



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

Telephone: (202) 514-3642

July 15, 2025

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

Re: FOIA-2022-00056
21-cv-03024 (D.D.C.)
VRB:JMB:CEY

Dear Reed Rubinstein:

This is a tenth interim response to your Freedom of Information Act (FOIA) request dated and received in this Office on October 7, 2021, in which you requested records of the Office of the Attorney General, Office of the Deputy Attorney General, Office of the Associate Attorney General, and Office of Public Affairs concerning the October 4, 2021 memorandum of Attorney General Merrick Garland related to violence against school administrators since September 15, 2021.¹

We previously provided you with nine interim responses to your request, most recently on January 24, 2025. Please be advised that we have now completed the consultation process for an additional 131 pages previously sent out on consultation with other Executive Branch entities. At this time, I have determined that seventy-nine pages containing records responsive to your request are appropriate for release, including thirty-seven pages referred to this Office by the Department's Civil Rights Division (CRT)², with certain information withheld, including some withholdings made on behalf of the Federal Bureau of Investigation (FBI) and the Executive Office for United States Attorneys (EOUSA), pursuant to Exemptions 6, 7(C), and 7(E) of the FOIA, 5 U.S.C. § 552(b)(6), (b)(7)(C), and (b)(7)(E), and copies are enclosed. An additional fifty-two 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. Exemption 7(C) pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. Exemption 7(E) pertains to records or information compiled for law enforcement purposes, the release of which would disclose certain techniques and procedures or guidelines for law enforcement investigations or prosecutions. Please be advised that we

¹ Through counsel, the parties have subsequently reached agreements regarding the scope of this request, including an agreement that certain non-responsive information need not be processed. This information has been marked accordingly.

² For your information, the CRT request number associated with your request is 22-00004-F.

have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

Please note that the enclosed pages contain certain duplicative material, which has not been processed and is marked accordingly. Furthermore, please note that certain pages within this release contain highlighting. This highlighting was present on these pages as located by OIP and was not made as part of our FOIA review process.

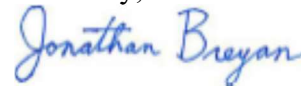
Additionally, please be advised that we have excluded an additional fifty-four pages from our initial processing set as entirely duplicative of previously processed material, including ten pages referred by CRT.

Finally, on or around November 13, 2024, January 17, 2025, and April 25, 2025, the Department's Criminal Division (CRM) referred 178 pages of material to this Office for processing and direct response to you.³ Please note that fifty-five pages are fully duplicative of material that we have located and processed in this litigation, and, as such, will not be processed a second time. Additionally, we have determined that ten pages referred by CRM are not responsive. Further, six pages have been excluded pursuant to the parties' scoping agreements. Finally, we will provide our response on the remaining 107 pages referred by CRM once the consultation process with Executive Branch entities is completed.

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 Richard Giles of the Department's Civil Division, Federal Programs Branch, at (202) 616-8482.

Sincerely,



Jonathan Breyan
Senior Supervisory Attorney
for
Vanessa R. Brinkmann
Senior Counsel

Enclosures

³ For your information, the CRM request number associated with your request is CRM-301677502.

To: Moossy, Robert (CRT) (b) (6) : Karlan, Pamela (CRT) (b) (6)
From: Simons, Shaheena (b) (6)
Sent: Mon 10/4/2021 5:20:24 PM (UTC-04:00)
Subject: RE: FOR IMMEDIATE REVIEW: Draft AG Memo Re: School Board Threats and Draft Press Release

I had not seen the latest but thanks for the heads up.

From: Moossy, Robert (CRT)
Sent: Monday, October 4, 2021 4:28 PM
To: Karlan, Pamela (CRT) (b) (6) Simons, Shaheena (CRT) (b) (6)
Subject: FW: FOR IMMEDIATE REVIEW: Draft AG Memo Re: School Board Threats and Draft Press Release

You are looped on all this, right?

From: Chambers, Kevin (ODAG)
Sent: Monday, October 4, 2021 3:00 PM
To: Jensen, Steven J. (CTD) (FBI) (b)(6); (b)(7)(E) per FBI; McQuaid, Nicholas (CRM) (b) (6); Moossy, Robert (CRT) (b) (6); Wilkinson, Monty (USAE0) (b)(6), (b)(7)(C) per EOUSA; Toscas, George (NSD) (b) (6); Darke Schmitt, Katherine (OJP/OVC) (b) (6); Tarasca, James A. (CTD) (FBI) (b)(6); (b)(7)(E) per FBI; Blue, Matt (NSD) (b) (6); Langan, Timothy R. Jr. (CTD) (FBI) (b)(6); (b)(7)(E) per FBI (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C), (b)(7)(E) per FBI Vorndran, Kevin (CTD) (FBI) (b)(6); (b)(7)(E) per FBI; Lesko, Mark (NSD) (b) (6); Wiegmann, Brad (NSD) (b) (6); Driscoll, Kevin (CRM) (b) (6); Rossi, Rachel (OASG) (b) (6); Monroe, Becky (OASG) (b) (6); Wong, Norman (USAE0) (b)(6), (b)(7)(C) per EOUSA
Cc: Braden, Myesha (ODAG) (b) (6); Newman, David A. (ODAG) (b) (6); Lan, Iris (ODAG) (b) (6)
Subject: FOR IMMEDIATE REVIEW: Draft AG Memo Re: School Board Threats and Draft Press Release

Duplicative Material, Document ID: 0.7.1451.5740

Duplicative Material, Document ID: 0.7.1451.5740

To: Cochran, Shaylyn (CRT) (b) (6); Karlan, Pamela (CRT) (b) (6); Clarke, Kristen (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
From: Sooknanan, Sparkle (b) (6)
Sent: Sat 10/2/2021 10:59:26 AM (UTC-04:00)
Subject: RE: CRT role/school board threats

Thanks, Shaylyn! I'll pass that along.

From: Cochran, Shaylyn (CRT) (b) (6)
Sent: Saturday, October 2, 2021 10:52 AM
To: Karlan, Pamela (CRT) (b) (6); Sooknanan, Sparkle (OASG) (b) (6); Clarke, Kristen (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
Subject: RE: CRT role/school board threats

Good Morning All,

I will add that Suzanne Goldberg from ED-OCR is also looking at this issue, and she is connected with Myesha.

Shaylyn

From: Karlan, Pamela (CRT)
Sent: Saturday, October 2, 2021 10:47 AM
To: Sooknanan, Sparkle (OASG) (b) (6); Clarke, Kristen (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
Subject: RE: CRT role/school board threats

Dear Sparkle,

I will check with Shaheena about EOS, but here is the correspondence Shaheena had with Myesha about this on Monday. As you'll see, her answer was that "EOS is looking at disruptions of school board meetings in a few limited contexts where the disruptions may be relevant to evaluating the existence of a hostile environment for students based on a protected characteristic. We are not looking at the disruptions or statements regarding COVID protocols and think those would likely fall outside our jurisdiction."

Take care,

Pam

From: Sooknanan, Sparkle (OASG)
Sent: Saturday, October 2, 2021 8:17 AM
To: Clarke, Kristen (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6); Karlan, Pamela (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
Subject: CRT role/school board threats
Importance: High

CRT team—Apologies for the weekend interruption. You might have seen this letter to the President and accompanying reporting on threats against school board members. The Department may need to say something publicly today about its response to these threats, so unfortunately this is a quick-turn request.

<https://nsba.org/-/media/NSBA/File/nsba-letter-to-president-biden-concerning-threats-to-public-schools-and-school-board-members-92921.pdf>

<https://www.npr.org/sections/back-to-school-live-updates/2021/09/30/1041870027/school-boards-federal-help-threats-violence>

<https://apnews.com/article/coronavirus-pandemic-joe-biden-health-education-school-boards-940da42fac771366929fc2150c8acf4d>

<https://www.cnn.com/2021/09/30/us/school-board-threats-violence/index.html>

Are there any authorities CRT enforces that could help address this issue? Looping Robert (in the event this might be actionable under 241 or 245(b)(1)(F)) and Pam (in case there's any civil authority that EOS enforces or that ED OCR might enforce). But please add others as needed.

Thanks very much,
Sparkle

Obtained by America First Legal Foundation

To: Karlan, Pamela (CRT) (b) (6); Clarke, Kristen (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
From: Sooknanan, Sparkle (OASG) (b) (6)
Sent: Sat 10/2/2021 11:01:08 AM (UTC-04:00)
Subject: RE: CRT role/school board threats

Great. Thanks very much!

From: Karlan, Pamela (CRT) (b) (6)
Sent: Saturday, October 2, 2021 11:01 AM
To: Sooknanan, Sparkle (OASG) (b) (6); Clarke, Kristen (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
Subject: RE: CRT role/school board threats

Dear Sparkle,

I'll let you know if I hear anything more from Shaheena.

From: Sooknanan, Sparkle (OASG)
Sent: Saturday, October 2, 2021 10:58 AM
To: Karlan, Pamela (CRT) (b) (6); Clarke, Kristen (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
Subject: RE: CRT role/school board threats

Thanks, Pam! I saw that exchange this week and passed it along this earlier morning. I will confirm that there are no other applicable civil authority that EOS enforces.

From: Karlan, Pamela (CRT) (b) (6)
Sent: Saturday, October 2, 2021 10:47 AM
To: Sooknanan, Sparkle (OASG) (b) (6); Clarke, Kristen (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6); Moosy, Robert (CRT) (b) (6)
Subject: RE: CRT role/school board threats

Duplicative Material, Bates Number 00056-002513

To: Sooknanan, Sparkle (OASG)(b) (6) : Clarke, Kristen (CRT)(b) (6) Cochran,
Shaylyn (CRT)(b) (6) : Moosy, Robert (CRT)(b) (6)
From: Karlan, Pamela (CRT)(b) (6)
Sent: Sat 10/2/2021 2:36:06 PM (UTC-04:00)
Subject: RE: CRT role/school board threats

Dear Sparkle,

I'm doing that now.

From: Sooknanan, Sparkle (OASG)
Sent: Saturday, October 2, 2021 12:07 PM
To: Karlan, Pamela (CRT)(b) (6) ; Clarke, Kristen (CRT)(b) (6) ; Cochran, Shaylyn (CRT)(b) (6) ; Moosy, Robert (CRT)(b) (6)
Subject: RE: CRT role/school board threats

Pam—Can you also check whether there's anything Shaheena can share about the disruptions EOS does have jurisdiction to examine (particular school districts or incidents)? Thanks very much.

From: Karlan, Pamela (CRT)(b) (6)
Sent: Saturday, October 2, 2021 11:01 AM
To: Sooknanan, Sparkle (OASG)(b) (6) ; Clarke, Kristen (CRT)(b) (6) ; Cochran, Shaylyn (CRT)(b) (6) ; Moosy, Robert (CRT)(b) (6)
Subject: RE: CRT role/school board threats

Duplicative Material, Bates Number 00056-002515

Duplicative Material, Bates Number 00056-002515

To: Sooknanan, Sparkle (OASG)(b) (6)
Cc: Cochran, Shaylyn (CRT)(b) (6)
From: Karlan, Pamela (CRT)(b) (6)
Sent: Sat 10/2/2021 7:05:42 PM (UTC-04:00)
Subject: RE: CRT role/school board threats

Dear Sparkle,

Will do.

She said that of course she's glad to help in any way she can.

From: Sooknanan, Sparkle (OASG)
Sent: Saturday, October 2, 2021 5:32 PM
To: Karlan, Pamela (CRT)(b) (6)
Cc: Cochran, Shaylyn (CRT)(b) (6)
Subject: RE: CRT role/school board threats

Thanks very much, Pam. I'll pass this on. Please pass on our thanks to Shaheena for turning to this on a Saturday.

From: Karlan, Pamela (CRT)(b) (6)
Sent: Saturday, October 2, 2021 5:19 PM
To: Sooknanan, Sparkle (OASG)(b) (6)
Cc: Cochran, Shaylyn (CRT)(b) (6)
Subject: Fwd: CRT role/school board threats

Dear Sparkle,

Please see below. I think this is the end of the line.

Pam Karlan

(b) (6)
(b) (6)

Begin forwarded message:

From: "Simons, Shaheena (CRT)"(b) (6)
Date: October 2, 2021 at 1:46:18 PM PDT
To: "Karlan, Pamela (CRT)"(b) (6)
Subject: Re: CRT role/school board threats

Sorry for the delay, Pam. No, there's nothing specific or public I can share. We've followed the school board meetings in Davis, for example, but that's not some to we would discuss publicly. And that's for the purpose of assessing a hostile environment for students, not for staff or school board members. A good example is how Gavin Grimm was targeted at the Gloucester County school board meetings.

On Oct 2, 2021, at 2:35 PM, Karlan, Pamela (CRT)(b) (6) wrote:

Dear Shaheena,

Please see below. Is there anything you can add to what we've already sent to leadership?

From: Sooknanan, Sparkle (OASG)
Sent: Saturday, October 2, 2021 12:07 PM
To: Karlan, Pamela (CRT)(b) (6); Clarke, Kristen (CRT)(b) (6); Cochran, Shaylyn (CRT)(b) (6); Moosy, Robert (CRT)(b) (6)

Duplicative Material, Bates Number 00056-002516

Obtained by America First Legal Foundation

To: Cochran, Shaylyn (CRT)(b) (6)
From: Braden, Myesha (ODAG)(b) (6)

Sent: Mon 10/4/2021 8:46:42 AM (UTC-04:00)
Subject: Re: School Board Meeting Disruptions

Thanks, Shaylyn.

Sent from my iPhone

On Oct 1, 2021, at 7:35 PM, Cochran, Shaylyn (CRT)(b) (6) wrote:

Hi Myesha—Suzanne Goldberg from ED's OCR contacted us about this issue and is looking for a DOJ contact to talk further. I'm planning to connect her with you shortly.

Shaylyn

From: Braden, Myesha (ODAG)
Sent: Monday, September 27, 2021 5:19 PM
To: Simons, Shaheena (CRT)(b) (6); Cochran, Shaylyn (CRT)(b) (6);
Karlan, Pamela (CRT)(b) (6)
Cc: Sooknanan, Sparkle (OASG)(b) (6)
Subject: RE: School Board Meeting Disruptions

Got it. Thank you!

From: Simons, Shaheena (CRT)(b) (6)
Sent: Monday, September 27, 2021 5:16 PM
To: Braden, Myesha (ODAG)(b) (6); Cochran, Shaylyn (CRT)(b) (6);
Karlan, Pamela (CRT)(b) (6)
Cc: Sooknanan, Sparkle (OASG)(b) (6)
Subject: RE: School Board Meeting Disruptions

Not in the context of COVID, but we might review school board minutes when evaluating harassment allegations and determining whether there's a hostile environment for students based on race or sex.

From: Braden, Myesha (ODAG)
Sent: Monday, September 27, 2021 5:13 PM
To: Simons, Shaheena (CRT)(b) (6); Cochran, Shaylyn (CRT)(b) (6);
Karlan, Pamela (CRT)(b) (6)
Cc: Sooknanan, Sparkle (OASG)(b) (6)
Subject: RE: School Board Meeting Disruptions

Thanks, Shaheena. That was my assumption. Are there protected characteristics outside of disability that fit the bill?

From: Simons, Shaheena (CRT)(b) (6)
Sent: Monday, September 27, 2021 5:11 PM
To: Braden, Myesha (ODAG)(b) (6); Cochran, Shaylyn (CRT)(b) (6);
Karlan, Pamela (CRT)(b) (6)
Cc: Sooknanan, Sparkle (OASG)(b) (6)
Subject: RE: School Board Meeting Disruptions

Hi, Myesha – EOS is looking at disruptions of school board meetings in a few limited contexts where the disruptions may be relevant to evaluating the existence of a hostile environment for students based on a protected characteristic.

We are not looking at the disruptions or statements regarding COVID protocols and think those would likely fall outside our jurisdiction.

From: Braden, Myesha (ODAG)

Sent: Monday, September 27, 2021 3:05 PM

To: Simons, Shaheena (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6)

Cc: Sooknanan, Sparkle (OASG) (b) (6)

Subject: School Board Meeting Disruptions

Hi, Shaheena and Shaylen.

Just verifying that the issue of parents disrupting school board meetings and threatening school board officials concerning COVID protocols would not fall under CRT's purview. It seems more related to the election worker threats issue CRM is leading, but please let me know if I've missed something.

Thanks,

Myesha

Myesha Braden

Associate Deputy Attorney General

Office of the Deputy Attorney General

United States Department of Justice

(b) (6)

Obtained by America First Legal Foundation

To: Cochran, Shaylyn (CRT) (b) (6)
From: Braden, Myesha (ODAG) (b) (6)

Sent: Mon 10/4/2021 9:09:58 AM (UTC-04:00)
Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats
[DRAFT AG MEMO TO USAOs AND SACs \(10.3.21\) \(SCHOOL BOARDS ONLY\).docx](#)

Hi, Shaylyn.

Sorry I'm just seeing this. Not sure which component should review this given my communications with EOS. From the email below, it appears to be more for awareness, but let me know if CRT has any flags or concerns.

Best,

Myesha

Sent from my iPhone

Begin forwarded message:

From: "Chambers, Kevin (ODAG)" (b) (6)
Date: October 3, 2021 at 7:26:43 PM EDT
To: "Jensen, Steven J. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "McQuaid, Nicholas (CRM)" (b) (6), "Moosy, Robert (CRT)" (b) (6), "Wilkinson, Monty (USAE)" (b)(6), (b)(7)(C) per EOUSA, "Tosca, George (NSD)" (b) (6), "Darke Schmitt, Katherine (OJP/OVC)" (b) (6), "Tarasca, James A. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "Blue, Matt (NSD)" (b) (6), "Langan, Timothy R. Jr. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C), (b)(7)(E) per FBI, "Vorndran, Kevin (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "Lesko, Mark (NSD)" (b) (6), "Wiegmann, Brad (NSD)" (b) (6), "Driscoll, Kevin (CRM)" (b) (6), "Rossi, Rachel (OASG)" (b) (6), "Monroe, Becky (OASG)" (b) (6), "Wong, Norman (USAE)" (b)(6), (b)(7)(C) per EOUSA
Cc: "Braden, Myesha (ODAG)" (b) (6), "Newman, David A. (ODAG)" (b) (6), "Lan, Iris (ODAG)" (b) (6)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Document ID: 0.7.1451.10792-000006

Duplicative Material, Document ID: 0.7.1451.10792-000006

00056-002521

To: Braden, Myesha (ODAG)(b) (6)
From: Cochran, Shaylyn (CRT)(b) (6)
Sent: Mon 10/4/2021 9:13:50 AM (UTC-04:00)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

Thanks, Myesha. I'm going to flag this for Pam and Shaheena on the education front but also for Robert given the involvement of law enforcement. The communication seems straightforward, but I will let you know ASAP if there are any concerns.

