

Sampson, Kyle

From: Sampson, Kyle
Sent: Friday, April 14, 2006 9:31 AM
To: 'Dabney_Friedrich@who.eop.gov'
Subject: RE: Removal and Replacement of U.S. Attorneys Whose 4-year Terms Have Expired
Sensitivity: Confidential

Also, I would note that two others on my original list already have left office. They are:

From: Sampson, Kyle
Sent: Friday, April 14, 2006 9:30 AM
To: 'Dabney_Friedrich@who.eop.gov'
Subject: Removal and Replacement of U.S. Attorneys Whose 4-year Terms Have Expired
Sensitivity: Confidential

Dabney, DOJ recommends that the White House consider removing and replacing the following U.S. Attorneys upon the expiration of their 4-year terms:

Margaret M. Chiara, W.D. Mich., term expired 11/2/2005;

Harry E. "Bud" Cummins III, E.D. Ark., term expired 1/9/2006; and
Carol C. Lam, S.D. Cal., term expires 11/18/2006.

We also should similarly seek to remove and replace:

Call me if you have any questions. If you pushed me, I'd have 3-5 additional names that the White House might want to consider.

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, April 18, 2006 9:16 AM
To: Mercer, Bill (ODAG)
Subject: RE: Article re Ryan

Let's talk over lunch. While Mueller's time was the apex, there were several folks in that office that went after Bob when he was tapped to be Director.

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

From: Mercer, Bill (ODAG)
Sent: Tuesday, April 18, 2006 8:29 AM
To: Sampson, Kyle
Subject: RE: Article re Ryan

Not sure how expansive you want me to be, but we can follow-up on this over lunch on Friday if necessary.

The whole lead up to the evaluation was a bit odd. Given a large number of resignations and retirements from folks who have carped about Ryan, EARS wanted to talk to them. Ryan wrote a couple of letters saying such a thing is unprecedented and unfair. I told Margolis that an evaluation is an evaluation. Former AUSAs may have useful information for them to consider and I was baffled by Kevin's resistance.

I attribute the leak to the media not to the EARS group, but his management staff who would have been part of the team's exit interview. EOUSA reported (to the DAG last week) that the evaluation will be quite negative.

Sometimes tough management situations make enemies for a USA who addresses them. Unlike who had a serious mess of an office to overhaul, it is hard to see how such a case can be made in ND CA. Things can't have eroded too much from the time Mueller left (his tenure had to be the high point of the office in at least a decade) to the time that Ryan started.

The thing in this article that suggests trouble to me is the fact that his FAUSA is also the Criminal Chief. You can do such a thing in a small district - - in fact, it may be necessary given the fact that small offices may not have enough lawyers to justify more than 2 supervisors. However, it is unworkable in a big district and Margolis says he told Ryan to change it long ago.

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

From: Sampson, Kyle
Sent: Monday, April 17, 2006 6:34 PM
To: Mercer, Bill (ODAG)
Subject: FW: Article re Ryan

What do you make of this?

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

From: Goodling, Monica
Sent: Monday, April 17, 2006 3:31 PM
To: Sampson, Kyle
Subject: Article re Ryan

FYI

>
> The Recorder
> April 7, 2006 Friday
>
> SECTION: NEWS; Pg. 1 Vol. 130 No. 68
>
> HEADLINE: DOJ evaluators rap Ryan's management;

> BYLINE: Justin Scheck

> It was a just a matter of time before the longstanding complaints
> about U.S.
> Attorney Kevin Ryan's management style made their way to Washington.

> That was the takeaway from a presentation last Friday by Justice
> Department
> evaluators to managers in Ryan's office.

> The reviewers spent last week auditing the office.

> In presenting their criticisms, they said Ryan was inaccessible to
> his
> subordinates and has a detached management style that engenders low
> morale among
> assistant prosecutors, said sources with direct knowledge of the
> meeting.

> Such reviews are performed every three years on each federal
> prosecutor's
> office by the Executive Office of the U.S. Attorney.

> The process is known as EARS because it's administered by the
> executive
> office's Evaluation and Review Staff.

> Once an EARS review is concluded, evaluators are required to
> verbally present
> their negative findings to managers before preparing a written report.

> It was at that verbal presentation that the EARS team read off a
> list of
> relatively minor administrative complaints -- recommending, for
> example, that
> certain open jobs be filled -- in addition to harsh criticisms of the
> U.S.
> attorney that surprised everyone in the room, Ryan included, said
> sources
> familiar with the meeting.

> The reviewers did preface the critique by saying that positive
> aspects of
> office performance would be outlined in the final EARS report, said
> sources
> familiar with the meeting, in addition to a Ryan spokesman.

> The presentation echoed criticisms that have been leveled against
> Ryan and
> top deputy Eumi Choi over the past few years by disgruntled assistant
> prosecutors.

> The reviewers said Ryan is perceived as unapproachable, has little
> interaction with subordinates, and that a lack of confidence among his
> employees
> in his oversight of the office has resulted in continuing low morale
> in the
> criminal division, sources said.

> They recommended several management changes, including that Ryan
> grant more
> open access to assistants, and that one of Choi's two job titles --
> criminal
> division chief and first assistant -- be delegated to another
> attorney.

> The reviewers did not criticize the office's handling of individual
> cases, or
> the number of cases it has brought.

> In a Thursday e-mail, Ryan said he would take the EARS suggestions
> into
> account.

> "Given the size of this office and its three branches in San
> Francisco, San
> Jose and Oakland, and other competing work demands, I do not always
> get the
> chance to interact with our prosecutors and staff as much as I would
> like," he
> wrote.

> "However, as with any other matter, I am open to suggestions for
> improvement."

> Ryan further noted that the evaluation team "acknowledged many
> positive
> accomplishments by the office.

> "The evaluation process is not complete since the final report has
> yet to be
> written. We look forward to the full report, but until we receive it,
> it is
> premature to discuss whether any specific changes would be adopted."

> Rory Little, a professor at Hastings College of the Law -- and a
> former
> prosecutor who often represents lawyers in the San Francisco U.S.
> attorney's
> office -- said he expects Ryan to take the criticisms seriously.

> "It's not good news," said Little, who is generally supportive of
> Ryan and
> Choi.

> Little said that while he's generally confident in the EARS
> process, he
> wonders if Justice Department critics in D.C. who objected to Ryan's
> appointment
> are influencing the findings.

> "It's hard to say whether it's substantively legitimate or if there
> are
> people in Washington who don't like Kevin Ryan," he said.

> Reporter Justin Scheck's e-mail address is jscheck@alm.com.

