

McNulty, Paul J

From: McKay, John (USAWAW)
Sent: Monday, July 24, 2006 9:20 PM
To: McNulty, Paul J
Subject: Re: In DC

Thanks, Paul!

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

From: McNulty, Paul J <Paul.J.McNulty@usdoj.gov>
To: McKay, John (USAWAW) <JMckay@usa.doj.gov>
CC: Yang, Debra Wong (USACAC) <DYang@usa.doj.gov>
Sent: Mon Jul 24 16:19:49 2006
Subject: RE: In DC

John: I have drafts of the England letter and my larger policy memo on my desk. I don't think it's necessary to circulate my letter to England before I send it out; it's pretty straightforward. I'll be sure to hit the concerns you mention. After I finish reviewing the policy memo, I will share it with your subcommittee for feedback. This memo will be a comprehensive statement of the Department's strategic direction on regional information sharing. We are working closely with the CIO, but the policy decisions will get made here in ODAG. Mike's "reluctance" is only that these drafts were prepared for me, and he was not presuming to distribute them without checking with me first (what any good staff guy would/should do). Thanks.

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

From: McKay, John (USAWAW)
Sent: Monday, July 24, 2006 6:56 PM
To: McNulty, Paul J
Cc: Yang, Debra Wong (USACAC)
Subject: Fw: In DC

Paul,

Apparently your authorization is necessary for me to see the draft letter to England and the policies being developed by OCIO.

Deb and our committee, as you pointed out can be of assistance here, and I don't understand Mike Scudder's reluctance to share them with us. In particular, the letter to Gordon England needs to clearly set forth DOD's commitment to Los Angeles and the continued NCIS expansion of LINX under US Attorney leadership.

Thanks again for all of your help.

- JOHN

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

From: Scudder, Michael (ODAG) <Michael.Scudder2@usdoj.gov>
To: McKay, John (USAWAW) <JMckay@usa.doj.gov>
CC: Yang, Debra Wong (USACAC) <DYang@usa.doj.gov>
Sent: Mon Jul 24 15:36:28 2006
Subject: RE: In DC

John:

I'll stay in touch on these. The DAG is working on them, and if he authorizes me to send them to you, I'll do so right away. This

afternoon I again relayed your request.

Regards,

Mike

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

From: McKay, John (USAWAW)
Sent: Monday, July 24, 2006 9:36 AM
To: Scudder, Michael (ODAG)
Cc: Yang, Debra Wong (USACAC)
Subject: In DC

Mike,

As I mentioned our call last week, I'm in DC late tonight until Friday morning. I know you are working on the letter to DEPSECDEF England, which I am anxious to review. I also would like the "policy documents" the DAG referenced - can you get them together for me, or should I contact Van Hitch or Mike Duffy?

Thanks very much.

John McKay
United States Attorney
Seattle, Washington

McNulty, Paul J

From: Rosenberg, Chuck (USAVAE)
Sent: Friday, September 08, 2006 12:56 PM
To: McNulty, Paul J
Subject: RE: AGAC/RIS Working Group - McNulty Letter

Some are chagrined and embarrassed. I have the sense that a number signed on without really reading it or thinking it through. Relatedly, some are mad at John McKay (and I think he will contact - or has contacted - you to apologize for sending the letter to outsiders, which was apparently not blessed by the group) and are probably happy to let him take the heat. Either way, I expected that you would have heard from most of them by now. Odd.

PS: Don is a very good man and I know he is upset that he joined the letter.

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

From: McNulty, Paul J
Sent: Friday, September 08, 2006 12:30 PM
To: Rosenberg, Chuck (USAVAE)
Subject: RE: AGAC/RIS Working Group - McNulty Letter

This evidence is entirely cumulative at this point.

By the way, I've been surprised at how few USAs have responded to my email. I did hear from Don by the way. Any theory why only a handful have contacted me?

Thanks.

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

From: Rosenberg, Chuck (USAVAE)
Sent: Friday, September 08, 2006 7:27 AM
To: McNulty, Paul J
Subject: FW: AGAC/RIS Working Group - McNulty Letter

More (unsolicited) evidence that I did not join this letter.

>
> _____
> From: Williams, Kim (USAVAE)
> Sent: Thursday, September 07, 2006 9:18 PM
> To: Rosenberg, Chuck (USAVAE)
> Subject: FW: AGAC/RIS Working Group - McNulty Letter

>
> Read the attached. You said you weren't interested, but your name is
> still attached to this letter. You may want to read over this. I took
> my time opening this e-mail because I thought it was more soliciting,
> but check it out.

>
> _____
> From: Bernier, Colleen (USAWAW)
> Sent: Thursday, August 31, 2006 5:48 PM
> To: Williams, Kim (USAVAE)
> Subject: AGAC/RIS Working Group - McNulty Letter

>
> Greetings: attached please find the final letter forwarded to Deputy
> Attorney General McNulty. Thank you for all your help in getting this
> accomplished. Please let me know if you need further assistance.
>
> Colleen O'Reilly Bernier

> Assistant to U. S. Attorney John McKay Western District of Washington
> 700 Stewart Street, Suite 5220 Seattle, WA 98101-1271 Phone (206)
> 553-4620
> Fax: (206) 553-2054
> e-mail: Colleen.Bernier@usdoj.gov
>
> <<McNulty Ltr.pdf>>
>



U.S. Department of Justice

*United States Attorney
Western District of Washington*

700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271

Tel. (206) 551-7970
Fax (206) 551-2054

August 30, 2006

Honorable Paul J. McNulty
Deputy Attorney General
Main Justice Bldg.
950 Pennsylvania Ave., Room 4111
Washington, D.C. 20530

Re: AGAC/RIS Working Group Request for Meeting

Dear Mr. McNulty:

Thank you for your continuing personal leadership in the work of the AGAC Regional Law Enforcement Information Sharing Working Group. We are grateful for your recent offer to meet with us. Our purpose in writing is two-fold: first, to schedule the AGAC/RIS Working Group meeting with you; and second, to outline in advance our major concerns.

We understand you fully appreciate how critical information sharing is to the war on terror. As United States Attorney, you were the driving force behind the Norfolk-Hampton Roads LInX program. During your tenure as Chair of the Attorney General's Advisory Committee, you created the RIS Working Group. Following your example, we have continued to build information sharing among federal, state and local partners in six additional LInX sites. All of us deeply appreciate your continued support as the Department of Justice led LInX projects have been launched or expanded in Washington State, Hawaii, Corpus Christi, Jacksonville-Kings Bay, New Mexico and the National Capital Region.

We look forward to briefing you on the recent, stunning operational successes being achieved in LInX sites around the country. For example, in Norfolk-Hampton Roads, LInX was instrumental in solving the case of a Norfolk police officer who was shot and killed while on duty. In LInX Northwest, which now includes approximately 100 law enforcement partners, LInX provided critical leads in numerous cases, leading to the arrests of various murderers, rapists and thieves. LInX Northwest was critical in developing several leads that helped Seattle Police resolve a recent homicide, and was

DAG000000139

Honorable Paul J. McNulty
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used by Seattle Police in establishing the identity of Naveed Haq, the suspect in the recent tragic Jewish Federation of Seattle shootings.

In recent months, as the system has matured and more local jurisdictions contribute full text records, LInX Northwest has been heavily used by federal agents, particularly FBI, DEA and the U.S. Marshal's Service. We were recently advised that, consistent with the discussions at the Pentagon meeting, DHS will begin contributing regional and national ICE records directly to LInX Northwest under the leadership of Assistant Secretary Julie Myers. Participation by United States Attorneys in LInX and other information sharing efforts continues to grow, with the RIS Working Group now at 18 members, and additional LInX sites under serious consideration. Chief among potential expansion sites is the Los Angeles project under the leadership of United States Attorney Debra Wong Yang. Preliminary plans for this project include partnerships with Sacramento area law enforcement and California state agencies in a LInX project led by United States Attorney McGregor Scott.

Additionally, United States Attorneys in Nebraska & Iowa, St. Louis, upstate New York, Connecticut, Sacramento, Portland, Anchorage and Indiana have hosted LInX briefings. Several of these locations are in various stages of organizing regional law enforcement leadership as a prelude to LInX implementation. Serious inquiries concerning the LInX process have been made by many other U.S. Attorneys and regional law enforcement leaders in several states, including Kentucky, Oklahoma, Massachusetts, North Carolina, and South Carolina. RCMP and NCIS officials have met regularly with the Working Group Chair to explore the legal, technical and policy opportunities of sharing records through LInX with our Canadian law enforcement partners.

