

*Telephone: (202) 514-3642* 

U.S. Department of Justice Office of Information Policy Sixth Floor 441 G Street, NW Washington, DC 20530-0001

August 31, 2023

Reed Rubinstein America First Legal Foundation 600 14th Street NW, 5th Floor Washington, D.C. 20005 foia@aflegal.org

Re: FOIA-2023-00870 21-cv-03024 (D.D.C.) VRB:JMB:BPF

Dear Reed Rubinstein:

While processing your Freedom of Information Act (FOIA) request dated August 31, 2022, for various communications and records from its Voting Section, the Civil Rights Division (CRT) located and referred a set of documents to this Office for processing and direct response to you. For your reference, the CRT request number associated with your request is 21-00291-F.

At this time, I have determined that eleven pages containing records responsive to your request are appropriate for release with certain information withheld pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5) and (b)(6), and copies are enclosed. An additional four pages are being withheld in full pursuant to Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions. Finally, please note that the remaining pages referred to this Office by CRT, as well as a portion of the enclosed pages, contain duplicative records, which have not been processed.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. If you have any questions regarding this response, please contact Michael J. Gerardi of the Department's Civil Division, Federal Programs Branch, at (202) 616-0680.

Sincerely,

Jonathan Breyan

Jonathan Breyan Senior Supervisory Attorney <u>for</u> Vanessa R. Brinkmann Senior Counsel

Enclosures

To:	Iverson, Dena (PAO)	(b) (6)	; Bradford, Aryel	e (PAO)	(b) (6)	Karlan, Pamela
(CRT)	(b) (6)	]; Greenfeld, Helaine A.	. (OLA)	(b) (6)	; Hyun, Peter	-
(OASG)	(b) (6)	]; Seidman, Ricki (OASG	) (b) (6)	Visser, T	im (OAG)	) (6)
Cc:	Gaeta, Joseph (OLA	) (b) (6)	]; Colangelo, Matth	new (OASG)	(b) (6)	]; Coley,
Anthony [	D. (PAO)	) (6) ]; Loeb, E	mily M. (ODAG)	(b) (6)	]; Clarke, Kriste	n
(CRT)	(b) (6)	; Gupta, Vanita (OASG)			<u>Ra</u> yshon J.	
(OLA)		<del>; W</del> est Rasmus, Emma (C		(b) (6)		
From:		(OASG)[/O=EXCHANGE				
(FYDIBOH		CIPIENTS/CN=A20FBE7	0E3864751868E2B5	13425C023-RUIS/	ANCHEZ,]	
Sent:	Fri 6/11/2021 12:43:	37 PM (UTC-04:00)				
Subject:	RE: Tick Tock					
<u>v2 Draft F</u>	act Sheet on Voting F	<u> Rights Address (006).docx</u>				

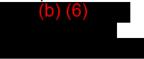
The attached document includes several necessary fixes to the last version that was circulated.

From: Iverson, Dena (PAG	o) < (b) (6)	>		
Sent: Friday, June 11, 202				
To: Bradford, Aryele (PAG	(b) (6)	>; Karlan, Pamela	(CRT) < (b) (6)	; Ruisanchez, Alberto
(OASG) (b)	(6) ; Green	nfeld, Helaine A. (OLA) <	(b) (6)	; Hyun, Peter (OASG)
(b) (6)	; Seidman, Ricki (OASG)	< (b) (6)	; Visser, Tim (OAG) <	(b) (6) >
Cc: Gaeta, Joseph (OLA)	(b) (6)	; Colangelo, Matthew	(OASG) (b)	(6) >; Coley,
Anthony D. (PAO)	(b) (6)	; Loeb, Emily M. (ODAG)	(b) (6)	; Clarke, Kristen (CRT)
(b) (6)	; Gupta, Vanita (OASO	G) (b) (6)	Payton, Rayshon	J. (OLA)
(b) (6)	West Rasmus, Emma	a (OASG)	o) (6)	
Subject: RE: Tick Tock				

We would like to send this out embargoed to press shortly after 1 pm. Can everyone on this chain review and get any edits back to Aryele in the next 20 minutes?

