
From: CN=Rachel R. Brand/OU=WHO/O=EOP [WHO]
To: Bradford A. Berenson/WHO/EOP@EOP [WHO] <Bradford A. Berenson>;Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 1/31/2001 10:14:57 AM
Subject: :
Attachments: P_JVPL0004_WHO.TXT_1.doc

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Rachel R. Brand (CN=Rachel R. Brand/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME:31-JAN-2001 15:14:57.00
SUBJECT::
TO:Bradford A. Berenson (CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

Attached is a draft template of the Circuit Memo.
ATT CREATION TIME/DATE: 0 00:00:00.00
File attachment <P_JVPL0004_WHO.TXT_1>

EIGHTH CIRCUIT COURT OF APPEALS

The Eighth Circuit Court of Appeals encompasses the States of Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota.

There are currently _____ judges on the Eighth Circuit (in addition to the two vacancies), including ____ Republican appointees and ____ Democratic appointees.

Vacancies to Fill Currently

Circuit judgeship formerly held by Judge George Fagg (Iowa), vacant since 5/1/99
*President Clinton nominated
Bonnie Campbell (Iowa) 1/3/01

Other Vacancies

Circuit judgeship formerly held by Judge Arlen Beam (Nebraska), vacant since 2/1/01

Candidates for Iowa Eighth Circuit Vacancy

John Doe
John Smith

Discussion and Comparison of Potential Nominees

[1 para. of discussion and comparison]

[If more than one potential nominee]: In light of the foregoing analysis, we recommend that the President nominate _____ to fill the vacant Eighth Circuit judgeship in the State of Iowa.

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: Alberto R. Gonzales/WHO/EOP@EOP [WHO] <Alberto R. Gonzales>; Timothy E. Flanigan/WHO/EOP@EOP [WHO] <Timothy E. Flanigan>; Bradford A. Berenson/WHO/EOP@EOP [WHO] <Bradford A. Berenson>; Helgard G. Walker/WHO/EOP@EOP [WHO] <Helgard G. Walker>; Courtney S. Elwood/WHO/EOP@EOP [WHO] <Courtney S. Elwood>; Stuart W. Bowen/WHO/EOP@EOP [WHO] <Stuart W. Bowen>; H. Christopher Bartolomucci/WHO/EOP@EOP [WHO] <H. Christopher Bartolomucci>; Rachel R. Brand/WHO/EOP@EOP [WHO] <Rachel R. Brand>; Noel J. Francisco/WHO/EOP@EOP [WHO] <Noel J. Francisco>; Robert W. Cobb/WHO/EOP@EOP [WHO] <Robert W. Cobb>
Sent: 2/15/2001 8:32:41 PM
Subject: : staff assistant

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 16-FEB-2001 01:32:41.00

SUBJECT:: staff assistant

TO: Alberto R. Gonzales (CN=Alberto R. Gonzales/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Timothy E. Flanigan (CN=Timothy E. Flanigan/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Bradford A. Berenson (CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Helgard G. Walker (CN=Helgard G. Walker/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Courtney S. Elwood (CN=Courtney S. Elwood/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Stuart W. Bowen (CN=Stuart W. Bowen/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: H. Christopher Bartolomucci (CN=H. Christopher Bartolomucci/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Rachel R. Brand (CN=Rachel R. Brand/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Noel J. Francisco (CN=Noel J. Francisco/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

TO: Robert W. Cobb (CN=Robert W. Cobb/OU=WHO/O=EOP@EOP [WHO])

READ: UNKNOWN

End Original ARMS Header

Gang:

I gave **PRA 6** the offer for staff assistant. She accepted and starts Monday.

Yours truly,
Midas

REV_00000353

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: Elizabeth N. Camp/WHO/EOP@EOP [WHO] <Elizabeth N. Camp>;Heather Larrison/WHO
/EOP@EOP [WHO] <Heather Larrison>
Sent: 2/15/2001 8:33:03 PM
Subject: : staff assistant

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 16-FEB-2001 01:33:03.00
SUBJECT: : staff assistant
TO: Elizabeth N. Camp (CN=Elizabeth N. Camp/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
TO: Heather Larrison (CN=Heather Larrison/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
End Original ARMS Header

FYI
----- Forwarded by Brett M. Kavanaugh/WHO/EOP on
02/15/2001 05:20 PM -----

Brett M. Kavanaugh
02/15/2001 05:08:02 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: staff assistant

Gang:
I gave **PRA 6** the offer for staff assistant. She accepted and starts
Monday.