Shaylyn

From: Braden, Myesha (ODAG)
Sent: Monday, October 4, 2021 9:12 AM
To: Cochran, Shaylyn (CRT)(b) (6)
Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats

FYI: Draft amended following CRM concerns that linking effort to election integrity would be seen as partisan.

Sent from my iPhone
Begin forwarded message:

From: "Chambers, Kevin (ODAG)"(b) (6)
Date: October 3, 2021 at 7:26:43 PM EDT
To: "Jensen, Steven J. (CTD) (FBI)"(b) (6), "McQuaid, Nicholas (CRM)"(b) (6),
"Moosy, Robert (CRT)"(b) (6), "Wilkinson, Monty (USAEO)"(b)(6), (b)(7)(C) per EOUSA
"Toscas, George (NSD)"(b) (6), "Darke Schmitt, Katherine (OJP/OVC)"
(b) (6), "Tarasca, James A. (CTD) (FBI)"(b) (6), "Blue, Matt (NSD)"
(b) (6), "Langan, Timothy R. Jr. (CTD) (FBI)"(b)(6), (b)(7)(E) per FBI, (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6), (b)(7)(C), (b)(7)(E) per FBI "Vorndran, Kevin (CTD) (FBI)"
(b)(6); (b)(7)(E) per FBI, "Lesko, Mark (NSD)"(b) (6), "Wiegmann, Brad (NSD)"
(b) (6), "Driscoll, Kevin (CRM)"(b) (6), "Rossi, Rachel (OASG)"
(b) (6), "Monroe, Becky (OASG)"(b) (6), "Wong, Norman (USAEO)"
(b)(6), (b)(7)(C) per EOUSA
Cc: "Braden, Myesha (ODAG)"(b) (6), "Newman, David A. (ODAG)"
(b) (6), "Lan, Iris (ODAG)"(b) (6)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Document ID: 0.7.1451.10792-000006

To: Cochran, Shaylyn (CRT)(b) (6)
From: Braden, Myesha (ODAG)(b) (6)

Sent: Mon 10/4/2021 9:13:55 AM (UTC-04:00)
Subject: Re: FOR REVIEW: Draft Documents Re: School Board Threats

. . .FYI: I connected Suzanne and Kevin.

Sent from my iPhone

On Oct 4, 2021, at 9:11 AM, Braden, Myesha (ODAG)(b) (6) wrote:

Duplicative Material, Bates Number 00056-002522

Obtained by America First Legal Foundation

To: Moosy, Robert (CRT) (b) (6) Felte, James (CRT) (b) (6)
From: Fitzgerald, Paige (CRT) (b) (6)

Sent: Sun 10/3/2021 1:32:12 PM (UTC-04:00)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

I read the letter from NSBA, and looked at the links for a handful of the footnotes, and it appears to me that the vast, vast majority of the behavior cited cannot be reached by federal law. I only saw three stories that involved what sounded like a possible "true threat" and one of those (the Norfolk story) did not appear to be related to masks, etc.. Almost all of the language being used is protected by the First Amendment; the main issue seems to be disruption and obstruction of school board meetings, which could be reached by local trespassing laws or disturbance of the peace laws, but nothing remotely federal. So it seems that we are ramping up an awful lot of federal manpower for what is currently non-federal conduct.

If they want to have an impact, maybe they could try to fashion something like the FACE Act for schools and school board meetings, criminalizing physical obstruction of schools and school board meetings. Just a quick thought, and not sure how that would play out (b) (6)

From: Moosy, Robert (CRT)
Sent: Sunday, October 3, 2021 11:26 AM
To: Felte, James (CRT) (b) (6); Fitzgerald, Paige (CRT) (b) (6)
Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats

FYI. Please review if you have time. Looks like they are committing CrimSec equities. Just seeing this.

Sent from my iPhone
Begin forwarded message:

From: "Chambers, Kevin (ODAG)" (b) (6)
Date: October 2, 2021 at 4:02:33 PM EDT
To: "Jensen, Steven J. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "McQuaid, Nicholas (CRM)" (b) (6)
"Moosy, Robert (CRT)" (b) (6), "Wilkinson, Monty (USAEO)" (b)(6), (b)(7)(C) per EOUSA,
"Toscas, George (NSD)" (b) (6), "Darke Schmitt, Katherine (OJP/OVC)"
(b) (6), "Tarasca, James A. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "Blue, Matt (NSD)"
(b) (6), "Langan, Timothy R. Jr. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6); (b)(7)(E) per FBI, "Lesko, Mark (NSD)" (b) (6), "Vorndran, Kevin (CTD) (FBI)"
(b) (6), "Wiegmann, Brad (NSD)"
(b) (6), "Driscoll, Kevin (CRM)" (b) (6), "Rossi, Rachel (OASG)"
(b) (6), "Monroe, Becky (OASG)" (b) (6), "Wong, Norman (USAEO)"
(b)(6), (b)(7)(C) per EOUSA
Cc: "Carlin, John P. (ODAG)" (b) (6), "Braden, Myesha (ODAG)" (b) (6),
"Newman, David A. (ODAG)" (b) (6), "Lan, Iris (ODAG)" (b) (6)
Subject: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Document ID: 0.7.1451.10792-000001

To: Karlan, Pamela (CRT (b) (6)); Moossy, Robert (CRT (b) (6)); Clarke, Kristen (CRT (b) (6))
From: Cochran, Shaylyn (CRT (b) (6))
Sent: Mon 10/4/2021 9:16:11 AM (UTC-04:00)
Subject: FW: FOR REVIEW: Draft Documents Re: School Board Threats
[DRAFT AG MEMO TO USAOs AND SACs \(10.3.21\) \(SCHOOL BOARDS ONLY\).docx](#)

All—

As follow-up to our weekend email traffic about school board threats, please see the attached draft ODAG memo to USAOs and SACs. This has been flagged for CRT’s awareness, but please let me know if there are any concerns that should be raised.

Shaylyn

From: Braden, Myesha (ODAG)
Sent: Monday, October 4, 2021 9:12 AM
To: Cochran, Shaylyn (CRT (b) (6))
Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Bates Number 00056-002522

Obtained by America First Legal Foundation

To: Moosy, Robert (CRT)(b) (6) l: Simons. Shaheena (CRT)(b) (6)
From: Karlan, Pamela (CRT)(b) (6)

Sent: Mon 10/4/2021 5:47:19 PM (UTC-04:00)
Subject: RE: FOR IMMEDIATE REVIEW: Draft AG Memo Re: School Board Threats and Draft Press Release

Now we are.

From: Moosy, Robert (CRT)
Sent: Monday, October 4, 2021 4:28 PM
To: Karlan, Pamela (CRT)(b) (6) Simons, Shaheena (CRT)(b) (6)
Subject: FW: FOR IMMEDIATE REVIEW: Draft AG Memo Re: School Board Threats and Draft Press Release

Duplicative Material, Bates Number 00056-002512

Obtained by America First Legal Foundation

To: Chambers, Kevin (ODAG)(b) (6); [redacted]; Polite, Kenneth (CRM)(b) (6); [redacted]; McQuaid, Nicholas (CRM)(b) (6); [redacted]; Clarke, Kristen (CRT)(b) (6); [redacted]; Moossy, Robert (CRT)(b) (6); [redacted]; Greenberg, Jay (CID) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Langan, Timothy R. Jr. (CTD) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Jensen, Steven J. (CTD) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Wilkinson, Monty (USAEO)(b)(6); (b)(7)(C) per EOUSA; [redacted]; Wong, Norman (USAEO)(b)(6); (b)(7)(C) per EOUSA; [redacted]; Toscas, George (NSD)(b) (6); [redacted]; Wiegmann, Brad (NSD)(b) (6); [redacted]; Ratliff, Gerri L (JMD)(b) (6); [redacted]; Darke Schmitt, Katherine (OJP/OVC)(b) (6); [redacted]; Monroe, Becky (OASG)(b) (6); [redacted]; Solomon, Amy (OJP)(b) (6); [redacted]
Cc: Newman, David A. (ODAG)(b) (6); [redacted]; Braden, Myesha (ODAG)(b) (6); [redacted]; Singh, Anita M. (ODAG)(b) (6); [redacted]
From: Lesko, Mark (NSD)(b) (6); [redacted]
Sent: Wed 10/6/2021 10:19:45 AM (UTC-04:00)
Subject: RE: Task Force Representatives: School Board and School Worker Threats

Sorry for the reply all. Senior moment.

From: Lesko, Mark (NSD)
Sent: Wednesday, October 6, 2021 9:30 AM
To: Chambers, Kevin (ODAG)(b) (6); [redacted]; Polite, Kenneth (CRM)(b) (6); [redacted]; McQuaid, Nicholas (CRM)(b) (6); [redacted]; Clarke, Kristen (CRT)(b) (6); [redacted]; Moossy, Robert (CRT)(b) (6); [redacted]; Greenberg, Jay (CID) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Langan, Timothy R. Jr. (CTD) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Jensen, Steven J. (CTD) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Wilkinson, Monty (USAEO)(b)(6); (b)(7)(C) per EOUSA; [redacted]; Wong, Norman (USAEO)(b)(6); (b)(7)(C) per EOUSA; [redacted]; Toscas, George (NSD)(b) (6); [redacted]; Wiegmann, Brad (NSD)(b) (6); [redacted]; Ratliff, Gerri L (JMD)(b) (6); [redacted]; Darke Schmitt, Katherine (OJP/OVC)(b) (6); [redacted]; Monroe, Becky (OASG)(b) (6); [redacted]; Solomon, Amy (OJP)(b) (6); [redacted]
Cc: Newman, David A. (ODAG)(b) (6); [redacted]; Braden, Myesha (ODAG)(b) (6); [redacted]; Singh, Anita M. (ODAG)(b) (6); [redacted]
Subject: RE: Task Force Representatives: School Board and School Worker Threats

This seems to fall (somewhat) within CTS's jurisdiction. Do you agree? If so, we need to designate two people for the task force.

From: Chambers, Kevin (ODAG)(b) (6); [redacted]
Sent: Wednesday, October 6, 2021 9:03 AM
To: Polite, Kenneth (CRM)(b) (6); [redacted]; McQuaid, Nicholas (CRM)(b) (6); [redacted]; Clarke, Kristen (CRT)(b) (6); [redacted]; Moossy, Robert (CRT)(b) (6); [redacted]; Greenberg, Jay (CID) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Langan, Timothy R. Jr. (CTD) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Jensen, Steven J. (CTD) (FBI)(b)(6); (b)(7)(E) per FBI; [redacted]; Wilkinson, Monty (USAEO)(b)(6); (b)(7)(C) per EOUSA; [redacted]; Wong, Norman (USAEO)(b)(6); (b)(7)(C) per EOUSA; [redacted]; Lesko, Mark (NSD)(b) (6); [redacted]; Toscas, George (NSD)(b) (6); [redacted]; Wiegmann, Brad (NSD)(b) (6); [redacted]; Ratliff, Gerri L (JMD)(b) (6); [redacted]; Darke Schmitt, Katherine (OJP/OVC)(b) (6); [redacted]; Monroe, Becky (OASG)(b) (6); [redacted]; Solomon, Amy (OJP)(b) (6); [redacted]
Cc: Newman, David A. (ODAG)(b) (6); [redacted]; Braden, Myesha (ODAG)(b) (6); [redacted]; Singh, Anita M. (ODAG)(b) (6); [redacted]
Subject: Task Force Representatives: School Board and School Worker Threats

Duplicative Material, Document ID: 0.7.1451.5889

To: Wong, Norman (USAEO) (b)(6), (b)(7)(C) per EOUSA; Moosy, Robert (CRT) (b)(6); Braden, Myesha (ODAG) (b)(6); Wilkinson, Monty (USAEO) (b)(6), (b)(7)(C) per EOUSA; Chambers, Kevin (ODAG) (b)(6)

Sent: Wed 10/6/2021 11:13:34 AM (UTC-04:00)

Subject: RE: TPs for USAOs

Both incorporated. Thank you.

From: Wong, Norman (USAEO) (b)(6), (b)(7)(C) per EOUSA

Sent: Tuesday, October 5, 2021 6:14 PM

To: Moosy, Robert (CRT) (b)(6); Braden, Myesha (ODAG) (b)(6); Chambers, Kevin (ODAG) (b)(6); Wilkinson, Monty (USAEO) (b)(6), (b)(7)(C) per EOUSA

Subject: Re: TPs for USAOs

Monty and I have two thoughts:

In the first bullet, "criminal" threats of violence sounds stronger than "unlawful" and would be consistent with the fifth bullet.

In the third bullet, we usually try to include "tribal" when also talking about state and local law enforcement.

Norm

Norman Wong
Principal Deputy Director
Executive Office for U.S. Attorneys
(202) 252-1303

From: Moosy, Robert (CRT) (b)(6)

Sent: Tuesday, October 5, 2021 5:59:04 PM

To: Braden, Myesha (ODAG) (b)(6); Chambers, Kevin (ODAG) (b)(6); Wong, Norman (USAEO) (b)(6), (b)(7)(C) per EOUSA; Wilkinson, Monty (USAEO) (b)(6), (b)(7)(C) per EOUSA

Subject: RE: TPs for USAOs

This is in the school board context, or students in school?

If this is about the threats to school boards, then we could say

- Threats [made by an adult] of physical harm in interstate or foreign commerce may be prosecuted federally, 18 USC 875, as may threats made because of a protected characteristic (race, color, religion, national origin) and made to interfere with a federally protected activity such as public school employment or education. 18 USC 245(b)(2).

From: Braden, Myesha (ODAG)

Sent: Tuesday, October 5, 2021 5:33 PM

To: Chambers, Kevin (ODAG) (b)(6); Wong, Norman (USAEO) (b)(6), (b)(7)(C) per EOUSA; Wilkinson, Monty (USAEO) (b)(6), (b)(7)(C) per EOUSA; Moosy, Robert (CRT) (b)(6)

Subject: RE: TPs for USAOs

Robert should weigh in, but the language below should be accurate:

- When students are harassed, bullied or retaliated against based on race or national origin, sex, or disability, and when individuals are subjected to threats of violence motivated by animus based on race, color, national origin, religion, gender, sexual orientation, gender identity, or disability, the federal government has a direct role in investigating and prosecuting these crimes

From: Braden, Myesha (ODAG)

00056-002528

Sent: Tuesday, October 5, 2021 5:19 PM

To: Chambers, Kevin (ODAG) (b) (6); Wong, Norman (USAEO) (b)(6), (b)(7)(C) per EOUSA; Wilkinson, Monty (USAEO) (b)(6), (b)(7)(C) per EOUSA; Moossy, Robert (CRT) (b) (6)

Subject: RE: TPs for USAOs

Hi, Kevin.

For the purpose of school-based/education centric activity, CRT can investigate actions based on race, sex and disability. However, for threats of violence rooted in aminus, all covered characteristics are relevant.

Best,

Myesha

From: Chambers, Kevin (ODAG) (b) (6)

Sent: Tuesday, October 5, 2021 5:14 PM

To: Wong, Norman (USAEO) (b)(6), (b)(7)(C) per EOUSA; Wilkinson, Monty (USAEO) (b)(6), (b)(7)(C) per EOUSA; Moossy, Robert (CRT) (b) (6)

Cc: Braden, Myesha (ODAG) (b) (6)

Subject: TPs for USAOs

Monty/Norm,

Kindly take a look at the attached and let me know if there are any suggestions or revisions.

Robert/Myesha: sending to you to take a look at the second bullet, which reads:

- Where criminal conduct involves deprivation of constitutional rights, including threats of violence that are based on the victim's race or gender, the federal government has a direct role in investigating and prosecuting these crimes

Thanks,
Kevin

To: Moosy, Robert (CRT) (b) (6); Braden, Myesha (ODAG) (b) (6); Wong, Norman (USAO) (b)(6), (b)(7)(C) per EOUSA; Wilkinson, Monty (USAO) (b)(6), (b)(7)(C) per EOUSA
From: Chambers, Kevin (ODAG) (b) (6)
Sent: Wed 10/6/2021 11:13:53 AM (UTC-04:00)
Subject: RE: TPs for USAOs

Incorporated, Robert. Thank you.

From: Moosy, Robert (CRT) (b) (6) >
Sent: Tuesday, October 5, 2021 5:59 PM
To: Braden, Myesha (ODAG) (b) (6) >; Chambers, Kevin (ODAG) (b) (6); Wong, Norman (USAO) (b)(6), (b)(7)(C) per EOUSA; Wilkinson, Monty (USAO) (b)(6), (b)(7)(C) per EOUSA
Subject: RE: TPs for USAOs

Duplicative Material, Bates Number 00056-002528

Obtained by America First Legal Foundation

Duplicative Material, Bates Number 00056-002530

00056-002530

To: Powers, John (CRT)(b) (6) [redacted]; Cochran, Shaylyn (CRT)(b) (6) [redacted]
Cc: (b) (6) [redacted] (OLA)(b) (6) [redacted]
From: Gaeta, Joseph (OLA)(b) (6) [redacted]
[redacted]

Sent: Tue 10/5/2021 3:40:23 PM (UTC-04:00)
Subject: school board
[VAWA hearing notes for KC.docx](#)

Shaylyn and John,

I'll leave this with you to share with Kristen as you see fit. Senators Hawley and Cotton brought up the Attorney General's announcement about threats to school board members during today's VAWA hearing. Notes of their questioning are attached (the indented bullets are the DAG's answers), as is the Attorney General's announcement. You should expect this to come up tomorrow. I think the talking points are straightforward:

- As the Attorney General said yesterday, ""Threats against public servants are not only illegal, they run counter to our nation's core values."
- The Attorney General's review, in which the Civil Rights Division will participate, will determine how federal enforcement tools can be used to prosecute these crimes, and ways to assist state, Tribal, territorial and local law enforcement where threats of violence may not constitute federal crimes.
- The Department encourages robust, civil discourse as part of our democratic process. Threats don't encourage debate, they stifle it.

If pressed on whether you were involved in drafting the AG memo:

- I'm not able to talk about internal departmental deliberations.

If we get something more official in the way of talkers I will supplement.

Joe Gaeta
Deputy Assistant Attorney General
Office of Legislative Affairs (OLA)
U.S. Department of Justice

Hawley

- This admin weaponizing bureaucracy to go against political opponents. Has AG ever before asked FBI to intervene in school board mtgs?
 - That's not what AG is doing; asking US Attys to address threats. If situation turns to violence, law enforcement can address it. We are opening a line of communication to report threats.
- Are parents speaking on CRT or masks in schools harassment and intimidation?
 - As AG made clear, spirited debate is important
- This is against first amendment, attempt to chill speech
- AG needs to come testify on this.

Cotton

- School board assoc. letter – critical race theory and mask mandate. School board asking Admin to use patriot act to support measures against parents opposing CRT and mask mandates at school board meetings
 - Violence is not the answer, debate should be allowed. But when that tips to threats-
- Is it domestic extremism for a parent to advocate for their child?
 - Not what you have described, important for parent voices to be heard
- Largest single increase in murders this year, have you addressed this?
 - Yes, we did earlier this year, outlining use of federal resources to target violence in our communities, we know how urgent this is
- Did anyone at FBI express reticence about addressing disagreement between parents and school boards?
 - No.