> LOAD-DATE: April 10, 2006

Tracking:	Recipient	Read
	Mercer, Bill (ODAG)	Read: 4/18/2006 9:49 AM

Sampson, Kyle

From: Sampson, Kyle
Sent: Saturday, May 06, 2006 10:43 AM
To: Sampson, Kyle
Subject: FW: one more thing

Attachments: tmp.htm; USA Letter 001.pdf



tmp.htm (2 KB)



USA Letter 001.pdf
(256 KB)

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

From: griffinjag@earthlink.net [mailto:griffinjag@earthlink.net]
Sent: Thursday, April 27, 2006 3:12 PM
To: Sampson, Kyle
Subject: one more thing

Kyle, This might also be helpful. It is a letter written by the current U.S. Attorney, E.D. Arkansas, Bud Cummins, to me after my tenure there as a Special Assistant U.S. Attorney. Just thought you should have it. Thank you, Tim



U. S. Department of Justice

United States Attorney
Eastern District of Arkansas

Post Office Box 1229
Little Rock, Arkansas 72203

Tele (501) 324-5142
Fax Nos. Civil (501) 324-7199
Criminal (501) 324-5221

August 13, 2002

Tim Griffin
Research Director and
Deputy Communications Director
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

Dear Tim:

I want to formally thank you for your service to me and to the U.S. Attorney's Office, Eastern District of Arkansas for the year you served here as a Special Assistant United States Attorney. You performed at the highest level of excellence during your time here.

Overall, you served the office extremely well. I believe you indicted more people during your time here than any other AUSA. You were a real workhorse, and the quality of your work was excellent.

But I am particularly grateful for the work you did in developing and launching our Project Safe Neighborhoods (PSN) program. With minimal supervision, you took the initiative to plan, organize and implement an awesome PSN program. I am not aware of a better PSN program in the country. You should be pleased to know that our PSN program was highly recognized and commended in a recent department evaluation.

You are missed by your friends and colleagues here in the USAO, ED AR. Thanks for everything, and good luck.

Sincerely,

H.E. (Bud) Cummins
United States Attorney

-OAG00000192

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, June 13, 2006 7:08 PM
To: Goodling, Monica
Subject: Re: EDAR

Thx, Monica.

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

From: Goodling, Monica
To: Sampson, Kyle
Sent: Tue Jun 13 19:06:02 2006
Subject: EDAR

Susan has the pre-nomination paperwork she needs. I'll talk to Mike Battle in the a.m. about calling Cummins and will make sure ODAG knows that we are now executing this plan (I did tell them this was likely coming several months ago).

Let me know if there is anything else you need while you're gone - have a great trip.

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, June 20, 2006 10:29 AM
To: Goodling, Monica
Subject: RE: Draft JSC Agenda Attached

And?

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

From: Goodling, Monica
Sent: Tuesday, June 20, 2006 10:29 AM
To: Sampson, Kyle
Subject: RE: Draft JSC Agenda Attached

Yes

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

From: Sampson, Kyle
Sent: Tuesday, June 20, 2006 10:28 AM
To: Goodling, Monica
Subject: FW: Draft JSC Agenda Attached

Did Mike talk to Bud Cummins?

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

From: Macklin, Kristi R
Sent: Tuesday, June 20, 2006 9:50 AM
To: Brand, Rachel; Sampson, Kyle
Cc: Martinson, Wanda
Subject: Fw: Draft JSC Agenda Attached

Are you two going to be back in time for JSC tomorrow?

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

From: Courtwright_S@who.eop.gov
To: Macklin, Kristi R
Sent: Tue Jun 20 09:10:14 2006
Subject: Draft JSC Agenda Attached

Good morning Kristi,

The draft JSC agenda for tomorrow is attached.

Regards,

Susan

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, July 25, 2006 2:14 PM
To: 'Andrea_B_Looney@who.eop.gov'
Cc: Macklin, Kristi R; Jennifer_R_Brosnahan@who.eop.gov
Subject: RE: Tim Griffin

Ok w/ me.

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

From: Andrea_B_Looney@who.eop.gov [mailto:Andrea_B_Looney@who.eop.gov]
Sent: Tuesday, July 25, 2006 2:10 PM
To: Sampson, Kyle
Cc: Macklin, Kristi R; Jennifer_R_Brosnahan@who.eop.gov
Subject: RE: Tim Griffin

We would offer a call to Tim in Iraq. So sounds like that is ok then, yea?

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Tuesday, July 25, 2006 2:08 PM
To: Looney, Andrea B.
Cc: Kristi.R.Macklin@usdoj.gov; Brosnahan, Jennifer R.
Subject: RE: Tim Griffin

If the President has already approved Griffin, then part of our "consultation" (to meet the "advice and consent" requirements of Constitution) would be to tell them we were going to start a BI on Griffin. I assume this has already happened. If so, then it shouldn't be a surprise that we're looking at Griffin, and I would have no objection to a meeting (is Tim back from Iraq?).

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

From: Andrea_B_Looney@who.eop.gov [mailto:Andrea_B_Looney@who.eop.gov]
Sent: Tuesday, July 25, 2006 2:02 PM
To: Sampson, Kyle
Cc: Macklin, Kristi R; Jennifer_R_Brosnahan@who.eop.gov
Subject: Tim Griffin
Importance: High

I will see Sen. Pryor later today and wanted to offer him a chance to speak with Tim Griffin. Is that a problem since he has not yet been nominated for US Attorney? Please let me know asap as my meeting is at 4pm. Thanks!

Tracking:	Recipient	Read
	'Andrea_B_Looney@who.eop.gov'	
	Macklin, Kristi R	Read: 7/25/2006 2:53 PM
	Jennifer_R_Brosnahan@who.eop.gov	

**PREPARED REMARKS FOR
ATTORNEY GENERAL ALBERTO R. GONZALES
PRESS CONFERENCE
AT THE U.S. ATTORNEY'S OFFICE**

**ALBUQUERQUE, NM
MONDAY, JULY 31, 2006**

Good afternoon. Thank you all for coming.

Securing the Southwest Border is a top priority of the Department of Justice, and I'm pleased to be here to discuss the issue with New Mexico's U.S. Attorney, David Iglesias, as well as with Albuquerque Chief of Police Ray Schultz, Bernalillo County Sheriff Darren White, Robert Gilbert from the Border Patrol and Command General Kenny Montoya from the New Mexico National Guard.

Border security is an essential step toward achieving comprehensive immigration reform. It is an obvious, pressing task in the midst of a larger, complicated and emotional challenge.

As both the grandson of Mexican immigrants and as a law enforcement official, border security and immigration reform are close to my heart and always on my mind.

Regardless of our backgrounds or perspective on the issue, I know that none of us can ignore the security threat that exists due to the level of ease with which foreigners can enter our country illegally. It's a problem that we cannot delay solving.

I believe that we can still take pride in being an open country and a nation of immigrants, while also protecting our country from those who seek to harm us.

Successfully securing our borders will take manpower, the implementation of technology, the end of the practice of "catch

OAG000000196

and release," and a dedication at all levels of government – local, state and federal – to keeping the criminals out, period.

It will also take comprehensive immigration reform – and for that, Congress needs to act.

The President does not want to militarize the borders, but he has called on Congress to provide funding for dramatic improvements.

Congress has responded, and we're very pleased to announce, today, that the United States Attorneys' Offices along the Southwest Border will now receive \$2 million in supplemental funding to expand their capability to prosecute immigration and narcotics offenses on the border. We believe an increased chance of prosecution will make illegal crossing less attractive to criminals.

Twenty-five additional federal prosecutors will be deployed along the Southwest Border in the coming months.

Twenty of these prosecutors will be hired solely to prosecute immigration offenses, which means we will have the capacity to prosecute more alien smuggling cases, more criminal alien reentry cases, and more human trafficking cases on the border.