Yours truly,
Midas

Message Sent

To:
Alberto R. Gonzales/WHO/EOP@EOP
Timothy E. Flanigan/WHO/EOP@EOP
Bradford A. Berenson/WHO/EOP@EOP
Helgard G. Walker/WHO/EOP@EOP
Courtney S. Elwood/WHO/EOP@EOP
Stuart W. Bowen/WHO/EOP@EOP
H. Christopher Bartolomucci/WHO/EOP@EOP
Rachel R. Brand/WHO/EOP@EOP
Noel J. Francisco/WHO/EOP@EOP
Robert W. Cobb/WHO/EOP@EOP

REV_00000359

From: CN=Rachel L. Brand/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>;Bradford A. Berenson/WHO/EOP@EOP [WHO] <Bradford A. Berenson>
Sent: 7/2/2001 9:27:03 AM
Subject: : Lunch w/Charles Fried

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Rachel L. Brand (CN=Rachel L. Brand/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 2-JUL-2001 13:27:03.00
SUBJECT:: Lunch w/Charles Fried
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
TO:Bradford A. Berenson (CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

You free for lunch in WH Mess with Fried, J. on July 11th?

----- Forwarded by Rachel L. Brand/WHO/EOP on 07/02/2001
11:07 AM -----

Charles Fried PRA 6
07/02/2001 10:55:57 AM
Record Type: Record

To: Rachel L. Brand/WHO/EOP
cc:
Subject: Re: July 11

Let's do it. I haven't been in WH mess since the Democratic occupation. I'll call later with deetails.

Charles

At 09:16 AM 07/02/2001 , you wrote:

>I noticed that you're speaking at the AEI event on July 11. If you'll be
>in town early enough for lunch that day, would you be interested in having
>lunch at the White House Mess? I'll round up a couple of my colleagues as
>well if you're available.

>

>Rachel Brand

>

From: CN=Rachel L. Brand/OU=WHO/O=EOP [WHO]
To: H. Christopher Bartolomucci/WHO/EOP@EOP [WHO] <H. Christopher Bartolomucci>;Bradford A. Berenson/WHO/EOP@EOP [WHO] <Bradford A. Berenson>;Stuart W. Bowen/WHO/EOP@EOP [WHO] <Stuart W. Bowen>;Robert W. Cobb/WHO/EOP@EOP [WHO] <Robert W. Cobb>;Courtney S. Elwood/WHO/EOP@EOP [WHO] <Courtney S. Elwood>;Noel J. Francisco/WHO/EOP@EOP [WHO] <Noel J. Francisco>;Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>;Helgard C. Walker/WHO/EOP@EOP [WHO] <Helgard C. Walker>;Rachel L. Brand/WHO/EOP@EOP [WHO] <Rachel L. Brand>
Sent: 8/1/2001 11:18:28 AM
Subject: : strom thurmond jr

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Rachel L. Brand (CN=Rachel L. Brand/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 1-AUG-2001 15:18:28.00

SUBJECT:: strom thurmond jr

TO:H. Christopher Bartolomucci (CN=H. Christopher Bartolomucci/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Bradford A. Berenson (CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Stuart W. Bowen (CN=Stuart W. Bowen/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Robert W. Cobb (CN=Robert W. Cobb/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Courtney S. Elwood (CN=Courtney S. Elwood/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Noel J. Francisco (CN=Noel J. Francisco/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Helgard C. Walker (CN=Helgard C. Walker/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Rachel L. Brand (CN=Rachel L. Brand/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

End Original ARMS Header

The Rachael Sunbarger e-mail re STrom Thurmond Jr. says "he was a Partner with Strom, Young and Thurmond."

Is that a typo? I don't think you could fabricate a firm name that more aptly describes him if you tried.

REV_00018995

From: PRA 6 [UNKNOWN]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 10/11/2001 7:25:38 AM
Subject: : Re: WH Auction Item

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: PRA 6 [UNKNOWN])
CREATION DATE/TIME: 11-OCT-2001 11:25:38.00
SUBJECT:: Re: WH Auction Item
TO: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
End Original ARMS Header

Hi Brett,

Thanks for your address and checking back. Maybe we could give away the item or have the Pres. write Liz a note. Whatever you could do is great. Thanks a bunch.

