarification [FW: Documents for WH review]

Roberto,

Yes, the pages are selected from Cathy Zoi's calendar. Each of the selected pages makes a reference to an activity involving the White House, such as attending a meeting there. (b) (6)

(b) (5)

Best,  
Kevin

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

From: Gonzalez, Roberto J. [<mailto:Roberto.J.Gonzalez@>] (b) (6)  
Sent: Tuesday, June 08, 2010 11:57 AM  
To: Shehan, Kevin  
Subject: FW: Documents for WH review

Hi Kevin - I took a look and was wondering if you could give me some more context about the attached. Is this y Cathy Zoi's calendar and if so what's the status of the other calendars requested?

Thanks,  
Roberto

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

From: Shehan, Kevin [<mailto:Kevin.Shehan@hq.doe.gov>]  
Sent: Monday, June 07, 2010 3:52 PM  
To: Gonzalez, Roberto J.  
Subject: Documents for WH review

Mr. Gonzalez,

Isiah Smith has asked me to forward the attached documents for WH review, I've also attached the incoming FOIA request. Please let me know you received this message and, if you could, please advise what happens next?

Thank you,  
Kevin

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

From: Kravitz, Hirsh  
Sent: Wednesday, May 19, 2010 7:13 AM  
To: Shehan, Kevin  
Cc: 'Gonzalez, Roberto J.'  
Subject: RE: WH contact?

Oh no! my bad Kevin..I got sidetracked and completely forgot!

Here it is

Roberto J. Gonzalez (b) (6)

Hirsh Kravitz

Attorney-Advisor

Office of the Assistant General Counsel for General Law United States Department of Energy  
1000 Independence Avenue, SW Washington, DC 20585

(202) 586-8499

(202) 586-8685

[hirsh.kravitz@hq.doe.gov](mailto:hirsh.kravitz@hq.doe.gov)

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

From: Shehan, Kevin  
Sent: Tuesday, May 18, 2010 4:53 PM  
To: Kravitz, Hirsh  
Subject: WH contact?

H - Can you hit me w/ the WH contact we talked about? Thanks, K

From: Siskel, Edward [(b) (6)]  
Sent: Thursday, January 20, 2011 3:11 PM  
To: Beard, Susan; Bershteyn, Boris  
Subject: RE: Duke and CEI.

Susan-- I wanted to get back to you on your questions regarding two of the Zoi FOIAs. (1) the FOIA for her calendars discussed in the chain below; and (2) the FOIA requesting Zoi's financial disclosure and a copy of her recusal. We have no comments on either of these FOIAs and appreciate you consulting prior to their release. Thanks, Ed

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

From: Beard, Susan [mailto:[Susan.Beard@hq.doe.gov](mailto:Susan.Beard@hq.doe.gov)]  
Sent: Wednesday, January 19, 2011 1:51 PM  
To: Bershteyn, Boris; Siskel, Edward  
Subject: FW: Duke and CEI.

Here is Roberto's clearance on the calendars

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

From: Gonzalez, Roberto J. [mailto:[roberto.j.gonzalez@hq.doe.gov](mailto:roberto.j.gonzalez@hq.doe.gov)] [(b) (6)]  
Sent: Tuesday, January 04, 2011 9:45 PM  
To: Beard, Susan  
Cc: Kravitz, Hirsh  
Subject: RE: Duke and CEI.

We have no comments on these. Thanks for consulting.

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

From: Beard, Susan [mailto:[Susan.Beard@hq.doe.gov](mailto:Susan.Beard@hq.doe.gov)]  
Sent: Monday, December 20, 2010 5:11 PM  
To: Gonzalez, Roberto J.  
Cc: Kravitz, Hirsh  
Subject: Duke and CEI.

Roberto -- we have two FOIA here that ask for the calendar of Cathy Zoi. The two foias and the pages of the calendar that have WH equities are attached. Please let me know if you have any questions.

Susan

# EXHIBIT

## 24

**From:** (b)(6) CIV WHS-ESD  
**To:** "Gottlieb, Mike"  
**Subject:** RE: Significant FOIA Request - Dover AFB  
**Date:** Thursday, November 15, 2012 11:13:46 AM

---

Thanks Mike.

