

# EXHIBIT

1

**Wolff, Kate (HHS/OS)**

**From:** Lewis, Georgette (HHS/IOS)  
**Sent:** Thursday, February 23, 2012 2:18 PM  
**To:** Wolff, Kate (HHS/OS); Allen, Vikki (HHS/IOS); Chappell, Hollis (HHS/IOS); Corr, Bill (HHS/IOS); Fleet, Eli (HHS/IOS); Gyles, Lynda (HHS/IOS); LaPan, Jarel (HHS/IOS); Lusi, Rose (HHS/OS); O'Connell, Dawn (HHS/IOS); Howard, Sally (HHS/IOS); Granholm, Tim (HHS/IOS); 'Detail'; Kohler, Keri (HHS/IOS); Cannistra, Jennifer (OS/IOS)  
**Subject:** Briefing Book: 2.24.2012

Reminder: This briefing book and schedule are sensitive and confidential and should never be shared outside this list.  
Any printed copies of the schedule should be shredded when they are no longer in use. Thank you.

**Secretary's Schedule**



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2.doc

**Briefing Materials**

**Events at Ohio State University**



Briefing Memo  
Columbus Event a...Remarks for Ohio...



Attachment 1-

**Remarks: North Carolina Human Rights Campaign Dinner**



Briefing Memo  
Remarks at North...January 2012 HHS..



Attachment 6-



Attachment 7-

Remarks for Nort...

**Secretary Kathleen Sebelius Draft Schedule**

Last updated 2/23/2012 10:16 AM

February 23 – March 12, 2012

**Thursday, February 23**

Runner: (b)(6)  
AM Security: (b)(6), (b)(7)(F)  
Traveling Security: [Redacted]

Washington, DC → Cleveland, OH → Columbus, OH

Cleveland Weather: Showers, High 44, Low 39  
Columbus Weather: Few Showers, High 51, Low 42

10:45-11:25am DEPART HHS EN ROUTE TO DULLES

12:05-1:25pm WHEELS UP DULLES EN ROUTE TO CLEVELAND, OH

United Flight 4703  
Flight time: 1h 20m

1:30-2:00pm

DEPART AIRPORT EN ROUTE TO ROE HOME

(b)(6)

Lunch in the car.

2:00-3:00pm

WOMEN'S COFFEE TABLE EVENT

Home of Carol Roe

Staff: Keith Maley

Advance: Eli Fleet

Press: Open

NOTE: The HHS Studio team will be filming this event.

Participants: Sen. Sherrod Brown

Carol Roe, Co-host, President of the Democratic Nurses Association

Barbara Rogers, Co-host, Past President of the Cleveland Chapter of the National

Black Nurses Association

Myrna Rodriguez Previte, Lifetime limits and Pre-Ex

Alishea Gay, NHSC

Kate Conway, NHSC

Colleen Clark, Pre-ex for kids, Under 26

Angie Giallourakis, Pre-ex for her son, Under 26

Rita Mary Rochford, Under 26

Diane Matteo, donut hole

- Format:
- YOU will be greeted by Carol Roe and Barbara Rogers
  - Carol and Barbara will give introductory remarks
  - YOU will give brief remarks
  - Sen. Brown will give brief remarks
  - YOU will participate in a discussion with participants.

3:00-3:30pm

HOLD: PRESS

3:35-3:55pm

DEPART EN ROUTE TO APPOINTMENT  
750 Richmond Road  
Cleveland, OH

4:00pm

APPOINTMENT

TBD

HOLD: DOWNTIME  
Park Lane Villa, Apartment 109  
10510 Park Lane  
Cleveland, OH

5:45-7:00pm

POLITICAL EVENT WITH SENATOR BROWN  
Park Lane Villa – University Circle  
10510 Park Lane  
Cleveland, OH

Advance: Eli Fleet

Format: 6:00pm Sen. Brown introduces YOU

6:10pm YOU give brief remarks and take a few questions

7:15-7:45pm

DEPART PARK LANE VILLA EN ROUTE TO AIRPORT  
Passenger: Keith Maley

8:35-9:26pm

WHEELS UP CLEVELAND EN ROUTE TO COLUMBUS  
Continental flight 4725  
Flight time: 51m  
Passenger: Keith Maley

RON

Columbus, OH

**Friday, February 24**

Traveling Security: (b)(6), (b)(7)(F)

Columbus, OH → Cincinnati, OH

Columbus Weather: Mostly Cloudy/Wind, High 43, Low 32  
Cincinnati Weather: Partly Cloudy, High 46, Low 31

9:00-9:30am

DAILY BRIEFING CALL  
Location TBD  
Participants: Sally Howard  
Bill Corr  
Call-in Number: (b)(6)  
Leader code:

9:30-10:00am

DEPART RON EN ROUTE TO OSU  
Passenger: John Gilligan

10:00-11:15am

OSU MEDICAL CENTER PROJECT ONE EVENT  
OSU Construction Site and Health Science Library  
Staff: Keith Maley  
Advance: Tim Granholm  
Press: Open  
Tour: Sen. Sherrod Brown  
Jeff Walker, Senior Executive Director, James Cancer Hospital & Solove Research  
Institute  
Jay Kasey, Senior Vice President, Administration & Planning)  
Bill Huber, Turner Lend Lease (tour guide)  
David Fuchs, Executive Director for project management  
Dr. Charlie Lockwood, Dean of OSU College of Medicine

Media event: Sen. Sherrod Brown  
OSU President Gordon Gee  
Judy Long, Construction Worker  
Format: - Upon arrival YOU will participate in a meet and greet/brief with Sen. Brown and  
OSU leadership - YOU will tour the new facility construction funded by the HRSA grant  
- 10:40 Transition to Health Sciences Library  
- YOU will participate in a press conference

- Possible one-on-one media opportunities

11:30am-12:15pm BRIEFING ON OSU CLINICAL SKILLS AND EDUCATION ASSESSMENT CENTER

Health Sciences Library

Staff: Keith Maley

Advance: Tim Granholm

Press: Closed

Participants: Charles Lockwood, MD, Dean OSU College of Medicine

Format: - YOU will take a tour of the Clinical Education Lab

12:15-12:30pm DEPART OSU EN ROUTE TO RIGSBY

698 North High Street

Passenger: John Gilligan

12:30pm LUNCH

Rigsby

1:30-3:15pm

HOLD: DOWNTIME

3:30-4:30pm

DNC/OFA WOMEN LEADERS MEET AND GREET

United Food and Commercial Worker Local 1059 Hall

4150 East Main Street

Columbus, OH

Advance: Tim Granholm

Press: Closed

Participants: Allie Petonic, Political Director, UFCW 1059

30-50 Women Activists

Format: - YOU will participate in a brief clutch with UFCW leadership

- Allie Petonic will introduce YOU

- YOU will give remarks and take a couple of questions

4:35-4:50pm DEPART UFCW EN ROUTE TO THE WESTIN

310 South High Street

Columbus, Ohio 43215

Passenger: John Gilligan

5:00-6:00pm POLITICAL EVENT WITH SEN. SHERROD BROWN

The Westin Columbus

Advance: Tim Granholm

Format: - YOU mix and mingle

- Sen. Brown introduces YOU

- YOU give remarks, take a couple questions, and depart.

6:00-7:30pm DEPART COLUMBUS EN ROUTE TO CINCINNATI, OH (DRIVING)

Passenger: John Gilligan

RON Cincinnati, OH

**Saturday, February 25**

Traveling Security

(b)(6), (b)(7)(F)

Cincinnati, OH → Charlotte, NC → Washington, DC

Cincinnati Weather: Partly Cloudy, High 39, Low 28

Charlotte Weather: Mostly Sunny, High 51, Low 30

11:00-11:30am DEPART EN ROUTE TO AIRPORT

12:10-1:32pm WHEELS UP CINCINNATI EN ROUTE TO CHARLOTTE, NC  
US Airways Flight 2226  
Flight time: 1h 22m

1:40-2:00pm DEPART EN ROUTE TO WESTIN CHARLOTTE HOTEL  
601 South College Street  
Charlotte, NC

2:00-4:50pm HOLD/DOWNTIME: WESTIN CHARLOTTE HOTEL

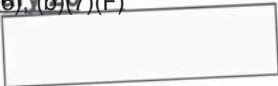
5:00-TBDpm RECEPTION FOR 2012 DEMOCRATIC CONVENTION HOST COMMITTEE  
Location TBD  
Advance: Eli Fleet  
Participants: Mayor Anthony Foxx

6:00-9:00pm HUMAN RIGHTS CAMPAIGN ANNUAL NORTH CAROLINA GALA DINNER  
Charlotte Convention Center  
Staff: AJ Pearlman  
Advance: Eli Fleet  
Press: Open – limited attendance  
Participants: Charlotte Mayor Anthony Foxx  
Senator Kay Hagan (D – NC)  
Joe Solmonese, HRC President  
Don Lemon, CNN Anchor, receiving the HRC Visibility Award  
Format: 5:00 - Small Reception begins  
5:30 - General reception begins  
6:30 - Transition to ballroom  
6:45 - Speaking program begins  
- Dinner co-chairs  
- Joe Solmonese remarks  
7:32 - YOU give remarks  
8:00 - Dinner is served  
9:00 - YOU depart

9:00-9:30pm DEPART CONVENTION CENTER EN ROUTE TO AIRPORT

10:11-11:23pm WHEELS UP CHARLOTTE EN ROUTE TO DCA  
US Airways Flight 1780  
Flight time: 1h 12m

Sunday, February 26, 2012 (F)

Security Detail: 

# EXHIBIT

2

## Wolff, Kate (HHS/OS)

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**From:** Barson, Emily (HHS/IEA)  
**Sent:** Thursday, January 19, 2012 4:04 PM  
**To:** Wolff, Kate (HHS/OS); Kohler, Keri (HHS/IOS)  
**Cc:** Widger, Ann (HHS/IEA); Cheema, Subhan (OS)  
**Subject:** RE: trips

Maybe we can chat after scheduling?