Carrie

From: CN=Kyle Sampson/OU=WHO/O=EOP [WHO]
To: Bradford A. Berenson/WHO/EOP@EOP [WHO] <Bradford A. Berenson>;Noel J. Francisco/WHO/EOP@EOP [WHO] <Noel J. Francisco>;Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 12/14/2001 10:01:12 AM
Subject: : good stuff

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Kyle Sampson (CN=Kyle Sampson/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 14-DEC-2001 15:01:12.00
SUBJECT: : good stuff
TO: Bradford A. Berenson (CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
TO: Noel J. Francisco (CN=Noel J. Francisco/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
TO: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
End Original ARMS Header

Thought you'd enjoy. The "Omaha beach" line is classic.

----- Forwarded by Kyle Sampson/WHO/EOP on 12/14/2001
03:00 PM -----

"Higbee, David" <David.Higbee@usdoj.gov>
12/14/2001 02:20:01 PM
Record Type: Record

To: Kyle Sampson/WHO/EOP@EOP, PRA 6
PRA 6 PRA 6
PRA 6
cc:
Subject: good stuff

Welcome to Europe, Mr. Ashcroft (WSJ)
Editorial
The Wall Street Journal, December 14, 2001
We'll admit to long amusement at the unique moral sensibilities of Europe, especially the French. No doubt Attorney General Ashcroft will get a lot of belly laughs on his four-nation European tour. Just for a warm-up, French Justice Minister Marylise Lebranchu has offered "counselor protection" to indicted French-Moroccan terrorist Zacarias Moussaoui. As another act of hospitality, the European Parliament declared that it "considers that the U.S. Patriot Act, which discriminates against non-U.S. citizens, and President Bush's executive order on military tribunals are contrary to the principles" of human rights. Europe needs to understand how most Americans are going to react to this: Something like, we hope your moral grandstanding is enough by itself to take Omaha Beach the next time around. These worthies are announcing that the fate of a few convicted terrorists is a matter of high principle, while the death of some 3,200 innocent Americans is not. It's possible to be confused on how seriously Americans take the terror threat if all you do is read the New York Times, though even its arm-chair civil libertarians have begun to calm down as they see that their hyperbole was overwrought.
French connection
Most Americans recognized from the first that the Bush Administration would handle tribunals and other special powers with respect for the rule of law, as (despite occasional mistakes) past wartime American governments have. A better indication of U.S. opinion is no less than Senator Hillary

Rodham Clinton, who endorsed military tribunals once she examined the precedents, er, the polls.

The Europeans, though, seem intent on using the issue to score cheap points with their own electorates. Take Minister Lebranchu's intervention in the Moussaoui case. Suspected of being the missing 20th hijacker of September 11, he was charged by the U.S. Justice Department on Tuesday with six counts of conspiracy, four of which carry the death penalty. Her French moral highness responded by offering him diplomatic immunity, as she put it, because "obviously, no person receiving French consular protection can be executed."

As it happens, Moussaoui was indicted in a civilian court, not by a military tribunal, so the Europeans are declaring their refusal to cooperate with the American civil-justice system. First they said they wouldn't extradite terrorists because of the tribunals, then the reason is the death penalty and now they say they are willing to pay terrorist legal fees. Next they'll hire Johnnie Cochran.

Now, Americans also consider the death penalty to be a moral issue; some of us would call it a test of a civilization's seriousness in coping with the evil side of human nature revealed by the World Trade Center mass murders. We'd even add that the French announcement of aid to Moussaoui is an example of the immoral appeasement that has allowed terrorists to run wild for 20 years.

But in the interest of comity and practicality, the U.S. has agreed not to seek the death penalty in some extradition cases. Would that Europe showed comparable accommodation. If the death penalty so offends them, perhaps Parisians would be willing to take the terrorists back after their U.S. conviction and be responsible for their imprisonment. Or, if the French are in a paying mood, maybe they'd reimburse the cost of lifetime incarceration stateside, along with some payments to judges who need the lifetime protection of federal marshals after presiding over terror trials. Just for the legal record, by the way, under the Vienna Convention of 1963, "consular protection" allows the accused person's country of origin to facilitate contacts with authorities, to ensure that he is being correctly treated and is able to receive family visits. It says nothing about preventing justice from being carried out.

Also for the record, Moussaoui was arrested in Minnesota four weeks before September 11 after flight-school instructors became suspicious because the novice trainee wanted to learn to fly jumbo jets. He is alleged to have traveled to al Qaeda camps, and he's been on a French watch list of suspected Islamic terrorists since 1999.