Five of these prosecutors will prosecute drug trafficking organizations responsible for smuggling illegal narcotics across our Southwest border, and will be funded through the Organized Crime Drug Enforcement Task Force (OCDETF) Program, a joint task force of the Departments of Justice, Treasury and Homeland Security.

We are also working with the Department of Homeland Security to identify up to ten DHS lawyers who will be designated as Special Assistant U.S. Attorneys to prosecute immigration offenses along the Southwest Border.

OAG000000197

Immigration prosecutions are already on the rise – with an increase of 40 percent since the year 2000. But we know there is more to be done. The immediate hiring of these new AUSAs will help.

I look forward to the day when the efforts of these new AUSAs, and law enforcement all along the border, will be bolstered by comprehensive immigration reform. Again, this issue is in the hands of the Congress – I hope they will act responsibly, thoughtfully and expeditiously.

David will say a few words and then we'd be happy to take your questions.

###

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, August 08, 2006 3:04 PM
To: 'Robert_F_Hoyt@who.eop.gov'
Subject: W.D. Wash.

I heard that our U.S. Attorney, John McKay, got screwed by Washington's judicial selection commission. What do you know? Can we let them know that we want to consider him along with the recommended candidates?

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, August 08, 2006 3:17 PM
To: 'Robert_F_Hoyt@who.eop.gov'
Subject: RE: W.D. Wash.

I assume Seattle, but am not sure.

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

From: Robert_F_Hoyt@who.eop.gov [mailto:Robert_F_Hoyt@who.eop.gov]
Sent: Tuesday, August 08, 2006 3:11 PM
To: Sampson, Kyle
Subject: RE: W.D. Wash.

I'll inquire about what happened with him.

Which seat was he looking for -- Seattle or Tacoma?

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

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Tuesday, August 08, 2006 3:03 PM
To: Hoyt, Robert F.
Subject: W.D. Wash.

I heard that our U.S. Attorney, John McKay, got screwed by Washington's judicial selection commission. What do you know? Can we let them know that we want to consider him along with the recommended candidates?

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, August 09, 2006 6:23 PM
To: 'Robert F. Hoyt@who.eop.gov'
Subject: W.D. Wash.

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

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

Local GOP members will also call WH expressing support for McKay and indicating he has strong Rep ties and credentials. Also, the 2 prominent Rs in the state, former [redacted] and [redacted] strongly support him.

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, August 09, 2006 6:43 PM
To: Yang, Debra Wong (USACAC)
Subject: RE: Follow-Up on McKay

1. Yes. What's your home address?
2. And, re John, it's highly unlikely that we could do better in Seattle.
3. Re Scott, do I detect some reservation?

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

From: Yang, Debra Wong (USACAC)
Sent: Wednesday, August 09, 2006 6:37 PM
To: Sampson, Kyle
Subject: RE: Follow-Up on McKay

Regarding

2. Great. He'd be terrific in that job and has really done good work as the USA, but you know that already.

1. Could you make them single, good looking and articulate? Oh yeah, and skiers too and willing to retire to Utah (too much to ask??).

D

PS: heard you all are looking at _____ and others regarding _____ job. I know him well because of California work, interactions and abilities. If you need more info, let me know.

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

From: Sampson, Kyle
Sent: Wednesday, August 09, 2006 06:23 PM Eastern Standard Time
To: Yang, Debra Wong (USACAC)
Subject: RE: Follow-Up on McKay

1. I'm sending some missionaries to your house.
2. Info re McKay is very helpful; I'm on it.

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

From: Yang, Debra Wong (USACAC)
Sent: Wednesday, August 09, 2006 3:08 PM
To: Sampson, Kyle
Subject: Follow-Up on McKay

Kyle:

Still reeling over that Samoa and Tonga info you gave me.

Additional info regarding the district court position in WDWA (Seattle). Two Dem Senators from the state strongly support his being interviewed. They will also support his nomination. Especially since all Ds on bi-partisan comm voted for him. They will also call the WH to request interviewing the three plus McKay.

Local GOP members will also call WH expressing support for McKay and indicating he has strong Rep ties and credentials. Also, the 2 prominent Rs in the state, former _____ and the elected DA strongly support him.

Let me know what you think his chances are. Also let me know if you need more info.

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, August 09, 2006 7:15 PM
To: Yang, Debra Wong (USACAC)
Subject: RE: Follow-Up on McKay

Thx!

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

From: Yang, Debra Wong (USACAC)
Sent: Wednesday, August 09, 2006 6:55 PM
To: Sampson, Kyle
Subject: RE: Follow-Up on McKay

1. Good luck trying to get past guards.
2. He's a great soldier.
3. Absolutely not. I think he's a comer. Got a great background, including military service and good looking family, federalist etc. I also think he's interested in running in California and I've been trying to get him broader exposure. This would be great for ATF (who is beleaguered and need a shot in the arm), would give Greg great exposure and put more good ones in the pipeline.

PS: will call some corp folks regarding myself later this month and will share other info.

Aloha!!

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

From: Sampson, Kyle
Sent: Wednesday, August 09, 2006 06:41 PM Eastern Standard Time
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Subject: RE: Follow-Up on McKay

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Sent: Wednesday, August 09, 2006 3:08 PM
To: Sampson, Kyle
Subject: Follow-Up on McKay

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Let me know what you think his chances are. Also let me know if you need more info.

D

Sampson, Kyle

From: Sampson, Kyle
Sent: Monday, August 14, 2006 6:51 AM
To: 'SJennings@gwb43.com'
Subject: RE: Tax Court

Traveling with the AG -- call me on my cell

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

From: SJennings@gwb43.com [mailto:SJennings@gwb43.com]
Sent: Sunday, August 13, 2006 10:42 PM
To: Sampson, Kyle
Subject: RE: Tax Court

are you around Monday - I'd like to talk to you about Tim Griffin -

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Thu 7/20/2006 9:38 AM
To: Jon Seaton; Scott Jennings
Subject: RE: Tax Court

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

From: SJennings@gwb43.com [mailto:SJennings@gwb43.com]
Sent: Thursday, July 20, 2006 8:30 AM
To: Sampson, Kyle; jseaton@gwb43.com
Subject: FW: Tax Court

J. Scott Jennings
Special Assistant to the President and
Deputy Political Director
The White House

Washington D.C. 20502

sjennings@gwb43.com

Office: 202-456-5275

From: Robert M. McCallum [mailto:
Sent: Wednesday, July 19, 2006 11:44 AM
To: Jon Seaton
Subject: RE: Tax Court

Jon:

If you could give me the name and telephone number of the woman in charge of Tax Court appointments perhaps I could contact her directly so you don't have to deal with this.

Thanks.

Rob

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, August 17, 2006 8:18 PM
To: Yang, Debra Wong (USACAC)
Subject: Re: John McKay

1. I already have raised, on behalf of AG, the issue with the White House folks (Counsel's office and Political Affairs). I will get them this add'l info.
2. I'm out the week of 8/28; let's get lunch when you are here in September.