#### Dena Iverson

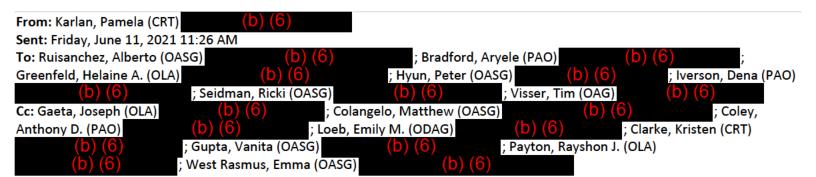
Principal Deputy Director, Office of Public Affairs U.S. Department of Justice



From: Bradford, Aryele (PAO)	(b) (6)				
Sent: Friday, June 11, 2021 1	2:25 PM				
To: Karlan, Pamela (CRT)	(b) (6)	; Ruisanchez, Alberto	(OASG)	(b) (6)	; Greenfeld,
Helaine A. (OLA)	(b) (6)	; Hyun, Peter (OASG)	(b) (6)	; Iverson, D	ena (PAO)
(b) (6)	; Seidman, Ricki (OAS	G) (b) (6)	; Visser, Tim	(OAG)	(b) (6)
Cc: Gaeta, Joseph (OLA)	(b) (6)	; Colangelo, Matthew (	OASG)	(b) (6)	; Coley,
Anthony D. (PAO)	(b) (6) ; I	Loeb, Emily M. (ODAG)	(b) (6)	; Clarke	, Kristen (CRT)
(b) (6) ;	Gupta, Vanita (OASG)	(b) (6)	; Payton, Ray	yshon J. (OLA)	
(b) (6) ; v	West Rasmus, Emma (	OASG) (b)	(6)		

Subject: RE: Tick Tock

Updated version attached based on the most recent version of the speech that I have seen as well as edits from Tim and Alberto. Let me know if there are additional edits. Thank you!



Subject: RE: Tick Tock

I am sending this to DRS to ask about the Newton County settlement. In the meantime, with regard to the following statement,

Please do understand that	(b) (5)	
	(b) (5)	

Pam

From: Ruisanchez, Alberto	(OASG)				
Sent: Friday, June 11, 2021	11:06 AM				
To: Bradford, Aryele (PAO)	(b) (6)	; Greenfeld, Helaine	e A. (OLA)	(b) (6)	; Hyun,
Peter (OASG) (b)	(6) ; Iverson, I	Dena (PAO) (b)	(6) ; Seidm	an, Ricki (OASG)	
(b) (6)	; Visser, Tim (OAG)	(b) (6)			
Cc: Gaeta, Joseph (OLA)	(b) (6)	; Colangelo, Matthew (O	ASG)	) (6)	; Coley,
Anthony D. (PAO)	(b) (6)	; Loeb, Emily M. (ODAG)	(b) (6)	; Karlan, Pamel	a (CRT)
(b) (6)	<u>;</u> Clarke, Kristen (CRT	) (b) (6)	; Gupta, Vanita (OA	SG)	
(b) (6)	; Payton, Rayshon J.	. (OLA) (b) (6)	; West Rasmus	s, Emma (OASG)	
(b) (6)					
Subject: RE: Tick Tock					

I added a few edits and a question for CRT.