In short, interest in the LInX approach remains exceedingly strong, and the need for a leadership role by DOJ in building regional systems is becoming increasingly clear. The Department, under your direction and leadership is well-placed to leverage the success of LInX into an expanded, national law enforcement information sharing system. These efforts are consistent with the President's call to establish the Information Sharing Environment, the will of the Congress, and our needs in combating terror, violent crime and drugs. As the Department's "Field Commanders," we United States Attorneys believe that the LInX approach offers the best, most complete and proven path to real and effective law enforcement information sharing among federal, state and local partners.

During our upcoming meeting, we hope to ask you to do the following:

- (1) Endorse Los Angeles LInX and the \$5m offered by Deputy Secretary Of Defense Gordon England to cover first year costs of the project;

Honorable Paul J. McNulty
August 30, 2006
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- (2) Endorse the LInX approach to regional information sharing including full text record integration and support the expansion of LInX under United States Attorney leadership;
- (3) Mandate that DOJ law enforcement components share all legally shareable and unclassified law enforcement records with the LInX projects, including access controls be instituted to provide a greater level of protection for sensitive information in the shared data bases;
- (4) Direct DOJ policy and resources to support the building, funding and management of LInX projects in partnership with DOD and DHS.

We understand that you intend to share policy memoranda with our committee. We want to assure you of our interest in actively participating in this process on behalf of the AGAC. We are puzzled by the delays we are experiencing in the face of our written requests and briefings and trust you understand how urgently we seek your input and assistance. Our funding and program support through NCIS is on hold pending commitments from your office.

In many of our jurisdictions, local law enforcement leaders have delayed other projects due to their commitment to and firm belief the LInX approach offers the best way to share and obtain critical records in their own efforts to combat terrorism, gangs, violent crime and drugs. There is growing skepticism among those leaders because they see little progress on an issue all consider to be of the highest priority. DOJ policy on regional law enforcement information sharing remains unclear to our state and local partners, as well as to federal law enforcement agencies whose data we require in order to assure regional terrorism and law enforcement objectives are met. Some inside the department believe that DOJ's role is limited to providing interconnectivity among systems, and that developing regional systems that collect and integrate investigative records is not a federal responsibility. *We disagree.* Information sharing is not about technology – it is about providing the leadership commitment to insure full participation, complete data, and community-wide access to all relevant information. DOJ is uniquely positioned to take the lead in this effort.

Honorable Paul J. McNulty
August 30, 2006
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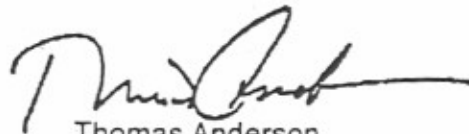
Paul, our confidence in you and your leadership of law enforcement information sharing remains firm and enthusiastic. We look forward to meeting with you at your earliest convenience. As always, we are cognizant of the tremendous demands on your time.

Sincerely,

REGIONAL LAW ENFORCEMENT INFORMATION SHARING WORKING GROUP
of the Attorney General's Advisory Committee



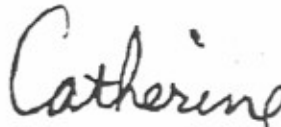
John McKay, Chair
United States Attorney
Western District of Washington



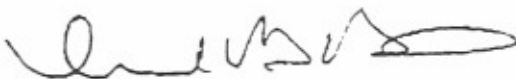
Thomas Anderson
United States Attorney
District of Vermont



Don DeGabrielle
United States Attorney
Southern District of Texas



Catherine Hanaway
United States Attorney
Eastern District of Missouri



Michael Heavican
United States Attorney
District of Nebraska



David Iglesias
United States Attorney
District of New Mexico



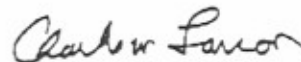
Karin Immergut
United States Attorney
District of Oregon



Ed Kubo
United States Attorney
District of Hawaii

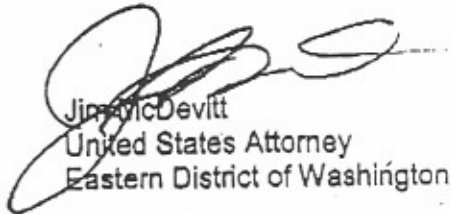


Carol Lam
United States Attorney
Southern District of California



Charles Larson
United States Attorney
Northern District of Iowa

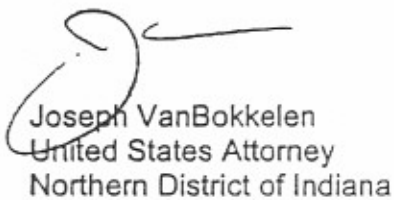
Honorable Paul J. McNulty
August 30, 2006
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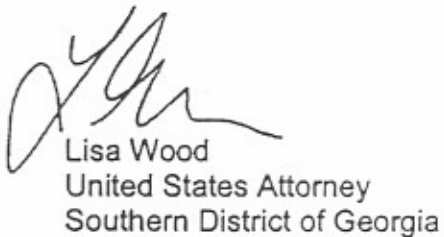
Jim Devitt
United States Attorney
Eastern District of Washington

Unavailable for
Signature

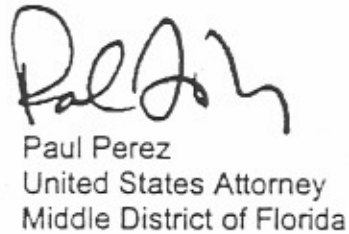
Chuck Rosenberg
United States Attorney
Eastern District of Virginia



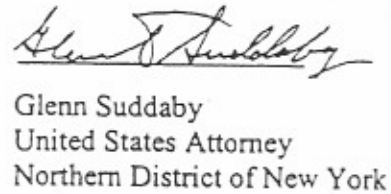
Joseph VanBokkelen
United States Attorney
Northern District of Indiana



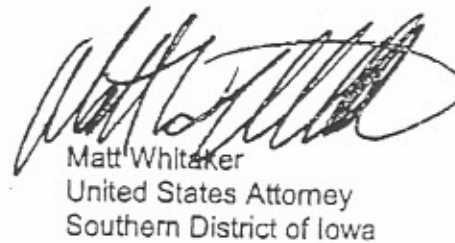
Lisa Wood
United States Attorney
Southern District of Georgia



Paul Perez
United States Attorney
Middle District of Florida



Glenn Suddaby
United States Attorney
Northern District of New York



Matt Whitaker
United States Attorney
Southern District of Iowa



Debra Wong Yang
United States Attorney
Central District of California

McNulty, Paul J

From: Rosenberg, Chuck (USAVAE)
Sent: Friday, September 08, 2006 7:27 AM
To: McNulty, Paul J
Subject: FW: AGAC/RIS Working Group - McNulty Letter

Attachments: tmp.htm; McNulty Ltr.pdf



tmp.htm (3 KB)



McNulty Ltr.pdf
(229 KB)

More (unsolicited) evidence that I did not join this letter.

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> From: Williams, Kim (USAVAE)
> Sent: Thursday, September 07, 2006 9:18 PM
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> Sent: Thursday, August 31, 2006 5:48 PM
> To: Williams, Kim (USAVAE)
> Subject: AGAC/RIS Working Group - McNulty Letter

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> Greetings: attached please find the final letter forwarded to Deputy
> Attorney General McNulty. Thank you for all your help in getting this
> accomplished. Please let me know if you need further assistance.

>
> Colleen O'Reilly Bernier
> Assistant to U. S. Attorney John McKay
> Western District of Washington
> 700 Stewart Street, Suite 5220
> Seattle, WA 98101-1271
> Phone (206) 553-4620
> Fax: (206) 553-2054
> e-mail: Colleen.Bernier@usdoj.gov

> <<McNulty Ltr.pdf>>
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Sent: Thursday, August 31, 2006 5:48 PM
To: Williams, Kim (USAVAE)
Subject: AGAC/RIS Working Group - McNulty Letter

Greetings: attached please find the final letter forwarded to Deputy Attorney General McNulty. Thank you for all your help in getting this accomplished. Please let me know if you need further assistance.