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

**From:** Gottlieb, Mike [mailto:(b)(6)]  
**Sent:** Thursday, November 15, 2012 11:12 AM  
**To:** (b)(6) CIV WHS-ESD  
**Subject:** RE: Significant FOIA Request - Dover AFB

(b)(6) OVP will have the lead on this response. Thanks much. Best -  
Mike

**From:** (b)(6) CIV WHS-ESD [mailto:(b)(6)]  
**Sent:** Thursday, November 15, 2012 11:09 AM  
**To:** Gottlieb, Mike; Kimball, Astri B.; Leinwand, Jessica; Hildner, Laura  
**Subject:** Significant FOIA Request - Dover AFB

Good morning:

OSD/JS is ready to release the attached White House memo in response to the Gannett Cox, Incorporated request for all correspondence from certain members of congress, Vice President Biden and the Obama administration concerning the handling of remains by AF Mortuary Affairs Operations. A copy of the request is also attached.

Please review and let us know whether you have any issues with the release of this memo.

Do not hesitate to call me if you have questions.

<<...>> <<...>>

Thanks much.

V/r

(b)(6)

Defense Freedom of Information and Policy Office

(b)(6)

# EXHIBIT 25

**From:** Gottlieb, Mike  
**To:** (b)(6) CIV WHS-EOD; (b)(6) CIV WHS-EOD  
**Cc:** Wright, Andrew  
**Subject:** FOIA  
**Date:** Wednesday, March 14, 2012 5:12:26 PM

---

(b)(6)

I believe I have cleared all referred FOIA matters with two exceptions: the First Lady's trip to Spain and "Date Night". Please advise me if I am not correct in my accounting.

(b)(6) I hope to have answers to you on those two proposed releases by the end of the week.

Best,

Mike

Michael J. Gottlieb  
Associate Counsel to the President

(b)(6)

(b)(6) (desk)  
(b)(6) (mobile)



# EXHIBIT

## 26

**FOIA 2007-02-004 (Theimer)**

---

**From:** "Lee, Peter" <peter.lee@treasury.gov>  
**To:** "Siskel, Edward (Edward\_N\_Siskel@White (Edward\_N\_Siskel@who.eop.gov)" <edward\_n\_siskel@White House  
**Cc:** "Weideman, Christian" <christian.weideman@treasury.gov>, "Ewing, RebeccaDisabled" <rebecca.ewing@treasury.gov>  
**Date:** Wed, 18 Apr 2012 19:33:49 +0000  
**Attachments:** Request Ltr.pdf (80.21 kB); Copy of Obama.pdf (12.23 MB); Copy of Biden.pdf (1.36 MB)

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Hi, Ed,

We are processing a FOIA case that involves correspondence sent by Senator Obama and Senator Biden to the Treasury Department from 2002 to 2007.

We have applied initial redactions and are submitting for White House review. Due to the volume of materials (slightly more than 300 pages), we request a response at your earliest convenience. Please let us know if you have any questions. Many thanks.

Peter

# EXHIBIT

## 27

## Hibbard, Douglas (OIP)

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**From:** Hibbard, Douglas (OIP)  
**Sent:** Monday, September 23, 2013 12:42 PM  
**To:** Su, Jonathan  
**Cc:** Alvarez, Greg (OIP); Brinkmann, Vanessa R (OIP)  
**Subject:** FW: Blum

Tracking:	Recipient	Read
	Su, Jonathan	
	Alvarez, Greg (OIP)	Read: 9/23/2013 1:11 PM
	Brinkmann, Vanessa R (OIP)	Read: 9/23/2013 1:02 PM

Jonathan,

Attached are (b) (5) records responsive to the FOIA request of Justin Blum for records concerning the attempted extradition of Roman Polanski. Given that this material includes e-mail that originated with former DOJ staffers Kathryn Ruemmler and Lisa Monaco, both of whom are currently with the White House, the Office of the Attorney General has asked for your review prior to their signing off on the release of these documents. **Please be advised that this request is a fiscal year priority for OIP and we need to close it by September 30, 2013.**

A copy of the initial request is included within the pdf.

As always, thank you for your time and feel free to call me with any questions.

Doug



Tab A.pdf

# EXHIBIT

## 28

12/19/13

GSA.gov Mail - Fwd: FW: USA Today



Seth Greenfeld - LG &lt;seth.greenfeld@gsa.gov&gt;

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**Fwd: FW: USA Today**

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**Kris Durmer - L** <kris.durmer@gsa.gov>  
To: Seth Greenfeld - LG <seth.greenfeld@gsa.gov>

Wed, Dec 18, 2013 at 4:57 PM

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—— Forwarded message ——

From: **Kris Durmer - L** <kris.durmer@gsa.gov>  
Date: Wed, Jan 23, 2013 at 12:22 PM  
Subject: Fwd: FW: USA Today  
To: Seth Greenfeld - LG <seth.greenfeld@gsa.gov>, John Peters - LG <john.h.peters@gsa.gov>

FYI.