From: Bradford, Aryele (PAO)	(b) (6)			
Sent: Friday, June 11, 2021 11:	01 AM	_		
To: Greenfeld, Helaine A. (OLA)	) (b) (6)	; Hyun, Peter (OASG)	(b) (6)	; Iverson, Dena
(PAO) (b) (6)	; Seidman, Ricki (OASG)	(b) (6) ; v	isser, Tim (OAG)	
(b) (6)				
Cc: Gaeta, Joseph (OLA)	(b) (6) ; Colangelo, N	Matthew (OASG)	(b) (6)	; Coley,
Anthony D. (PAO)	(6) ; Loeb, Emily M.	(ODAG) (b) (6	; Karlan, Par	mela (CRT)
(b) (6) ; R	Ruisanchez, Alberto (OASG)	(b) (6)	; Clarke, Kristen (CRT	-)
(b) (6) ; G	iupta, Vanita (OASG) (b)	; Payton,	Rayshon J. (OLA)	
(b) (6) ; we	est Rasmus, Emma (OASG)	(b) (6)		

Subject: RE: Tick Tock

I defer to others on that. I'm not sure if it makes sense to wait to give people time to chime in with edits/concerns.

Circulating draft talking points as well.

From: Greenfeld, Helaine A	. (OLA) (b) (6)			
Sent: Friday, June 11, 2021	10:52 AM			
To: Bradford, Aryele (PAO)	(b) (6)	; Hyun, Peter (OASG)	(b) (6)	; Iverson, Dena (PAO)
(b) (6)	; Seidman, Ricki (OASG)	(b) (6)	; Visser, Tim (OAG)	(b) (6)
Cc: Gaeta, Joseph (OLA)	(b) (6) ; Co	langelo, Matthew <u>(</u> OASG)		; Coley,
Anthony D. (PAO)	(b) (6) ; Loeb,	, Emily M. (ODAG)	(b) (6)	Karlan, Pamela (CRT)
(b) (6)	; Ruisanchez, Alberto (OAS		; Clarke, K	risten (CRT)
(b) (6)	; Gupta, Vanita (OASG)		; Payton, Rayshon J. (	OLA)
(b) (6)	; West Rasmus, Emma (OASC	6) (b) (6)		
Subject: RE: Tick Tock				

Can I send this to folks on the Hill minus the placeholder for the quote?

From: Bradford, Aryele (PAO) (b) (6)

Sent: Friday, June 11, 2021 1	10:47 AM			
To: Greenfeld, Helaine A. (O	LA) (b) (6)	; Hyun, Peter (OAS	G) (b) (6)	; Iverson, Dena
(PAO) (b) (6)	; Seidman, Ricki (OASG)	(b) (6)	; Visser, Tim (OAG)	
(b) (6)				
Cc: Gaeta, Joseph (OLA)	(b) (6) ; Colangel	lo, Matthew (OASG)	(b) (6)	; Coley,
Anthony D. (PAO)	(b) (6) ; Loeb, Emily	/ M. (ODAG)	(b) (6) ; Karlan,	, Pamela (CRT)
(b) (6)	; Ruisanchez, Alberto (OASG)	(b) (6)	; Clarke, Kristen (	CRT)
(b) (6)	; Gupta, Vanita (OASG)	(b) (b) ; Pa	ayton, Rayshon J. (OLA)	
(b) (6) ;	West Rasmus, Emma (OASG)	(b) (6)		
Subject: RE: Tick Tock				

Good morning – Attached is the current draft of the fact sheet. Please let us know if you have edits. Thanks!

From: Greenfeld, Helaine	A. (OLA)	(b) (6)		
Sent: Friday, June 11, 202	1 9:19 AM			
To: Hyun, Peter (OASG)	(b) (6)	; Iverson, Dena (PAO)	(b) (6)	; Seidman, Ricki (OASG)
(b) (6)	; Visser, Tim (OAG)	(b) (6)		
Cc: Gaeta, Joseph (OLA)	(b) (6)	; Bradford, Aryele (PAO)	(b) (6)	Colangelo, Matthew
(OASG) (b)	(6) ; Cole	ey, Anthony D. (PAO)	(b) (6)	; Loeb, Emily M. (ODAG)
(b) (6)	; Karlan, Pamela (CR	T) (b) (6)	; Ruisanchez, Albert	o (OASG)
(b) (6)	; Clarke, Krist	en (CRT) (b) (6)	; Gupta, Vanit	a (OASG)
(b) (6)	; Payton, Rayshon	J. (OLA) (b) (6)	; West Rasmus	, Emma (OASG)
(b) (6)				
Subject: RE: Tick Tock				

Is there text yet? Outtakes?