*Colleen O'Reilly Bernier
Assistant to U. S. Attorney John McKay
Western District of Washington
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
Phone (206) 553-4620
Fax: (206) 553-2054
e-mail: Colleen.Bernier@usdoj.gov*

<<McNulty Ltr.pdf>>

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW)
Sent: Tuesday, November 07, 2006 8:00 AM
To: McNulty, Paul J
Subject: Re: USA/WDMI

Paul: As soon as the "election dust settles", I ask that you tell me why my resignation may be requested. Since you have not taken exception to the eventually, I now assume that it is likely. I need to know the truth to live in peace with the aftermath. (Of course, we do need to retain control of the Senate to facilitate confirmations.) Perhaps you are not aware that Michael Elston informed me, per Monica Goodling, that a congress person, who is expected to lose in today's election, will be offered the leadership of the VAW office. I am already actively but discretely pursuing self-help options. However, I will need assistance to retain federal gov't financial security, as stated in my previous e-mail. Know that I appreciate your response and offer to assist. Margaret

Sent from my BlackBerry Wireless Handheld

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

From: McNulty, Paul J <Paul.J.McNulty@usdoj.gov>
To: Chiara, Margaret M. (USAMIW) <MChiara@usa.doj.gov>
Sent: Tue Nov 07 07:22:51 2006
Subject: Re: USA/WDMI

Margaret, I received your message and I appreciate your perspective. I know of your interest in the VAWA job and will let you know if any other opportunities come up. Paul

Sent from my BlackBerry Wireless Handheld

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

From: Chiara, Margaret M. (USAMIW)
To: McNulty, Paul J
Sent: Sun Nov 05 15:13:03 2006
Subject: USA/WDMI

Paul: On November 3, Michael Elston conveyed professionally shocking news. I had previously consulted him about the feasibility of a brief leave of absence to serve as the interim dean of the Michigan State University College of Law. (Note: MSU is interested in me only if I am the USA for WDMI.) Mr. Elston informed me that such a leave is only an option when the alternate service is within the federal government. He further informed me that I should expect contact from the White House requesting my resignation as USA shortly after the November 7 elections. He could offer no explanation other than that I erroneously assumed that good service guaranteed longevity because other USAs have been asked for their resignation without cause. In my case the service has exemplary in a difficult district in addition to being an active contributor since appointment on 3 of the A.G.'s subcommittees.

While I live in hope that this dire prediction is untrue, I am contacting you because I need assistance to remain in federal service with a comparable compensation or, quite frankly, I will lose everything that I have been working toward for the past five years. My chronology will not allow me to recoup from such an unanticipated financial catastrophe. I trust that I can count on you to intervene or provide an alternative. Margaret

McNulty, Paul J

From: McNulty, Paul J
Sent: Tuesday, December 05, 2006 9:44 AM
To: Sampson, Kyle
Subject: RE: US Atty Plan

I'll talk to Johnny. I'm still a little skittish about Bogden. He has been with DOJ since 1990 and, at age 50, has never had a job outside of government. My guess is that he was hoping to ride this out well into '09 or beyond. I'll admit have not looked at his district's performance. Sorry to be raising this again/now; it was just on my mind last night and this morning.

From: Sampson, Kyle
Sent: Monday, December 04, 2006 6:30 PM
To: McNulty, Paul J; Battle, Michael (USAEO)
Cc: Goodling, Monica; Moschella, William; Elston, Michael (ODAG)
Subject: FW: US Atty Plan
Importance: High

Paul/Mike, we are a go for Thursday (see below). At this point we likely need to inform Johnny Sutton and Bill Mercer re the plan (so they are not caught unawares) – Paul, do you want to handle that, or would you like me to? On Thursday, I think we should shoot to get the Senator calls done in the morning, and then have Mike start calling USAs at noon – let me know if anyone thinks otherwise. Thx.

From: Sampson, Kyle
Sent: Monday, December 04, 2006 6:26 PM
To: 'Kelley, William K.'
Cc: 'Miers, Harriet'
Subject: RE: US Atty Plan

here is the revised plan, per our discussions

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

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

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

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

DAG000000023

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Thursday, December 07, 2006 5:20 PM
To: McNulty, Paul J
Subject: WDMI
Importance: High

Mike Battle returned a telephone call to me this afternoon. During a discussion of another matter, he informed me that my tenure as United States Attorney for the Western District of Michigan (WDMI) will conclude on or before January 31, 2007. Mike could provided no additional information other than it was my decision as to the timing of an announcement to the USAO staff and WDMI legal community.

The unwelcome news is not unexpected because Chief of Staff Michael Elston advised me that it was a likely consequence of the recent election. However, the timing is surprising and distressing. I have assiduously been pursuing options in Washington, Michigan and elsewhere. With one exception, no organization or agency where I have submitted a resume or application will conduct interviews until January. If there is no assistance forthcoming from the Administration or the Department with a placement, I need at least the month of February, preferably March, to secure alternate employment.

Since my five year tenure has been exemplary and my contribution to the Department through three subcommittees quite substantial, I deserve consideration and flexibility. My financial circumstances require continuous employment. I ask for your immediate assistance.

Thank you. Margaret

McNulty, Paul J

From: McNulty, Paul J
Sent: Tuesday, December 12, 2006 8:13 PM
To: Chiara, Margaret M. (USAMIW)
Subject: Re: WDMI

Margaret, I'm not avoiding you. I have been completely immersed in this revision to the Thompson memo. I'm on my way home from NY. I'll try to call you in the morning. Thanks for your patience.

Sent from my BlackBerry Wireless Handheld

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

From: Chiara, Margaret M. (USAMIW) <MM.Chiara@usdoj.gov>
To: McNulty, Paul J
Sent: Thu Dec 07 17:20:22 2006
Subject: WDMI

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Thank you. Margaret

From: Iglesias, David C. (USANM) [mailto:David.C.Iglesias@usdoj.gov]

Sent: Wednesday, January 03, 2007 2:40 PM

To: McNulty, Paul J

Subject: Phone call

Importance: High

Paul:

Happy New Year! Hope your holidays were as pleasant and relaxing as mine were.

Is there a good time I can call you today thru Friday to discuss what day my resignation will become effective? I asked for a 2 month extension when I talked to Mike Battle on 7 DEC 06 and have heard nothing definite back. I assure you my call will be pleasant and respectful.

Regards,

David

McNulty, Paul J

From: Iglesias, David C. (USANM) [David.C.Iglesias@usdoj.gov]
Sent: Friday, January 05, 2007 5:22 PM
To: McNulty, Paul J
Subject: RE: Phone call

505.224.1406 is my direct line. 6:30 your time is fine. Thanks.

From: McNulty, Paul J
Sent: Friday, January 05, 2007 3:19 PM
To: Iglesias, David C. (USANM)
Subject: RE: Phone call

I'll call you, so please send me your number. It looks like it will be closer to 6:30. Thanks.

From: Iglesias, David C. (USANM) [mailto:David.C.Iglesias@usdoj.gov]
Sent: Friday, January 05, 2007 3:50 PM
To: McNulty, Paul J
Subject: RE: Phone call

Paul: No problems, thanks for getting back to me. Yes, 6 pm your time (4 my time) works for me. What number should I call?

From: McNulty, Paul J
Sent: Friday, January 05, 2007 1:34 PM
To: Iglesias, David C. (USANM)
Subject: RE: Phone call

David, I'm sorry for my slow response. I've been swamped with a short work-week. Will you be available for a call at 6:00 my time?

From: Iglesias, David C. (USANM) [mailto:David.C.Iglesias@usdoj.gov]
Sent: Wednesday, January 03, 2007 2:40 PM
To: McNulty, Paul J
Subject: Phone call
Importance: High

Paul:

Happy New Year! Hope your holidays were as pleasant and relaxing as mine were.

Is there a good time I can call you today thru Friday to discuss what day my resignation will become effective? I asked for a 2 month extension when I talked to Mike Battle on 7 DEC 06 and have heard nothing definite back. I assure you my call will be pleasant and respectful.

Regards,

David

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Saturday, January 06, 2007 8:08 PM
To: McNulty, Paul J
Subject: Status Report

As promised, this is the first status report, with periodic updates to follow, on progress made to secure employment.

Mike Battle contacted me about available Immigration Judge positions. I had ample time over the holidays to research the option and to consult with persons who are knowledgeable about these particular courts. While there is a strong inclination to settle this situation quickly by any means possible, I have concluded that the Immigration Judge would be the wrong "next step" for me. Thank you for providing the alternative.