You must have a zillion "when in areas" for KC – anything that looks good?

**From:** Wolff, Kate (HHS/OS)  
**Sent:** Thursday, January 19, 2012 12:14 PM  
**To:** Barson, Emily (HHS/IEA); Kohler, Keri (HHS/IOS)  
**Cc:** Widger, Ann (HHS/IEA); Cheema, Subhan (OS)  
**Subject:** RE: trips

I like all of these plans.

If you have time to brainstorm today, I'll definitely be looking for guidance on the CA event on the 13<sup>th</sup> (Ann, I think you may have something?) and anything you want to do in Kansas City...

**From:** Barson, Emily (HHS/IEA)  
**Sent:** Thursday, January 19, 2012 12:12 PM  
**To:** Wolff, Kate (HHS/OS); Kohler, Keri (HHS/IOS)  
**Cc:** Widger, Ann (HHS/IEA); Cheema, Subhan (OS)  
**Subject:** trips

Hey there –

I'll be at the CA meeting tomorrow but not the other two, and Ann is out tomorrow all day. Subhan will be there to represent, but just wanted to let you know in case we can help provide input in advance.

Also, just to let you know, I'm going to wait until after the trip meeting to discuss CA with Herb to make sure he doesn't get out in front of us. ☺

For OH/NC, I'm going to add AJ since she'll be point on the HRC dinner, and I think Kenneth can be helpful on the OH discussion (and has also heard from Sen. Brown's office on the OSU event), so I'd like to include him unless you feel strongly otherwise.

Thanks  
Emily

**Emily Barson**

Deputy Director of Intergovernmental and External Affairs  
Department of Health and Human Services  
[emily.barson@hhs.gov](mailto:emily.barson@hhs.gov)

# EXHIBIT

3

## Wolff, Kate (HHS/OS)

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**From:** Wolff, Kate (HHS/OS)  
**Sent:** Monday, March 12, 2012 10:38 AM  
**To:** 'Kimberly Padilla'  
**Cc:** 'Sarah Slavik'; 'Ashton Narzisi'  
**Subject:** RE: many thanks!

I'm not sure what it is you are looking for? Let me know what I need to provide and I'll do my best.

Kate Wolff  
Director, Scheduling and Advance  
Office of the Secretary  
Department of Health and Human Services  
Desk: 202-690-1058  
[kate.wolff@hhs.gov](mailto:kate.wolff@hhs.gov)

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**From:** Kimberly Padilla [<mailto:kimberly@sherrodbrown.com>]  
**Sent:** Monday, March 12, 2012 11:36 AM  
**To:** Wolff, Kate (HHS/OS)  
**Cc:** Sarah Slavik; Ashton Narzisi  
**Subject:** FW: many thanks!

Kate,

How do we go about getting the actual receipts for our Compliance Director?

Please let me know.

Kimberly Padilla  
Finance Director  
Friends of Sherrod Brown  
(330) 835-9790 office  
(b)(6) cell

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**From:** Judy Zamore <[zamore@capcompliance.com](mailto:zamore@capcompliance.com)>  
**Date:** Mon, 12 Mar 2012 10:13:40 -0400  
**To:** Kimberly <[kimberly@sherrodbrown.com](mailto:kimberly@sherrodbrown.com)>  
**Subject:** RE: many thanks!

I need actual receipts.

Thanks.

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**From:** Kimberly Padilla [<mailto:kimberly@sherrodbrown.com>]  
**Sent:** Friday, March 09, 2012 3:51 PM  
**To:** Judy Zamore  
**Cc:** Sarah Slavik; Tommy Greene  
**Subject:** FW: many thanks!

Judy,

Below is a reimbursement that Secretary Sebelius's office just sent to me today.

Thanks for taking care of this.

Kimberly

**From:** "Wolff, Kate (HHS/OS)" <Kate.Wolff@hhs.gov>  
**Date:** Fri, 9 Mar 2012 10:37:45 -0500  
**To:** Kimberly <kimberly@sherrodbrown.com>  
**Subject:** RE: many thanks!

Hi Kimberly,

I'm sorry it has taken so long to get this to you, but I'm writing today to request reimbursement for a portion of the Secretary's travel costs for her recent trip to Ohio where she participated in political activities in her personal capacity benefiting the Senator's campaign.

Please send the requested reimbursement to the Department of Health and Human Services to my attention at 200 Independence Ave., SW, Room 615F, Washington, DC 20201. Please let me know if you have any questions!