From: Hyun, Peter (OASG)	(b) (6)			
Sent: Friday, June 11, 2021	9:09 AM			
To: Iverson, Dena (PAO)	(b) (6)	; Seidman, Ricki (OASG)	(b) (6)	; Visser, Tim (OAG)
(b) (6)				
Cc: Gaeta, Joseph (OLA)	(b) (6)	; Bradford, Aryele (PAO)	(b) (6)	; Colangelo, Matthew
(OASG) (b)	6 ; Coley	, Anthony D. (PAO)	(b) (6)	; Greenfeld, Helaine A. (OLA)
(b) (6)	; Loeb, Emily M	. (ODAG) (b) (6)	; Karlan, Pan	nela (CRT)
(b) (6)	; Ruisanchez, Alberto	(OASG) (b) (6)	; Clarke	e, Kristen (CRT)
(b) (6)	; Gupta, Vanita (OASG	(b) (6)	; Payton, Rayshon	J. (OLA)
(b) (6)	; West Rasmus, Emma	(OASG) (b) (6)		

Subject: RE: Tick Tock

Hi everyone:

Good morning.

1. Re: the 5pm Sec. of States meeting the AG is hosting, (b) (6) Tim Visser (OAG) and I will be preparing materials. OPA/OLA – please let us know who on your teams we should ensure assist with the preparation of those materials.

2. For the TPs/Fact Sheets/CRT actions – once those materials are ready, if we can please circulate to this group.

3. I am re-bumping to the top of this email chain the Tick Tock for today below (OPA, please let us know if you would like to update).

### <u>Friday</u>

**10 am** One-on-one stakeholder outreach begins to key civil rights groups (L. Monaco; V. Gupta; K. Clarke), including key highlights [note: OPA expects details to trickle out ahead of the remarks]

**1 pm** "As prepared for delivery" draft of policy address issued to key Members of Congress and

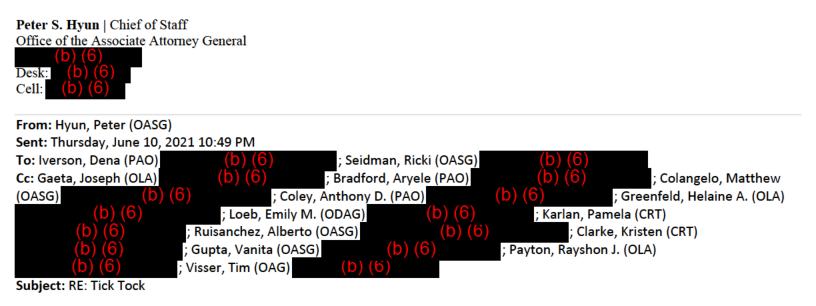
reporters, fact sheet, background document on DOJ policy and enforcement actions

**2 pm** AG Policy Address in the Great Hall; remarks and fact sheet issued to DOJ press corps (forwarded to WH press corps)

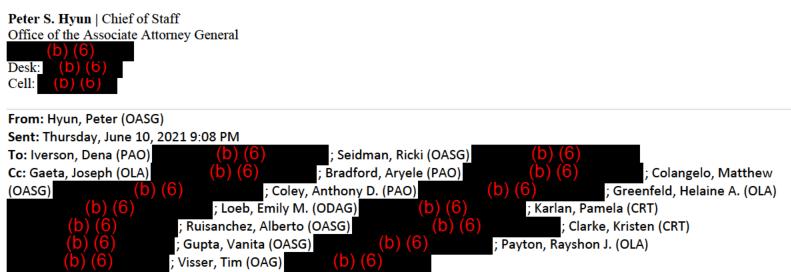
2 pm Remarks, Fact Sheet, TPs and Background Doc on recent DOJ actions distributed to Talkers

5 pm AG meeting with six bipartisan secretaries of state (photo-op; readout)

8 pm MSNBC Exclusive Interview: V. Gupta and C. Hayes



Please see an updated call list with some assignments noted. Thank you!