Here are three possibilities within DOJ where your assistance would be helpful. (1) OIG Attorney-Advisor GS-0905-14/15. Application deadline is January 8. (2) SMART Office at OJP. I am aware that SMART Director Laura Rogers will need assistance implementing the "Adam Walsh" mandate. I have already contacted Ms. Rogers indicating my interest in such an assignment. Note that I previously contact Assistant AG Regina Schofield regarding employment options at OJP. Actually, OJP is the DOJ entity for which my experience and current interest are most suited. (3) NAC options which I realize presently do not exist due to funding constraints. Also, I have contacted OPR Director Marshall Jarrett regarding organizational opportunities. Currently, the only position available is a one year detail. Given my considerable OPR experience as a USA, I am confident that I could make a useful contribution if a permanent staff position were made available.

Thank you for accompanying me on this journey! Margaret

McNulty, Paul J

From: Iglesias, David C. (USANM) [David.C.Iglesias@usdoj.gov]
Sent: Thursday, January 11, 2007 2:28 PM
To: McNulty, Paul J
Subject: Thank you
Importance: High

Paul: First, on behalf of my wife and kids, thank you for going to bat for me regarding the extension. I talked to your staffer yesterday and he passed the good news. I'll be preparing my resignation package which should be in DC by early next week. Please also know that I've been a veritable whirling dervish in sending out emails, resumes, bios phone calls, etc. I've had one interview and expect more in the next week or so.

Would you mind if I list you as a reference?

Again, thanks for your support and prayers.

Regards,

David

Proverbs 19:25

From: McNulty, Paul J
Sent: Friday, January 05, 2007 3:19 PM
To: Iglesias, David C. (USANM)
Subject: RE: Phone call

I'll call you, so please send me your number. It looks like it will be closer to 6:30. Thanks.

From: Iglesias, David C. (USANM) [mailto:David.C.Iglesias@usdoj.gov]
Sent: Friday, January 05, 2007 3:50 PM
To: McNulty, Paul J
Subject: RE: Phone call

Paul: No problems, thanks for getting back to me. Yes, 6 pm your time (4 my time) works for me. What number should I call?

From: McNulty, Paul J
Sent: Friday, January 05, 2007 1:34 PM
To: Iglesias, David C. (USANM)
Subject: RE: Phone call

David, I'm sorry for my slow response. I've been swamped with a short work-week. Will you be available for a call at 6:00 my time?

McNulty, Paul J

From: McNulty, Paul J
Sent: Thursday, January 11, 2007 4:38 PM
To: Iglesias, David C. (USANM)
Subject: Re: Thank you

You're most welcome, brother. I would be happy to be a reference for you. Keep me posted.

Sent from my BlackBerry Wireless Handheld

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

From: Iglesias, David C. (USANM) <David.C.Iglesias@usdoj.gov>
To: McNulty, Paul J
Sent: Thu Jan 11 14:28:11 2007
Subject: Thank you

Paul: First, on behalf of my wife and kids, thank you for going to bat for me regarding the extension. I talked to your staffer yesterday and he passed the good news. I'll be preparing my resignation package which should be in DC by early next week. Please also know that I've been a veritable whirling dervish in sending out emails, resumes, bios phone calls, etc. I've had one interview and expect more in the next week or so.

Would you mind if I list you as a reference?

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Regards,

David

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From: Iglesias, David C. (USANM) [mailto:David.C.Iglesias@usdoj.gov]
Sent: Friday, January 05, 2007 3:50 PM
To: McNulty, Paul J
Subject: RE: Phone call

Paul: No problems, thanks for getting back to me. Yes, 6 pm your time (4 my time) works for me. What number should I call?

From: McNulty, Paul J
Sent: Friday, January 05, 2007 1:34 PM
To: Iglesias, David C. (USANM)
Subject: RE: Phone call

David, I'm sorry for my slow response. I've been swamped with a short work-week. Will you be available for a call at 6:00 my time?

From: Iglesias, David C. (USANM) [mailto:David.C.Iglesias@usdoj.gov]
Sent: Wednesday, January 03, 2007 2:40 PM
To: McNulty, Paul J
Subject: Phone call
Importance: High

Paul:

Happy New Year! Hope your holidays were as pleasant and relaxing as mine were.

Is there a good time I can call you today thru Friday to discuss what day my resignation will become effective? I asked for a 2 month extension when I talked to Mike Battle on 7 DEC 06 and have heard nothing definite back. I assure you my call will be pleasant and respectful.

Regards,

David

McNulty, Paul J

From: Sampson, Kyle
Sent: Thursday, February 01, 2007 4:15 PM
To: Elston, Michael (ODAG); Hertling, Richard
Cc: Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Subject: RE: Bud Cummins

I don't think he should. How would he answer:

Did you resign voluntarily?
Were you told why you were being asked to resign?
Who told you?
When did they tell you?
What did they say?
Did you ever talk to Tim Griffin about his becoming U.S. Attorney?
What did Griffin say?
Did Griffin ever talk about being AG appointed and avoiding Senate confirmation?
Were you asked to resign because you were underperforming?
If not, then why?
Etc., etc.

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

From: Elston, Michael (ODAG)
Sent: Thursday, February 01, 2007 3:52 PM
To: Hertling, Richard
Cc: Sampson, Kyle; Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Subject: Bud Cummins

just called to let me know that Pryor's and Schumer's staff have called and asked him to testify on Tuesday. He declined, but wanted to know if we wanted him to testify -- would tell the truth about his circumstances and would also strongly support our view of S 214.

Thoughts?

McNulty, Paul J

From: Elston, Michael (ODAG)
Sent: Thursday, February 01, 2007 4:35 PM
To: Sampson, Kyle; Hertling, Richard
Cc: Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Subject: Re: Bud Cummins

Agreed.

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

From: Sampson, Kyle
To: Elston, Michael (ODAG); Hertling, Richard
CC: Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Sent: Thu Feb 01 16:15:00 2007
Subject: RE: Bud Cummins

I don't think he should. How would he answer:

Did you resign voluntarily?
Were you told why you were being asked to resign?
Who told you?
When did they tell you?
What did they say?
Did you ever talk to Tim Griffin about his becoming U.S. Attorney?
What did Griffin say?
Did Griffin ever talk about being AG appointed and avoiding Senate confirmation?
Were you asked to resign because you were underperforming?
If not, then why?
Etc., etc.

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

From: Elston, Michael (ODAG)
Sent: Thursday, February 01, 2007 3:52 PM
To: Hertling, Richard
Cc: Sampson, Kyle; Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Subject: Bud Cummins

just called to let me know that Pryor's and Schumer's staff have called and asked him to testify on Tuesday. He declined, but wanted to know if we wanted him to testify -- would tell the truth about his circumstances and would also strongly support our view of S 214.

Thoughts?

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Saturday, February 03, 2007 1:39 PM
To: McNulty, Paul J
Cc: Elston, Michael (ODAG)
Subject: WDMI
Importance: High

Michael Elston telephoned on Friday afternoon with the welcome news that February 23 should be the date for announcing my resignation followed by a departure date of March 9. I appreciate the consideration.

Here's what I should have mentioned. I am the NAIS chair. Our first field-based meeting in over a year is scheduled on March 13 and 14 in North Carolina. Gretchen Shappert and the Eastern Band of Cherokee Indians are hosting the meeting and a tribal summit which will include 26 federally recognized tribes in the region. Secretary of the Interior Kempthorn is expected to attend. The NAIS staff detailee, who is from WDMI, was terminated despite an outstanding evaluation because EOUSA would not renew her detail. The replacement has not been announced nor will he be available to assist. It makes good sense for me to prepare (which I have been doing), and chair the meeting. This is particularly true because 4 NAIS members are part of "the group" (Charlton, Bogden, McKay, Igelsias). It is better for me to handle this situation than an interim chair.

My resignation announcement continues to be on February 23; the departure date would be March 16. I trust that this minor adjustment for good cause is acceptable to you.

Margaret

McNulty, Paul J

From: McNulty, Paul J
Sent: Wednesday, February 07, 2007 7:34 PM
To: Elston, Michael (ODAG)
Subject: RE: WDMI

Sounds like we should let her extend a week and go to the meeting. Happy birthday. Go Heels.