AG Press Release

WASHINGTON – Citing an increase in harassment, intimidation and threats of violence against school board members, teachers and workers in our nation's public schools, today Attorney General Merrick B. Garland directed the FBI and U.S. Attorneys' Offices to meet in the next 30 days with federal, state, tribal, territorial and local law enforcement leaders to discuss strategies for addressing this disturbing trend. These sessions will open dedicated lines of communication for threat reporting, assessment and response by law enforcement.

"Threats against public servants are not only illegal, they run counter to our nation's core values," wrote Attorney General Garland. "Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety."

According to the Attorney General's memorandum, the Justice Department will launch a series of additional efforts in the coming days designed to address the rise in criminal conduct directed toward school personnel. Those efforts are expected to include the creation of a task force, consisting of representatives from the department's Criminal Division, National Security Division, Civil Rights Division, the Executive Office for U.S. Attorneys, the FBI, the Community Relations Service and the Office of Justice Programs, to determine how federal enforcement tools can be used to prosecute these crimes, and ways to assist state, Tribal, territorial and local law enforcement where threats of violence may not constitute federal crimes.

The Justice Department will also create specialized training and guidance for local school boards and school administrators. This training will help school board members and other potential victims understand the type of behavior that constitutes threats, how to report threatening conduct to the appropriate law enforcement agencies, and how to capture and preserve evidence of threatening conduct to aid in the investigation and prosecution of these crimes.

Threats of violence against school board members, officials, and workers in our nation's public schools can be reported by the public to the FBI's National Threat Operations Center (NTOC) via its national tip line (1-800-CALL-FBI) and online through the FBI website (<http://fbi.gov/tips>). To ensure that threats are communicated to the appropriate authorities, NTOC will direct credible threats to FBI field offices, for coordination with the U.S. Attorney's Office and law enforcement partners as appropriate. Reporting threats of violence through NTOC will help the federal government identify increased threats in specific jurisdictions as well as coordinated widespread efforts to intimidate educators and education workers.

Obtained by America First Legal Foundation

To: Simons, Shaheena ((b) (6))
From: Karlan, Pamela (CRT)((b) (6))

Sent: Sat 10/2/2021 10:48:03 AM (UTC-04:00)
Subject: FW: CRT role/school board threats
[RE: School Board Meeting Disruptions](#)

Dear Shaheena,

Sorry to bother you on a weekend. Please see below and let me know if there's anything else I should tell Sparkle.

Take care,

Pam

From: Karlan, Pamela (CRT)
Sent: Saturday, October 2, 2021 10:47 AM
To: Sooknanan, Sparkle (OASG)((b) (6)); Clarke, Kristen (CRT)((b) (6)); Cochran, Shaylyn (CRT)((b) (6)); Moossy, Robert (CRT)((b) (6))
Subject: RE: CRT role/school board threats

Duplicative Material, Bates Number 00056-002513

To: Simons, Shaheena (CRT)(b) (6)
From: Karlan, Pamela (CRT)(b) (6)
Sent: Sat 10/2/2021 5:18:15 PM (UTC-04:00)
Subject: Re: CRT role/school board threats

Thanks much. Go back to your weekend and sorry for the interruption.

Pam Karlan

(b) (6)

(b) (6)

On Oct 2, 2021, at 1:46 PM, Simons, Shaheena (CRT)(b) (6) wrote:

Duplicative Material, Bates Number 00056-002517

Obtained by America First Legal Foundation

Duplicative Material, Bates Number 00056-002517

To: Simons, Shaheena (CRT)(b) (6)
From: Karlan, Pamela (CRT)(b) (6)
Sent: Mon 10/4/2021 10:11:41 AM (UTC-04:00)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

Dear Shaheena,

Thanks. I think your plan of what to say makes sense.

From: Simons, Shaheena (CRT)
Sent: Monday, October 4, 2021 10:11 AM
To: Karlan, Pamela (CRT)(b) (6)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

Dear Pam,

I'm not sure whether Robert meant to send me this, but in any case I don't have any red flags.

I'm speaking with a group of advocates this afternoon and imagine this letter and request from NSBA will come up. If we don't have anything announced yet I'll just say something vague about how the department shares the concerns in the letter and will respond.

From: Moosy, Robert (CRT)
Sent: Sunday, October 3, 2021 11:25 AM
To: Clarke, Kristen (CRT)(b) (6); Simons, Shaheena (CRT)(b) (6); Smith, Johnathan (CRT)(b) (6); Cochran, Shaylyn (CRT)(b) (6); Friel, Gregory B (CRT)(b) (6); Karlan, Pamela (CRT)(b) (6); Calderon, Tovah R (CRT)(b) (6)
Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats

Please see attached for CRT review re violence in the context of citing and shook administration.

Sent from my iPhone
Begin forwarded message:

From: "Chambers, Kevin (ODAG)"(b) (6)
Date: October 2, 2021 at 4:02:33 PM EDT
To: "Jensen, Steven J. (CTD) (FBI)"(b)(6); (b)(7)(E) per FBI, "McQuaid, Nicholas (CRM)"(b) (6), "Moosy, Robert (CRT)"(b) (6), "Wilkinson, Monty (USAEO)"(b)(6), (b)(7)(C) per EOUSA, "Toscas, George (NSD)"(b) (6), "Darke Schmitt, Katherine (OJP/OVC)"(b) (6), "Tarasca, James A. (CTD) (FBI)"(b)(6); (b)(7)(E) per FBI, "Blue, Matt (NSD)"(b) (6), "Langan, Timothy R. Jr. (CTD) (FBI)"(b)(6); (b)(7)(E) per FBI, (b)(6), (b)(7)(C), (b)(7)(E) per FBI, "Vorndran, Kevin (CTD) (FBI)"(b)(6); (b)(7)(E) per FBI, "Lesko, Mark (NSD)"(b) (6), "Wiegmann, Brad (NSD)"(b) (6), "Driscoll, Kevin (CRM)"(b) (6), "Rossi, Rachel (OASG)"(b) (6), "Monroe, Becky (OASG)"(b) (6), "Wong, Norman (USAEO)"(b)(6), (b)(7)(C) per EOUSA
Cc: "Carlin, John P. (ODAG)"(b) (6), "Braden, Myesha (ODAG)"(b) (6), "Newman, David A. (ODAG)"(b) (6), "Lan, Iris (ODAG)"(b) (6)
Subject: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Document ID: 0.7.1451.10792-000001

Duplicative Material, Document ID: 0.7.1451.10792-000001

To: Herren, Chris (CRT)(b) (6)
From: Karlan, Pamela (CRT)(b) (6)

Sent: Mon 10/4/2021 9:37:27 AM (UTC-04:00)
Subject: FW: FOR REVIEW: Draft Documents Re: School Board Threats
[DRAFT AG MEMO TO USAOs AND SACs \(10.3.21\) \(SCHOOL BOARDS ONLY\).docx](#)

FYI.

From: Cochran, Shaylyn (CRT)
Sent: Monday, October 4, 2021 9:16 AM
To: Karlan, Pamela (CRT)(b) (6) Moosy, Robert (CRT)(b) (6) Clarke, Kristen (CRT)
(b) (6)
Subject: FW: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Bates Number 00056-002525

Obtained by America First Legal Foundation

To: Gaeta, Joseph (OLA) (b) (6); Powers, John (CRT) (b) (6)
Cc: (b) (6) (OLA) (b) (6)
From: Cochran, Shaylyn (CRT) (b) (6)

Sent: Tue 10/5/2021 3:54:48 PM (UTC-04:00)
Subject: RE: school board

Thanks, Joe. We'll hold for more information, but what you've sent so far is really helpful.

Shaylyn

From: Gaeta, Joseph (OLA)
Sent: Tuesday, October 5, 2021 3:51 PM
To: Powers, John (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6)
Cc: (b) (6) (OLA) (b) (6)
Subject: RE: school board

Hope to have a call this afternoon for any last minute intel. Will fill you in

From: Powers, John (CRT) (b) (6)
Sent: Tuesday, October 5, 2021 3:50 PM
To: Gaeta, Joseph (OLA) (b) (6); Cochran, Shaylyn (CRT) (b) (6)
Cc: (b) (6) (OLA) (b) (6)
Subject: RE: school board

Thanks, Joe – much appreciated. This is very helpful.

From: Gaeta, Joseph (OLA)
Sent: Tuesday, October 5, 2021 3:40 PM
To: Powers, John (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6)
Cc: (b) (6) (OLA) (b) (6)
Subject: school board

Duplicative Material, Bates Number 00056-002531

To: (b) (6); Calce, Christina M. (OLA)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Woldemariam, Wintta (OLA)(b) (6); Antell, Kira M. (OLA)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Hyun, Peter (OASG)(b) (6); Sooknanan, Sparkle (OASG)(b) (6); Visser, Tim (OAG)(b) (6); Braden, Myesha (ODAG)(b) (6); Karlan, Pamela (CRT)(b) (6); Herren, Chris (CRT)(b) (6); Lewis, Megan (ODAG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6)
From: (b) (6) (OLA)(b) (6)

Sent: Wed 10/6/2021 3:14:02 PM (UTC-04:00)
Subject: RE: 10/6 VRA Hearing Updates

Hearing may recess soon for last-minute caucus per leader Schumer. Continued questioning:

--
Lee

- Lee's questioning aims to portray the VRA as hypocritical; what if the federal government had the power to do preclearance on religious freedom and the right to worship? Etc.
 - I'm here to talk about voting rights; this is not an area I work in.
- People should be able to adopt what they deem fit through their elected sovereigns. Founders rejected idea of federal government being able to veto state laws. Must not neglect principle of federalism in lawmaking process. Facts don't support premise that voter ID laws is racist.
 - Inquiry is whether a specific law is discriminatory; then, we look at facts at issue.

Klobuchar

- How do updates to VRA respond to *Shelby* critique of the need for preclearance?
 - Bill tethers preclearance formula to current conditions. Also provides stronger protections for native voters; clarifies section 2 standards, and more.
- Do you agree that both VRA and Freedom to Vote Act must be passed to protect right to vote?
 - Here to speak to JL VRA, welcomes to work with Congress on other bills to strengthen voting rights.
- What is impact of laws like one in GA, esp among voters of color?
 - Dept has pending litigation against GA, so I can't comment. But can say that our case-by-case work has not been adequate substitute for Section 5 protections.
- Why important to strengthen and restore VRA?
 - Right to vote is crucial civil right, speaks to our principles. Constitution vests this body with powers to ensure that our processes are free from racial discrimination.

Blackburn

- Blackburn asked series of questions about DOJ politicization and civil rights concerns around parents exercising free speech at school board meetings.
 - AG's memo deals with threats; first amendment is important. AG says threats are illegal and run counter to our values. AG wants to keep DOJ apolitical.

From: (b) (6) (OLA)
Sent: Wednesday, October 6, 2021 2:59 PM
To: (b) (6); Calce, Christina M. (OLA)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Woldemariam, Wintta (OLA)(b) (6); Antell, Kira M. (OLA)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Hyun, Peter (OASG)(b) (6); Sooknanan, Sparkle (OASG)(b) (6); Visser, Tim (OAG)(b) (6); Braden, Myesha (ODAG)(b) (6); Karlan, Pamela (CRT)(b) (6); Herren, Chris (CRT)(b) (6); Lewis, Megan (ODAG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6)
Subject: RE: 10/6 VRA Hearing Updates

Questioning:

Durbin

- Texas attacking right to vote based on lie of voter fraud. Gov Abbott restricts access to ballot box in many ways. Does it take on

00056-002539

different context based on previous president's Big Lie?

- Clarke: DOJ believes that elections in our country should be open and fair. Claims of fraud are very rare, but voting discrimination is widespread. Here to make the case to restore preclearance to ensure elections are free and fair.
- *Shelby* argument seems to say that preclearance provisions aim to solve a problem of bygone days. Is there evidence of this?
 - DOJ thinks voting discrimination of current day problem. Section 5 advantage is that it blocks discriminatory laws from taking root. Hope that this bill will lead to a restoration of the DOJ's ability to protect the right to vote.

Grassley

- How do you square public sentiment with claim that voter ID laws are burdensome? Do most Americans support voter suppression?
 - DOJ believes voting should be free and open, doesn't believe that these laws are generally unlawful, Department looks at specific laws to see who they target. Such work is done by career employees to ensure fair elections.
- DOJ recently filed lawsuit against GA 202 election reforms. Will DOJ bring action against NY for only allowing 10 days of voting, etc?
 - Can't comment on pending investigations. DOJ committed to protecting voting rights no matter where, including NY.
- What about changing demographic/voting statistics justifies preclearance implementation?
 - We've found that voter discrimination remains a real problem, even though a higher proportion of POC are voting. Section 5 has proven to be an important tool to ID and prevent voting discrimination.

Leahy

- Alarmed by toxic partisan rhetoric around restoring this Act. This issue should unite us.
 - Voting is central right to American democracy. VRA has historically enjoyed bipartisan support. DOJ notes that this Act has no place for partisanship in its enforcement. DOJ happy to work with Congress to support this law.
- How does JL VRAA protect states' rights?
 - Makes bailouts easier, so that healthy jurisdictions can exempt themselves from preclearance provisions. Many jurisdictions appreciate the preclearance provisions, and the flexibility they provide. Jurisdictions can also bypass DOJ and go to courts for judicial review. This process has helped to rid us of voting discrimination

From: (b) (6) (OLA)

Sent: Wednesday, October 6, 2021 2:34 PM

To: (b) (6) (OLA) (b) (6); Calce, Christina M. (OLA) (b) (6); Greenfeld, Helaine A. (OLA) (b) (6); Gaeta, Joseph (OLA) (b) (6); Woldemariam, Wintta (OLA) (b) (6); Antell, Kira M. (OLA) (b) (6); Loeb, Emily M. (ODAG) (b) (6); Hyun, Peter (OASG) (b) (6); Sooknanan, Sparkle (OASG) (b) (6); Visser, Tim (OAG) (b) (6); Braden, Myesha (ODAG) (b) (6); Karlan, Pamela (CRT) (b) (6); Herren, Chris (CRT) (b) (6); Lewis, Megan (ODAG) (b) (6); Goodlander, Margaret V. (OAG) (b) (6)

Subject: RE: 10/6 VRA Hearing Updates

AAG Clarke now giving her testimony. Brief summary of member opening statements below:

Durbin

- Post-*Shelby*, state and local legislation creating new barriers to ballot box. These laws claim to prevent voter fraud, but actually target communities of color and their ability to vote. Myth of voter fraud continues, which threatens our legislative process. We have a duty to defend it, via JL VRA.

Grassley

- This bill is an attempt at federal takeover of state and local elections, placing electoral power into the hands of the Biden/Harris DOJ. This VRA is a disaster; penalizes states for voter ID laws. Such electoral issues should be up to state legislatures. This bill massively expands preclearance and erases *Brnovich's* guideposts for voting laws. We must protect voting rights, and not outsource them to DOJ and outside activists.

Leahy

- VRA has always enjoyed bipartisan support. This legislation must evolve to address emerging concerns. Seeks to ensure that all Americans have their right to vote protected; it's not an effort to empower one party over another. S4 stays true to goals of House-passed legislation while keeping ongoing bipartisan conversation in mind.

Cruz

- Cruz denounces DOJ preclearance provisions of bill, calling them an assault on the right to vote. Bill will encourage voter fraud and allow unelected bureaucrats to strike down state voting laws.

From: (b) (6) (OLA)

Sent: Wednesday, October 6, 2021 2:03 PM

To: (b) (6) (OLA) (b) (6); Calce, Christina M. (OLA) (b) (6); Greenfeld, Helaine A. (OLA) (b) (6); Gaeta, Joseph (OLA) (b) (6); Woldemariam, Wintta (OLA) (b) (6); Antell, Kira M. (OLA) (b) (6); Loeb, Emily M. (ODAG) (b) (6); Hyun, Peter (OASG) (b) (6); Sooknanan, Sparkle (OASG) (b) (6); Visser, Tim (OAG) (b) (6); Braden, Myesha (ODAG) (b) (6); Karlan, Pamela (CRT) (b) (6); Herren, Chris (CRT) (b) (6); Lewis, Megan (ODAG) (b) (6); Goodlander, Margaret V. (OAG) (b) (6)

Subject: 10/6 VRA Hearing Updates

Hi all,

I'll be providing this chain with periodic updates throughout this afternoon's VRA hearing in SJC. The hearing just gaveled in and chair Durbin is providing opening remarks.

Thanks,

(b) (6)

(b) (6)
Office of Legislative Affairs
U.S. Department of Justice
they/ them/ theirs

To: Simons, Shaheena (CRT) (b) (6); Felte, James (CRT) (b) (6); Fitzgerald, Paige (CRT) (b) (6); Friel, Gregory B (b) (6); smith
From: (b)(6) Robert Moossy (CRT)
Sent: Mon 10/4/2021 8:36:33 AM (UTC-04:00)
Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats
[DRAFT AG MEMO TO USAOs AND SACs \(10.3.21\) \(SCHOOL BOARDS ONLY\).docx](#)

Sent from my iPhone

Begin forwarded message:

From: "Chambers, Kevin (ODAG)" (b) (6)
Date: October 3, 2021 at 7:26:44 PM EDT
To: "Jensen, Steven J. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "McQuaid, Nicholas (CRM)" (b) (6), "Moossy, Robert (CRT)" (b) (6), "Wilkinson, Monty (USAEO)" (b)(6), (b)(7)(C) per EOUSA, "Toscas, George (NSD)" (b) (6), "Darke Schmitt, Katherine (OJP/OVC)" (b) (6), "Tarasca, James A. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "Blue, Matt (NSD)" (b) (6), "Langan, Timothy R. Jr. (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b)(6), (b)(7)(C), (b)(7)(E) per FBI, "Vorndran, Kevin (CTD) (FBI)" (b)(6); (b)(7)(E) per FBI, "Lesko, Mark (NSD)" (b) (6), "Wiegmann, Brad (NSD)" (b) (6), "Driscoll, Kevin (CRM)" (b) (6), "Rossi, Rachel (OASG)" (b) (6), "Monroe, Becky (OASG)" (b) (6), "Wong, Norman (USAEO)" (b)(6), (b)(7)(C) per EOUSA
Cc: "Braden, Mvesha (ODAG)" (b) (6), "Newman, David A. (ODAG)" (b) (6), "Lan, Iris (ODAG)" (b) (6)
Subject: RE: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Document ID: 0.7.1451.10792-000006

Duplicative Material, Document ID: 0.7.1451.10792-000006

00056-002542

To: Karlan, Pamela (CRT) (b) (6)
From: Sooknanan, Sparkle (OASG) (b) (6)
Sent: Sat 10/2/2021 4:03:04 PM (UTC-04:00)
Subject: RE: CRT role/school board threats

Thank you!