Subject: RE: Tick Tock

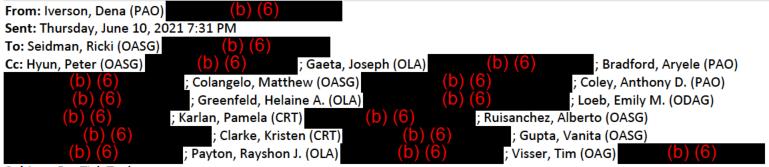
Folks: here is the initial pre-notification list, which includes the relevant contact information I have. I realize that this list is longer than what was circulated earlier (18 orgs below), but this includes some Hill notifications and other stakeholders. To the extent folks want to input who will be making which calls, please feel free to make the changes in this document, and then send to me as a new "v.2, v.3, and so on," and I can circulate.

Thanks, Peter

Peter S. Hyun | Chief of Staff

Office of the Associate Attorney General





Subject: Re: Tick Tock

One update - the fact sheet will encompass the announcements for tomorrow as well as recent actions by the department to protect voting rights.

Sent from my iPhone

On Jun 10, 2021, at 7:16 PM, Seidman, Ricki (OASG) (b) (6) wrote:

+ Tim



Folks: to summarize what the due-outs from our 5pm call:

1. I am putting together the stakeholder notification call list.

2. (b) (6) Kristen Clarke (CRT) for the invitation for the Great Hall speech for CRT staff, this is what Lee Lofthus advised should be included in the invitation email:

(b) (5)

3. CRT is working with (b) (6) Aryele Bradford (PAO) on

and will work to flesh those out

4. PAO is working on Talking Points (PAO, if you could please circulate a draft to this group so we can review before they are finalized)

 $\mathbf{0}$ 

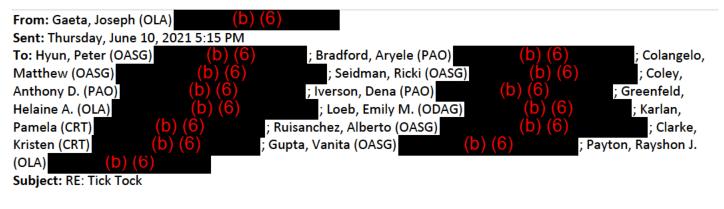
5. PAO is working on a "Fact Sheet" as well (please also circulate).

6. OLA will be working on Hill notifications (including compiling the TPs/Fact sheets after PAO has circulated)

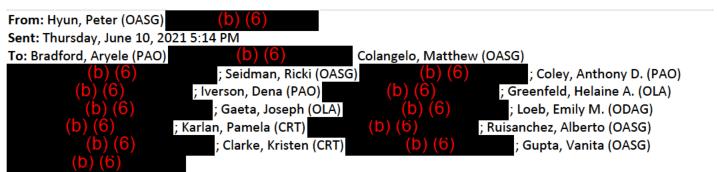
7. **QUESTION** – who is point for the Sec. of State's meeting that will be at 5pm? (TPs for AG, Attendees, Briefing Materials?)