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

From: Yang, Debra Wong (USACAC)
To: Sampson, Kyle
Sent: Thu Aug 17 18:59:07 2006
Subject: John McKay

Kyle:

Sorry we've been playing phone tag. Completely sleep deprived today and trying to get a million things done. Both of us have been too busy. Anyway, I wanted to forward some additional inside information to you re John's situation. Apparently, the Seattle paper is about to run an article that would be embarrassing to the Republicans, saying essentially that they have dissed one of their own in their ranks. I think the sentiment up there is that if John gets to be interviewed, it's one way of combatting that issue. However, more importantly is the issue of seeing if he can get the nod for the district court. To that end, here's some local info from Seattle that might help:

It was three (Republicans) of the six committee members who declined to support John. They pointed to the fact that he "lacked trial experience" when in reality John once served as the head of the litigation department in a very well-regarded law firm in Seattle. As you know, this is the local gamesmanship that goes on, when in actuality it should always be the White House should be making the final decision whether its U.S. attorney has the trial credentials to be a federal judge. In addition, John also has strong political credentials (e.g., he took a year off between college and law school to manage a Republican congressional campaign and served as a fulltime volunteer at the 1996 GOP convention in San Diego). Should John be nominated, it is the understanding from people close to _____ that they will support this choice. Thank you for taking the time to speak with me last week concerning U.S. Attorney John McKay's candidacy for federal district judge in the W.D. of Washington. In response to your question about the nature of support John enjoys from Republicans in Washington State we are making available to you the following political and legal leaders:

He has already put in a call to the White House and looks forward to explaining why the White House should interview John, along with the other three candidates.

Office:
Cell:

states that he looks forward to

telling the White House that John is "head and shoulders" above the other candidates and should be interviewed and nominated by the White House.

Anyway, I hope this is helpful. Any sense of the AG's willingness to ask the WH to interview John?

I'll be in DC next week on the 24th, then on the 31st and then at the end of Sept on the 28th. Are you around on any of those dates just to catch up?

Deb

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, August 30, 2006 12:56 AM
To: Goodling, Monica
Subject: Re: Timing

Great, who is the OLP counsel.

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

From: Goodling, Monica
To: Sampson, Kyle
Sent: Wed Aug 30 00:41:16 2006
Subject: FW: Timing

FYI, Below - I think ATF will be good to go for Thursday and [redacted] has agreed to go into ATF with Mike for a couple weeks. [redacted] paperwork is at the WH and Lu meets with him on Tuesday. Sensenbrenner's COS knows [redacted] is under consideration and is so supportive on these issues that he's happy to have [redacted] move over to DOJ without a full two weeks notice, if we need him fast for the good of the order. So, I think this one looks good and am keeping ODAG in the loop.

And last but not least, Crim agreed to put Tim Griffin into one of their spots, so I'm going forward with the plan we discussed -- and his PPO paperwork is in. We also found someone for a counsel spot for OLP -- so that should help Rachel out a little....

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

From: Sullivan, Michael (USAMA)
Sent: Wednesday, August 30, 2006 12:16 AM
To: Goodling, Monica
Cc: Harris, Gregory
Subject: RE: Timing

Monica thank you for all your help and support. I can be down there first thing Thursday. I will give you a call tomorrow morning. I look forward to speaking with Greg. I appreciate your willingness to assist in the transition Greg. Thanks again. Regards, Mike.

Press conferences went well.

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

From: Goodling, Monica
Sent: Tuesday, August 29, 2006 10:05 PM Eastern Standard Time
To: Sullivan, Michael (USAMA)
Cc: Harris, Gregory
Subject: Timing

Mike -- I hope your press conference went well today. Yesterday's received some good press -- congratulations!

I wanted to let you know that the WH is looking at Thursday morning for your announcement. While it's not set in stone yet, I'm fairly confident this will happen and wanted to see.

if you could arrange to be here for Thursday and Friday. Personnel announcements do not generally go out until 10 a.m. at the earliest, so you could easily fly down that day if you'd prefer and meet with some of the folks here at Main who may want to help get you up to speed before you go over to ATF, after the announcement is public.

Mike - One thing I would like to chat with you over the phone about is housing. If you could give me a call tomorrow, that would be great. Thanks so much -- and if I didn't mention this already, congratulations and thank you for your willingness to serve!

All the best,
Monica

Monica M. Goodling
White House Liaison & Senior Counsel to the Attorney General -
Department of Justice
950 Pennsylvania Ave N.W.
Washington, D.C. 20530
202.353.4435 (phone)
202.305.9687 (fax)

"[W]e rededicate ourselves to the ideals that inspired our founders. During that hot summer in Philadelphia more than 200 years ago, from our desperate fight for independence to the darkest days of a civil war, to the hard-fought battles of the 20th century, there were many chances to lose our heart, our nerve, or our way. But Americans have always held firm, because we have always believed in certain truths: We know that the freedom we defend is meant for all men and women, and for all times. And we know that when the work is hard, the proper response is not retreat; it is courage." - President George W. Bush, July 4, 2005

Sampson, Kyle

From: Sampson, Kyle
Sent: Sunday, September 17, 2006 3:42 PM
To: 'Harriet_Miers@who.eop.gov'
Subject: Re: United States Attorneys

No worries. At your convenience.

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

From: Harriet_Miers@who.eop.gov <Harriet_Miers@who.eop.gov>
To: Sampson, Kyle
Sent: Sun Sep 17 15:14:30 2006
Subject: RE: United States Attorneys

Kyle, thanks for this. I have not forgotten I need to follow up on the info, but things have been crazy. Will be back in touch!

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

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

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

I. Vacancies w/o Candidates

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

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

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

IV. USA in the Process of Being Pushed Out

- E.D. Ark. (Bud Cummins)

V. USAs We Now Should Consider Pushing Out

- D. Ariz. (Paul Charlton)
- S.D. Cal. (Carol Lam)

- W.D. Mich. (Margaret Chiara)
- D. Nev. (Dan Bogden)

- W.D. Wash. (John McKay)

VI. Summary

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

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

Kyle

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

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

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

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, November 07, 2006 6:21 PM
To: Elston, Michael (ODAG)
Subject: U.S. Attorney Replacement Plan

Importance: High

Attachments: USA replacement plan.doc

Please review and provide comments ASAP. I'd like to get this to Harriet tonight, if possible. I've pasted it into the e-mail for your convenience.

**PLAN FOR REPLACING CERTAIN
UNITED STATES ATTORNEYS**

November 7, 2006

STEP 1

U.S. Attorney calls: On or about November 8-10, Mike Battle contacts the following U.S. Attorneys:

- Paul Charlton (D. Ariz.)
- Carol Lam (S.D. Cal.)

- Margaret Chiara (W.D. Mich.)
- Dan Bogden (D. Nev.)

- John McKay (W.D. Wash.)
- David Iglesias (D.N.M.)

Battle informs the U.S. Attorneys as follows:

- What are your plans with regard to continued service as U.S. Attorney?
- The Administration is grateful for your service as U.S. Attorney, but has determined to give someone else the opportunity to serve as U.S. Attorney in your district for the final two years of the Administration.
- We will work with you to make sure that there is a smooth transition, but intend to have a new Acting or Interim U.S. Attorney in place by January 1st.

STEP 2

Senator calls: On or about November 8-10 (very important that Senator calls and U.S. Attorney calls happen simultaneously), Bill Kelley or appropriate Associate Counsel contacts the following Senators:

- Jon Kyl (re Charlton)

- John Ensign (re Bogden)
- Pete Domenici (re Iglesias)

Kelley informs the Senators as follows:

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

STEP 3

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

STEP 4

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



USA replacement
plan.doc (35 K...