Among his contacts was Ramsi Binalshibh, a Yemeni who investigators think would have been the 20th terrorist had he been able to get a U.S. visa, which he failed to do four times. Mr. Binalshibh wired \$14,000 to Moussaoui a month before September 11, which would have helped pay for the \$6,300 fee at the flight school. The Yemeni also wired money to one of the hijackers. His number was in Mr. Moussaoui's personal address book.

It's charming that Europeans are worried about an outbreak of American fascism, though we'd point out that the real version always seems to pop up on their side of the pond. But confronting the U.S. on this issue will have a lasting and damaging effect on trans-Atlantic ties. Spain has walked point against military tribunals, so it shouldn't expect help bailing out its banks if they go under in Argentina. The Bosnian peacekeepers might very well have to do without the U.S. Army. And forget about a European defense force using U.S. airlift.

To adapt the Bush Doctrine to Europe, on bringing terrorists to justice, you're either for us or against us.

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: PRA 6
Sent: 1/18/2002 4:13:38 AM
Subject: : Re: White House 2001 Project

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 18-JAN-2002 09:13:38.00
SUBJECT: : Re: White House 2001 Project
TO: PRA 6 [UNKNOWN])
READ: UNKNOWN
End Original ARMS Header

Thanks for pointing me to web site. I did not see one for the
Offices of Political Affairs or Cabinet Affairs or Legislative Affairs.
Are there such reports?

PRA 6

01/17/2002 08:24:16 PM

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc:
Subject: Re: White House 2001 Project

Yes, Brett. I am the director of the project. Clay Johnson has a full set
of
the books in his office. Judge Gonzales has the complete one for the
Counsel's Office. In addition to the White House and office essays, the
full
briefing book has around 10 interviews with former Counsels. They are very
interesting interviews so they are something to hunt down if you have not
read them. A.B. Culvahouse's interview is very good.

At Clay's request, during the transition period I made two sets of the
briefing books for the seven offices. Each office had a separate briefing
book. The front part was pretty much the same, but the office essay, the
organization charts, and the interviews were fitted to the particular
offices. Each briefing book is around 400 to 500 pages.

Our website - whitehouse2001.org - has all of the office essays, the White
House and transition pieces, and the organization charts. Look under office
descriptions for those pieces. The White House and transition ones are
featured at the beginning of the website.

We are in the process of shrinking down the transition, White House, and
office pieces and putting them in a book but it will not be out until the
fall. If you have any trouble getting any of the essays, let me know and I
will download them for you and drop them in the White House mail.

Warm Wishes,

Martha

REV_00089682

From: CN=Matthew E. Smith/OU=WHO/O=EOP [WHO]
To: Heather Wingate/WHO/EOP@EOP [WHO] <Heather Wingate>;Bradford A. Berenson/WHO /EOP@EOP [WHO] <Bradford A. Berenson>;Brett Kavanaugh [WHO] <Brett Kavanaugh>
Sent: 1/25/2002 4:14:36 AM
Subject: : Press conference report -- w/thanks to FC!
Attachments: P_F3M15003_WHO.TXT_1.html

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Matthew E. Smith (CN=Matthew E. Smith/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME:25-JAN-2002 09:14:36.00
SUBJECT:: Press conference report -- w/thanks to FC!
TO:Heather Wingate (CN=Heather Wingate/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
TO:Bradford A. Berenson (CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
TO:Brett Kavanaugh (Brett Kavanaugh [WHO])
READ:UNKNOWN
End Original ARMS Header

----- Forwarded by Matthew E. Smith/WHO/EOP on 01/25/2002
09:14 AM -----

KRdaly@aol.com
01/24/2002 07:04:14 PM
Record Type: Record

To: KRdaly@aol.com
cc:
Subject: Press conference report -- w/thanks to FC!

Alliance for Justice/PFAW press conference, Thursday January 24, 2002.

The primary speakers were Nan Aron, Hilary Shelton (ph) (of NAACP), Ralph Neas, Kate Michelman, Wade Henderson, and Marcia Greenberger. There were no television cameras, some reporters, and a lot of supporters. Among the media were reporters for Gannett, Scripps-Howard, Roll Call (Kane), and Legal Times (Groner).

Aron: The participants represent millions of Americans. Pickering's confirmation will turn back the clock on the rights all Americans have come to enjoy. Priscilla Owen is also a problem; both ignore civil rights. The Fifth Circuit is the circuit with the highest number of minorities. Can we let them undo 40 years of protection? With Bush nominees, that's what's likely to happen. There's a hearing today, for Melloy. He's a moderate. Bush must understand that experienced moderate candidates will have support, but if he doesn't nominate them, he'll have a fight on his hands.