**Secretary Kathleen Sebelius – Mixed Travel  
February 23-25, 2012**

- Day 1: Cleveland, OH
  - DC → Cleveland, OH
  - Official Event: Women's Roundtable
  - Political Event: Fundraiser for Sen. Sherrod Brown
  - Cleveland, OH → Columbus, OH

- Day 2: Columbus, OH
  - Official Event: Ohio State University HRSA Grant Event
  - Official Event: Ohio State University Clinical Skills and Education Center Tour
  - Political Event: OFA Women Leaders Meet and Greet
  - Political Event: Fundraiser for Sen. Sherrod Brown
  - Columbus, OH → Cincinnati, OH (driving)

- Day 3: Charlotte, NC
  - Cincinnati, OH → Charlotte, NC
  - Political Event: DNCC Host Committee Meet and Greet
  - Political Event: Remarks at Human Rights Campaign Dinner
  - Charlotte, NC → DC

Total Trip Cost: \$2,361.95

**Hard Time Formula**

Travel Costs:	
DC → Cleveland → Columbus	\$889.00
DC → Columbus	- <u>\$234.80</u>
	\$654.20

Meals & Incidental Expenditures: + \$42.00  
Travel Agency Fees: + \$30.86  
Total: \$727.06

Hard Time Percentage:  
75 political minutes / 165 total minutes = 45%

**Total Reimbursement Request,  
Sherrod Brown Campaign: \$327.18**

Thanks!!

Kate

Kate Wolff  
Director, Scheduling and Advance  
Office of the Secretary  
Department of Health and Human Services  
Desk: 202-690-1058  
[kate.wolff@hhs.gov](mailto:kate.wolff@hhs.gov)

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**From:** Kimberly Padilla [<mailto:kimberly@sherrodbrown.com>]  
**Sent:** Monday, February 27, 2012 9:17 PM  
**To:** Wolff, Kate (HHS/OS)  
**Subject:** Re: many thanks!

Thanks, Kate.

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**From:** "Wolff, Kate (HHS/OS)" <[Kate.Wolff@hhs.gov](mailto:Kate.Wolff@hhs.gov)>  
**Date:** Mon, 27 Feb 2012 12:14:52 -0500  
**To:** Kimberly <[kimberly@sherrodbrown.com](mailto:kimberly@sherrodbrown.com)>  
**Subject:** RE: many thanks!

Hi Kimberly,

Any photos used from the event could not identify Sebelius with her official title or make any reference to the administration – they would have to identify her as Governor or the Honorable, since she attended the event in her personal capacity.

Otherwise I don't think we can prevent a group from using the photos.

-kate

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**From:** Kimberly Padilla [<mailto:kimberly@sherrodbrown.com>]  
**Sent:** Monday, February 27, 2012 10:16 AM  
**To:** Wolff, Kate (HHS/OS)  
**Subject:** many thanks!

Kate,

Thanks in abundance to the Secretary for attending the Cleveland and Columbus events last week. They went splendidly.

Thanks to you as well for all your help!

Quick question: our photographer has been approached by the head of the Ohio Pharmacists. He wants to purchase pictures from the Columbus event and use them in a newsletter (see below).

FYI – The Pharmacists love Sherrod!

Are you ok if we say yes?

Let me know,

Kimberly Padilla  
Finance Director  
Friends of Sherrod Brown  
(330) 835-9790 office

(b)(6) cell

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**From:** Nannette Bedway (b)(6)  
**Date:** Sun, 26 Feb 2012 15:15:28 -0500  
**To:** Kimberly <[kimberly@kwa.us.com](mailto:kimberly@kwa.us.com)>  
**Subject:** question from Friday event

Hi Kimberly,  
Ernest Boyd sent me the following email regarding the purchase of jpgs to run in this publication. I have done this sort of thing in the past but wanted to run it by you before I send any high res jpgs. Let me know if it's ok for them to buy usage rights for this purpose. The links to both shoots will be sent soon. Thanks, Nannette

*This would be for print. We publish a monthly magazine for pharmacists, called the Ohio Pharmacist, and the national association also has a monthly print publication (the lady with white hair is from Ohio, but is our national President this year. ) thanks so much.*

--  
Nannette Bedway Studio llc  
812 Huron Rd., Ste 424  
Cleveland, OH 44115  
[www.nannettebedwaystudio.com](http://www.nannettebedwaystudio.com)  
216.589.9555

# EXHIBIT

4

**Friends of Sherrod Brown**

PO Box 76187  
Washington, DC 20013

(b)(4)

4693

3/15/2012

PAY TO THE  
ORDER OF

Department Of Health & Human Services

\$ \*\*327.18

Three Hundred Twenty-Seven and 18/100\*\*\*\*\*

DOLLARS

Dept Health & Human Services  
Attn: Kate Wolff  
200 Independence Ave SW, Room 615F  
Washington, DC 20201

Void After 90 Days

*Judith Rymer* MP

MEMO

Reimburse Travel

(b)(4)

# EXHIBIT

5

**Miles, Adam**

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**From:** Miles, Adam  
**Sent:** Wednesday, July 13, 2011 2:54 PM  
**To:** Lerner, Carolyn; Cohen, Mark; Marrone, Ana  
**Subject:** RE: Issa to Counsel to the President

## POLITICO

### Issa seeks DNC records of W.H. meet

By: Josh Gerstein and Jake Sherman

July 13, 2011 02:29 PM EDT

House Oversight Committee Chairman Darrell Issa now has the Democratic National Committee in his sights as he probes what he has called "potentially illegal fundraising activities within the White House."