Kyle Sampson
Chief of Staff
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305-5289 cell
kyle.sampson@usdoj.gov

Tracking:

Recipient
Elston, Michael (ODAG)

Read
Read: 11/7/2006 6:24 PM

Sampson, Kyle

From: Sampson, Kyle
Sent: Tuesday, November 07, 2006 6:46 PM
To: Elston, Michael (ODAG)
Subject: Re: U.S. Attorney Replacement Plan

Yes: And I'll wait for the DAG's input (but no longer than tomorrow).

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Elston, Michael (ODAG)
To: Sampson, Kyle
Sent: Tue Nov 07 18:29:04 2006
Subject: Re: U.S. Attorney Replacement Plan

This looks fine to me -- trying to get Paul's input as well.

The only concern I have is that Paul just visited _____ and asked that _____ not be on the list. He does seem to be running things well (if somewhat independent of DOJ). On the other hand, _____ mentioned a scandal rumor that is of great concern to me. Should we mark him as tentative while we talk that out?

-----Original Message-----
From: Sampson, Kyle
To: Elston, Michael (ODAG)
Sent: Tue Nov 07 18:21:01 2006
Subject: U.S. Attorney Replacement Plan

Please review and provide comments ASAP. I'd like to get this to Harriet tonight, if possible. I've pasted it into the e-mail for your convenience.

**PLAN FOR REPLACING CERTAIN
UNITED STATES ATTORNEYS**

November 7, 2006

STEP 1

U.S. Attorney calls: On or about November 8-10, Mike Battle contacts the following U.S. Attorneys:

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

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

have a new Acting or Interim U.S. Attorney in place by January 1st.

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- * Jon Kyl (re Charlton)
- *
- *
- *
- * John Ensign (re Bogden)
- *
- * Pete Domenici (re Iglesias)

Kelley informs the Senators as follows:

* The Administration has determined to give someone else the opportunity to serve as U.S. Attorney in [relevant district] for the final two years of the Administration. [If pushed, this determination is based on a thorough review of the U.S. Attorney's performance.]

* [Relevant U.S. Attorney] has been informed of this determination and knows that we intend to have a new Acting or Interim U.S. Attorney in place by the end of the year.

* We will look to you, Senator, to recommend candidates that we should consider for appointment as the new U.S. Attorney. As always, we ask that you recommend at least three candidates for the President's consideration.

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<<USA replacement plan.doc>>

Kyle Sampson
Chief of Staff
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305-5289 cell
kyle.sampson@usdoj.gov

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, November 15, 2006 12:08 PM
To: 'Harriet_Miers@who.eop.gov'; William_K_Kelley@who.eop.gov
Cc: McNulty, Paul J
Subject: RE: USA replacement plan

Who will determine whether whether this requires the President's attention?

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

From: Harriet_Miers@who.eop.gov [mailto:Harriet_Miers@who.eop.gov]
Sent: Wednesday, November 15, 2006 11:39 AM
To: Sampson, Kyle; William_K_Kelley@who.eop.gov
Cc: McNulty, Paul J
Subject: RE: USA replacement plan

Not sure whether this will be determined to require the boss's attention. If it does, he just left last night so would not be able to accomplish that for some time. We will see. Thanks.

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

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

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

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

Kyle Sampson
Chief of Staff
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305-5289 cell
kyle.sampson@usdoj.gov

Tracking:

Recipient

Read

'Harriet_Miers@who.eop.gov'
William_K_Kelley@who.eop.gov

Recipient

McNulty, Paul J

Read

Read: 11/16/2006 4:32 PM

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, November 15, 2006 4:58 PM
To: Goodling, Monica; Blomquist, Kathleen M; Elston, Michael (ODAG)
Subject: Re: USA Kevin Ryan question needing a response

I agree w/ Monica's proposed response.

Sent from my BlackBerry Wireless Handheld

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

From: Goodling, Monica
To: Blomquist, Kathleen M; Sampson, Kyle; Elston, Michael (ODAG)
Sent: Wed Nov 15 16:47:57 2006
Subject: RE: USA Kevin Ryan question needing a response

Kat - As a general matter, we do not comment on these sort of personnel questions (we have received others like it this year since many of the U.S. Attorneys have passed the four year mark). Traditionally, OPA's response has been something simple like, "All U.S. Attorneys serve at the pleasure of the President, and we do not comment on personnel matters."

Kyle/Mike - Any desire to say anything different here?

(P.S. Technically, yes, it is a four year term but there is an automatic hold-over provision, so the four year term does not really mean anything and a large number of our USAs are serving well past their four year mark.)

From: Blomquist, Kathleen M
Sent: Wednesday, November 15, 2006 2:46 PM
To: Goodling, Monica
Subject: USA Kevin Ryan question needing a response

Hi Monica,

How should we respond to questions about the status of Kevin Ryan?

Thanks,

kat

From: Hale, Laura K
Sent: Wednesday, November 15, 2006 2:25 PM
To: Smith, Kimberly A
Subject: Peter Blumberg, San Francisco Daily Journal, 415-296-2443

He wanted to know if Kevin Ryan, the USA for the Northern District of California, is going to be reappointed or replaced. His term was up in July.

Kathleen Blomquist
Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
202/514-2007

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, November 22, 2006 11:44 AM
To: Ward, Brent
Subject: RE: JM Productions case

thx, brent

From: Ward, Brent
Sent: Wednesday, November 22, 2006 10:22 AM
To: Sampson, Kyle
Subject: RE: JM Productions case

Thank you, Kyle. That would be great news. I appreciate your attention to this. I hope you are able to enjoy some extra time with your family on Thanksgiving. We have a great deal to be thankful for. Best wishes.

Brent

From: Kyle.Sampson@usdoj.gov [mailto:Kyle.Sampson@usdoj.gov]
Sent: Wednesday, November 22, 2006 10:02 AM
To: Ward, Brent
Subject: RE: JM Productions case

I'm told this is now on track
Charlton has been directed to provide an AUSA

From: Ward, Brent
Sent: Monday, November 20, 2006 5:31 PM
To: Sampson, Kyle
Subject: JM Productions case

Kyle,

FYI I wanted to let you know that I have just sent the following email to Sigal Mandelker, DAAG in CRM DIV.

Sigal,

We have just been notified that the trial in U.S. v. _____, has been set for 2007 in the District of Arizona. As you know, my position is that we will not be in the best position to prevail at trial without the active participation of an AUSA from that District, which has thus far been refused. The notice of trial brings the issue squarely into focus whether or not we will be able to put the case in the best posture for success.

For an AUSA to be useful in assisting _____ at the trial will require that an assignment be made very soon and that the assigned AUSA be someone capable of making the requisite contributions to the trial of the case.

It is very exasperating to be in the position of not knowing what, if anything, has been done above me in the Department to secure the cooperation of the U.S. Attorney in this case, even after the passage of more than seven months since I began seeking help in gaining that cooperation. I can only assume that something has been done by someone in the DAG's office, albeit without any apparent effect. I also assume that the AG has not yet personally weighed in. If that is the case, now is the time for him to do so.