#### **Peter S. Hyun** | Chief of Staff Office of the Associate Attorney General





+Rayshon



Subject: RE: Tick Tock

Stakeholder outreach for the AM:

- 1. Lawyers' Committee for Civil Rights Under Law
- 2. MALDEF
- 3. Leadership Conference
- 4. NAACP
- 5. National Urban League
- 6. NAACP Legal Defense Fund
- 7. National Coalition on Black Civic Participation
- 8. National Action Network
- 9. ACLU
- 10. Black Voters Matter
- 11. Brennan Center for Justice
- 12. Center for Constitutional Rights
- 13. Southern Poverty Law Center
- 14. Fair Fight
- 15. Repairers of the Breach
- 16. Latino Justice
- 17. Rainbow Coalition
- 18. National Bar Association



From: Bradford, Aryele (	PAO) (b) (6)		
Sent: Thursday, June 10,	, 2021 5:05 PM		
To: Colangelo, Matthew	(OASG) (b) (6)	; Seidma	ın, Ricki (OASG)
(b) (6)	; Coley, Anthony D. (PAO)	(b) (6)	; Iverson, Dena (PAO)
(b) (6)	; Hyun, Peter (OASG)	(b) (6)	Greenfeld, Helaine A. (OLA)
(b) (6)	; Gaeta, Joseph (OLA)	(b) (6)	; Loeb, Emily M. (ODAG)
(b) (6)	; Karlan, Pamela (CRT)	(b) (6)	; Ruisanchez, Alberto (OASG)
(b) (6)	; Clarke, Kristen (CRT)	(b) (6)	; Gupta, Vanita (OASG)
(b) (6)			

Subject: RE: Tick Tock

Full advisory below.

# The United States Department of Justice

June 10, 2021

### Attorney General Merrick B. Garland To Give Policy Address Regarding Voting Rights

### \*\*\*\*\*\* MEDIA ADVISORY \*\*\*\*\*\*

**WASHINGTON** – Attorney General Merrick B. Garland will give a policy address on voting rights and the concrete steps the department is taking to secure the fundamental right to vote for all Americans.

Attorney General Garland, while testifying before Congress yesterday, noted, "voting is a fundamental element of our democracy. Without it, without the right to vote, none of the other rights follow."

WHEN: June 11 at 2:00 p.m. EST

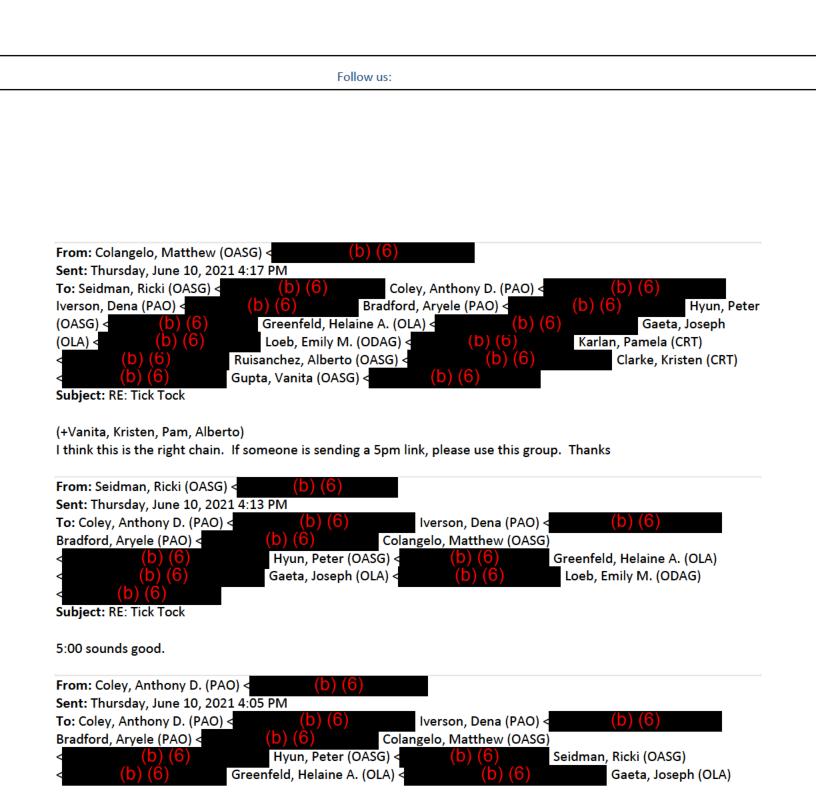
**WHERE:** U.S. Department of Justice Main Building at 950 Pennsylvania Avenue, NW in the Great Hall. Live webcast at: <u>www.justice.gov/live</u>.