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

From: Chiara, Margaret M. (USAMIW) [mailto:MM.Chiara@usdoj.gov]
Sent: Wednesday, February 07, 2007 5:59 PM
To: Elston, Michael (ODAG)
Cc: McNulty, Paul J
Subject: Re: WDMI

I will resign effective March 9. However, it is too late to postpone the meeting. Invitations have been extended to 26 Tribes and the host Tribe, (Eastern Band of Cherokees), has made extensive preparations for the tribal summit. To cancel now would be a setback to the government-to-government relations we work so hard to maintain. Also, the agenda for the rest of the meeting has been planned. We have a signed contract for the facility. Almost all of the NAIS members, including the 2 now in Arizona and Western Washington, have affirmed their participation. USA G. Shappert is the host USA. She, with some of the experienced members, can handle the event in my absence. This assignment has educated me to what it takes to work effectively in Indian Country. I ask that you reconsider the request to cancel. Margaret

Sent from my BlackBerry Wireless Handheld

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

From: Elston, Michael (ODAG) <Michael.Elston@usdoj.gov>
To: Chiara, Margaret M. (USAMIW) <MChiara@usa.doj.gov>
CC: McNulty, Paul J <Paul.J.McNulty@usdoj.gov>
Sent: Wed Feb 07 16:55:53 2007
Subject: Re: WDMI

Margaret:

I have looked into the NAIS meeting. Given the turnover on that subcommittee, I think it makes sense to postpone the meeting until the summer when the new USAs will be in place. Accordingly, let's leave the dates as the 23rd and the 9th.

Thank you for bringing the issue to my attention.

Mike

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

From: Chiara, Margaret M. (USAMIW) <MM.Chiara@usdoj.gov>
To: McNulty, Paul J
CC: Elston, Michael (ODAG)
Sent: Sat Feb 03 13:39:28 2007
Subject: WDMI

Michael Elston telephoned on Friday afternoon with the welcome news that February 23 should be the date for announcing my resignation followed by a departure date of March 9. I appreciate the consideration.

Here's what I should have mentioned. I am the NAIS chair. Our first field-based meeting in over a year is scheduled on March 13 and 14 in North Carolina. Gretchen Shappert and the Eastern Band of Cherokee Indians are hosting the meeting and a tribal summit which will include 26 federally recognized tribes in the region. Secretary of the Interior

Kempthorn is expected to attend. The NAIS staff detailee, who is from WDMI, was terminated despite an outstanding evaluation because EOUSA would not renew her detail. The replacement has not been announced nor will he be available to assist. It makes good sense for me to prepare, (which I have been doing), and chair the meeting. This is particularly true because 4 NAIS members are part of "the group" (Charlton, Bogden, McKay, Igelsias). It is better for me to handle this situation than an interim chair.

My resignation announcement continues to be on February 23; the departure date would be March 16. I trust that this minor adjustment for good cause is acceptable to you.

Margaret

McNulty, Paul J

From: Elston, Michael (ODAG)
Sent: Thursday, February 08, 2007 12:15 AM
To: Chiara, Margaret M. (USAMIW)
Cc: McNulty, Paul J
Subject: Re: WDMI

Margaret:

I will certainly reconsider in light of this additional information, although I will say that the information I received from EOUSA about the meeting differs somewhat from yours.

I'll get back to you as soon as I can.

Thanks,
Mike

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

From: Chiara, Margaret M. (USAMIW) <MM.Chiara@usdoj.gov>
To: Elston, Michael (ODAG)
CC: McNulty, Paul J
Sent: Wed Feb 07 17:59:16 2007
Subject: Re: WDMI

I will resign effective March 9. However, it is too late to postpone the meeting. Invitations have been extended to 26 Tribes and the host Tribe, (Eastern Band of Cherokees), has made extensive preparations for the tribal summit. To cancel now would be a setback to the government-to-government relations we work so hard to maintain. Also, the agenda for the rest of the meeting has been planned. We have a signed contract for the facility. Almost all of the NAIS members, including the 2 now in Arizona and Western Washington, have affirmed their participation. USA G. Shappert is the host USA. She, with some of the experienced members, can handle the event in my absence. This assignment has educated me to what it takes to work effectively in Indian Country. I ask that you reconsider the request to cancel. Margaret

Sent from my BlackBerry Wireless Handheld

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

From: Elston, Michael (ODAG) <Michael.Elston@usdoj.gov>
To: Chiara, Margaret M. (USAMIW) <MChiara@usa.doj.gov>
CC: McNulty, Paul J <Paul.J.McNulty@usdoj.gov>
Sent: Wed Feb 07 16:55:53 2007
Subject: Re: WDMI

Margaret:

I have looked into the NAIS meeting. Given the turnover on that subcommittee, I think it makes sense to postpone the meeting until the summer when the new USAs will be in place. Accordingly, let's leave the dates as the 23rd and the 9th.

Thank you for bringing the issue to my attention.

Mike

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

From: Chiara, Margaret M. (USAMIW) <MM.Chiara@usdoj.gov>
To: McNulty, Paul J
CC: Elston, Michael (ODAG)
Sent: Sat Feb 03 13:39:28 2007
Subject: WDMI

Michael Elston telephoned on Friday afternoon with the welcome news that February 23 should be the date for announcing my resignation followed by a departure date of March 9. I appreciate the consideration.

Here's what I should have mentioned. I am the NAIS chair. Our first field-based meeting in over a year is scheduled on March 13 and 14 in North Carolina. Gretchen Shappert and the Eastern Band of Cherokee Indians are hosting the meeting and a tribal summit which will include 26 federally recognized tribes in the region. Secretary of the Interior Kempthorn is expected to attend. The NAIS staff detailee, who is from WDMI, was terminated despite an outstanding evaluation because EOUSA would not renew her detail. The replacement has not been announced nor will he be available to assist. It makes good sense for me to prepare, (which I have been doing), and chair the meeting. This is particularly true because 4 NAIS members are part of "the group" (Charlton, Bogden, McKay, Igelsias). It is better for me to handle this situation than an interim chair.

My resignation announcement continues to be on February 23; the departure date would be March 16. I trust that this minor adjustment for good cause is acceptable to you.

Margaret

McNulty, Paul J

From: McNulty, Paul J
Sent: Friday, February 09, 2007 5:25 PM
To: Elston, Michael (ODAG)
Subject: FW: Solution

Could we make this happen? Hire her into an EOUSA slot and then send her down to the NAC?

From: Chiara, Margaret M. (USAMIW) [mailto:MM.Chiara@usdoj.gov]
Sent: Friday, February 09, 2007 1:55 PM
To: McNulty, Paul J
Subject: Solution

Paul: You may recall from earlier communication with me that I have owned a home in South Carolina for several years.

The announcement (below) is for a detail at the NAC for which I am completely qualified and which I would enjoy doing. Obviously, I am not currently eligible for a detail position. Will you please intervene to make the position available for me? It would provide a timely and satisfactory solution to my current job search. Thank you.

Margaret

Experienced Prosecutor Needed to Serve as an Assistant Director, Office of Legal Education, EOUSA, Columbia, South Carolina

The Office of Legal Education (OLE), Executive Office for United States Attorneys, U.S. Department of Justice, seeks an experienced Assistant United States Attorney to serve as an Assistant Director (AD) for Criminal Programs at the National Advocacy Center in Columbia, South Carolina. This detail is for two years, with the possibility of renewal for additional years. **This is a reimbursable detail.**

The AD will lead a program manager and program assistant in coordinating up to 25 training classes per year at the National Advocacy Center in Columbia, SC. Responsibilities will include course design; instructor recruitment and training, student selection; course administration, and post-course review. The AD will report to OLE's Director and Deputy Director. Applicants must have excellent interpersonal and management skills, be responsible and self-sufficient, communicate effectively orally and in writing, possess extensive experience as a prosecutor in criminal law, and possess experience working with task forces or interagency projects.

The AD selected for this position will be housed in the Kirkland Apartment Building, directly across the street from the NAC, and will be entitled to one trip home each month.

Interested applicants should send a resume; cover letter; and letter of support from your U.S. Attorney to arrive as soon as possible but not later than **February 23, 2007**, addressed to Cammy Chandler, Deputy Director, Office of Legal Education, 1620 Pendleton Street, Columbia, SC 29201.