OAG00000220

This case will become something of a benchmark, because it will be the first trial of a Task Force case. The outcome is bound to have an exaggerated effect on the level of participation and cooperation we can expect to receive from other U.S. Attorneys in future cases. For these reasons I request that the AG direct the U.S. Attorney in Arizona to immediately join with us in the prosecution of this case.

Thank you.

Brent

OAG000000221

Sampson, Kyle

From: Sampson, Kyle
Sent: Monday, December 04, 2006 6:12 PM
To: 'Kelley, William K.'
Cc: Miers, Harriet
Subject: RE: US Atty Plan

Importance: High

Great. We would like to execute this on Thursday, December 7 (all the U.S. Attorneys are in town for our Project Safe Childhood conference until Wednesday; we want to wait until they are back home and dispersed, to reduce chatter). So, on Thursday morning, we'll need the calls to be made as follows:

- * AG calls Sen. Kyl
- * Harriet/Bill call Sens. Ensign and Domenici (alternatively, the AG could make these calls and, if Senators express any concern, offer briefings re why the decision was made -- let me know)
- * White House OPA calls California, Michigan, and Washington "leads"

EOUSA Director Mike Battle then will call the relevant U.S. Attorneys. Okay?

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Monday, December 04, 2006 4:48 PM
To: Sampson, Kyle
Cc: Miers, Harriet
Subject: US Atty Plan

We're a go for the US Atty plan. WH leg, political, and communications have signed off and acknowledged that we have to be committed to following through once the pressure comes.

December 07, 2006

Thursday

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9:30am-9:55am Phone Call with Senator Kyl

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NOV 15 2006

NOV 15 2006

ampson, Kyle

243

3/15/2007 1:05 PM

0AG000000223

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 10:36 AM
To: 'Kelley, William K.'
Subject: RE:

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

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

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

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

0AG000000224

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 11:33 AM
To: 'William_K_Kelley@who.eop.gov'
Subject: Re:

Too late, right? Calls to USAs are happening as we speak. And Sens. Kyl and Domenici already have been notified (and are ok). Do they think Sen. Ensign will be concerned (I don't)? And none of these USAs has been promoted by a House member.

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Kelley, William K. <William_K_Kelley@who.eop.gov>
To: Sampson, Kyle
Sent: Thu Dec 07 11:19:04 2006
Subject: Re:

Our leg folks are all up in arms that we are doing this on the last day when things can be gummed up by unhappy Senators. There's no way to pull back til tomorrow, is there? I should have flagged the timing for them earlier -- but they never raised the issue of timing until things were underway.

-----Original Message-----
From: Sampson, Kyle
To: Kelley, William K.
Sent: Thu Dec 07 10:36:22 2006
Subject: RE:

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

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
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To: Sampson, Kyle
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Left message for Ensign's COS. Said I needed to talk to him asap, but didn't give details.

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 11:46 AM
To: 'William_K_Kelley@who.eop.gov'
Subject: Re:

Good. The Nevada USA's appt predates Ensign's election, and I'm not aware of them having any relationship.

Sent from my BlackBerry Wireless Handheld

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

From: Kelley, William K. <William_K_Kelley@who.eop.gov>
To: Sampson, Kyle
Sent: Thu Dec 07 11:35:44 2006
Subject: Re:

I told them it is too late, but said I would confirm with you. I think it is clear that they are overreacting, and I've told them that. I don't know if Ensign is close to the Nevada guy, but I would think he'd welcome a new patronage opportunity.

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

From: Sampson, Kyle
To: Kelley, William K.
Sent: Thu Dec 07 11:32:57 2006
Subject: Re:

Too late, right? Calls to USAs are happening as we speak. And Sens. Kyl and Domenici already have been notified (and are ok). Do they think Sen. Ensign will be concerned (I don't)? And none of these USAs has been promoted by a House member.

Sent from my BlackBerry Wireless Handheld

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

From: Kelley, William K. <William_K_Kelley@who.eop.gov>
To: Sampson, Kyle
Sent: Thu Dec 07 11:19:04 2006
Subject: Re:

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

From: Sampson, Kyle
To: Kelley, William K.
Sent: Thu Dec 07 10:36:22 2006
Subject: RE:

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Is OPA calling the political leads in CA, WA, and MI?

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Sent: Thursday, December 07, 2006 10:29 AM
To: Sampson, Kyle
Subject:

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

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

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 3:06 PM
To: Mercer, William W
Subject: RE: Heads up

All Senators have been notified and are fine/no objections.
All USAs have been notified, except Iglesias and Chiara (Battle has left messages for them).
Who is calling you? Charlton? McKay?

-----Original Message-----
From: Mercer, William W
Sent: Thursday, December 07, 2006 1:58 PM
To: Sampson, Kyle
Subject: Re: Heads up

I have what I assume is my first call. Before I respond, do you have a status report?

-----Original Message-----
From: Sampson, Kyle
To: Mercer, William W
Sent: Tue Dec 05 22:50:48 2006
Subject: Heads up

Administration has determined to ask some underperforming USAs to move on (you'll remember I beat back a much broader -- like across the board -- plan that WHCO was pushing after 2004). Calls will go out on Thursday. Wanted you to know in case you get some calls from the field and so you can help manage the chatter that may result. See the attached for the details.

<<USA replacement plan.doc>>

Tracking:	Recipient	Read
	Mercer, William W	Read: 12/7/2006 3:41 PM

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 4:09 PM
To: 'Kelley, William K.'
Subject: RE:

didn't wh opa get to him before he got to them?

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 4:04 PM
To: Sampson, Kyle
Subject:

FYI Jerry Parsky has put in an outraged call protesting the fact of Ryan's departure and the manner in which the msg was delivered.

And he's having lunch with the President next week.

0AG000000229

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 4:12 PM
To: Battle, Michael (USAEO)
Subject: RE: Your Call

good

From: Battle, Michael (USAEO) [mailto:Michael.Battle@usdoj.gov]
Sent: Thursday, December 07, 2006 3:56 PM
To: Sampson, Kyle
Subject: FW: Your Call

FYI.

From: McKay, John (USAWAW)
Sent: Thursday, December 07, 2006 3:10 PM
To: Battle, Michael (USAEO)
Subject: Your Call

Mike,

Please forgive me for not thanking you for your friendship. I very much appreciate that the call came from you. All the best, and we'll stay in touch.

I may need some guidance from you on how to time this for my staff, I'm hoping this can stay closely held until after Christmas. If you think not, would you let me know. Again, thanks very much my friend.

-JOHN

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 9:07 PM
To: Sampson, Kyle; 'Kelley, William K.'
Subject: RE:

bill, please forward to Jennings, thx

From: Sampson, Kyle
Sent: Thursday, December 07, 2006 9:06 PM
To: 'Kelley, William K.'
Cc: 'sjennings@who.eop.gov'
Subject: RE:

do not mind at all
scott - call me
----- him
----- cell
(202) 514-3892 desk

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Thursday, December 07, 2006 6:15 PM
To: Sampson, Kyle
Subject:

Kyle--Do you mind talking to Scott Jennings about the particulars of Ryan's situation? Ryan is the only one so far calling in political chits (which is reason enough to justify the decision, in my view), but Karl would like to know some particulars as he fields these calls.