**OPEN PRESS:** This event is open to Department of Justice hard pass holders only, camera will be pooled.

**NOTE:** Please RSVP to (b)(6) Kendall Mitchell (PAO) so that we may reach you directly if details change.

# # #

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





Loeb, Emily M. (ODAG) <

Subject: RE: Tick Tock

Team, Here's the tick tock we're using for the Voting Rights Speech roll-out. Perhaps we should do a guick touch base at 5 pm? Also, pls add the appropriate person from CRT front office to the chain.

# Thursday

2:30 pm Soft-touch to top civil rights leaders to preview aspects of the AG's policy address (V. Gupta)

**3:30 pm** White House mentions upcoming AG policy address (w/o details) on voting rights to Washington Post

**4:15 pm** DOJ Issues Press Advisory; OLA shares with key Congressional staff; WH forwards to press list

~6 pm DOJ releases excerpts of address; key civil rights leaders amplify; Tipsheet outreach

# **Friday**

**10 am** One-on-one stakeholder outreach begins to key civil rights groups (L. Monaco; V. Gupta; K. Clarke), including key highlights [note: OPA expects details to trickle out ahead of the remarks]

Noon Meeting AG and Associate AG meeting with six bipartisan secretaries of state (photoop; readout)

**1 pm** "As prepared for delivery" draft of policy address issued to key Members of Congress and reporters, fact sheet, background document on DOJ policy and enforcement actions

**2 pm** AG Policy Address in the Great Hall; remarks and fact sheet issued to DOJ press corps (forwarded to WH press corps)

**2 pm** Remarks, Fact Sheet, TPs and Background Doc on recent DOJ actions distributed to Talkers

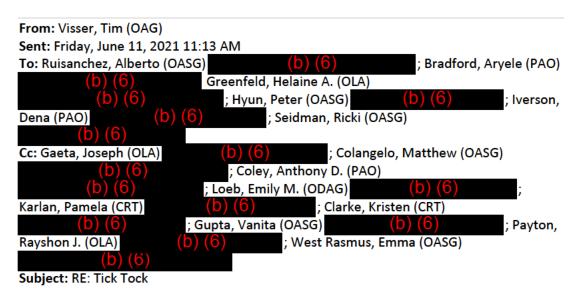
8 pm MSNBC Exclusive Interview: V. Gupta and C. Hayes

To:Visser, Tim (OAG)(b) (6)From:Karlan, Pamela (CRT)[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1D32FED4491146DD953FAABAFCEBB5D0-PAKARLAN]Sent:Mon 6/14/2021 11:42:25 PM (UTC-04:00)Subject:Re: Tick Tock
Will do. Thanks.
Pam Karlan (b) (6)
On Jun 14, 2021, at 6:55 PM, Visser, Tim (OAG) < (b) (6) > wrote:
Dear Pam, My apologies, I got sidetracked but am happy to talk. Give me a buzz tomorrow?
-Tim
Sent from my iPhone
On Jun 13, 2021, at 10:07 PM, Karlan, Pamela (CRT) < (b) (6) > wrote:
Dear Tim.
Thanks so much for the email. We should talk, (b) (6), (b) (5)
Take care,
Pam From: Visser, Tim (OAG) Sent: Friday, June 11, 2021 7:52 PM To: Karlan, Pamela (CRT) (b) (6) > Subject: Re: Tick Tock
Dear Pam,
(b) (6)
-Tim
Sent from my iPhone
On Jun 11, 2021, at 11:35 AM, Karlan, Pamela (CRT) (b) (6) wrote:
Dear Tim,



Take care,

Pam



A couple of quick flags