E-mail and fax submissions are also acceptable. Ms. Chandler's fax number is (803) 705-5110 and her e-mail address is cammy.chandler@usdoj.gov

McNulty, Paul J

From: McNulty, Paul J
Sent: Friday, February 09, 2007 9:53 PM
To: Chiara, Margaret M. (USAMIW)
Subject: Re: Solution

Margaret, I'll look into it. Hope you have a peaceful weekend. Paul

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

From: Chiara, Margaret M. (USAMIW) <MM.Chiara@usdoj.gov>
To: McNulty, Paul J
Sent: Fri Feb 09 13:55:26 2007
Subject: Solution

Paul: You may recall from earlier communication with me that I have owned a home in South Carolina for several years. The announcement (below) is for a detail at the NAC for which I am completely qualified and which I would enjoy doing. Obviously, I am not currently eligible for a detail position. Will you please intervene to make the position available for me? It would provide a timely and satisfactory solution to my current job search. Thank you.

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E-mail and fax submissions are also acceptable. Ms. Chandler's fax number is (803) 705-5110 and her e-mail address is cammy.chandler@usdoj.gov
<<mailto:cammy.chandler@usdoj.gov>>

McNulty, Paul J

From: Elston, Michael (ODAG)
Sent: Monday, February 12, 2007 3:44 PM
To: Chiara, Margaret M. (USAMIW)
Cc: McNulty, Paul J; Shappert, Gretchen (USANCW)
Subject: NAIS Meeting

Margaret:

I have spoken to Gretchen Shappert, and, as you recommended and based on the additional information Gretchen provided, I have concluded that it makes sense to keep the meeting date as scheduled in March despite the absence of some long-time members of the subcommittee.

You also mentioned that two new members of the subcommittee from Arizona and Western Washington would attend. I don't have any problem with the interims from Arizona and Western Washington attending, but I wanted to make it clear that they are not members of the subcommittee. New U.S. Attorneys do not simply succeed their predecessors on AGAC or its subcommittees, and normally interims are not made members of AGAC subcommittees except in unusual circumstances. There is a process for appointment to subcommittees, and neither interim has been appointed to the subcommittee.

Thanks again for bringing this issue to my attention.

Mike

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Monday, February 12, 2007 5:36 PM
To: Elston, Michael (ODAG)
Cc: McNulty, Paul J
Subject: Re: NAIS Meeting

This is a good call. Thank you. I am aware of the required procedure to secure subcommittee assignments. The 2 interims were invited to ensure continuity of service to their district's Indian Country population Now that NAIS is convening on March 13 + 14, am I chairing the meeting and departing on March 16 or shall I work out other arrangements with NAIS members after I announce on Feb. 23? Margaret

Sent from my BlackBerry Wireless Handheld

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

From: Elston, Michael (ODAG) <Michael.Elston@usdoj.gov>
To: Chiara, Margaret M. (USAMIW) <MChiara@usa.doj.gov>
CC: McNulty, Paul J <Paul.J.McNulty@usdoj.gov>; Shappert, Gretchen (USANCW) <GShappert@usa.doj.gov>
Sent: Mon Feb 12 15:43:49 2007
Subject: NAIS Meeting

Margaret:

I have spoken to Gretchen Shappert, and, as you recommended and based on the additional information Gretchen provided, I have concluded that it makes sense to keep the meeting date as scheduled in March despite the absence of some long-time members of the subcommittee.

You also mentioned that two new members of the subcommittee from Arizona and Western Washington would attend. I don't have any problem with the interims from Arizona and Western Washington attending, but I wanted to make it clear that they are not members of the subcommittee. New U.S. Attorneys do not simply succeed their predecessors on AGAC or its subcommittees, and normally interims are not made members of AGAC subcommittees except in unusual circumstances. There is a process for appointment to subcommittees, and neither interim has been appointed to the subcommittee.

Thanks again for bringing this issue to my attention.

Mike

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Tuesday, February 13, 2007 5:08 PM
To: McNulty, Paul J
Subject: Solution Supplement
Attachments: 07-EOUSA-12.wpd

Paul: Another NAC position was announced earlier today. Please refer to the attachment. The Assistant Director for OLE is a permanent position rather than a detail. Given current circumstances, it is unlikely that EOUSA will employ a former USA. Your intervention would be needed. Actually, I have applied for other EOUSA staff positions but both the location and the assignment make the NAC a clear preference.

Thanks, Margaret

<<07-EOUSA-12.wpd>>

U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS
OFFICE OF LEGAL EDUCATION (OLE)
ATTORNEY-ADVISOR, GS-0905-15
DUTY TITLE: ASSISTANT DIRECTOR, OLE

Vacancy Announcement Number: 07-EOUSA-12

About the Office: U.S. Department of Justice, Executive Office for United States Attorneys, is seeking an experienced attorney to serve as an Assistant Director for the Office of Legal Education (OLE), located at the National Advocacy Center in Columbia, SC. The Office of Legal Education provides training and education for attorneys, paralegal and legal support staff of the Department of Justice, and the executive branch of the United States government. Courses are offered on-site at the National Advocacy Center, off-site, and through distance learning programs.

Responsibilities: This position will serve as an Assistant Director for Legal Training. Training programs developed typically deal with new or emerging fields of law or new programs or initiatives. Applicant will also be expected to develop and participate in legal programming for Justice Television Network (JTN), OLE's in-house satellite broadcast network.

Qualifications: Applicants must possess a J.D. degree, be duly licensed and authorized to practice as an attorney under the laws of a State, territory or the District of Columbia. Applicants must have at least five years of post J.D. experience and be qualified at the GS-15 level. Applicants must possess a broad knowledge of federal criminal and civil legal disciplines to plan, coordinate, develop, implement, and assess legal training needs and develop policy and program proposals. Skills in developing cooperative training programs to achieve the common interests of state, local, and international law enforcement agencies, and developing educational programs using distance learning technology are mandatory. Must have experience in curriculum development for legal and/or law related training education.

Salary: Columbia, SC is in the Rest of U.S. locality pay area. The salary range for GS-15 is \$104,826 through \$136,273 per year.

Travel: Routine travel will be required to participate in meetings and direct training events.

Application Process and Deadline Date: Applicants must submit a cover letter (highlighting relevant experience), a detailed resume or OF-615 (Optional Application for Federal Employment) or SF-171 (Application for Federal Employment), your most recent SF-50 and current performance appraisal, if applicable to:

Please send your resume to:
U.S. Department of Justice
Executive Office for U.S. Attorneys
Office of Administration/H.R. Division
Attn: 07-EOUSA-12
600 E Street NW, Room 8300

Announcement closes: 02/26/2007

Application materials must be RECEIVED by 11:59 p.m. (Eastern Standard Time) of the closing date. **Application materials may be faxed to (202) 514-7463.** No telephone calls please. Applications submitted using government postage, internal Federal government mail systems, or email will not be considered. **PLEASE NOTE** - mail coming through our mail system can be delayed due to security screening, faxing your resume to our dedicated fax number is encouraged.

Location Expenses are not authorized.

DAG000000089

Internet Sites: This and other attorney vacancy announcements can be found at <http://10.173.2.12/oarm/attvacancies.html>

For more information about the Office of Legal Education, visit <http://www.usdoj.gov/usao/eousa/ole/index.html>

Department Policies: The U.S. Department of Justice is an Equal Opportunity Reasonable Accommodation Employer. Except where otherwise provided by law, there will be no discrimination based on sex, sexual orientation, color, race, religion, national origin, politics, marital status, disability, age, status as a parent, membership or nonmembership in an employee organization, or personal favoritism. The Department of Justice welcomes and encourages applications from persons with physical and mental disabilities. The Department is firmly committed to satisfying its affirmative obligations under the Rehabilitation Act of 1973 to ensure that persons with disabilities have every opportunity to be employed and advanced on the basis of merit within the Department of Justice. This agency provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

As part of the policy of the Department to achieve a drug-free workplace and persons selected for employment will be required to pass a drug test which screens for illegal drug use prior to final appointment. Employment is also contingent on the completion and satisfactory adjudication of a background investigation. Only U.S. citizens are eligible for employment with the Executive Office for Immigration Review and the United States Attorneys' Offices. Unless otherwise indicated in a particular job advertisement, non-U.S. citizens may apply for employment with other organizations, but should be advised that appointments of non-U.S. citizens are extremely rare; such appointments would be possible only if necessary to accomplish the Department's mission and would be subject to strict security requirements. Applicants who hold dual citizenship in the U.S. and another country will be considered on a case-by-case basis.