OAG000000231

Sampson, Kyle

From: Sampson, Kyle
Sent: Monday, December 18, 2006 1:06 PM
To: Goodling, Monica
Cc: Mercer, William W; Moschella, William; McNulty, Paul J; Battle, Michael (USAEO)
Subject: RE: USA Resignation

From: Goodling, Monica
Sent: Monday, December 18, 2006 12:47 PM
To: Sampson, Kyle
Subject: FW: USA Resignation

FYI

From: Nowacki, John (USAEO) [mailto:John.Nowacki@usdoj.gov]
Sent: Monday, December 18, 2006 10:25 AM
To: Goodling, Monica; Elston, Michael (ODAG)
Subject: USA Resignation

Paul Charlton has notified us that he will announce his resignation today, effective 31 January 2007.

Tracking:	Recipient	Read
	Goodling, Monica	
	Mercer, William W	Read: 12/18/2006 1:32 PM
	Moschella, William	Read: 12/18/2006 1:17 PM
	McNulty, Paul J	
	Battle, Michael (USAEO)	

Sampson, Kyle

From: Sampson, Kyle
Sent: Friday, January 05, 2007 11:50 AM
To: Elston, Michael (ODAG); Goodling, Monica; McNulty, Paul J
Subject: Re: USAs

And we granted 1-month extensions for Dan and Margaret, but not Carol -- right?

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Elston, Michael (ODAG)
To: Goodling, Monica; Sampson, Kyle; McNulty, Paul J
Sent: Fri Jan 05 11:36:01 2007
Subject: Re: USAs

Do you want me to call Kevin? I have a pretty good relationship with him.

-----Original Message-----
From: Goodling, Monica
To: Sampson, Kyle; McNulty, Paul J; Elston, Michael (ODAG)
Sent: Fri Jan 05 11:34:48 2007
Subject: RE: USAs

I have not yet heard or seen anything from these offices. Lam, Bogden, and Chiara have asked Mike Battle for extensions.

From: Sampson, Kyle
Sent: Thursday, January 04, 2007 7:34 PM
To: McNulty, Paul J; Elston, Michael (ODAG); Goodling, Monica
Subject: USAs

Of our list, I'm aware of Iglesias, Charlton, and McKay making it known publicly that they are leaving. Have Lam, Ryan, Bogden, or Chiara done so yet? What is the status of these?

Kyle Sampson
Chief of Staff
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2001 wk.
(202) 305-5289 cell
kyle.sampson@usdoj.gov

Sampson, Kyle

From: Sampson, Kyle
Sent: Friday, January 05, 2007 7:13 PM
To: McNulty, Paul J
Subject: Re: USAs

Yes.

Sent from my BlackBerry Wireless Handheld

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

From: McNulty, Paul J
To: Sampson, Kyle
Sent: Fri Jan 05 19:07:49 2007
Subject: RE: USAs

Just talked to Iglesias and he is working at lining up a job. He has a couple of interviews next week and hopes things will work out quickly. Overall, he has a positive attitude, especially from a spiritual perspective. However, he's anxious about the deadline coming and not having anything finalized. Albuquerque is a small legal market and he's not certain how it will all shake out. He has four kids with a stay-at-home wife. He wants to know if he will have some flexibility if nothing is lined up by 1/31. I told him I would get back to him next week. I would like to tell him to work hard with the assumption that he only has until the end of the month, but we can be flexible if he needs a little more time. Doesn't sound like it will take even another full month. OK with you?

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kyle.sampson@usdoj.gov

Sampson, Kyle

From: Sampson, Kyle
Sent: Friday, January 12, 2007 9:06 PM
To: Elston, Michael (ODAG); Goodling, Monica
Subject: RE:

ok

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

From: Elston, Michael (ODAG)
Sent: Friday, January 12, 2007 9:04 PM
To: Goodling, Monica; Sampson, Kyle
Subject: Fw:

Sorry I sent the other one to Kevin -- don't know how that happened. Still, how do you think I should respond? I am inclined to say OK as long as he sends in his letter of resignation on Tuesday.

Mike

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

From: Ryan, Kevin (USACAN) <Kevin.Ryan@usdoj.gov>
To: Elston, Michael (ODAG)
CC: Ryan, Kevin (USACAN)
Sent: Fri Jan 12 18:30:25 2007
Subject:

Mike,

Just checking in. We talked about the timing of my announcement and departure, and I am happy to abide by the time frame but would only ask if it is possible for me to make the announcement next Friday instead of this Monday since it is a federal holiday and I would like to get a few things in order before making the public announcement. The time frame for departure however is fine-- I see that the 15th is a Thursday, how about Friday the 16th?

Thanks,

Kevin

Tracking:	Recipient	Read
	Elston, Michael (ODAG)	Read: 1/12/2007 9:24 PM
	Goodling, Monica	Read: 1/12/2007 9:45 PM

Sampson, Kyle

From: Sampson, Kyle
Sent: Monday, January 15, 2007 6:06 PM
To: Moschella, William
Subject: RE: Heads Up on WSJ USA Story

Not yet.

From: Moschella, William
Sent: Monday, January 15, 2007 4:46 PM
To: Sampson, Kyle
Subject: FW: Heads Up on WSJ USA Story

Is the AG ready to answer these questions on Thursday?

From: Roehrkasse, Brian
Sent: Monday, January 15, 2007 4:06 PM
To: Goodling, Monica; Elston, Michael (ODAG); Moschella, William; Sampson, Kyle
Cc: Scolinos, Tasia
Subject: Heads Up on WSJ USA Story

Our new *Wall Street Journal* beat reporter will publish a story tomorrow about the recent resignations of U.S. Attorneys. Through his reporting, he believes at least six U.S. Attys were forced to resign including USAs Ryan, Cummins, Lam, Bogden, Iglesias and Charlton. I didn't confirm, deny or otherwise comment beyond cautioning him that he better be careful his sources are accurate. He did speak with at least Cummins and Iglesias, and possibly others.

When he first contacted me about this story he raised questions about political motivations and the correlation to the recent legislative changes on the AG's appointment authority. However, with all of the background information we provided on the appointment authority and pointing him towards our recent nominations, I don't think it will be as politically focused. More likely, he will write that the Department is pushing out USAs because they are underperforming or not embracing the Department's priorities.

The story will be very critical of how the Bud Cummins situation was handled. He thinks despite the political pedigree, that Griffin is very qualified, but just the way in which it was handled with Cummins and Pryor will make it nearly impossible for him to be nominated or confirmed. The good news on this front is he finds Feinstein and Pryor's criticism that we don't intend to nominate USAs suspect and unwarranted.

Talking Points:

- In every case, it is a goal of this Administration to have a U.S. Attorney that is confirmed by the Senate. It is inconceivable for a member of Congress to believe that use of an appointment authority to fill a vacancy is in any way an attempt to circumvent the confirmation process. When a United States Attorney submits his or her resignation, the Administration has an obligation to ensure that someone is able to carry out the important function of leading a U.S. Attorney's office. Following such a situation, we consult with the home-state Senators prior to nomination regarding candidates for Senate consideration.
- Our record since this authority was amended demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Specifically, since March 9, 2006, the Administration has nominated 13 individuals to serve as U.S. Attorney (12 have been confirmed). Additionally, since the appointment authority was amended, there have been 11 vacancies created by outgoing U.S. Attorneys -- of those 11 vacancies, the Administration nominated candidates to fill four of these positions to date and has already interviewed candidates for the other seven positions.