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—— Forwarded message ——

From: **Su, Jonathan** <(b) (6)>  
Date: Wed, Jan 23, 2013 at 12:00 AM  
Subject: FW: USA Today  
To: "Kris E. Durmer (kris.durmer@gsa.gov)" <kris.durmer@gsa.gov>

(b) (5)

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**From:** Dan Cruz [mailto:dan.cruz@gsa.gov]  
**Sent:** Wednesday, January 16, 2013 05:33 PM  
**To:** Lehigh, Matt  
**Cc:** Betsaida Alcantara (AC) <betsaida.alcantara@gsa.gov>  
**Subject:** USA Today

Hi Matt,

Just wanted to flag this for you. Reporter Brad Heath at USA Today has filed a FOIA request for job descriptions and responsibilities of all agency spokesmen, communications specialists, public information officers, and social media specialists. He told me that he has filed the same FOIA request with over 100 federal agencies. Our FOIA office has gathered performance plans and job descriptions for about 24 employees. These are being prepared for release in the next few days. Please contact me with any questions.

Thanks,

# EXHIBIT

## 29

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**From:** Anello, Russell M.  
**To:** Romero, Ramona - OSEC  
**Subject:** RE: [REDACTED] (b)(5)  
**Date:** Friday, November 09, 2012 5:17:03 PM

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Ok thanks.

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**From:** Romero, Ramona - OSEC [mailto:Ramona.Romero@osec.usda.gov]  
**Sent:** Friday, November 09, 2012 5:15 PM  
**To:** Anello, Russell M.  
**Cc:** Keith, Susan - OSEC; Green, Jason  
**Subject:** RE: [REDACTED] (b)(5)

[REDACTED] (b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** Anello, Russell M. [mailto:[REDACTED]@who.eop.gov] (b)(6)  
**Sent:** Friday, November 09, 2012 4:52 PM  
**To:** Romero, Ramona - OSEC  
**Cc:** Keith, Susan - OSEC; Green, Jason  
**Subject:** RE: [REDACTED] (b)(5)

[REDACTED] (b)(5)

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**From:** Romero, Ramona - OSEC [mailto:Ramona.Romero@osec.usda.gov]  
**Sent:** Friday, November 09, 2012 4:49 PM  
**To:** Anello, Russell M.  
**Cc:** Keith, Susan - OSEC; Green, Jason  
**Subject:** FW: [REDACTED] (b)(5)

Hi. [REDACTED] (b)(5)

[REDACTED] (b)(5)

[REDACTED] (b)(5)

Be well and have a new weekend.

Ramona

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**From:** Heath, Brad [mailto:[REDACTED]] (b)(6)  
**Sent:** Monday, November 05, 2012 3:43 PM  
**To:** Noland, Henry FAS  
**Subject:**

November 5, 2012



VIA ELECTRONIC MAIL

Henry Noland  
FOIA Officer  
Stop 1004  
1400 Independence Avenue, SW  
Washington, DC 20250-1004

Re: Freedom of Information Act request

To the Foreign Agricultural Service:

This is a request for records under the Freedom of Information Act. In accordance with the Act, please provide me with:

1. Copies of the written job descriptions and responsibilities for all public information officers, public affairs specialists, communications specialists, social media specialists, and any other spokesmen for the Foreign Agricultural Service (hereinafter "spokesmen").
2. Copies of any records or portions of records listing the criteria used by the agency in evaluating the performance of its spokesmen, including any templates or forms used in the evaluation process.
3. Copies of the all performance evaluations for the agency's spokesmen during the past three years.

Where possible, please furnish the records in an electronic format as required by 5 U.S.C. §§ 552(a)(3)(B)-(C).

Because this is a request by the news media for information of significant public interest, I ask that you waive any search fees, in accordance with § 552(a)(4)(A)(ii)(I). If the cost of reproducing these records will exceed fifty dollars (\$50.00), please notify me before filling this request. I may be reached at (703) 854-6505, or by electronic mail at [bheath@usatoday.com](mailto:bheath@usatoday.com).

I remind you that, even if you believe some portions of these records may not be subject to disclosure, agencies have a clear statutory duty to segregate and disclose those portions of the records that are not specifically exempt. 5 U.S.C. § 552(b); *see also, e.g., Mead Data Central, Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 260 (D.C. Cir., 1977) ("It has long been a rule in this Circuit that non-exempt portions of a document must be disclosed unless they are inextricably intertwined with exempt portions."); Attorney Gen.'s Memorandum for Heads of Executive Dep'ts and Agencies Concerning the Freedom of Info. Act, at 1 (Mar. 19, 2009) (available from <http://www.justice.gov/foia-memo-march2009.pdf>).