From: Karlan, Pamela (CRT) (b) (6)
Sent: Saturday, October 2, 2021 2:37 PM
To: Sooknanan, Sparkle (OASG) (b) (6)
Subject: FW: CRT role/school board threats

Here's what Shaheena sent to me.

From: Simons, Shaheena (CRT)
Sent: Saturday, October 2, 2021 12:05 PM
To: Karlan, Pamela (CRT) (b) (6)
Subject: Re: CRT role/school board threats

Dear Pam,

Threats or violence by private citizens against school board officials would not fall within our civil authorities but these activities could of course violate criminal laws. So one question is whether the FBI or Criminal Division is taking some kind of responsive action. CRS, through its mediation program, could also conceivably have a role.

I just forwarded you Shaylyn's response to Suzanne on this. I think Shaylyn's plan was to connect her to Myesha or someone else in ODAG.

Even though this doesn't fall within our EOS statutes, I'm happy to help think through, draft, or look at some kind of response this weekend. Just let me know.

On Oct 2, 2021, at 10:48 AM, Karlan, Pamela (CRT) (b) (6) wrote:

Duplicative Material, Bates Number 00056-002534

Duplicative Material, Bates Number 00056-002534

00056-002543

To: Karlan, Pamela (CRT) (b) (6)
From: Herren, Chris (CRT) (b) (6)
Sent: Mon 10/4/2021 9:13:52 AM (UTC-04:00)
Subject: Re: FOR REVIEW: Draft Documents Re: School Board Threats

Sure.

On Oct 4, 2021, at 8:58 AM, Karlan, Pamela (CRT) (b) (6) wrote:

Would 9:45 work?

Pam Karlan

(b) (6)
(b) (6)

On Oct 4, 2021, at 5:50 AM, Herren, Chris (CRT) (b) (6) wrote:

Hi Pam - I am happy to chat today. Just let me know when.

On Oct 3, 2021, at 9:07 PM, Karlan, Pamela (CRT) (b) (6) wrote:

I was trying to avoid sending you anything before (I hoped) you'd assumed nothing was coming in over the weekend.

We should also talk tomorrow morning about Texas, after my latest meeting with Kristen on Friday afternoon.

I hope you got some rest. (b) (6)

From: Herren, Chris (CRT)
Sent: Sunday, October 3, 2021 9:01 PM
To: Karlan, Pamela (CRT) (b) (6)
Subject: Re: FOR REVIEW: Draft Documents Re: School Board Threats

Thanks Pam

On Oct 3, 2021, at 8:59 PM, Karlan, Pamela (CRT) (b) (6) wrote:

Dear Chris,

Sending this to you as well, because there's a bit in the draft AG Memo document about election officials.

Take care,

Pam

From: Moosy, Robert (CRT)

Sent: Sunday, October 3, 2021 11:25 AM

To: Clarke, Kristen (CRT); (b) (6); Simons, Shaheena
(CRT); (b) (6); Smith, Johnathan (CRT)

(b) (6); Cochran, Shaylyn (CRT)

(b) (6); Friel, Gregory B (CRT)

(b) (6); Karlan, Pamela (CRT)

(b) (6); Calderon, Tovah R (CRT)

(b) (6)

Subject: Fwd: FOR REVIEW: Draft Documents Re: School Board Threats

Duplicative Material, Bates Number 00056-002536

Obtained by America First Legal Foundation

To: Karlan, Pamela (CRT) (b) (6)
From: (b)(6) Shaheena Simons (CRT)
Sent: Sat 10/2/2021 11:57:53 AM (UTC-04:00)
Subject: Re: CRT role/school board threats

Dear Pam,

Again, I don't think this falls within our civil authorities but one question is whether the FBI or Criminal Division is taking some kind of responsive action.

On Oct 2, 2021, at 10:48 AM, Karlan, Pamela (CRT) (b) (6) wrote:

Duplicative Material, Bates Number 00056-002534

Obtained by America First Legal Foundation

To: Raish, Anne (CRT) (b) (6)
Cc: Bond, Rebecca (CRT) (b) (6)
From: Friel, Gregory B (CRT) (b) (6)
Sent: Mon 9/27/2021 4:34:42 PM (UTC-04:00)
Subject: RE: School Board Meeting Disruptions

Thanks.

Gregory B. Friel

Deputy Assistant Attorney General

Civil Rights Division

U.S. Department of Justice

(b) (6) (work cell)

(b) (6) (office phone)

(b) (6)

From: Raish, Anne (CRT)

Sent: Monday, September 27, 2021 4:34 PM

To: Friel, Gregory B (CRT) (b) (6)

Cc: Bond, Rebecca (CRT) (b) (6)

Subject: Re: School Board Meeting Disruptions

Greg-

DRS is not looking into these matters.

Thanks,

Anne

Sent from my iPhone

On Sep 27, 2021, at 3:16 PM, Friel, Gregory B (CRT) (b) (6) wrote:

See below. Is DRS looking into any such matters?

Greg

From: Simons, Shaheena (CRT)

Sent: Monday, September 27, 2021 3:13 PM

To: Cochran, Shaylyn (CRT) (b) (6); Karlan, Pamela (CRT) (b) (6); Friel, Gregory B (CRT) (b) (6)

Subject: FW: School Board Meeting Disruptions

Just looping in Pam and Greg before I respond. I can say something like the following and cc Pam and Shaylyn.

Hi, Myesha – EOS is looking at disruptions of school board meetings in a few limited contexts where the disruptions may be relevant to evaluating the existence of a hostile environment for students based on a protected characteristic. We are not looking at the disruptions or statements regarding COVID protocols and think those would likely fall outside our jurisdiction.

Greg, I don't want to speak for DRS but I don't think they are looking at this either.

From: Braden, Myesha (ODAG)

Sent: Monday, September 27, 2021 3:05 PM

To: Simons, Shaheena (CRT) (b) (6); Cochran, Shaylyn (CRT) (b) (6)

00056-002547

Cc: Sooknanan, Sparkle (OASG) (b) (6)

Subject: School Board Meeting Disruptions

Duplicative Material, Bates Number 00056-002520

Obtained by America First Legal Foundation

From: Coley, Anthony D. (PAO)
Subject: FW: Final: DAG VAWA SJC Clips
To: Klapper, Matthew B. (OAG); Heinzelman, Kate (OAG)
Sent: October 5, 2021 6:57 PM (UTC-04:00)
Attached: VAWA Senate Judiciary Hearing Clips 6.30 PM.docx

From: Pietranton, Kelsey (PAO) (b) (6)
Sent: Tuesday, October 5, 2021 6:31 PM
To: Singh, Anita M. (ODAG) (b) (6); Suero, Maya A. (ODAG) (b) (6); Lin, Frank (ODAG) (b) (6); Carlin, John P. (ODAG) (b) (6); Loeb, Emily M. (ODAG) (b) (6); Lewis, Megan (ODAG) (b) (6)
Cc: Coley, Anthony D. (PAO) (b) (6); Iverson, Dena (PAO) (b) (6); Brockman, Audrey (ODAG) (b) (6); Stueve, Joshua (PAO) (b) (6); Woldemariam, Wintta (OLA) (b) (6); Kaplan, Jennifer E (OVW) (b) (6); Harris, Stacie B. (ODAG) (b) (6); Robertson, Ashley E. (ODAG) (b) (6); Gelber, Sophie (PAO) (b) (6)
Subject: Final: DAG VAWA SJC Clips

Good evening all,

With many, many thanks to Sophie for her hard work in monitoring today's hearing and it's coverage, attached please find final end of day clips on the DAG's VAWA testimony. We will update this tomorrow with evening and morning coverage (please note that several TV/radio outlets have flagged that they plan to cover this tomorrow morning).

I am reaching out to FOX now about the "confrontation" headline.

Thanks to all,
Kelsey

From:
Subject: RE: [EXTERNAL] Media Inquiry from Sophia Tulp - The Associated Press
To: Hornbuckle, Wyn (PAO)
Sent: October 5, 2021 4:58 PM (UTC-04:00)

Ok thanks, NPO seems to be upset with whoever is checking the press box?

Kristina Mastropasqua
Office of Public Affairs
Department of Justice
(b) (6)

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

From: Hornbuckle, Wyn (PAO) (b) (6)
Sent: Tuesday, October 5, 2021 4:56 PM
To: Mastropasqua, Kristina (PAO) (b) (6)
Subject: RE: [EXTERNAL] Media Inquiry from Sophia Tulp - The Associated Press

I have take care of this

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

From: Mastropasqua, Kristina (PAO) (b) (6)
Sent: Tuesday, October 5, 2021 4:55 PM
To: Hornbuckle, Wyn (PAO) (b) (6)
Subject: FW: [EXTERNAL] Media Inquiry from Sophia Tulp - The Associated Press

Kristina Mastropasqua
Office of Public Affairs
Department of Justice
(b) (6)

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

From: (b)(7)(E) per FBI (NPO) >
Sent: Tuesday, October 5, 2021 4:51 PM
To: Press <Press@jmd.usdoj.gov>; (b)(7)(E) per FBI (NPO); (b)(7)(E) per FBI (Public Affairs)
Cc: Press <Press@jmd.usdoj.gov>; Mastropasqua, Kristina (PAO) (b) (6)
Subject: RE: [EXTERNAL] Media Inquiry from Sophia Tulp - The Associated Press

Per previous comments, we refer this back to DOJ to respond.

(b)(6), (b)(7)(C) per FBI

SSA (b)(6), (b)(7)(C) per FBI
Federal Bureau of Investigation
National Press Office
(b)(6); (b)(7)(E) per FBI

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

From: Press <Press@usdoj.gov>

Sent: Tuesday, October 5, 2021 10:10 AM

To: NPO (b)(7)(E) per FBI; Public.Affairs (b)(7)(E) per FBI

Cc: Press (JMD) <Press@usdoj.gov>

Subject: [EXTERNAL EMAIL] - FW: [EXTERNAL] Media Inquiry from Sophia Tulp - The Associated Press

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

From: no-reply@usdoj.gov <no-reply@usdoj.gov>

Sent: Tuesday, October 5, 2021 9:59 AM

To: Press <Press@jmd.usdoj.gov>

Subject: [EXTERNAL] Media Inquiry from Sophia Tulp - The Associated Press

Duplicative Material, Document ID: 0.7.1451.7067

Obtained by America First Legal Foundation

From:
Subject: RE: [EXTERNAL] Media Inquiry from Fred Lucas Lucas - The Daily Signal
To: Blevins, Danielle (PAO); Bradford, Aryele (PAO)
Cc: Mitchell, Kendall M. (PAO)
Sent: October 8, 2021 11:28 AM (UTC-04:00)

This is CRT. Adding Kendall to flag for CRT. Kendall, please cc me when you flag for CRT so I can see if they concur with We shouldn't comment beyond our press release.

Nicole Navas Oxman
Senior Communications Advisor for International Law Enforcement/Spokesperson
U.S. Department of Justice

(b) (6)

(b) (6)

@USDOJ_Intl

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

From: Blevins, Danielle (PAO) (b) (6)
Sent: Friday, October 8, 2021 11:03 AM
To: Bradford, Aryele (PAO) (b) (6)
Cc: Navas, Nicole (PAO) (b) (6)
Subject: FW: [EXTERNAL] Media Inquiry from Fred Lucas Lucas - The Daily Signal

Duplicative Material, Document ID: 0.7.1451.5190

Obtained by America First Legal Foundation

From: Monroe, Becky (OASG)
Subject: RE: [EXTERNAL] Fwd: Daily Highlights for 10/05/2021
To: Ratliff, Gerri L (JMD)
Sent: October 5, 2021 4:52 PM (UTC-04:00)

Yes! See the Press Release

<https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>

From: Ratliff, Gerri L (JMD) (b) (6)
Sent: Tuesday, October 5, 2021 4:44 PM
To: Monroe, Becky (OASG) (b) (6)
Subject: FW: [EXTERNAL] Fwd: Daily Highlights for 10/05/2021

FYI- do you know if CRS got added?

From: Segovia, Theresa (CRS) (b) (6)
Sent: Tuesday, October 5, 2021 11:44 AM
To: Ratliff, Gerri L (JMD) (b) (6)
Subject: FW: [EXTERNAL] Fwd: Daily Highlights for 10/05/2021

See below

From: Lisa Makosewski - 3A-FEB-D (b) (6)
Sent: Tuesday, October 5, 2021 9:31 AM
To: PhilaFEB Agency Heads (b) (6); PhilaFEB Emergency Preparedness (b) (6)
Subject: [EXTERNAL] Fwd: Daily Highlights for 10/05/2021

From our friends at DHS.

Terrorism Investigations

Garland says authorities will target school board threats

The AP [10/4/2021 8:51 PM, Gary Fields, 11773K] reports Attorney General Merrick Garland on Monday directed federal authorities to hold strategy sessions in the next 30 days with law enforcement to address the increasing threats targeting school board members, teachers and other employees in the nation's public schools. In a memorandum, Garland said there has been "a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools." To address the rising problem, Garland said the FBI would work with U.S. attorneys and federal, state, local, territorial and tribal authorities in each district to develop strategies against the threats. "While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views," he said. The action is in response to an urgent request last week from the National School Boards Association. The group, which represents school board members around the country, asked President Joe Biden for federal assistance to investigate and stop threats made over policies including mask mandates, likening the vitriol to a form of domestic terrorism.

Federal trial begins for ex-DePaul student accused of writing computer code to help spread ISIS

propaganda

The [Chicago Tribune](#) [10/4/2021 12:14 PM, Jason Meisner, 1840K] reports that Thomas Osadzinski was a DePaul University computer science student in June 2018 when he allegedly sent out a message in an online chat room seeking the recipe for a powerful explosive favored by terrorists and suicide bombers, according to federal prosecutors. When someone in the chat room responded that he should be very careful, Osadzinski allegedly responded he “will be doing some studying.” “You mean studying for school?” asked the person in the chat room, who unbeknownst to Osadzinski was a covert FBI agent. Osadzinski allegedly replied, “For jihad,” followed by a heart emoji and a symbol associated with the Islamic State terrorist group. That conversation three years ago will be a focal point for prosecutors as Osadzinski’s trial gets underway at the Dirksen U.S. Courthouse, where he faces charges of using the computer skills he was learning at DePaul to craft a first-of-its-kind code designed to spread violent terrorist propaganda online. Osadzinski, 22, who is originally from Park Ridge and lived in an apartment in Chicago’s Lakeview neighborhood at the time of his arrest, was charged with attempting to provide material support to a terrorist organization, which carries up to 20 years in prison if convicted. It’s the latest in a string of ISIS-related cases brought in U.S. District Court in Chicago that have continued well after the collapse of the group’s caliphate in Syria and Iraq nearly four years ago. Most recently, two friends from far north suburban Zion were convicted by a federal jury in 2019 of attempting to aid the terrorist group by providing cellphones to an undercover FBI agent to be used as detonators for bombs. Joseph Jones was sentenced to 12 years in prison, while his co-defendant, Edward Schimenti, received 13½ years behind bars. Jury selection in Osadzinski’s case took place Monday before U.S. District Judge Robert Gettleman. Opening statements are expected Tuesday morning.

[DC] Man who threw fire extinguisher at cops during Capitol assault pleads guilty

[Univision](#) [10/5/2021 1:32 AM, Staff, 366K] reports a Florida man pleaded guilty Monday to assaulting law enforcement with dangerous weapons during the assault on the Capitol on January 6, with which a mob of supporters of then-President Donald Trump sought to prevent the electoral college from certifying the victory of Democrat Joe Biden. The man, identified as Robert Scott Palmer, 54, of Largo, was part of the group of rioters that day at about 04:53 p.m. near the archway leading from the lower west terrace into the Capitol. According to a Department of Justice statement, while participating in the siege, “he threw a wooden plank at Capitol Police” and Metropolitan Police Department (MPD) officers guarding the lower west terrace entrance. “Approximately two minutes later, he was in the front line of the rioters confronting the officers positioned in the archway of the lower west terrace. At that point, Palmer sprayed the contents of a fire extinguisher at the officers until it was empty. He then threw the extinguisher at the officers,” the DOJ statement said.

CISA/Cybersecurity

Senators introduce bill to strengthen federal cybersecurity after attacks

[The Hill](#) [10/4/2021 2:02 PM, Maggie Miller, 1776K] reports that Senate Homeland Security and Governmental Affairs Committee Chairman Gary Peters (D-Mich.) and ranking member Rob Portman (R-Ohio) introduced a bill Monday to overhaul and improve federal cybersecurity policies following multiple major cyberattacks. The legislation is aimed at updating the Federal Information Security Modernization Act, signed into law in 2014, and takes steps to clarify reporting requirements for federal agencies if they are successfully targeted by hackers. “Increasingly sophisticated cyber-attacks against our federal agencies by foreign adversaries – and criminal organizations they often harbor – highlight the urgent need to enhance federal cybersecurity,” Peters said in a statement Monday. The bill clarifies the Cybersecurity and Infrastructure Security Agency’s (CISA) role in responding to cybersecurity incidents, with federal agencies required to report major attacks to both CISA and Congress, and would ensure CISA is the lead organization on responding to these incidents. It also requires the Office of Management and Budget to develop guidance to help federal agencies best use funds to shore up cybersecurity, and codifies part of the executive order President Biden signed in May aimed at improving

federal cybersecurity. "Since Congress last addressed this critical issue, online threats have rapidly evolved and CISA had not yet been created," Peters said. "This bipartisan bill will help secure our federal networks, update cyber incident reporting requirements for federal agencies and contractors to ensure they are quickly sharing information, and prevent hackers from infiltrating agency networks to steal sensitive data and compromise national security." Portman on Monday pointed to two reports put out by the committee since 2019 that found massive cybersecurity shortcomings at several federal agencies. These reports have raised even more concerns following the SolarWinds hack, discovered in December, which involved Russian government-linked hackers compromising at least nine federal agencies for much of 2020.

Reported similarly:

[Federal News Network](#) [10/4/2021 3:34 PM, Justin Doubleday, 49K]

International coalition arrests 'prolific' hackers involved in ransomware attacks

[The Hill](#) [10/4/2021 5:16 PM, Maggie Miller, 1776K] reports an international coalition of American, French, Ukrainian and European Union (EU) law enforcement authorities coordinated on the arrest last week of two individuals and the seizure of millions of dollars in profit allegedly involved with a spree of damaging ransomware attacks. Europol, the EU's law enforcement agency, on Monday announced the arrests on Tuesday in Ukraine of the unnamed individuals alleged to have been behind ransomware attacks that extorted between 5 million to 70 million euros. In addition to the arrests, authorities carried out seven property searches that resulted in the seizure of \$375,000 in cash, two six-figure luxury vehicles and the freezing of \$1.3 million in cryptocurrencies. Europol coordinated the operations, with agencies involved including the FBI's Atlanta Field Office, the French National Cybercrime Centre of the National Gendarmerie, the Cyber Police Department of the National Police of Ukraine and Interpol's Cyber Fusion Centre.