Brian Roehrkasse
Deputy Director of Public Affairs
U.S. Department of Justice
(202) 514-2007

Tracking:

Recipient
Moschella, William

Read
Read: 1/15/2007 7:39 PM

Sampson, Kyle

From: Elston, Michael (ODAG)
Sent: Wednesday, January 17, 2007 10:07 PM
To: Sampson, Kyle; Scolinos, Tasia; Roehrkasse, Brian; Goodling, Monica; Moschella, William
Subject: "Without Cause"

Follow Up Flag: Follow up
Flag Status: Red

I am not going to discuss whether a particular United States Attorney has been asked to resign or what the reasons might be for such a decision. But when a United States Attorney leaves, we have a process for filling that vacancy which we have followed throughout this Administration and which we will continue to follow. That process includes nominating a candidate for consideration by the Senate. For each vacancy, we will seek well-qualified candidates who will support the Administration's priorities and enforce the law to the fullest extent.

While I will not comment on any particular United States Attorney's resignation, let me say this: I would never, never consent to the removal of a United States Attorney for political reasons. To suggest that a U.S. Attorney was removed to influence a case for political reasons is irresponsible, reckless and harmful to the criminal justice system.

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, January 17, 2007 10:11 PM
To: Elston, Michael (ODAG); Scolinos, Tasia; Roehrkasse, Brian; Goodling, Monica; Moschella, William
Subject: Re: "Without Cause"

Got it.

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

From: Elston, Michael (ODAG)
To: Sampson, Kyle; Scolinos, Tasia; Roehrkasse, Brian; Goodling, Monica; Moschella, William
Sent: Wed Jan 17 22:07:03 2007
Subject: "Without Cause"

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Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, January 17, 2007 10:12 PM
To: Sampson, Kyle
Subject: Fw: "Without Cause"

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

From: Elston, Michael (ODAG)
To: Sampson, Kyle; Scolinos, Tasia; Roehrkasse, Brian; Goodling, Monica; Moschella, William
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Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, January 18, 2007 10:58 AM
To: Elston, Michael (ODAG); Moschella, William; Goodling, Monica
Cc: Mercer, William W; McNulty, Paul J
Subject: Re: USAO-NDCA

Thx.

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

From: Elston, Michael (ODAG)
To: Sampson, Kyle; Moschella, William; Goodling, Monica
CC: Mercer, William W; McNulty, Paul J
Sent: Thu Jan 18 10:57:32 2007
Subject: USAO-NDCA

Kyle:

Kevin Ryan's FAUSA, Eumi Choi, just called to let us know that Kevin is not returning calls from Sen. Feinstein or Carol Lam and doing his best to stay out of this. He wanted us to know that he's still a "company man." I gave her my talkers for McKay and Charlton and asked her to convey them to Kevin.

Mike

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, January 25, 2007 5:34 PM
To: Hertling, Richard; Seidel, Rebecca; Goodling, Monica; Nowacki, John (USAEO)
Cc: Moschella, William; Elston, Michael (ODAG); Scott-Finan, Nancy
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.
Importance: High

Tracking:

Recipient	Read
Hertling, Richard	Read: 1/25/2007 5:34 PM
Seidel, Rebecca	Read: 1/25/2007 5:35 PM
Goodling, Monica	
Nowacki, John (USAEO)	
Moschella, William	Read: 1/25/2007 5:44 PM
Elston, Michael (ODAG)	Read: 1/25/2007 6:44 PM
Scott-Finan, Nancy	Read: 1/25/2007 7:14 PM

Will/Mike, I think that the DAG should be the witness. We need to be serious and hit back hard. Will you ask him if he is willing?

From: Hertling, Richard
Sent: Thursday, January 25, 2007 5:23 PM
To: Seidel, Rebecca; Sampson, Kyle; Goodling, Monica; Nowacki, John (USAEO)
Cc: Moschella, William; Elston, Michael (ODAG); Scott-Finan, Nancy
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

We need to decide who our witness will be

From: Seidel, Rebecca
Sent: Thursday, January 25, 2007 4:02 PM
To: Sampson, Kyle; Goodling, Monica; Nowacki, John (USAEO); Hertling, Richard
Cc: Moschella, William; Elston, Michael (ODAG); Scott-Finan, Nancy
Subject: FW: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

here is the notice for the hearing on the USA issue.

From: Butterfield, Jane (Judiciary-Rep) [mailto:Jane_Butterfield@judiciary-rep.senate.gov]
Sent: Thursday, January 25, 2007 8:56 AM
To: White, Brandi (Frist); Andrea Looney (Whitehouse); Bacak, Brooke (RPC); Bellocchi, Luke (RPC); Best, David T; Dianna Dunne (Whitehouse); Hicks, Allen (Frist); Hippe, Jim (Frist); Janette Evans-Lee; Jeri Gronewold; Mark Braswell; Michael Allen (Whitehouse); Moschella, William; Seidel, Rebecca; Stout, Stacey L; Kebodeaux, Tiffany (DHS); Dewine; Peterlin,

January 25, 2007

OAG000000243

2/12/2007

NOTICE OF FULL COMMITTEE HEARING

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"Preserving Prosecutorial

**Independence: Is the Department of Justice Politicizing the Hiring and Firing
of U.S. Attorneys?"**

for Wednesday, February 7, 2007 at 9:30 a.m. in Room 226 of the Dirksen Senate
Office Building.

Senator Schumer will chair the hearing.

By order of the Chairman

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, January 25, 2007 6:41 PM
To: Elston, Michael (ODAG); Moschella, William
Cc: Hertling, Richard
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

Looping in Richard.

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

From: Elston, Michael (ODAG)
Sent: Thursday, January 25, 2007 6:40 PM
To: Sampson, Kyle; Moschella, William
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

DAG and I discussed it earlier today, and his choice is ... Moschella.

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

From: Sampson, Kyle
To: Moschella, William
CC: Elston, Michael (ODAG)
Sent: Thu Jan 25 17:53:25 2007
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

hah. let me know what he says.

From: Moschella, William
Sent: Thursday, January 25, 2007 5:45 PM
To: Sampson, Kyle
Cc: Elston, Michael (ODAG)
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

are you crazy? no way, you ask him! . . .

Of course we will raise it with him.

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January 25, 2007

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By order of the Chairman

Tracking:

Recipient

Elston, Michael (ODAG)

Moschella, William

Hertling, Richard

Read

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Sent: Thursday, January 25, 2007 7:59 PM
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10-4.

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From: Hertling, Richard
Sent: Thursday, January 25, 2007 7:12 PM
To: Sampson, Kyle
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

We need to nail this down. I continue to think DAG ought to do it and really knock this down. Plus, he has a good relationship with Schumer. I know no one wants to do this hearing, but I think it needs to be done at a senior political level. I really think that Paul would be best. If he just will not do it, I don't know who else could do it. Maybe we can chat tomorrow.

-----Original Message-----
From: Moschella, William
Sent: Thursday, January 25, 2007 7:05 PM
To: Elston, Michael (ODAG)
Cc: Hertling, Richard; Sampson, Kyle
Subject: RE: Notice of Full Committee Hearing for Wed., Feb. 7, 2007 at 9:30 a.m.

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