If for any reason any portion of this request is denied, please provide written notice of the specific records or portions of records that were withheld, and the specific statutory basis for the withholding. Please also provide the name and address of the officer or body to which my appeal may be directed.

As you know, the Act, in § 552(a)(6), grants an agency no more than twenty working days in which to respond to this request. *See Oglesby v. U.S. Dep't of Army*, 920 F.2d 57, 65 (D.C.

Cir. 1990) ("Congress adopted the time limit provision in the FOIA in order to 'contribute to the fuller and faster release of information, which is the basic objective of the Act.'" (quoting H.R. Rep. No. 93-876, March 5, 1974., reprinted (1974) U.S. Code Cong. & Ad. News 6267 at 6271)).

I therefore look forward to your prompt reply.

Sincerely,

Brad Heath

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This electronic message contains information generated by the USOA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

# EXHIBIT 30

**From:** Negron, Michael A. on behalf of Bansal, Preeta D.  
**Sent:** Thursday, August 06, 2009 10:29 AM  
**To:** Dinneen, James; Charlie.Rose [Exemption 6]; Johnson [Exemption 6];  
 Scott.Harris [Exemption 6]; Katharine.Dickerson [Exemption 6]; Hirsch.P [Exemption 6];  
 David.Trisse [Exemption 6]; Ivan.Fong [Exemption 6]; Daniel.grant [Exemption 6];  
 Travis.Bailey [Exemption 6]; Art.Gar [Exemption 6]; Smith.Patricia [Exemption 6];  
 Robert.Rivki [Exemption 6]; Helen.R.Kanovsk [Exemption 6]; Sara.Lipscom [Exemption 6];  
 CKerr [Exemption 6]; Aloma.Sha [Exemption 6]; George.Madiso [Exemption 6];  
 kohh [Exemption 6]; david.cad [Exemption 6]; Will.Gun [Exemption 6]; Williams, Kay; Dedeo, Carol.  
 - SOL; Donoghue [Exemption 6]; Perrelli, Thomas J.; Barron, David; Meltzer, Daniel;  
 Hilary.Tompkin [Exemption 6]; Rhee, Jeannie; Bernard.Knight [Exemption 6];  
 Sadler.Robert [Exemption 6]; Mathias [Exemption 6]; Gray, Danielle; NLamb-Hal [Exemption 6];  
 stephen.redmo [Exemption 6]; Elizabeth.Gianturc [Exemption 6]; lindy.knap [Exemption 6];  
 Cedarbaum, Jonathan; Rosenfelt, Phil; Roberts, Blake C.; Weideman, Christian; Gonzalez,  
 Roberto J.  
**Cc:** Bansal, Preeta D.; Bershteyn, Boris; Aitken, Steven D.; Bender, Stuart; Negron, Michael A.  
**Subject:** Recent FOIA Requests

TO ALL AGENCY GC's from OMB GC:

1. Ken Vogel, a POLITICO reporter, submitted two broad FOIA requests to OMB on July. We have learned that many other agencies besides OMB may have received similar requests.

-- The first request asks for, roughly speaking, all emails and correspondence between a long list of media outlets and OMB regarding questions by the media and the responses by agency employees and officials. The request also encompasses communications between OMB and the White House Press Office regarding any media organizations or their officials.

-- The second request asks for all ethics waivers granted to all political appointees, letters of recusal and related matters, and specifically includes any and all communications received from or sent to the White House Counsel's office concerning the same. **The request appears to be seeking waivers concerning the President's Executive Order on Ethics.**

In response to our questions about the breadth and burdensomeness of the first request, the version of POLITICO's first request to OMB has narrowed considerably, and may narrow some more. Moreover, we are working to ensure that the second request does not result in the production of attorney-client **or other** privileged communications. In both cases, we will work with the WH Counsel's office to ensure that WH - related documents are produced only in coordination with WH Counsel's advance review.

2. We are happy to compare notes with you in responding to the requests.
3. Moreover, as a reminder, to the extent that these requests implicate documents with White House equities, agency GC offices should consult in advance with White House Counsel, consistent with the memorandum sent by White House Counsel to all agencies. Agencies can contact their usual White House Counsel point of contact or Blake Roberts [Exemption 6]).

Preeta D. Bansal

OMB General Counsel and Senior Policy Advisor  
202-395-5044