[AL] Hospital ransomware attacks now have deadly consequences

[Politico](#) [10/3/2021 8:00 PM, Sam Sabin, 1707K] reports that a recent lawsuit filed against an Alabama hospital is alleging that a patient died because of a ransomware attack, a risk that cybersecurity experts have been warning about. It's been a fear among ransomware threat analysts for years: A ransomware attack against a hospital could lead to a patients' death. Now, a lawsuit filed last week against Springhill Medical Center in Alabama contends that fear has become a reality in the United States. The suit, first reported by The Wall Street Journal, says a baby died in April 2020 because of inadequate care given during a ransomware attack. How we got here: While ransomware gangs have been targeting hospitals for several years, the issue has received renewed attention during the Covid-19 pandemic. A report last month from the Ponemon Institute found that 43 percent of healthcare organizations experienced a ransomware attack in the last two years, and among them, 70 percent faced delays in procedures and test results and 65 percent had to transfer patients more frequently. One in five also had increased mortality rates. The lawsuit puts the blame on Springhill Medical Center for not telling the then-expecting mother that it was dealing with a ransomware attack. Because the typical electronic monitoring systems were down, the mother is alleging that her doctors didn't spot that her daughter's umbilical cord was wrapped around the baby's neck during delivery. Lawmakers are taking notice: Rep. Jim Langevin (D-R.I.), a member of the Cyberspace Solarium Commission, tweeted about the lawsuit, saying, "We must protect our critical infrastructure from these attacks. I'm proud of the work CISA is doing to understand and mitigate risks."

[AZ] Arizona launches command center to combat cyberattacks

The [AP](#) [10/5/2021 12:09 AM, Staff, 4947K] reports Arizona Gov. Doug Ducey has launched a Cyber Command Center that will deal with threats to government computers. At a ceremony Monday at the Department of Public Safety's Arizona Counter Terrorism Information Center in Phoenix, Ducey said the command center will be critical in ensuring the state's cyber infrastructure remains safe and secure. The

center will be a central location for cybersecurity professionals and local, state and federal agencies to prevent and respond to cyberattacks. Last month, authorities said the Arizona Department of Homeland Security detected and alerted on approximately 68 million threats and protected state websites from more than 800,000 cyberattacks.

Crime and Drugs

DEA: 1.8M counterfeit pills laced with fentanyl seized in crackdown. October 1, 2021 (UPI). [UPI headquarters is based in Washington D.C.] Law enforcement agents seized more than 1.8 million counterfeit prescription pills laced with fentanyl and arrested 810 people in a nationwide two-month crackdown on the illicit black market drugs officials said are contributing to the nation's overdose crisis. Officials with the Drug Enforcement Administration and the Justice Department announced the results of the nationwide law enforcement effort launched Aug. 3 during a press conference on Thursday, saying agents also seized 8,842 pounds of methamphetamines, 1,395 pounds of cocaine and 1,570 pounds of fentanyl powder, enough to make 10 million pills, as well as 158 weapons. According to law enforcement statistics, more than 9.5 million fake pills have been seized by the DEA in the past year, which is more than the number confiscated in the past two years combined. The alert issued this week also said that since 2019 the increase in counterfeit pills containing fentanyl has increased 430%.

https://www.upi.com/Top_News/US/2021/10/01/counterfeit-pills-fentanyl-seizure/3301633065514/

2. Border Patrol agents find fentanyl inside fish cooler in Southern Arizona. October 3, 2021 (AZ Family). Tucson U.S. Border Patrol agents posted on social media that it had recently seized 17 pounds of fentanyl concealed in a cooler full of fish. Photos showed pills lined along the walls of the cooler. The Border Patrol has handed over the investigation to the Phoenix Division of the Drug Enforcement Agency (DEA). Officials did not say if anyone was arrested in connection to the drugs. No other information has been released.

https://www.azfamily.com/news/tucson-border-patrol-fish-cooler-fentanyl/article_b9f36c04-23c6-11ec-a508-f739b9ffb5e5.html



National Security News

U.S. envoy Sullivan to meet China's top diplomat Yang this week

[Reuters](#) [10/5/2021 2:02 AM, Ryan Woo and Aakriti Bhalla] reports U.S. President Joe Biden's national security adviser will hold talks with China's top diplomat in Switzerland on Tuesday and Wednesday, the South China Morning Post said, at a time of rising tension over several issues including Taiwan. "They aim to rebuild communication channels and implement consensus reached between presidents Xi Jinping and Joe Biden," the newspaper reported on Tuesday, citing an official familiar with the arrangements for the meeting between Jake Sullivan and Yang Jiechi. The Chinese foreign ministry did not immediately respond to a Reuters request for comment. Ties between China and the United States deteriorated sharply under former U.S. President Donald Trump and the Biden administration has maintained pressure on China on a range of issues from Hong Kong and the Xinjiang region to the origins of COVID-19. China has also been angered by increased U.S. support for Taiwan, believing the United States is colluding with forces there seeking the island's formal independence, a red line for Beijing. China claims Taiwan as its own territory, which should be taken by force if necessary. Taiwan says it is an independent country and will defend its freedoms and democracy. The talks this week would be yet another round of in-person talks between officials from the two powers since Biden took office, with little in the way of concrete progress in the earlier meetings. In late July, Deputy Secretary of State Wendy Sherman, the second-ranking U.S. diplomat, held face-to-face meetings with Xie Feng, a Chinese vice foreign minister, in the Chinese port city of Tianjin.

[Israel] Israel accuses Iran of Cyprus attack plot after suspect arrested

[Reuters](#) [10/4/2021 9:48 AM, Dan Williams and Michele Kambas, 5304K] reports that Israel accused Iran on Monday of orchestrating an attempted attack against Israelis in Cyprus after police on the Mediterranean island said an armed individual had been arrested. "This was a terrorist incident directed by Iran against Israeli businesspeople living in Cyprus," Matan Sidi, spokesman for Prime Minister Naftali Bennett, said in a statement. Asked to comment, the embassy of Iran in the Cypriot capital Nicosia said in an emailed statement: "This regime is always making such a baseless allegation against the Islamic Republic of Iran," referring to Israel. Earlier on Monday, Cypriot police chief Stelios Papatheodorou told reporters: "A person has been arrested, in whose possession a pistol and cartridges were found." "It is a sensitive case, which is why a remand request was held behind closed doors," Papatheodorou added. Cypriot media, citing a police source, have reported that the suspect, who has not been charged, was arrested on Sept. 27 in the capital Nicosia, just after crossing by car from a checkpoint linking the Turkish-controlled north and the southern parts of the ethnically divided island. A silenced rifle was also found in his vehicle, the reports said. He was widely reported as an Azeri holding a Russian passport, aged either 38 or 39. The suspect was taken before a magistrates court which approved an eight day remand request from police last week. By law, police need to petition court for any extension of his remand. Israel appeared to hint that its intelligence services had contributed to Cyprus' foiling of the suspected attack plot. "There are security threats. As you can see, the Shin Bet, the Mossad, all of the security forces know how to handle them," Foreign Minister Yair Lapid told reporters when asked about the incident. "The fact is that we're there. We're minding matters."

[Israel] Biden aides to tell Israelis U.S. will pursue 'other avenues' if Iran diplomacy fails

The [US News & World Report](#) [10/5/2021 12:57 AM, Matt Spetalnick and Steve Holland, 4947K] reports top U.S. officials will tell their Israeli counterparts on Tuesday that the Biden administration remains committed to diplomacy with Iran, but if necessary would be prepared to pursue "other avenues" to ensure Tehran does not acquire a nuclear weapon, a senior U.S. official said. A visit to Washington by Israel's national security adviser, Eyal Hulata, will allow the two allies to share intelligence and develop a "baseline assessment" of how far Tehran's nuclear program has advanced, the official said. Under a 2015 deal, Iran curbed its uranium enrichment program, a possible pathway to nuclear arms, in return for the lifting of economic sanctions. Then-U.S. President Donald Trump quit the deal in 2018 and the Israeli government opposes U.S. efforts to revive it. In broad terms, U.S. experts believe the time it would take Iran to achieve nuclear "breakout" – enough enriched uranium to build a nuclear bomb – has "gone from about 12 months down to a period of about a few months" since Trump pulled out of the pact, the official said, speaking on condition of anonymity.

[Saudi Arabia] Top U.S. envoy brought up Khashoggi in talks with Saudis

[Reuters](#) [10/5/2021 12:13 AM, Steve Holland, Matt Spetalnick, 13869K] reports a U.S. delegation led by White House national security adviser Jake Sullivan brought up the death of journalist Jamal Khashoggi in talks with leading Saudi Arabian officials last week, a senior U.S. official said on Monday. Sullivan, Middle East envoy Brett McGurk and other U.S. officials met in Riyadh on Sept. 28 with Saudi Crown Prince Mohammed bin Salman and other top Saudi officials. The main point of the talks was to discuss the conflict in Yemen and ways to arrange a ceasefire. But a senior Biden administration official who briefed reporters about the visit to Washington this week of Israel's national security adviser, Eyal Hulata, said the U.S. delegation also brought up the case of Khashoggi specifically and human rights in general. Secretary of State Antony Blinken said in a statement on Saturday, the third anniversary of Khashoggi's death, "We have taken steps to prevent such a reprehensible crime from happening again," including launching a coordinated effort to prevent and respond to any government targeting journalists, activists and dissidents beyond its borders.

[Israel] Top US and Israeli security officials to discuss Iran, Palestinians in Washington

[The Hill](#) [10/4/2021 11:59 PM, Laura Kelly, 1776K]

President Biden's top national security official will meet with his Israeli counterpart in Washington on Tuesday, with the Iran nuclear issue and snuffing out tensions between Israelis and Palestinians expected to be at the forefront of discussions. National Security Advisor Jake Sullivan will meet with Israel's National Security Advisor Eyal Hulata as part of a series of meetings between U.S. and Israeli officials spanning the military, diplomatic and intelligence communities. The meetings, called the U.S.-Israel Consultative Group, were first announced last week as Sullivan traveled to Egypt, highlighting Cairo's integral role in achieving a ceasefire between Israel and Hamas after 11-days of devastating fighting in May. The meetings between U.S. and Israeli officials follow a nearly daily tempo of contact between the two allies, in particular amid stalled, indirect talks between Washington and Tehran over efforts to roll back Iran's nuclear activities. Biden is intent that bringing Iran back to the Joint Comprehensive Plan of Action (JCPOA), the Obama-era nuclear deal that former President Trump withdrew from in 2018, is the only way to prevent the Islamic Republic from attaining a nuclear weapon.

[Iran] U.S. rules out "goodwill gesture" to get Iran back into negotiations

[Axios](#) [10/5/2021 12:02 AM, Barak Ravid, 526K] reports the U.S. will not offer Iran concessions just to get nuclear talks restarted, a senior U.S. official told reporters, rejecting an Iranian demand for "a goodwill gesture," such as the release of \$10 billion in frozen Iranian funds. Indirect talks between the U.S. and Iran over a mutual return to the 2015 nuclear deal have been suspended since the Iranian elections in June. There is no set date for talks to resume, but the Iranians have signaled it could happen in early November. Iranian Foreign Minister Hossein Amir-Abdollahian said in an interview on Iranian television on Saturday that the U.S. had tried to contact Iran through different channels during the UN General Assembly. He said he told the mediators that if the U.S. is serious about restarting nuclear talks, it should make a "goodwill gesture" like releasing the funds. Briefing reporters before a U.S.-Israel working group on Iran reconvenes on Tuesday, chaired by the countries' national security advisers, the senior official said the administration was "committed to the diplomatic track" but willing to pursue "other avenues" if necessary to prevent Iran from obtaining a nuclear weapon.

[Russia] Russia claims 1st successful hypersonic missile test launch from a sub

[CBS News](#) [10/4/2021 12:14 PM, Mary Ilyushina, 2612K] reports that the Russian military said Monday that it had successfully test-fired a hypersonic "Tsirkon" missile from a submarine for the first time. The high-tech missile is a key component of what President Vladimir Putin touts as Russia's new, "invincible" generation of weapons. Hypersonic missiles fly much faster and are more agile than standard ones, making them much more difficult for missile defense systems to stop. The U.S. military conducted its first flight test of a hypersonic missile system in 2011. The missile was launched from the Severodvinsk nuclear submarine from a depth of 131 feet and hit a test target in the Barents Sea, the Russian Defense Ministry said in a statement accompanied by a grainy video showing missile flares lighting up the night sky. Tsirkon had been test-fired previously from the ocean surface by a navy frigate, most recently in July. According to Putin, the missile can fly at nine-times the speed of sound, and has a range of 620 miles. Tsirkon was unveiled by Putin along with an array of other "Unparalleled" weapons during an annual address to the nation in 2018. He boasted then that Russia's new weapons systems could "Reach anywhere in the world," and would be capable of evading U.S. missile defenses. "They need to take account of a new reality and understand... [this] is not a bluff," Putin said of the U.S. and its allies in that speech. Among the other projects revealed at the time was the Avangard hypersonic boost-glide vehicle, the air-launched Kinzhal nuclear-capable ballistic missile, and the long-range nuclear-capable cruise missile Burevestnik. Some Western experts have questioned the real capabilities of these developmental weapons, as well as their production value, but the Russian military appears to be forging ahead regardless, and claiming progress. [Editorial note: consult video at source link]

[China] China sent 56 warplanes into Taiwan defense zone on Monday, Taipei says

[CNN](#) [10/4/2021 9:54 PM, Eric Cheung, 4876K] reports that Taiwan's Defense Ministry said 56 Chinese warplanes made incursions into its air defense identification zone on Monday, the highest number since

the island began publicly reporting such activities last year. It said earlier in the day that 52 military planes had encroached into the zone, before reporting that four more entered the airspace in the evening. The previous record was posted on Saturday, when 39 Chinese military planes flew into the zone. In a statement, the Taiwanese Defense Ministry said the 56 Chinese aircraft included 38 J-16 fighter jets, 12 H-6 bombers, two SU-30 fighters, two Y-8 anti-submarine warfare planes and two KJ-500 airborne early warning and control planes. A map released earlier in the day by the ministry showed the incursions at the extreme southwestern part of Taiwan's ADIZ. In response, the ministry said radio warnings were issued and air defense missile systems were deployed to monitor the activity. In the radio warnings, the Taiwanese air force could be heard ordering the aircraft to "turn around and leave immediately" upon their entry into its ADIZ. The incursions did not violate Taiwan's sovereign airspace, which extends 12 nautical miles from its coast. The US Federal Aviation Administration defines an ADIZ as "a designated area of airspace over land or water within which a country requires the immediate and positive identification, location and air traffic control of aircraft in the interest of the country's national security." Since the beginning of October, Taiwan has reported 149 incursions by Chinese warplanes into the ADIZ, statistics from the Defense Ministry showed. After Taiwan reported record-breaking incursions over the weekend, its air force released a promotional video on Facebook which said it is determined to defend its airspace. "When faced with our enemy's aggression and provocation, we will never compromise," the video said. "The determination to defend our sovereignty is unwavering."

[China] China increased spending on pathogens testing months before acknowledging COVID-19, report says

[FOX News](#) [10/4/2021 9:05 PM, Bradford Betz, 9251K] reports China increased its spending on coronavirus tests in the country's Hubei Province months before the Chinese government publicly acknowledged the COVID-19 pandemic, according to the findings of a new report. The Australian cybersecurity company Internet 2.0 compiled the data into a report released this week. It showed that the Chinese government spent nearly three times more on polymerase chain reaction tests – used to detect certain viruses – in 2019 than the year prior. The study drew its findings from an open-source examination of contracts for PCR tests and found "notable significant and abnormal 2019 purchases of PCR equipment" in Wuhan by the People's Liberation Army Airborne Army Hospital, the Wuhan Institute of Virology, the Wuhan University of Science and Technology, and the Hubei Province Districts Centres for Disease Control and Prevention. The report concludes, based on the data, that COVID-19 was spreading in Wuhan, China as early as the summer of 2019 and "definitely by the early Autumn." China did not officially acknowledge the outbreak until late December 2019. [Editorial note: consult video at source link]

[China] U.S. envoy Sullivan to meet China's top diplomat Yang this week - media

[Reuters](#) [10/5/2021 2:02 AM, Staff, 5304K] reports U.S. President Joe Biden's national security adviser will hold talks with China's top diplomat in Switzerland on Tuesday and Wednesday, the South China Morning Post said, at a time of rising tension over several issues including Taiwan. "They aim to rebuild communication channels and implement consensus reached between presidents Xi Jinping and Joe Biden," the newspaper reported on Tuesday, citing an official familiar with the arrangements for the meeting between Jake Sullivan and Yang Jiechi. The Chinese foreign ministry did not immediately respond to a Reuters request for comment. Ties between China and the United States deteriorated sharply under former U.S. President Donald Trump and the Biden administration has maintained pressure on China on a range of issues from Hong Kong and the Xinjiang region to the origins of COVID-19. China has also been angered by increased U.S. support for Taiwan, believing the United States is colluding with forces there seeking the island's formal independence, a red line for Beijing.

[Japan] Japan's Kishida, Biden agree to cooperate on China, N Korea

The [AP](#) [10/4/2021 10:17 PM, Mari Yamaguchi, 495K] reports Japan's new Prime Minister Fumio Kishida held his first talks as Japanese leader with President Joe Biden and confirmed they will work to

strengthen their alliance and cooperate in regional security in the face of growing challenges from China and North Korea. Kishida, who was elected by Parliament and sworn in Monday, told reporters that Biden reassured him of the U.S. commitment to defend the Japanese-controlled East China Sea island Senkaku, which China also claims and has escalated coast guard activity in the area. Biden provided “a strong statement about U.S. commitment for the defense of Japan, including ... Senkaku,” Kishida said, adding that the two leaders also reaffirmed they would tackle together the “challenges facing neighboring regions such as China and North Korea.” Kishida supports stronger Japan-U.S. security ties and partnerships with other like-minded democracies in Asia, Europe and Britain, in part to counter China and nuclear-armed North Korea. Kishida has also pledged to beef up Japan’s missile and naval defense capabilities.