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Wednesday, February 21, 2007 11:48 AM
To: McNulty, Paul J
Subject: February 23 Announcement
Importance: High

Given Michael Elston's unavailability today, I ask that you clarify my departure date. March 16 will permit me to chair the NAIS meeting, including a Tribal Summit to which 26 federally recognized tribes have been invited. Michael was checking on that date rather than the original date of March 9. Also, I need to confirm that FAUSA Russ Stoddard will serve as interim. Again, this is what was discussed with Michael. The legal community and more importantly, the USAO will deal better with my departure if they have a sense of their short term future.

Press release and several mailings are presently being prepared now. Please contact me.

Cell number: Office number: 616-456-2404. Assistant: Karrie Wichtman
Thank you.

Margaret

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Wednesday, February 21, 2007 5:13 PM
To: McNulty, Paul J
Cc: Elston, Michael (ODAG)
Subject: WDMI Update

Paul: My thanks for your telephone call this afternoon. I did some quick checking. It appears that information about me is beginning to circulate in the district. I have expended an enormous amount of effort trying to contain this situation. Therefore, I believe that staying with the February 23 announcement date is the best approach. All I need to go forward is the departure date. I now understand that there is to be no mention of the interim appointment in the press release. I will anticipate hearing from Michael Elston as soon as he is available.

Margaret

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Sunday, March 04, 2007 11:00 PM
To: McNulty, Paul J
Cc: Elston, Michael (ODAG)
Subject: WDMI

Paul: I respectfully request that you reconsider the rationale of poor performance as the basis for my dismissal. It is in our mutual interest to retract this erroneous explanation while there is still time. Please simply state that a presidentially appointed position is not an entitlement. No other explanation is needed.

As you know, I have assiduously avoided public comment by pursuing an informal version of the "witness protection program" in order to elude reporters! However, the legal community in Grand Rapids and organizations throughout Michigan are outraged that I am being labeled "a poor performer". Politics may not be a pleasant reason but the truth is compelling. Know that I am considered a personification of ethics and productivity. And as you surely realize, the unresolved Phil Green situation has definitely complicated the perception of DOJ in WDMI.

The notoriety of being one of the "USA-8" coupled with my age being constantly cited in the press is proving to be a formidable obstacle to securing employment. The best resolution with regard to both timing and outcome is the assistant director position at the NAC. I have already made it clear to the OLE Director that you do not consider former United States Attorney status a barrier to continued DOJ service. I ask that you endorse or otherwise encourage my selection for reasons discussed in previous e-mails. Given the quality and quantity of my contribution during the past 5+ years, I am confident that you are willing to provide affirmative assistance.

Margaret

McNulty, Paul J

To: Chiara, Margaret M. (USAMIW)
Cc: Elston, Michael (ODAG)
Subject: RE: WDMI

Margaret:

I'm glad to hear your reputation in the Western Michigan legal community is strong. It was never our intention to harm it, and you know well how we have worked with you to help you make as smooth a transition as possible to your next opportunity.

That said our only choice is to continue to be truthful about this entire matter. The word "performance" obviously has not set well with you and your colleagues. By that word, we only meant to convey that there were issues about policy, priorities and management/leadership that we felt were important to the Department's effectiveness.

From: Chiara, Margaret M. (USAMIW) [mailto:MM.Chiara@usdoj.gov]
Sent: Sunday, March 04, 2007 11:00 PM
To: McNulty, Paul J
Cc: Elston, Michael (ODAG)
Subject: WDMI

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Margaret

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM Chiara@usdoj.gov]
Sent: Tuesday, March 06, 2007 9:34 PM
To: McNulty, Paul J
Cc: Elston, Michael (ODAG)
Subject: WDMI
Importance: High

Today's Congressional events make clear that I am, indeed, among the "USA - 8". Shortly after his opening statement, but before citing the perceived deficiencies of my former colleagues, Will Moschella stated that the two United States Attorneys not present were dismissed because of management problems. Apparently Kevin Ryan (whom I do not know) and I share the same reason for termination.

Michael Elston told me on more than one occasion, that the rationale for dismissal was on a continuum of sorts and that I am on the *de minimus* end after Dan Bogden. It is abundantly clear that this regrettable situation could have been better managed if the reasons for the dismissals were initially communicated to the affected United States Attorneys.

So, I now need to know what is the management problem to which Mr. Moschella referred?

Margaret

McNulty, Paul J

From: Chiara, Margaret M. (USAMIW) [MM.Chiara@usdoj.gov]
Sent: Tuesday, March 06, 2007 9:34 PM
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Cc: Elston, Michael (ODAG)
Subject: WDMI
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Margaret

Sampson, Kyle

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

Not yet.

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

Is the AG ready to answer these questions on Thursday?

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

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

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

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

Talking Points:

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

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

Tracking:

Recipient

Moschella, William

Read

Read: 1/15/2007 7:39 PM

Sampson, Kyle

From: Sampson, Kyle
Sent: Thursday, February 01, 2007 4:15 PM
To: Elston, Michael (ODAG); Hertling, Richard
Cc: Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Subject: RE: Bud Cummins

I don't think he should. How would he answer:

Did you resign voluntarily?
Were you told why you were being asked to resign?
Who told you?
When did they tell you?
What did they say?
Did you ever talk to Tim Griffin about his becoming U.S. Attorney?
What did Griffin say?
Did Griffin ever talk about being AG appointed and avoiding Senate confirmation?
Were you asked to resign because you were underperforming?
If not, then why?
Etc., etc.

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

From: Elston, Michael (ODAG)
Sent: Thursday, February 01, 2007 3:52 PM
To: Hertling, Richard
Cc: Sampson, Kyle; Goodling, Monica; Moschella, William; McNulty, Paul J; Seidel, Rebecca
Subject: Bud Cummins

just called to let me know that Pryor's and Schumer's staff have called and asked him to testify on Tuesday. He declined, but wanted to know if we wanted him to testify -- would tell the truth about his circumstances and would also strongly support our view of S 214.

Thoughts?

Tracking:	Recipient	Read
	Elston, Michael (ODAG)	Read: 2/1/2007 4:35 PM
	Hertling, Richard	Read: 2/1/2007 4:45 PM
	Goodling, Monica	Read: 2/1/2007 4:40 PM
	Moschella, William	Read: 2/1/2007 4:39 PM
	McNulty, Paul J	Read: 2/1/2007 6:10 PM
	Seidel, Rebecca	Read: 2/1/2007 4:28 PM

Sampson, Kyle

From: Sampson, Kyle
Sent: Wednesday, February 07, 2007 8:09 AM
To: Scolinos, Tasia; Roehrkasse, Brian
Subject: RE: This mornings clips

Paul reports this morning that: He's hearing good reports from the Committee. In particular, Sen. Schumer's counsel told him that the issue has basically run its course; that they need to get a little more information from us (i.e., the closed-door briefing that Paul promised them re the reasons for the resignations), but that will be it.

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

From: Scolinos, Tasia
Sent: Wednesday, February 07, 2007 8:01 AM
To: Roehrkasse, Brian; Sampson, Kyle
Subject: RE: This mornings clips

I told Kyle yesterday that I didn't think the hearing had gone all that well. I will get back to you later with some thoughts

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

From: Roehrkasse, Brian
Sent: Wednesday, February 07, 2007 7:07 AM
To: Scolinos, Tasia; Sampson, Kyle
Subject: This mornings clips

The Attorney General is extremely upset with the stories on the US Attys this morning. He also thought some of the DAG's statements were inaccurate.

Kyle can give me a call on my cell this morning? Tasia, he wants to know what we can do from a comms perspective. I suggested a clearly worded op-ed and reaching out to ed boards who will write in the coming days. I think from a straight news perspective we just want the stories to die.

Tracking:	Recipient	Read
	Scolinos, Tasia	Read: 2/7/2007 8:22 AM
	Roehrkasse, Brian	Read: 2/7/2007 8:09 AM

Sampson, Kyle

From: Sampson, Kyle
Sent: Monday, March 05, 2007 2:30 PM
To: McNulty, Paul J; Moschella, William; Hertling, Richard; Scolinos, Tasia; Battle, Michael (USAEO)
Cc: Elston, Michael (ODAG); Roehrkasse, Brian; Goodling, Monica; Washington, Tracy T
Subject: FW:
Importance: High

Tracking:	Recipient	Read
	McNulty, Paul J	Read: 3/5/2007 3:37 PM
	Moschella, William	
	Hertling, Richard	
	Scolinos, Tasia	Read: 3/5/2007 2:35 PM
	Battle, Michael (USAEO)	
	Elston, Michael (ODAG)	Read: 3/5/2007 2:31 PM
	Roehrkasse, Brian	Read: 3/5/2007 2:30 PM
	Goodling, Monica	Read: 3/5/2007 2:42 PM
	Washington, Tracy T	Read: 3/5/2007 2:30 PM

All, please see the below. I propose to you all that I propose 5pm to Bill – I assume they'll want us to go over there. Thoughts?