The California Republican sent a letter Wednesday to DNC Executive Director Patrick Gaspard demanding all DNC records, including invitation lists and RSVPs, relating to a policy discussion President Barack Obama held with business leaders in the White House's Blue Room on March 7. The session was organized by the DNC and all the guests were donors to Obama's 2008 campaign.

Issa's letter also seeks records of any other DNC events that took place or were planned in "any room of the White House, the Eisenhower Executive Office Building, the New Executive Office Building, or any other federal property on or off the White House grounds." He also wants records regarding the use of the White House for a video Obama made for a raffle his campaign is running that seeks donations in exchange for a chance to win dinner with Obama and Vice President Joe Biden.

The White House has denied that DNC-organized events held on White House grounds, including the March Blue Room session and a February reception for DNC members, were fundraisers. Obama aides also say White House events organized by national political parties have been commonplace under the past several administrations.

The DNC did not respond to a request for comment on Issa's query, which is posted [here](#). The political party is under no obligation to respond to Issa's request unless he chooses to issue a formal subpoena. However, Issa's letter warns the DNC to preserve all records and emails related to his inquiry.

The new letter to the DNC is a follow-up to [a request Issa sent Monday to the White House](#) seeking records about the same events. The White House has not commented on Issa's requests for information.

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**From:** Miles, Adam  
**Sent:** Tuesday, July 12, 2011 10:45 AM  
**To:** Lerner, Carolyn; Cohen, Mark; Marrone, Ana  
**Subject:** FW: Issa to Counsel to the President

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**From:** Miles, William [✓] @mail.house.gov  
**Sent:** Tuesday, July 12, 2011 10:34 AM  
**To:** Boyd, Krista  
**Cc:** Miles, Adam; Miller, Amy  
**Subject:** FW: Issa to Counsel to the President

✓ = (b) (6)

FYI

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**From:** Thomas, Cecelia  
**Sent:** Tuesday, July 12, 2011 10:09 AM  
**To:** Miles, William  
**Cc:** Grooms, Susanne Sachsman; Rapallo, Dave; Hultberg, Carla; Etienne, Ashley  
**Subject:** Issa to Counsel to the President

**Miles, Adam**

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**From:** Miles, Adam  
**Sent:** Tuesday, July 12, 2011 11:38 AM  
**To:** Lerner, Carolyn  
**Subject:** RE: Issa to Counsel to the President

She's on the democratic staff at Oversight w/ Krista and Miles.

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**From:** Lerner, Carolyn  
**Sent:** Tuesday, July 12, 2011 11:37 AM  
**To:** Miles, Adam  
**Subject:** Re: Issa to Counsel to the President

Who is amy miller?

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**From:** Miles, Adam  
**To:** Lerner, Carolyn  
**Sent:** Tue Jul 12 10:55:09 2011  
**Subject:** RE: Issa to Counsel to the President  
Great. First 2 full paragraphs on page 4 seem the most relevant for us.

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**From:** Lerner, Carolyn  
**Sent:** Tuesday, July 12, 2011 10:54 AM  
**To:** Miles, Adam  
**Subject:** Re: Issa to Counsel to the President

Opened it. No need to re-send

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**From:** Miles, Adam  
**To:** Lerner, Carolyn; Cohen, Mark; Marrone, Ana  
**Sent:** Tue Jul 12 10:44:55 2011  
**Subject:** FW: Issa to Counsel to the President

✓ = (b)(6)

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**From:** Miles, William [ ✓ @mail.house.gov ]  
**Sent:** Tuesday, July 12, 2011 10:34 AM  
**To:** Boyd, Krista  
**Cc:** Miles, Adam; Miller, Amy  
**Subject:** FW: Issa to Counsel to the President

FYI

---

**From:** Thomas, Cecelia  
**Sent:** Tuesday, July 12, 2011 10:09 AM  
**To:** Miles, William

**Cc:** Grooms , Susanne Sachsman; Rapallo, Dave; Hultberg, Carla; Etienne, Ashley

**Subject:** Issa to Counsel to the President

# EXHIBIT

6

## Marrone, Ana

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**From:** Carolyn Lerner <clerner@ (b) (6) .com>  
**Sent:** Friday, July 22, 2011 8:11 AM  
**To:** Miles, Adam  
**Cc:** Cohen, Mark; Marrone, Ana; Beneze, Elisa  
**Subject:** Re: Politico: Campaigning from the WH

Let's have a few quotes ready in case of press calls today. I have to go back to the dentist this am but hope to be in by 10:00 or 10:30.