Top News

US resumes Afghan refugee flights after measles shots

The [AP](#) [10/4/2021 4:44 PM, Ben Fox] reports Afghan refugees will soon be arriving again in the U.S. after a massive campaign to vaccinate them against measles following a small outbreak that caused a three-week pause in evacuations, officials said Monday. Authorities have administered the vaccination to about 49,000 people since measles was detected among some of the evacuees, according to the Department of Homeland Security. That figure included refugees at staging areas in Europe and the Middle East, as well as those who had already arrived at U.S. military bases before the pause. “The success of this vaccination campaign demonstrates our commitment to the health and well-being of arriving Afghan evacuees, the personnel assisting this mission, and the American people,” Dr. Pritesh Gandhi, the DHS chief medical officer, said in announcing the completion of the effort. Everyone coming from Afghanistan in the evacuation is also tested for COVID-19 and about 84 percent of the refugees in the U.S. and at overseas transit points have now been vaccinated for the virus, officials said. There are about 53,000 Afghans currently staying at eight U.S. military bases receiving medical care and other assistance before they settle around the U.S. Gen. Glen VanHerck, head of U.S. Northern Command, told reporters Thursday that about 4,000 Afghans at the U.S. bases have completed medical screening and the 21-day quarantine required after receiving the vaccine for measles, mumps, rubella, and chickenpox that most Americans receive in childhood. [CNN](#) [10/4/2021 5:39 PM, Priscilla Alvarez, 4876K] reports the announcement comes after flights had been put on pause after cases of measles -- a highly contagious virus -- were discovered among Afghans. They are expected to resume Tuesday, according to a DHS official. The [Washington Times](#) [10/4/2021 12:50 PM, Stephen Dinan, 381K] reports that almost all of the Afghan arrivals came under special “humanitarian parole,” meaning they were admitted under the exclusive say-so of Homeland Security Secretary Alejandro Mayorkas. The department said it is trying to keep the Afghan evacuees at the military bases where they were sent at least through a 21-day period after the MMR vaccine, following guidance from the Centers for Disease Control and Prevention. But there is no requirement that Afghans stay for 21 days or even to get the vaccines. Some have walked away from the bases immediately after arriving. Homeland Security said vaccinations are being given at the overseas sites where Afghans are being taken before being flown to the U.S. On Monday, Sen. Tom Cotton, Arkansas Republican, sent a letter to Mr. Mayorkas demanding answers about the “independent departures,” which he said now total “hundreds” of evacuees. Among his questions were what tools the government has to track the whereabouts of walk-offs and how many evacuees have current confirmed locations.

Senators alarmed after Afghan refugees walk off military bases by the hundreds

[FOX News](#) [10/4/2021 12:52 PM, Jessica Chasmar, 9251K] reports that Senate Republicans are demanding answers from the Biden administration amid reports that **hundreds of Afghan evacuees are walking off U.S. military bases without completing the resettlement process.** In a letter to Secretary of Homeland Security Alejandro Mayorkas and Secretary of Defense Lloyd Austin, a group of 16 Senate

Republicans, led by Sen. Joni Ernst of Iowa, argue that the security vetting procedures to clear Afghan evacuees "Remain unclear and incomplete, and, unless changed, are insufficient to preserve the safety of the American homeland." Many Afghan evacuees brought to U.S. military bases during the chaotic withdrawal from Afghanistan in August were given the temporary status of "humanitarian parole" and then were expected to obtain resettlement services to complete their transition into the country. The senators' letter demanding more information follows a report Saturday by Reuters that said **at least 700 Afghan evacuees left U.S. bases without receiving those services.** While immigration experts told Reuters that those individuals are not breaking the law and that military officials have no legal authority to detain law-abiding Afghans, the senators worry some evacuees are slipping through alleged cracks in the vetting process. They're asking the administration to temporarily halt relocating Afghan evacuees to the U.S. unless they are fully vetted Afghans holding Special Immigration Visas, and to pause resettlement of Afghans already paroled into the U.S. until the Department of Defense Inspector General completes a thorough review of the vetting process and briefs members of Congress. "We are concerned the hastily developed process creates gaps in security and criminal vetting and risks our nation's security," the letter states. "The vetting process must ensure the security, medical and criminal screening of each Afghan seeking admittance into the United States." "Afghan guests who receive required vaccinations, complete their medical screening, and await their relocation arrangements at safe havens are eligible for various forms of assistance, which is why an overwhelming majority of Afghans remain at safe havens across the country," the spokesperson said.

U.S. team led by Blinken to hold security talks in Mexico on Friday

[Reuters](#) [10/4/2021 6:31 PM, Mohammad Zargham, 5304K] reports U.S. Secretary of State Antony Blinken will travel to Mexico City on Friday to lead a delegation for high-level security talks between the neighboring countries, the White House said on Monday. Secretary of Homeland Security Alejandro Mayorkas, Attorney General Merrick Garland, and other officials will accompany Blinken to take part in the Biden administration's first U.S.-Mexico High-Level Security Dialogue. The White House said the talks would "build on discussions in previous months on protecting our people, preventing transborder crime, and pursuing criminal networks, while promoting human rights and the rule of law." Talks come as migration issues continue to rankle both North American countries, which share a 1,960-mile (3,155-km) border. Most recently, thousands of Haitian migrants formed a large impromptu border camp here at the Mexican-U.S. border. Some have been flown back to Haiti, while others are waiting to have their cases for asylum heard in the United States or remain scattered across Latin America seeking refuge. But the two countries also have a broader relationship, with the United States acting as the leading supplier of military equipment to Mexico and taking special interest in the countries anti-drug initiatives.

Supreme Court remands border wall challenge following 'changed circumstances' under Biden

[The Hill](#) [10/4/2021 11:39 AM, Rebecca Beitsch, 1776K] reports that the Supreme Court has directed lower courts to reconsider earlier rulings freezing funding for building former President Trump's border wall in light of President Biden's efforts to block its construction. The remand punts challenges to the border wall from the Sierra Club, the American Civil Liberties Union (ACLU) and others who previously scored court victories determining that Trump inappropriately designated military funding for construction of the wall. The high court vacated the earlier rulings "in light of the changed circumstances in this case," siding with a Biden administration request that noted that the president on his inauguration day signed an order prohibiting border wall construction. At issue in the case was some \$3.6 billion in funding that the Biden administration has since designated for 66 different military construction projects that had been deferred. Groups had challenged Trump's use of an emergency declaration to divert the funds — something both a district court and the 9th Circuit Court of Appeals found improper. But the decision tees up another stage of the battle for border wall challengers who argue Biden must remediate the damage from the construction of the wall. "Today's order comes after the government conceded that the Trump wall was wasteful and destructive, and returns the case to the district court so that Sierra Club and the Southern Border Communities Coalition can seek relief for the damage the wall has already inflicted,"

Dror Ladin, senior staff attorney at the ACLU's National Security Project, said in a statement to The Hill. That ranges from removing the wall, which environmentalists argue disrupts wildlife corridors, to addressing damage from its construction, which saw builders plow through federal lands, including bulldozing protected Arizona saguaro cacti. But relitigating the case in the lower courts also gives the federal government a chance to push back on earlier court decisions that could limit executive power, particularly the president's ability to use emergency declarations. The [Washington Times](#) [10/4/2021 6:28 AM, Stephen Dinan, 381K] reports the high court's move Monday meant the justices agreed to take the appeal, then vacated the district judge's initial ruling, erasing it as a precedent, and asked the lower courts for a new look at where things stand. "The District Court should consider what further proceedings are necessary and appropriate in light of the changed circumstances in this case," the justices said in a brief order. The high court had taken a similar step to erase a precedent in another border wall case earlier this year, but that appeal had been granted while Mr. Trump was still in office. Border wall opponents had urged the justices to reject this appeal, though, saying it is "unprecedented" for the court to accept the case "of a non-moot, non-certworthy petition in the absence of either a confession of error or a finding that the lower court may not have considered facts or law that could plausibly alter the lower court's analysis."

Law schools pressured to cut ties with research firms over ICE, CBP

[The Hill](#) [10/4/2021 10:51 AM, Chris Mills Rodrigo, 1776K] reports that Law students across the country are calling on their schools to sever ties with two major research firms over their work with immigration enforcement agencies. A set of protests demanding the termination of contracts with LexisNexis and Westlaw scheduled throughout the week marks a high-water mark in the growing movement to hold data brokers accountable for their role in assisting deportations. The coalition of students is also pushing for the databases' parent companies, RELX and Thomson Reuters, respectively, to stop providing tools to Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP). "We know that law schools are relying on these tools, but it doesn't absolve the culpability and the role that they play in funding and fueling these violent deportations and detentions," said Peyton Jacobsen, a Seattle University Law School student involved in organizing the week of action. The group, dubbed the End the Contract Coalition, is sending open letters to the deans of the more than 20 law schools with students in the coalition and staging protests at five schools. The students leading the effort have relied on chapters of existing student groups, like the National Lawyers Guild and the International Refugee Assistance Project, to build their organization. The immigrant advocacy group Mijente is also helping organize the week of action. "We wanted to tap into that national network," Sam Sueoka, a third-year law student at Seattle University, said. "We need a large coalition of people to participate." The close ties between the companies and law schools are now being called into question in the light of reporting on how immigration agencies have used the services, especially during the Trump administration. LexisNexis signed a \$16.8 million contract with ICE earlier this year, while Westlaw's parent company Thomson Reuters has held active contracts with the agency since 2015. Thomson Reuters has several other active contracts with the Department of Homeland Security as well. Homeland Security Secretary Alejandro Mayorkas has said the focus of deportations will once again be individuals with criminal records, but the tools are still likely to play an important role in operations.

State Department official resigns to protest Biden's use of Title 42

[Politico](#) [10/4/2021 2:23 PM, Alex Thompson and Alexander Ward, 1707K] reports that in a detailed legal memo dated October 2 and obtained by POLITICO, Harold Koh, a senior adviser and the sole political appointee on the State Department's legal team, called the use of the public health authority known as Title 42 "illegal," "inhumane" and "not worthy of this Administration that I so strongly support... I believe this Administration's current implementation of the Title 42 authority continues to violate our legal obligation not to expel or return ("refouler") individuals who fear persecution, death, or torture, especially migrants fleeing from Haiti," the memo reads. He added that "lawful, more humane alternatives plainly exist." Koh, the State Department legal adviser from 2009-2013 during the Obama

administration, penned the memo as he is stepping away from his day-to-day job and taking a role at Oxford University. An administration official said Koh would be staying on in a consulting role and that his departure was long-planned. Reached by phone, Koh declined to comment. Koh's letter has been circulating across the administration over the past 48 hours. In his memo, Koh made sure to distinguish between the administration's use of Title 42 to expel migrants and its approach to refugees seeking entry to America from places like Afghanistan. "[O]ur actions and approaches regarding Afghan refugees stand in stark contrast to the continuing use of Title 42 to rebuff the pleas of thousands of Haitians and myriad others arriving at the Southern Border who are fleeing violence, persecution, or torture," he wrote. In the memo, Koh suggested four new policies the administration should execute. He called for suspending all Title 42 flights, "especially" to Haiti; for clearly announcing to people aboard such flights where they are going; for instituting the standard of a "reasonable possibility of fear" test for deportation screenings; and to see if some of the Haitian immigrants may have legal status or family ties in other countries.

Top DHS Lawyer Confirmed as Biden Agenda Faces Legal Turmoil

[Bloomberg](#) [10/4/2021 6:48 PM, Staff, 18K] reports the Department of Homeland Security will get a new top lawyer, with the Senate confirmation Monday of Jonathan Meyer as general counsel. Meyer, who was confirmed in a 51-47 vote, will play a pivotal role in shaping and defending the Biden administration's immigration, cybersecurity, and counterterrorism policies as the department's chief legal official. He was deputy general counsel and senior counselor at DHS during the Obama administration and most recently worked in private practice at Sheppard, Mullin, Richter & Hampton LLP.

[OR] Senior Homeland Security leaders pushed unfounded antifa conspiracy at 2020 Portland protests, report states

[Jefferson Public Radio](#) [10/4/2021 9:00 AM, Jonathan Levinson and Conrad Wilson, 5K] reports that on the same day a violent mob of Trump supporters stormed the U.S. Capitol, the Department of Homeland Security received a damning internal report about its intelligence operations targeting racial justice protesters in Portland last summer. It outlines how senior leadership pushed unfounded conspiracies about antifascists, encouraged staff to violate constitutional rights, and made spurious connections between protesters who engaged in criminal activity. The report is an internal review focused on the agency's Office of Intelligence & Analysis. It shows political appointees at DHS pressured career analysts to further the Trump administration's political agenda. The report, made available Friday by U.S. Sen. Ron Wyden, D- Oregon, found that in addition to attempting to politicize intelligence, senior DHS leaders pressured subordinates to illegally search phones. Open source intelligence collectors, who analyze intelligence pulled from publicly available sources, also created dossiers on protesters and journalists, despite those people having no clear connections to domestic terrorism or homeland security concerns. "The report documents shocking, coordinated efforts by our government to abuse its power and to invade liberty in violation of the Constitution," said Lisa Hay, Oregon's federal public defender whose office represents protesters charged by the U.S. Justice Department. "In Portland, we were concerned that the government unconstitutionally collected information, including through the illegal search of protestors' cellphones last summer. This report confirms that was their intent." The heavily redacted 76-page internal review, specifically examined open source collection and other intelligence operations in Portland between May 24, 2020 and Aug. 4, 2020. The internal review shows the Department of Homeland Security's intelligence operations in Portland were heavily politicized by department leadership, lacked clear guidance, and appears to have pushed constitutional boundaries.

[CA] Records show slow response to report of California oil spill

The [AP](#) [10/5/2021 1:00 AM, Brian Melley, Matthew Brown and Stefanie Dazio, 11773K] reports the U.S. Coast Guard received the first report of a possible oil spill off the Southern California coast more than 12 hours before a company reported the major leak in its pipeline and a cleanup effort was launched, records show. Oil spill reports reviewed Monday by The Associated Press raise questions

about the Coast Guard's response to one of the state's largest recent oil spills as well as how quickly Amplify Energy, the company operating three offshore platforms and the pipeline, recognized it had a problem and notified authorities. Two early calls about the spill came into the National Response Center, which is staffed by the Coast Guard and notifies other agencies of disasters for quick response. The first was from an anchored ship that noticed a sheen on the water and the second, six hours later, from a federal agency that said a possible oil slick was spotted on satellite imagery, according to reports by the California Office of Emergency Services. The spill sent up to 126,000 gallons (572,807 liters) of heavy crude into the ocean off Huntington Beach and it then washed onto miles of beaches and a protected marshland. The beaches could remain closed for weeks or longer, a major hit to the local economy. Coastal fisheries in the area are closed to commercial and recreational fishing.

[CA] Officials look to ship anchor striking pipeline as possible cause of California oil spill

[The Hill](#) [10/4/2021 7:44 PM, Joseph Choi, 1776K] reports authorities on Monday said they are looking into the possibility that a ship's anchor damaged a pipeline and caused the massive oil spill that started over the weekend and has affected multiple Southern California beaches. The oil spill is one of the largest in recent California history, with at least 126,000 gallons of crude leaking out into the coastline. Miles of beaches in Orange County could potentially be closed down for weeks as cleanup operations continue. Martyn Willsher, CEO of Amplify Energy, which operates the affected pipeline, said an anchor striking the pipeline is "one of the distinct possibilities," according to The Associated Press. Coast Guard Lt. Cmdr. Jeannie Shaye concurred with this, saying, "We're looking into if it could have been an anchor from a ship, but that's in the assessment phase right now." According to Willsher, divers have examined more than 8,000 feet of the pipeline and are concentrating on "one area of significant interest." Soon after the oil spill began, workers moved to shut off the pipeline and retrieve as much of the oil as possible. However, by Sunday morning, Orange County Supervisor Katrina Foley shared on Twitter that the spill had had "significant ecological impacts" on Huntington Beach. [Editorial note: consult video at source link] [The AP](#) [10/4/2021 6:00 PM, Amy Taxin and Christopher Weber] reports the spill could keep beaches closed for weeks or longer. Two other potential criminal investigations were being pursued by the Coast Guard and the California Department of Fish and Wildlife, according to Eric Laughlin, a spokesperson for the department's spill prevention office. [Reuters](#) [10/4/2021 9:56 AM, Daniel Trotta, 5304K] reports officials deployed 2,050 feet (625 meters) of protective booms, which help contain and slow the oil flows, and about 3,150 gallons had been recovered on Sunday, the U.S. Coast Guard said. Amplify's Willsher said the company has identified an area that could be the source of the leak, which divers will review. However, Orange County District Attorney Todd Spitzer said Amplify's divers should not go near the pipeline without supervision from independent investigators like the U.S. Coast Guard.

[Chile] Chile reports breaking up ring that smuggled Haiti migrants

[The AP](#) [10/4/2021 2:17 PM, Staff, 302K] reports that Chilean police said Monday they have detained an international group of migrant traffickers who have sent more than 1,000 migrants out of the South American nation, including lone children heading to the United States. The group also is accused of slipping people illegally into Chile. The Investigative Police said that while making the arrests in northern Chile, they encountered 57 Colombian and Venezuelan migrants who had just arrived from Peru. Police said the ring was led by a Haitian man and also included people from Peru, Paraguay, Venezuela and Chile. The head of the metropolitan police brigade on human trafficking, Giordano Lanzarini, said officials last year detected that children less than 5 years old — offspring of Haitians who are Chilean citizens because born here — were being detected by immigration officials in other nations while heading toward the U.S. He said the group so far this year had moved more than 1,000 Haitians, including some children travelling alone, setting out on the dangerous land trip across the continents to the U.S. Thousands of Haitians came to Chile following a devastating 2010 earthquake in their homeland, and many found permanent jobs. But an economic downturn in 2019 followed by the pandemic and a growing sense of social rejection has led many to opt instead for the long trek toward the United States. But that migration has created crises at chokepoints in several countries along the way as well as at the U.S. border itself,

where thousands gathered at a bridge in Del Rio, Texas. That prompted the U.S. to fly some back to Haiti and allow others to wait in the U.S. pending hearings, while many others went back to Mexico, which has been trying to keep most such migrants stalled near its own southern border while slow asylum or residence appeals play out.

Reported similarly:

[Reuters](#) [10/4/2021 1:10 PM, Staff, 4947K]

Immigration and Customs Enforcement

[TX] Missouri City man found guilty of sex trafficking offenses

The [Houston Chronicle](#) [10/4/2021 7:05 PM, Staff, 183K] reports Missouri City man Sharoze Memon has been convicted of human trafficking and will serve 11 years in prison, according to a news release issued Monday by the office of Fort Bend County District Attorney Brian Middleton. Memon, 23, plead guilty to aggravated promotion of prostitution less than 18 years of age. He was prosecuted following an investigation into a shooting by a different man, eventually revealing the circumstances of this crime in 2017. Ahmed Altaee, also of Missouri City, was in the Fort Bend County Jail on an aggravated assault charge in 2017 while the District Attorney's Office continued to investigate, according to ADA Susan Sweeney. Memon was in and out of jail during the same period on domestic violence and felony drug charges. The two were friends. The DA's investigation found that pair were paying their bonds, attorney fees and living expenses by trafficking young women. "Human trafficking has altered the trajectory of each of these young women's lives," said Sweeney. "Their courage to work with the District Attorney's Office to end this prostitution enterprise has undoubtedly saved other young women from similar trauma. We hope these pleas help the victims in their recovery and encourage other victims to come forward to put an end to trafficking in our county." The young women confirmed that Memon and Altaee trafficked them for sex using a popular website. At least one of Memon's victims was under 18 years old.