From: Kelley, William K. [mailto:William_K_Kelley@who.eop.gov]
Sent: Monday, March 05, 2007 1:57 PM
To: Sampson, Kyle
Subject:

Kyle–We've been tasked with getting a meeting together with you, Paul, Will, DOJ leg and pa, and maybe Battle - today – to go over the Administration's position on all aspects of the US Atty issue, including what we are going to say about the proposed legislation and why the US Attys were asked to resign. There's a hearing tomorrow at which Will is scheduled to testify, so we have to get this group together with some folks here asap. Can you look into possible times? Thanks, and sorry to impose.

Elston, Michael (ODAG)

From: Connor, Mark
Sent: Tuesday, April 11, 2006 6:14 PM
To: Mercer, Bill (ODAG)
Cc: Elston, Michael (ODAG)
Subject: Fw: LA Proposal

Bill: This is the full court press we anticipated from McKay and the NCIS/LInX team. FYI, McWeeney is the President of CSM, a private contractor who stands to benefit from the proposed recommendations. MAC

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

From: Connor, Mark <Mark.Connor@SMOJMD.USDOJ.gov>
To: Duffy, Michael (OCIO) <Michael.Duffy@SMOJMD.USDOJ.gov>; Watkins, Harrell <Harrell.Watkins@SMOJMD.USDOJ.gov>; Warren, Jeremy <Jeremy.Warren@SMOJMD.USDOJ.gov>
CC: 'r.scott.crabtree@ic.fbi.gov' <r.scott.crabtree@ic.fbi.gov>; Hitch, Vance (OCIO) <Vance.Hitch@SMOJMD.USDOJ.gov>
Sent: Tue Apr 11 18:07:46 2006
Subject: Re: LA Proposal

All: This is a full court press by McKay, CSM, and LInX (NCIS). McKay and the LInX team are providing a demo and recommendations to the DAG tomorrow. I have communicated some concerns re the McKay/NCIS proposals to the DAG, PADAG, and Chief of Staff. I have also recommended the DAG meet with OCIO and me next week to discuss the recommendations. I do not envision the DAG endorsing the recommendations this week. I think we need to be prepared to discuss details next week. MAC

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

From: Duffy, Michael (OCIO) <Michael.Duffy@SMOJMD.USDOJ.gov>
To: Watkins, Harrell <Harrell.Watkins@SMOJMD.USDOJ.gov>; Warren, Jeremy <Jeremy.Warren@SMOJMD.USDOJ.gov>; Connor, Mark <Mark.Connor@SMOJMD.USDOJ.gov>
CC: 'R.Scott.Crabtree@ic.fbi.gov' <R.Scott.Crabtree@ic.fbi.gov>; Hitch, Vance (OCIO) <Vance.Hitch@SMOJMD.USDOJ.gov>
Sent: Tue Apr 11 17:58:33 2006
Subject: Fw: LA Proposal

Harrell: What does this say?

All: If this is contrary to OneDOJ strategy (LInX front porch), then I recommend you get a hold of Scott Crabtree and ask him to contact LA FO to clarify DOJ strategy. MDD

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

From: Hitch, Vance (OCIO) <Vance.Hitch@SMOJMD.USDOJ.gov>
To: Duffy, Michael (OCIO) <Michael.Duffy@SMOJMD.USDOJ.gov>; Warren, Jeremy <Jeremy.Warren@SMOJMD.USDOJ.gov>
Sent: Tue Apr 11 12:17:10 2006
Subject: FW: LA Proposal

fyi

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

From: tgm@csmweb.com [mailto:tgm@csmweb.com]
Sent: Tuesday, April 11, 2006 12:04 PM
To: Hitch, Vance (OCIO); Elston, Michael (ODAG); Mercer, Bill (ODAG)
Cc: McKay, John (USAWAW); tgm@csmweb.com

Elston, Michael (ODAG)

From: Elston, Michael (ODAG)
Sent: Saturday, July 08, 2006 3:11 PM
To: Mercer, Bill (ODAG)
Subject: Re: Carol Lam / / Please call.

Indeed -- but you will forget all of the little people once you are No. 3 in the Department!

Carol Lam is sad, too, but that was not what I was thinking!

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

From: Mercer, Bill (ODAG)
To: Elston, Michael (ODAG)
Sent: Sat Jul 08 13:35:19 2006
Subject: Re: Carol Lam / / Please call.

What that Carol Lam can't meet a deadline or that you'll need to interact with her in the coming weeks or that she won't just say, "O.K. You got me. You're right, I've ignored national priorities and obvious local needs. Shoot, my production is more hideous than I realized."

Or that I'm not going to send you as many of these humorous missives?

We are a good team. As I go through all of the stuff that remains on the to do list, it is pretty impressive how much we crossed off that list. I will miss that, but if all goes well we are only looking at about a 60 day hiatus.

Sent from my BlackBerry Wireless Handheld

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

From: Elston, Michael (ODAG)
To: Mercer, Bill (ODAG)
Sent: Sat Jul 08 13:11:47 2006
Subject: Re: Carol Lam / / Please call.

This is so sad -- I am not adjusting well to this change.

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

From: Mercer, Bill (ODAG)
To: Lam, Carol (USACAS)
CC: Elston, Michael (ODAG)
Sent: Sat Jul 08 11:54:13 2006
Subject: FW: Carol Lam / / Please call.

My time as PADAG has come to a close. I gather that you will be e-mailing something on Monday. Will you direct it to the Deputy's COS Mike Elston?

From: Henderson, Charles V
Sent: Friday, July 07, 2006 5:45 PM
To: Mercer, Bill (ODAG)
Subject: Carol Lam / / Please call.

She asked whether you are waiting for a response.

Subject: LA Proposal

John McKay asked that I forward to you Deb Yang's Linx proposal for LA. She will be briefing it at tonorrow's meeting. The LA Chiefs and the FBI ADIC strongly endorsed the project last week.

Tom McWeeney

Elston, Michael (ODAG)

From: Tim Griffin [griffinjag@comcast.net]
Sent: Monday, February 05, 2007 8:09 PM
To: Goodling, Monica
Subject: I have one more or so.
Importance: High

That guy is a British reporter who accepted some false allegations and made a story up. That's why no other national press picked it up in 2004. Now Palast (who wrote about it the first time in 2004) has written about it again. It is all about an election year.

The RNC was in no way trying to keep anyone from voting.

During the closing weeks of the 2004 presidential campaign when Mighty Mouse, Donald Duck, etc. were registering to vote. Voter registration fraud was rampant. That was the context.

The real story is this:

There were thousands of reported illegal/fake voter registrations around the country, so some of the Republican State Parties mailed letters welcoming new voters to the newly registered voters. Many, thousands, of the letters came back marked "return to sender," etc. because the address given in the registration did not exist. The RNC was asked to assist the State Parties with reviewing the thousands of letters that were kicked back. The RNC tried to identify if the addresses were real addresses because in some cases telephone poles, vacant buildings, and strip malls were found when the addresses were determined in person by folks on the ground. The results of that analysis is what was ultimately given to Greg Palast—nothing but an excel file full of addresses—some phoney, some not. (One of the emails sent by Tim Griffin an email on it that a campaign staffer had spelled wrong so it went to the mailbox—a dead letter office of email if you will--that a Democrat had set up. That's how they discovered the email with "caging" on it and tried to make a story out of it.)

In the world of direct mail, with which I am not intimately familiar, "caging" is the process of taking returned mail and organizing it in a spreadsheet--basically separating the "real" addresses from the bad ones. If you type caging in on the internet with Direct Mail, you will see that caging is a term of art. Hence, the use of the word caging for the file.

The Republican State Parties ultimately wanted to show that thousands of fraudulent voter registrations had been completed. They ultimately did..

That is all there is to it. Some bloggers, etc. tried to spin it in the last week of the election as the Republicans trying to keep minorities from voting, but that was a lie.

Sampson, Kyle

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

Thx.

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

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

Kyle:

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

Mike