Sent from my iPhone

On Jul 22, 2011, at 7:14 AM, "Miles, Adam" <(b) (6)@osc.gov> wrote:

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**From:** Adam Miles  
**To:** Miles, Adam  
**Sent:** Fri Jul 22 07:10:49 2011  
**Subject:** Politico: Campaigning from the WH

### Campaigning from the White House

**By:** Glenn Thrush and Josh Gerstein

July 22, 2011 04:32 AM EDT

<http://dyn.politico.com/printstory.cfm?uuid=2150BF8B-8D83-43C5-AA83-0BCD7FC524DA>

During the 2008 campaign, then-Sen. Barack Obama's staff tweaked the Clintons for renting out the Lincoln bedroom and Obama himself described George W. Bush as running "the most politicized White House in history."

Now, as Obama's re-election effort slowly gathers momentum, the White House is trying to balance Obama's squeaky-clean brand with the bruising politics of a campaign headquartered in Chicago – but with a major branch office at 1600 Pennsylvania Avenue.

"The campaign is being run out of Chicago – not the White House," Obama's communications director Dan Pfeiffer told POLITICO. "We will be coordinated but [2012 campaign manager] Jim Messina and his staff are in charge of the campaign."

Still, the lines aren't always distinct, and much of the highest-profile and controversial campaign activity thus far has taken place on the D.C. side of the Reagan-O'Hare shuttle.

The addition of senior adviser David Plouffe, Obama's outwardly unassuming but commanding 2008 campaign manager, to the White House staff last fall sent an unmistakable message that Obama was trying to get control of his organization with

2012 fast approaching. Since the arrival of Plouffe, the White House hasn't been especially shy about politicking, organizing and fundraising within ethical guidelines, federal law and their own interpretation of political propriety – even though they chafe at the idea that they are the Beltway tail wagging the Midwestern dog.

No laws prohibit the president or senior West Wing officials from engaging in electoral activity during their day jobs, although the 1930s-era Hatch Act prohibits them from using government resources to do so or to fundraise in U.S. government offices. Most federal workers, including White House staff, are permitted to politick during their off hours, but not while at work.

Yet the legal distinctions can be fine and hard to pin down. For example, White House aides and Obama cabinet members can't solicit donations, but they are legally allowed to speak at fundraisers. And there are other nettlesome questions such as whether low-level White House staffers can be cleared for political work, where and when can they electioneer, and whether it's okay to invite donors to the White House residence – even if you don't actually ask them for money.

Complicating matters, Team Obama closed its taxpayer-funded political office, the center of White House political coordination since the Carter administration and last run for Obama by Patrick Gaspard, now at the Democratic National Committee.

White House spokesman Eric Schultz described the move “as part of an effort to make sure that White House staff and resources were being allocated most efficiently and effectively in support of the president's policy priorities.”

But just four days after the office's closure became public, an independent watchdog agency within the executive branch issued a long-awaited ruling slamming Bush's Office of Political Affairs for repeatedly violating the Hatch Act by allegedly organizing the travel of cabinet members to advance political goals and conducting political briefings at government agencies.

Embedded in the Office of Special Counsel report was a finding that, in theory, rendered years of White House political work illegal: A determination that it was improper for junior staffers to engage in political activity on the job – even if that was their job.

“This has really taken people by surprise,” said Richard Painter, an ethics lawyer for the Bush White House. “There would be no support staff, no secretaries or anybody for you.....You couldn't run an office that way.”

Despite serious misgivings about the legal rationale, Obama's lawyers have instructed aides to comply with the ruling. That means only “commissioned officers”—people who hold the title of special assistant to the president or above—can work on political matters in the office or during working hours.

In an attempt to keep the ethical lines clear and streamline communication, Obama has authorized a small group of senior West Wing officials, led by Plouffe, to communicate directly with counterparts in Chicago, according to Democrats close to the situation.

Besides Plouffe, the list includes chief of staff Bill Daley, Obama's 2008 campaign chairman and still a key figure in Democratic fundraising; deputy senior adviser

Stephanie Cutter, a veteran political operative who held a top post in John Kerry's 2004 campaign; press secretary Jay Carney; senior adviser Valerie Jarrett; and deputy chief of staff Alyssa Mastromonaco, a former campaign scheduler who helps coordinate logistics between the campaign and White House.

Pfeiffer is also on the list, and he has also been tasked to represent the West Wing on a daily messaging call with the Democratic National Committee and Obama's Chicago-based campaign, a senior Democrat told POLITICO.

At the same time, Obama's lawyers have tried to construct some firewalls between White House operations and the campaign's.

"All known web-based email services" are blocked from official White House computers, an administration official told POLITICO. That makes it more difficult for aides to engage in correspondence that doesn't go into official archives and might escape scrutiny from congressional investigators.

In addition, work relating to the re-election campaign or other political matters is supposed to be done on Blackberries or other equipment provided by the DNC or the campaign, officials said.

When e-mail traffic combines official and campaign-related matters, staffers are told to use the official system so that a permanent record is kept. "Documents and information that relate to the President's official duties are preserved in compliance with the [Presidential Records Act], even if they also have a political component," an official said.