Citizenship and Immigration Services

Biden Wants DACA Appeal Shelved With New Rulemaking Underway

[Bloomberg](#) [10/4/2021 5:53 PM, Laurel Brubaker Calkins, 6400K] reports the Biden administration asked a federal appeals court to indefinitely suspend the government's appeal of a Texas judge's order outlawing protections for undocumented immigrants brought to the country as children, known as dreamers. It marks the second time in a week the White House has asked the Fifth Circuit in New Orleans to slow-walk an appeal of a major immigration policy challenge. The court on Monday refused to shelve its review of the controversial "Remain-in-Mexico" policy that forces many asylum seekers to wait outside the U.S. while their applications are processed. Separately, federal immigration authorities told the Fifth Circuit Monday that ongoing changes to the DACA policy would substantially alter issues in the current court challenge, making it a waste of time for the judges to rule in the matter. Homeland Security officials also explained they are undertaking proper public-comment and rulemaking steps skipped by former President Barack Obama in implementing the initial program, which was a key reason the Texas judge declared DACA illegal earlier this year.

Refugee admissions hit record low, despite Biden's reversal

The [AP](#) [10/4/2021 5:33 PM, Julie Watson] reports refugee admissions to the United States fell to a record low during the 2021 budget year, despite President Joe Biden's pledge to reverse the sharp cuts made by the Trump administration, according to figures obtained by The Associated Press. A total of 11,445 refugees were allowed into the United States during the budget year that ended on Thursday, according to a person with access to the information who spoke on condition of anonymity because they were not authorized to release the figure. The 11,445 refugee admissions total falls far below the nation's cap of 62,500 for the 2021 budget year that Biden set in May. It's also below the record-low

ceiling of 15,000 that Trump had initially set for the year. It remains to be seen whether refugee admissions will reach anywhere near the 125,000 cap that Biden has set for the current budget year, which started Friday. Krish O'Mara Vignarajah, president of the Lutheran Immigration and Refugee Service, one of nine U.S. agencies working to resettle refugees, said efforts need to be accelerated to add personnel overseas, do more remote interviews and relieve the enormous backlog of refugee applications.

[ME] Shortage of housing is a problem for asylum seekers in Maine

The [AP](#) [10/4/2021 1:48 PM, Staff, 495K] reports that the number of asylum seekers is growing, with hundreds staying in hotels while awaiting permanent housing in Greater Portland. Many of the families made their way from the southern border from places like Angola and the Democratic Republic of the Congo, along with earthquake-ravaged Haiti, the Portland Press Herald reports. More than 300 asylum seekers have arrived in recent weeks, representing a similar scale to the summer of 2019, when the Portland Expo was converted into a temporary shelter with the arrival of 450 people. Scarce housing is contributing to an "unmanageable situation," said state Rep. Victoria Morales, D-South Portland. "Housing is the linchpin that ensures immigrants get the assistance they need to be successful," she said. The southwest border has been dealing with a surge of migrants this summer. Authorities detained more than 200,000 migrants in August. From Haiti, were immediately returned. Those asylum seekers who make their way to Maine don't have official immigration status or work permits, so they aren't eligible for most public housing programs offered through state and local housing authorities, said Cheryl Sessions, executive director of the Portland Housing Authority. Even if they were eligible, there's a two-year wait for an apartment in a Portland Housing Authority property, she said. Surrounding communities are assisting in lining up housing even as the state prepares to resettle up to 100 Afghan evacuees expected to arrive in Maine in the coming weeks, the newspaper said. Gov. Janet Mills has targeted \$50 million from the American Recovery Plan Act for affordable housing, and she recently named longtime housing advocate Greg Payne to be her senior adviser on housing policy. The state needs about 20,000 affordable, safe and accessible housing units to stem the shortage, according to the Maine State Housing Authority.

Customs and Border Protection

Maine National Guard soldiers deploy to southern border

The [AP](#) [10/4/2021 3:32 PM, Staff] reports Gov. Janet Mills on Monday attended the departure of about 120 Maine National Guard soldiers to the southern border, wishing them a safe deployment. The soldiers from the 488th Military Police Company departed from the Portland International Jetport. They'll be assisting the U.S. Customs and Border Protection for about a year but won't serve in a law enforcement capacity, officials said. "Throughout our history, dedicated members of Maine's armed services have answered the call of duty, deploying to places near and far to serve our state and nation," said Mills, who was joined by Maj. Gen. Douglas Farnham, the state's adjutant general. "On behalf of Maine people, I offer our thanks to the 488th for again stepping up to serve." The soldiers will be performing a similar mission to the Maine National Guard 262nd Engineer Company, which has been in Arizona for a year. That mission concludes this fall.

ACLU calls the expulsion of migrants at the border due to the pandemic a sham

[Univision](#) [10/4/2021 2:08 PM, Jorge Cancino, 366K] reports that the American Civil Liberties Union, the main plaintiff of the validity of Title 42 of the United States Code that allows the government the expedited deportation of immigrants for reasons of public health, called the controversial policy a farce and said that it would promote new legal actions so that the courts of law repeal it. "If the Biden administration really wants to treat asylum seekers humanely, it should end this illegal policy now and withdraw its appeal. We will continue to fight to end this policy," said Lee Gelernt, lead attorney on the Title 42 challenge. Title 42 was activated in 2020 as part of recommendations made by the Centers for

Disease Control to stop the spread of the coronavirus pandemic. In the first months of the Biden government, the ACLU put a lawsuit on hold to block the controversial policy, but in early August and after maintaining the measure at the border used to restrict the rights of foreigners, mainly those who come in seeking asylum, an available legal recourse authorized by Congress. The decision of the 5th Circuit Court of Appeals was recorded hours before the entry into force of the Sept. 16 order, which had given the government 14 days to appeal the ruling. The ACLU, along with the Texas Civil Rights Project, RAICES, the Center for Gender and Refugee Studies, Oxfam, the ACLU of Texas and the ACLU of the District of Columbia, indicated that they continue to challenge expulsions under Title 42. They point out that the tool, initiated by the Donald Trump administration, "restricts immigration at the border based on an unprecedented and illegal invocation of the Public Health Service Act, located in Title 42 of the United States Code." Citing conclusions from public health experts, the group says the policy "is unnecessary because the United States has the resources to safely prosecute people seeking protection under our asylum laws," an argument to simulate that used by Judge Emmet Sullivan. September 16.

Idaho governor to visit Mexico border on Wednesday

The [AP](#) [10/4/2021 5:28 PM, Staff] reports Idaho Gov. Brad Little will tour the U.S.-Mexico border on Wednesday with nine other Republican governors. Little's office on Monday announced that Little plans to take a boat tour of the Rio Grande River with the Texas Department of Public Safety. Texas Gov. Greg Abbott and Arizona Gov. Doug Ducey are also taking part.

[MS] Tropical larvae found in fruit shipped from Costa Rica to US

The [AP](#) [10/4/2021 7:49 PM, Staff, 2701K] reports the U.S. government ordered the destruction a \$15,000 shipment of pineapples from Costa Rica after agriculture inspectors in Mississippi found butterfly larvae that they said could be harmful. U.S. Customs and Border Protection said in a news release Monday that inspectors from the U.S. Department of Agriculture, Animal and Plant Health Inspection Service found the Saunders 1850 larvae Sept. 2 at the Port of Gulfport. It was the first time the larvae, which is considered a pest, had been found in the United States. The news release said this type of colorful butterfly feeds on pineapples, legumes, sunflowers and ginger. The typical habitat is Amazonian tropical rainforest. "These butterflies, while they may be attractive to the eye, have no place in the Gulf Coast or United States and their introduction could lead to unpredictable results in our ecosystem," said Anthony Acrey, area port director of Mobile, Alabama.

[TX] Del Rio residents sound off on Biden's handling of migrant surge

[FOX News](#) [10/4/2021 9:01 AM, Lisa Bennatan, 9251K] reports that Del Rio, Texas, residents who spoke with Fox News were frustrated with how President Biden handled the recent migrant surge at the southern border. "I feel that it's the fault of the president," one local told Fox News. Immigrants "felt they had been promised by the president that they would become United States citizens," they said. As many as 15,000 migrants recently crossed the U.S.'s southern border and gathered under the Del Rio International Bridge. Some residents said they felt the Biden administration has not done enough to stop the surge in migrants arriving at their border. "They've done nothing, zero, zilch," Diane, a local who lives right on the border, told Fox News. Laura, who grew up in Del Rio, said she felt the Biden administration took a long time to handle the situation. "It's been mounting bit by bit," she told Fox News. "It's not just a thing that happened over the course of one week." Some felt the Biden administration was placed in a difficult spot, given the large number of migrants. "When you get 10, 12,000 people together like that, it's hard to handle it anyway," Miguel Chavez, a local restaurant owner, told Fox News. "It was so many people. I think they did a great job," Lulu, manager of Church's Chicken in Del Rio, told Fox News. Del Rio residents also felt more attention needed to be placed on their own community before helping immigrants. "We need to take care of our own people our poor people our vets," Diane told Fox News, adding that she had to install security cameras and lights to her home since immigrants often cross into her yard. "Yeah, I welcome immigrants, but not to that point. It's hard being here as it is," Chavez said. "I see their problems and I try to feel for them, but we have our own problems." [Editorial note: consult

Transportation Security Administration

TSA lowers fee for PreCheck renewals by \$15

The [Washington Post](#) [10/4/2021 11:00 AM, Lori Aratani, 11773K] reports that it got a bit cheaper for travelers enrolled in the Transportation Security Administration's PreCheck program to renew their credentials - but only if they do it online. The agency announced that the cost of online PreCheck renewals will drop to \$70 from \$85. The lower fee went into effect Oct. 1. The initial fee to enroll in the program will remain \$85 and is good for five years. "TSA PreCheck was launched 10 years ago to provide expedited airport security screening for low-risk travelers," TSA Administrator David Pekoske said in a statement that accompanied the announcement. "Our TSA PreCheck program improves overall security and we will continue to look for ways to enhance the benefits of this program for our trusted travelers." Fees paid by travelers are designed to cover costs of administering the program. At airports where it is offered, TSA's PreCheck allows prescreened travelers to move through special lines and avoid taking off their shoes and light jackets. Travelers with PreCheck also can leave their laptops and approved liquids in their carry-ons when moving through security checkpoints. For initial enrollment, travelers can submit an online application, then schedule an in-person appointment that includes a background check and fingerprinting. Many airports, including Baltimore-Washington International Marshall, Washington Dulles International and Reagan National, have enrollment centers on-site. Over the past month, TSA said that 96 percent of passengers enrolled in PreCheck lanes waited less than five minutes to go through airport security checkpoints. The TSA reminded travelers to avoid websites that do not end in."

[VA] Man found with gun in bag at Virginia airport checkpoint

The [AP](#) [10/4/2021 9:31 AM, Staff, 2701K] reports that a Virginia man has been cited on weapons charges after airport security agents found a loaded gun in his carryon bag at a checkpoint. The Transportation Security Administration said in a news release Monday that the man had a loaded .45 caliber handgun in his carry-on bag at Roanoke-Blacksburg Regional Airport when he was stopped on Saturday. The TSA said airport police confiscated the Roanoke man's weapon and cited him on weapons charges. His name was not released. Unloaded firearms may be transported in checked baggage if they are properly packed and declared at the airline ticket counter. The TSA says it has caught three firearms so far in 2021 at the airport.

Federal Emergency Management Agency

[NH] Partial storm disaster declaration granted; state to appeal

The [AP](#) [10/4/2021 3:47 PM, Staff] reports President Joe Biden partially granted a request for a major disaster declaration in response to storms that severely damaged much of Cheshire and Sullivan counties, Gov. Chris Sununu said Monday. The request was granted for the storms on July 29 and 30, but did not include storms from Aug. 1 and 2. Sununu said New Hampshire Homeland Security and Emergency Management plans to appeal that decision. The Federal Emergency Management Agency, working with state and local emergency management officials, recently completed a preliminary damage assessment, finding that the statewide cost for response efforts related to this event totaled more than \$3.2 million.

[NJ] FEMA closes Morris County, NJ disaster response center Wednesday

[Telemundo](#) [10/4/2021 5:42 PM, Staff, 32K] reports the Morris County Disaster Recovery Center, administered by the Federal Emergency Management Agency (FEMA) in Morris Plains to provide financial assistance to Hurricane Ida victims, will close at the end of the business day this Wednesday, Oct. 6. FEMA reported Monday that the site, in operation since Sept. 20 at the Morris Plains

Community Center at 51 Jim Fear Dr., Morris Plains, will be open on its last day of operations from 7 a.m. to 5 p.m. However, residents can still file claims and contact FEMA online at fema.gov/disaster/4614. You can also call 800-621-3362 (TTY: 800-462-7585). The toll-free hotline operates 24 hours a day, seven days a week. The Small Business Administration (SBA) also continues to offer assistance. Applicants may submit the form online at <https://disasterloanassistance.sba.gov/ela/s/>. Filing is required under SBA Statement # 17143, not for COVID-19 incident to COVID-19.

[LA] Louisiana offering travel trailers and other housing to those left without a home after Hurricane Ida

[CNN](#) [10/5/2021 1:31 AM, Rebekah Riess and Kelly McCleary, 4876K] reports Louisiana is launching a sheltering program for those "currently living in unsafe or unsanitary" conditions due to damage from Hurricane Ida, which slammed into the Gulf Coast as a Category 4 storm more than five weeks ago, officials said Monday. The Hurricane Ida Sheltering Program will provide temporary housing to those in parishes heavily impacted by Ida where other shelter options are unavailable, according to a news release from Gov. John Bel Edwards' office, which called some storm survivors' living conditions unacceptable. The housing options may include hotels, base camps, crew barges, or recreational vehicles, including travel trailers that typically hitch to an existing vehicle, the release said. The "non-congregate" options are intended to help reduce the risk of Covid-19 while allowing individuals and families to live as close as possible as they repair their damaged homes, according to the governor's office. Hurricane Ida roared ashore near Port Fourchon, Louisiana, on August 29, packing powerful sustained winds of up to 150 mph. Hurricane-force winds extended 50 miles from Ida's center. The storm devastated power infrastructure, leaving some residents without electricity for weeks, and sent a life-threatening storm surge through the low-lying region. At least 22 people died in Louisiana and Mississippi as a result of Ida's wrath, officials have said.

Federal Protective Service

[DC] Jan. 6 rioters exploited little-known Capitol weak spots: A handful of unreinforced windows

The [Los Angeles Times](#) [10/4/2021 5:00 AM, Staff, 3710K] reports four major access points that Jan. 6 rioters used to break into and overtake the U.S. Capitol had something unusual in common: They were among a dozen or so ground-floor windows and glass-paned doors that had not been recently reinforced. The majority of the Capitol's 658 single-pane windows were quietly upgraded during a 2017-19 renovation of the historic building. The original wooden frames and glass were covered with a second metal frame containing bomb-resistant glass. But planners skipped about a dozen ground-floor windows, including some located in doors, because they were deemed to be low risk in the event of implosion, largely due to their discreet or shielded location, or because the building couldn't structurally handle the load of the heavier frames. And whether by sheer luck, real-time trial and error, or advance knowledge by rioters, several of those vulnerable windows and two glass-paned doors — protected with only a thin Kevlar film added after the Sept. 11 terrorist attacks — became easy entry points for hundreds of Trump supporters who overran and ransacked the building on Jan. 6.

[DC] Capitol Hill security forces will be able to report problems anonymously to House committee

[CNN](#) [10/4/2021 8:24 PM, Whitney Wild, 4876K] reports members of Capitol Hill security will be able to file whistleblower complaints about potential wrongdoing directly to a congressional committee, Rep. Rodney Davis announced on Monday. The Illinois Republican serves as the ranking member of the Committee on House Administration, one of four that oversee the US Capitol Police and one of two overseeing the House sergeant-at-arms. The online form is intended to give House security employees and Capitol Police officers an avenue for anonymous tips. "By creating this confidential outlet for officers and security personnel to report issues, our committee will be able to better understand problems with Congress' security structure and address them," the committee said in a statement. Following the

January 6 insurrection at the US Capitol, several officers have chosen to speak out anonymously about a lack of preparedness, their disappointment in leadership and friction with members of Congress and their staff members. "I know not every rank-and-file officer or employee is comfortable with speaking out publicly about these issues, but it's important we hear from them and this provides a confidential way for them to do that," Davis said in a statement. "We've needed greater transparency and accountability within our security system for a long time and hopefully this will help."

Secret Service

National school board group cites Oshkosh disruption in asking for federal protection

[FOX 11](#) [10/4/2021 10:00 AM, Charlee Rubesky and Scott Hurley, Neutral, Secondary] reports a national school board advocacy group is asking for federal law enforcement protection -- and is citing an Oshkosh meeting disruption as one example of the threats school board members face. In a letter to President Joe Biden, the National School Boards Association asks "for federal law enforcement and other assistance to deal with the growing number of threats of violence and acts of intimidation occurring across the nation." The group says board members are facing threats over pandemic face mask requirements as well as the purported teaching of critical race theory. The NSBA calls the critical race theory concerns propaganda, and says "critical race theory is not taught in public schools and remains a complex law school and graduate school subject well beyond the scope of a K-12 class." The letter lists examples of threats and meeting disruptions in several states. One of them happened in Oshkosh on Aug. 25. Police were called and the meeting was postponed after parents and board members began to argue when some of the parents refused to put masks on. The NSBA letter asks President Biden to marshal the FBI, U.S. Department of Homeland Security and the Secret Service's National Threat Assessment Center to work with local law enforcement to monitor and react to threats to school board members. [Editorial note: consult video at source link]

[PA] Police search for suspects who used fake money in State College

[WTAJ-TV](#) [10/4/2021 10:49 AM, Rian Bossler, 18K, Neutral, Secondary]

State College police are searching for two individuals who reportedly used counterfeit money to pay for food at a Mexican restaurant. The two photographed males reportedly used three fake \$20 bills to pay for their food at Rey Azteca along Benner Pike on Thursday, Sept. 30. Police are requesting help from the community to help find them. Anyone with information regarding the whereabouts of these two individuals is asked to contact the State College Police Department at (814) 234-7150 or by submitting an anonymous tip.

[FL] Breaking Down the Latest Parkland-Inspired School Safety Bill

[NBC Miami](#) [10/4/2021 7:03 PM, Ari Odzer, 129K, Neutral, Secondary] reports there's a sadness which will always linger in Parkland, as it does wherever a mass school shooting occurs. Now the latest effort to prevent these tragedies focuses on studying each incident. "We don't really know how bad this grisly picture is, we don't know the scope of the problem, my colleagues and I want to fill that data and information vacuum," said U.S. Representative Debbie Wasserman-Schultz, (D) Weston, speaking in a Zoom meeting Monday morning. Wasserman-Schultz is proposing a bill called the School Shooting Safety and Preparedness Act, which, among other things, would create a definition of what qualifies as a school shooting. "We've got to define what school shootings are in order to gather data and craft policy to prevent them, we need to understand what makes schools vulnerable to and targets of these devastating attacks, what motivations underlie them, what firearms were used, and how they were acquired," said U.S. Representative Ted Deutch, (D) Parkland, a supporter of the bill. "We need to understand what safety measures were successful in preventing tragedy and saving lives." H.R. 4301 would direct three federal agencies to report annually on school shooting statistics, including the motivations of the shooters and how they acquired guns. It would also track prevention efforts at each school to see what worked and what didn't. Montalto lost his daughter, Gina, in the Parkland massacre.

He's referring to utilizing the expertise of the Secret Service and its Threat Assessment Center, which has already done extensive research on school shootings, including ways to identify potential shooters.

Coast Guard

[AL] Coast Guard rescues swimmer from current off Alabama shore

The [AP](#) [10/4/2021 4:53 PM, Staff] reports the Coast Guard said one of its crews has rescued a swimmer who was caught in a rip current near Fort Morgan, Alabama. The Baldwin County Sheriff's Office reported at about 12:30 p.m. Monday that four swimmers were caught in the current just offshore. The Coast Guard Station at Dauphin Island sent a crew, and members rescued one swimmer. The other three swimmers returned to shore safely. All four swimmers were reported in good condition.

[MS] Supervisor on Miss. ship abused multiple women, lawsuit says

The [AP](#) [10/4/2021 11:42 AM, Staff, 495K] reports that a military manufacturer and a contracting company are being sued by the Equal Employment Opportunity Commission for allegedly ignoring claims of sexual assault by staff members on Coast Guard ships in Mississippi, a news outlet reported. Huntington Ingalls Industries and NSC Technologies are both accused of ignoring pleas for help from women on a cleaning crew who claimed that a supervisor on a Coast Guard ship in Mississippi assaulted them and coerced one of them into having sex, the Sun Herald reported. The EEOC lawsuit was filed in the U.S. District Court in Alabama and accuses the two companies of violating the Civil Rights Act of 1964 that prohibits sexual harassment in the workplace or retaliation against those who report it. According to court documents, both companies were notified of the lawsuit in May 2021. Huntington Ingalls Industries is the largest military shipbuilding company in the nation and NSC Technologies is a staff contracting company. The women in the lawsuit worked for NSC on the Coast Guard ship at Ingalls Shipbuilding in Pascagoula, Mississippi. According to local news outlets, they accused a Huntington Ingalls supervisor of assaulting and harassing them over the course of several months. The lawsuit does not indicate how many women were harassed but details specific cases of two women and others on the cleaning crew of a Coast Guard ship at Ingalls. The EEOC is asking the U.S. District Court judge to order the companies and their employees to halt sexual harassment and retaliation, and begin training programs that will prevent further abuse. The federal agency also asked the court to punish the companies for "Malicious and reckless conduct," back pay and compensation for the women's financial losses and emotional suffering.

[OR] 2 bodies found in water after sailboat washes up on coast (AP)

The [AP](#) [10/4/2021 6:25 PM, Staff, 4947K] reports two bodies were found in the water after a 42-foot (13-meter) sailboat washed up south of Manzanita on the Oregon coast Sunday night, authorities said. Calls came in about a sailboat tossing around in the surf at Nedonna Beach around 6:50 p.m. Sunday. The U.S. Coast Guard sent a helicopter to the scene and found two bodies in the water. The Coast Guard said one of the bodies was found near a dinghy and the other was found under the boat. The Coast Guard identified one of the bodies as belonging to a woman. The name of the sailboat was Bagheera and it left at 4 a.m. Sunday from an unidentified location and was headed to California, the Coast Guard said.

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Philadelphia, PA 19106

(b) (6) (office)

(b) (6) (cell)

Fax: (b) (6)



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(b) (6)

Obtained by America First Legal Foundation

From: Chambers, Kevin (ODAG)
Subject: RE: [EXTERNAL] PERF Daily Clips: School board group asks US for help policing threats
To: Matthews-Johnson, Tamarra D. (OAG); Stamper, Gwendolyn (CRM); McQuaid, Nicholas (CRM)
Sent: October 1, 2021 8:52 AM (UTC-04:00)

Thanks, Tamarra:

We're aware; challenge here is finding federal hook. But WH has been in touch about whether we can assist in some form or fashion.

Kevin

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6)
Sent: Friday, October 1, 2021 8:16 AM
To: Chambers, Kevin (ODAG) (b) (6); Stamper, Gwendolyn (CRM)
(b) (6); McQuaid, Nicholas (CRM) (b) (6)
Subject: Fwd: [EXTERNAL] PERF Daily Clips: School board group asks US for help policing threats

Hi -

This was in the PERF clips and elsewhere. Just checking that you were aware

Tamarra Matthews Johnson
she/her/hers
Counsel
Office of the Attorney General
U.S. Department of Justice
Mobile: (b) (6)

Begin forwarded message:

From: PERF Daily Clips <perf@memberclicks-mail.net>
Date: October 1, 2021 at 7:07:35 AM EDT
To: "Matthews-Johnson, Tamarra D. (OAG)" (b) (6)
Subject: [EXTERNAL] PERF Daily Clips: School board group asks US for help policing threats
Reply-To: perfclips@policeforum.org



Friday, October 1, 2021

Associated Press: [School board group asks US for help policing threats](#)

A group representing school board members around the country asked President Joe Biden on Thursday for federal assistance to investigate and stop threats made over policies including mask mandates, likening the vitriol to a form of domestic terrorism.

Parents and community members have been disrupting meetings and threatening board members in person, online and through the mail in a trend that merits attention from federal law enforcement agencies, the National School Boards Association said in a letter to Biden.

New York Times: [More than half of police killings are mislabeled, new study says](#)

Police killings in America have been undercounted by more than half over the past four decades, according to a new study that raises pointed questions about racial bias among medical examiners and highlights the lack of reliable national record keeping on what has become a major public health and civil rights issue.

The study, conducted by researchers at the University of Washington and published on Thursday in The Lancet, a major British medical journal, amounts to one of the most comprehensive looks at the scope of police violence in America, and the disproportionate impact on Black people.

Researchers compared information from a federal database known as the National Vital Statistics System, which collects death certificates, with recent data from three organizations that track police killings through news reports and public records requests. When extrapolating and modeling that data back decades, they identified a startling discrepancy: About 55 percent of fatal encounters with the police between 1980 and 2018 were listed as another cause of death.

Local News

Los Angeles Times: [Gov. Newsom approves sweeping reforms to law enforcement in California](#)

More than a year after George Floyd's death, Gov. Gavin Newsom signed a stack of bills on Thursday aimed at holding California law enforcement officers accountable for misconduct and restricting uses of force that have resulted in death and injury.

The eight measures signed into law by Newsom include raising the minimum age for police officers from 18 to 21, and allowing their badges to be permanently taken away for excessive force, dishonesty and racial bias.

In addition, the new laws set statewide standards on law enforcement's use of rubber bullets and tear gas for crowd control, and further restrict the use of techniques for restraining suspects in ways that can interfere with breathing.

The Guardian: [California scrambles to ban 'ghost guns' as untraceable weapons' popularity soars](#)

Cities across California are ramping up efforts to try to stop the flow of so-called ghost guns into their jurisdictions, as the do-it-yourself weapons appear with increasing frequency at homicide scenes, traffic stops and community gun buybacks.

As state and federal laws meant to bring ghost guns into compliance with traditional firearm laws await implementation, local officials and prosecutors across California are increasingly resorting to bans and lawsuits to regulate the weapons in their cities.

Cincinnati Enquirer: [UC Health and Cincinnati police launch Ohio's first telehealth mobile crisis response program](#)

The UC Health mobile crisis team and Cincinnati police have launched Ohio's first telehealth mobile crisis response program.

The program will allow police officers dispatched to assist when someone is experiencing a mental health crisis to phone the crisis team to ask for help, a news release from both organizations said.

Police officers will be equipped with tablets they can use to contact the crisis team for support via video.

The tablets allow the officer and the person in need of help to talk remotely with a social worker to determine the level of care that is needed.

A social worker may need to respond to the scene, for example, or connect the person with community resources.

Channel 3000 Madison (WI): [Dane Co. Sheriff's to use tablets to prioritize mental health help](#)

The Dane County Sheriff's Office is rolling out a new way to help those facing mental health struggles.

A new program will equip patrol cars with a tablet that can connect residents with mental health professionals.

"Though we're great at what we do, we're not trained professionals in the mental health world," Sheriff Calvin Barrett said. "This really allows us to link and provide that bridge between those who are in our communities with the professional help they need."

PIX 11 New York: [NYPD launches precinct greeter program to improve customer service](#)

As the NYPD continues to work on improving customer service and neighborhood relations, the department has launched a new greeter program featuring “community guides.”

The Community Guide is a dedicated customer service representative who will serve as the first point of contact to welcome all visitors who come into precincts, according to the NYPD.

The goal of launching the program is to enhance overall visitor experience and create a more welcoming, visitor-friendly environment for the public.

International News

Sydney Morning Herald (Australia): [Police expecting rise in family violence post lockdown as CHO violations dominate crime statistics](#)

Victoria's crime rate dropped to its lowest level since 2015 in the past year as coronavirus restrictions constrained the number of "opportunistic" crimes, such as theft, but boosted family violence offences, which police expect to surge when lockdowns end.

More than 32,000 Victorians were fined for public health and safety offences – primarily breaking the Chief Health Officer's coronavirus directions – in the year to June 30, with more than 90 per cent of the penalties still to be paid.

Police expect to issue more than \$4 million in fines to protesters who marched through Melbourne's streets in the past fortnight, rallying against mandatory vaccinations and lockdowns. The police union said tougher penalties might prevent another spate of rolling protests.

About 16,000 breaches of family violence orders were recorded – an increase of 22.1 per cent on the year before – in a trend already labelled a "state emergency" by experts in March.

Victoria Police Deputy Commissioner Rick Nugent said on Thursday he expected a repeat of last year, when some of the biggest increases in family violence occurred once lockdowns ended and Victorians were able to travel freely.

Police Executive Appointments

Wisconsin State Journal: [Fitchburg votes to hire ousted Milwaukee police chief Alfonso Morales as new chief](#)

The man ousted as Milwaukee's police chief over his handling of racial justice protests last year was selected Monday to be Fitchburg's next top cop.

The city's Police and Fire Commission voted 3-2 to hire Alfonso Morales, who had been criticized in Milwaukee for ordering officers to fire tear gas and pepper spray at people protesting George Floyd's murder and for how his department had policed Black communities since his appointment in 2018. That city's fire and police commission demoted him in August 2020.

Dayton Daily News: [Four finalists named for Dayton police chief](#)

The city of Dayton Wednesday released the names of the four finalists for the police chief position, and they include the current interim chief and three current and former out-of-state law enforcement officials from as far away as Florida.

The city also says one potential fifth candidate is being vetted by the consulting team and could be added to the list of finalists.

Interim police director and Chief Matt Carper made the cut, as did Joseph Sullivan, the former deputy police commissioner of Philadelphia; Kamran Afzal, police chief of Hopewell, Virginia; and John Pate, chief administrative officer and director of public safety in Opa-Locka, Florida.

Announcements

National Faith & Blue Weekend, October 8-11

National Faith & Blue Weekend is an extension of the One Congregation One Precinct initiative (OneCOP), a program of MovementForward, Inc., which is a bridge-building, solutions-focused human and civil rights organization based in Atlanta, Georgia. The OneCOP initiative pairs together officers at the beat or precinct level with local houses of worship.

Working together, the paired officer and faith leader address mutually held biases and increase familiarity. OneCOP has launched in a number of cities, and yet the need for this type of collaboration is apparent in every community. With 65 million Americans attending a house of worship each week, there is a tremendous opportunity to engage the public at large. National Faith & Blue Weekend was conceived as the way to open OneCOP to everyone.

Good News of the Day

FOX 17 Nashville: [Body cam video shows officer & paramedic rescuing driver from burning car in Cookeville](#)

Body camera video captured the harrowing moments a Cookeville police officer and Putnam County paramedic pulled a driver from a burning vehicle earlier this week.

The Cookeville Police Department says officers responded to a vehicle accident on West 9th Street around 12:30 a.m. Monday. Officer David Baker and EMS Paramedic Justin Remillard were among the first to arrive at the fiery scene.

Remillard told Officer Baker the driver was still inside, and the two quickly worked together to hold back flames as Baker peeled open the driver's side door.

Obtained by America First Legal Foundation

Photo of the Day



[Port St. Lucie \(FL\) Police Department](#)

Career Day

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

October 8, 2021

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE OFFICE OF THE DEPUTY ATTORNEY GENERAL

FROM: Joe Gaeta, Deputy Assistant Attorney General

SUBJECT: Weekly Report for October 11 to October 15, 2021

Scoped Out Per Agreement

Obtained by America First Legal Foundation

Scoped Out Per Agreement

I. High Priority Correspondence

1. Incoming

Scoped Out Per Agreement

Letter from Senator Grassley in his capacity as Ranking Member of the Senate Judiciary Committee, joined by all Senate Judiciary Republicans, to the Attorney General, expressing their shared concerns about the Department's recent memo addressing the threat of violence against school administrators. (October 7, 2021) Senators Hawley and Sasse joined Senator Grassley's letter and also sent separate letters on this issue. Similar letters were received from 115 House members.

Scoped Out Per Agreement

From: (b) (6) (OLA)
Subject: OLA incoming congressional correspondence 10/5 and 10/6
To: Goodlander, Margaret V. (OAG); Colangelo, Matthew (OASG); Loeb, Emily M. (ODAG); Lewis, Megan (ODAG); Hyun, Peter (OASG); Heinzelman, Kate (OAG); Klapper, Matthew B. (OAG)
Cc: Gaeta, Joseph (OLA); Greenfeld, Helaine A. (OLA); Woldemariam, Wintta (OLA); Antell, Kira M. (OLA); Calce, Christina M. (OLA)
Sent: October 6, 2021 6:23 PM (UTC-04:00)
Attached: Scoped Out Per Agreement .pdf, Buck.incoming.ltr.10.5.2021.pdf, Hawley.incoming.ltr.10.5.2021.pdf, Scoped Out Per Agreement .pdf, Scoped Out Per Agreement .pdf, Scoped Out Per Agreement .pdf, Scoped Out Per Agreement .pdf

Please see below and attached:

1. Scoped Out Per Agreement
[Redacted]
2. Letter from Rep. Buck to AG – expressing grave concern regarding recent decision to mobilize federal law enforcement resources to monitor local school board meetings. Requesting DOJ reverse course.
3. Letter from Sen. Hawley to AG – expressing alarm at DOJ's 8/4 memo to FBI and US Attys regarding threats to school board meetings. Requesting responses to two related questions NLT 10/15/2021.
4. Scoped Out Per Agreement
[Redacted]
5. Scoped Out Per Agreement
[Redacted]
6. Scoped Out Per Agreement
[Redacted]
7. Scoped Out Per Agreement
[Redacted]
8. Scoped Out Per Agreement
[Redacted]

Obtained by America First Legal Foundation

From: Pietranton, Kelsey (PAO)
Subject: FW: Reaching out from DOJ
To: Gibson, Jake
Sent: October 6, 2021 1:12 PM (UTC-04:00)

Than you 😊

From: Pietranton, Kelsey (PAO)
Sent: Wednesday, October 6, 2021 1:12 PM
To: 'Chasmar, Jessica' (b) (6)
Subject: RE: Reaching out from DOJ

Duplicative Material, Document ID: 0.7.1451.25928

Obtained by America First Legal Foundation

From: Greenfeld, Helaine A. (OLA)
Subject: Re: ICYMI - Attorney General Garland Memo on Violent Threats Against School Officers and Teachers
To: Gaeta, Joseph (OLA)
Cc: Iverson, Dena (PAO)
Sent: October 5, 2021 8:50 PM (UTC-04:00)

Thank you

Sent from my iPhone

On Oct 5, 2021, at 8:49 PM, Gaeta, Joseph (OLA) (b) (6) wrote:

Good. That's consistent with how Kristen is thinking about it. Threats are not protected speech.

From: Iverson, Dena (PAO) (b) (6)
Sent: Tuesday, October 5, 2021 8:48 PM
To: Gaeta, Joseph (OLA) (b) (6); Greenfeld, Helaine A. (OLA) (b) (6)
Subject: FW: ICYMI - Attorney General Garland Memo on Violent Threats Against School Officers and Teachers

Here is the framing I sent to the talkers list earlier today, and directly below is what Wyn provided as an OPA spokesperson on the incorrect information out there.

"There has been misinformation circulated that the Attorney General's directive is an effort to silence those with particular views about COVID-related policies, school curricula, or other topics of public discussion. This is simply not true. As stated clearly in the Attorney General's guidance to the FBI and United States Attorney's Offices, the Department's efforts are about rooting out criminal threats of violence, not about any particular ideology."

I do not yet have the broader talkers for the USAOs.

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

(b) (6) - Office
(b) (6) - Cell
(b) (6)

From: Iverson, Dena (PAO) (b) (6)
Sent: Tuesday, October 5, 2021 2:03 PM
To: Iverson, Dena (PAO) (b) (6)
Cc: Hornbuckle, Wyn (PAO) (b) (6); Coley, Anthony D. (PAO) (b) (6)
Subject: ICYMI - Attorney General Garland Memo on Violent Threats Against School Officers and Teachers

Good Afternoon,

In case you missed it, yesterday afternoon Attorney General Garland issued a memorandum to the FBI Director, the Acting Assistant Attorney General of the Criminal Division and all US Attorneys to address threats against school administrators, board members, teachers and staff.

As the Attorney General's memo says:

"In recent months, there has been a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools. **While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views.** Threats against public servants are not only illegal, they run counter to our nation's core values." (emphasis added for clarity)

To address these threats the memo said:

"in the coming days, the Department will announce a series of measures designed **to address the rise in criminal conduct** directed toward school personnel." (emphasis added for clarity)

- Those efforts are expected to include the creation of a task force, consisting of representatives from the department's Criminal Division, National Security Division, Civil Rights Division, the Executive Office for U.S. Attorneys, the FBI, the Community Relations Service and the Office of Justice Programs, to determine how federal enforcement tools can be used to prosecute these crimes, and ways to assist state, Tribal, territorial and local law enforcement where threats of violence may not constitute federal crimes.

The Attorney General memo also directed:

"the Federal Bureau of Investigation, working with each United States Attorney, to convene meetings with federal, state, local, Tribal, and territorial leaders in each federal judicial district within 30 days of the issuance of this memorandum. These meetings will facilitate the discussion of strategies for addressing threats against school administrators, board members, teachers, and staff, and will **open dedicated lines of communication for threat reporting, assessment, and response.**" (emphasis added for clarity)

In addition to the memo, the department also announced yesterday afternoon that it will **create specialized training and guidance for local school boards and school administrators.** This training will help school board members and other potential victims understand:

- the type of behavior that constitutes threats,
- how to report threatening conduct to the appropriate law enforcement agencies, and
- how to capture and preserve evidence of threatening conduct to aid in the investigation and prosecution of these crimes.

You can read the full memo [here](#) and the department's announcement [here](#)

Best,
Dena

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

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(b) (6)