By law, Obama can do some things his aides can't—like solicit donations, though not in the Oval Office. His personal involvement in the re-election effort, so far, appears to be limited, but it is growing.

Obama, along with Plouffe, outgoing Council of Economic Advisers Chairman Austan Goolsbee and other aides, has filmed campaign videos. And while the president's been absorbed in the debt ceiling negotiations and a succession of international crises – his "day job" as he calls it — Obama has ratcheted up his public fundraising appearances and private meetings with Democratic political operatives.

Gaspard visited the White House 13 times in the weeks after he left his White House job earlier this year, official appointment records show. Messina, who left a deputy chief of staff job at the White House in late January to take up his campaign duties in Chicago, had no fewer than 12 appointments in the complex in the two months after he left, visiting Plouffe, Obama and Daley.

Not all the trips were strictly political: "POTUS has just asked to meet with Patrick in the Oval," reads the entry for March 31st for Gaspard – when Obama presented his longtime aide with a going-away present.

Even though his staff says he's occupied with the demands of his job, Obama has clearly stepped up his fundraising schedule and regularly consults with political advisers. He's even courted a little controversy – though ethics experts say he hasn't let his political team run amok, as Bush and Clinton reportedly did.

But Obama's activities have not been without controversy. On March 7th, he led a DNC-organized economic policy discussion with fundraisers and potential fundraisers in the White House's Blue Room – an event that was not included in the president's daily schedule and which attracted the attention of House Oversight Committee chairman Darrell Issa (R-Calif.) after a story about it appeared in the New York Times.

“Recent media reports indicate that the Obama administration may be engaging in an array of potentially illegal fundraising behavior,” Issa wrote in a July 11 letter to White House counsel Kathryn Ruemmler. “These reports raise serious questions about whether the administration—in its apparent push to raise unprecedented sums of money for the president's re-election effort—is failing to comply with federal campaign finance laws, restrictions on involvement in political events, and other federal laws.”

This White House says the event was not a fund-raiser, that all its fundraising and political events have been legal and that they have ample precedent in prior administrations. Many legal experts agree. So over the next year donors who pony up \$5000 can gain access to a monthly series of lectures in New York, featuring the likes of Daley, Plouffe, Cutter, Mastromonaco, deputy chief of staff Nancy-Ann DeParle, senior counselor Pete Rouse, Jon Carson, the White House director of public engagement, and Michelle Obama's chief of staff Tina Tchen.

But Issa's comments, ironically enough, track closely with then-Sen. Obama's criticism of the Bush White House for letting politics pervade the executive branch.

“This has been the most politicized White House in history and the American people have suffered as a result,” Obama told an audience in Manchester, N.H. on June 22, 2007. “Now, presidents obviously want to surround themselves with those people who share their views and their beliefs. There's nothing wrong with that per se, but the days of firing eight qualified U.S. attorneys because of their politics is over. The days of using the White House as another arm of the Republican National Committee are over.”

Still, except for that speech, Obama never - either as a candidate or president - actually promised to purge politics from the White House or made an issue out of it - “and they certainly could have,” said a senior Democrat with close ties to the Chicago-based Obama 2012 campaign.

Yet now, the Democrat said, he's bound to be judged on the high ethics standards he's set in other areas despite an administration that “seems dramatically less political than their recent predecessors.”

# EXHIBIT

*7*

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** RE: Cause of Action Follow-up  
**Date:** Thursday, January 17, 2013 7:07:12 AM  
**Attachments:** [REDACTED]

---

Good morning [REDACTED],

The complaint filed by Cause of Action against Secretary Salazar has been assigned to [REDACTED] and the investigation is active. It is true that we rarely give time estimates – each case is different and our goal is to conduct thorough investigations. Once [REDACTED] investigation is complete, [REDACTED] findings and recommendation will be provided to [REDACTED] Unit Chief for approval, and then to the Special Counsel for a final agency decision.

As we discussed yesterday, please feel free to contact [REDACTED] at any time with questions, or to check on the status of this case.

Kind regards,

[REDACTED]

[REDACTED]

Attorney, Hatch Act Unit  
U.S. Office of Special Counsel  
Phone: (202) [REDACTED]  
Fax: (202) [REDACTED]  
Email: [REDACTED]@osc.gov

---

**From:** [REDACTED] causeofaction.org]  
**Sent:** Wednesday, January 16, 2013 3:50 PM  
**To:** [REDACTED]  
**Subject:** Cause of Action Follow-up

[REDACTED],

Thank you again for taking the time to talk to [REDACTED] today. As a practice, I find sending an email pursuant to a phone call is a good way of organizing [REDACTED] assignments and confirming that [REDACTED] accurately depict the discussion.

In summary, [REDACTED] were assigned the investigation into whether Interior Secretary Ken Salazar violated the Hatch Act on December 3, 2012. [REDACTED] told [REDACTED] that the Salazar investigation is “still very much active” and “a priority” on [REDACTED] docket.

When I asked [REDACTED] for an estimate of when the investigation might be completed, [REDACTED] stated that OSC’s policy is not to give estimates. [REDACTED] also explained that even after [REDACTED] make [REDACTED] recommendation, there are several additional layers of review beginning with [REDACTED] unit chief.

Best,

[REDACTED]

[REDACTED] Cause of Action

[REDACTED]

[REDACTED]

[REDACTED] [@causeofaction.org](mailto:[REDACTED]@causeofaction.org)

O: [202-\[REDACTED\]](tel:202-[REDACTED])

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#### Confidentiality

The information contained in this communication may be confidential, is intended only for the use of the recipient named above, and may be legally privileged. It is not intended as legal advice, and may not be relied upon or used as legal advice. Nor does this communication establish an attorney client relationship between us. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system. Thank you.

# EXHIBIT

8



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505  
202-254-3600

August 11, 2009

The Honorable Roscoe G. Bartlett  
c/o Sallie Taylor  
2412 Rayburn House Office Building  
Washington, DC 20515

All redactions on this page are made pursuant to FOIA  
Exemption (b)(7)(C), 5 U.S.C. § 552 (b)(7)(C).

Re: OSC File No. HA- [REDACTED]

Dear Congressman Bartlett:

Thank you for your inquiry to the U.S. Office of Special Counsel (OSC) regarding [REDACTED] case (OSC Case No. HA-[REDACTED]). I apologize that our response was not as prompt as we would prefer.

OSC made its determination in [REDACTED] case on August 7, 2009. Enclosed please find a copy of OSC's letter to [REDACTED] explaining the basis for OSC's determination.

I am confident that this letter and attached correspondence will answer your inquiry regarding [REDACTED] case. If you have any further questions, however, please contact me at (202) 254 - 3614.

Sincerely,

b7c

Anne Wohlfeld  
Congressional Affairs Liaison



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505  
202-254-3600

August 7, 2009

[REDACTED]

All redactions on this page are made pursuant to FOIA Exemption (b)(7)(C), 5 U.S.C. § 552 (b)(7)(C).

Re: OSC File No. HA- [REDACTED]

Dear [REDACTED]

This letter is in response to information you provided the Office of Special Counsel (OSC) concerning allegations that [REDACTED] may have violated the Hatch Act by engaging in political activity while on duty and in the federal workplace. Specifically, it was alleged that while at work [REDACTED] sent an e-mail from [REDACTED] government e-mail account to [REDACTED]. At the time of [REDACTED] alleged activity, [REDACTED] was, and continues to be, employed by the U.S. Department of Justice (DOJ). We investigated this matter and concluded that [REDACTED] activities violated the Hatch Act. However, as explained below, we are closing our file without further action.

By virtue of [REDACTED] employment with DOJ, [REDACTED] is covered by the Hatch Act, which governs the political activities of most federal employees. See 5 U.S.C. §§ 7321-7326. The Hatch Act generally permits most federal employees to actively participate in partisan political management and partisan political campaigns. 5 U.S.C. § 7323(a). Covered employees, however, are prohibited from, among other things, engaging in political activity while on duty, in a government office or building, while wearing an official uniform, or using a government vehicle. 5 U.S.C. § 7324. Political activity is defined as activity directed toward the success or failure of a political party, candidate for partisan office, or partisan political group. 5 C.F.R. § 734.101.

The e-mail at issue, sent on [REDACTED] contained the text: [REDACTED]. The next line stated: [REDACTED]. Attached to the e-mail were [REDACTED] photographs. One of the two photographs purportedly showed [REDACTED] candidate [REDACTED] and another photograph showed [REDACTED]. The other photographs were purportedly of [REDACTED].

<sup>1</sup> You also made additional allegations in which you claimed that you were in essence threatened by [REDACTED]. As OSC has previously explained to you, those allegations are outside the scope of OSC's jurisdiction. For further assistance with those allegations, you should contact the Department of Justice.

In an interview with our office, [REDACTED] admitted sending the [REDACTED] e-mail discussed above. [REDACTED] also acknowledged that [REDACTED] on duty and at work when [REDACTED] sent this e-mail.

The e-mail as a whole portrays a negative image of [REDACTED] candidate and associates [REDACTED]

[REDACTED] After reviewing the facts of this case, we have reasonable grounds to conclude that [REDACTED] dissemination of this e-mail while on duty and in the federal workplace violated the Hatch Act because it was activity directed at the failure of [REDACTED] candidacy for [REDACTED]

Although we have concluded that [REDACTED] engaged in prohibited political activity, in this instance, we have decided not to pursue disciplinary action and are closing our file. Nonetheless, we have warned [REDACTED] that if in the future [REDACTED] engages in Hatch Act prohibited activity while employed in a federal executive agency, we would consider such activity to be a willful and knowing violation of the law that could result in [REDACTED] removal from [REDACTED] employment.

Please contact me at (202) 254-3609 if you have any questions regarding this matter.

Sincerely,

b7C

Mariama Liverpool  
Senior Attorney  
Hatch Act Unit