Shelton: The geography of the Fifth Circuit combines with the history of the civil rights struggle. Pickering is no friend of civil rights; he even criticizes some civil rights complaints as an attempt to cover up past poor job performance. He wrote an article in support of anti-miscegenation statutes. He had contacts with the Sovereignty Commission. Alone, that one is enough to justify his defeat. The right to vote was gained through struggling. Pickering would close the doors of opportunity.

REV_00089955

Neas: Pickering has 40 years of demonstrated hostility to civil rights in the public record. What's at stake? Abortion, the environment, &c., &c. Right-wing groups have packing the courts as their No. 1 priority. The Supreme Court is at stake. We've already seen the Orwellian performance of Lott, Ashcroft, and Hatch . . . and their complaints about delays. They created an ideological blockade during the Clinton Administration. You don't hear about the 35% of Clinton nominees who were blocked. They created 80 vacancies. Gonzales said what they did was wrong. Already, 7 of 13 circuits are under Republican control. That's going to increase. Leahy and Daschle are statesmen. They're doing a great job confirming judges; more than in '93. Twice as many as in '89. Leahy must feel like the guy following the circus parade, cleaning up the elephants' mess. Levin and Stabenow are right. McCree Lewis and White weren't treated fairly, and until the Administration makes a deal, there will be no confirmations to the Sixth Circuit.

Michelman: Pickering shows open hostility to abortion. He sought a constitutional amendment to prohibit abortion. The Fifth Circuit is the center of the anti-choice movement. He even supported a bill that would prohibit abortion except to save the life of the mother. He lacks respect for judicial independence (the constitutional amendment shows that [she claimed]). His efforts to limit the tenure of federal judges are further proof. He would use the Fifth Circuit as a platform for judicial activism.

Henderson: Pickering has "immoderate positions." We're discussing this in the context of the circuit to which he is nominated -- now one of the most, if not the most hostile circuits to civil rights. "This court cries out for moderation."

Greenberger: The burden should be on every nominee to demonstrate his or her qualifications. For many, we don't know what their positions ultimately are. We don't know how they will turn out. Pickering isn't a stealth nominee, though. Also, we haven't had the opportunity to see many of his unpublished opinions.

Greenberger spoke during a question and answer time. I suspect that most questions came from plants in the audience, judging by the way they were worded, &c. A few statements made during the questioning:

Regarding his approval to the district court by a Democrat Senate, Michelman said that he must be judged wholly anew. The stakes are higher and abortion wasn't covered during the first hearing.

Michelman said that restrictions on abortion disproportionately affect the poor, and the Fifth Circuit has more poor people in it than any other circuit.

Neas said that Lott, Ashcroft, et al. are good at the tactics of intimidation.

The whole thing ran for about an hour and 15 minutes. There were handouts from the Leadership Conference on Civil Rights, National Partnership for Women & Families, AFL-CIO, Alliance for Justice, ADA Watch, PFAW, NARAL, American Association of University Women, National Council of Jewish Women, and the National Women's Law Center. PFAW's 24 page report on Pickering was also available.

I distributed FCF's press release and spoke to several reporters.

John A. Nowacki
Deputy Director, Center for Law & Democracy
The Free Congress Foundation
Tel. (202) 546-3000
Fax (202) 543-5605

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00
File attachment <P_F3M15003_WHO.TXT_1>

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John A. Nowacki
Deputy Director, Center for Law & Democracy
The Free Congress Foundation
Tel. (202) 546-3000
Fax (202) 543-5605

REV_00089958

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: Helgard C. Walker/WHO/EOP@EOP [WHO] <Helgard C. Walker>
Sent: 1/29/2002 11:10:40 AM
Subject: : Hey

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 29-JAN-2002 16:10:40.00
SUBJECT: : Hey
TO: Helgard C. Walker (CN=Helgard C. Walker/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
End Original ARMS Header

as discussed

----- Forwarded by Brett M. Kavanaugh/WHO/EOP on
01/29/2002 04:10 PM -----

PRA 6

01/21/2002 01:21:57 PM
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc:
Subject: Hey

Got your msg abt the tours. Thanks.
So when are we getting together? Absurd how long it's been but we've both
been crazed. Anyway, one of my New Year's resolutions was to reconnect
with
friends. Let me know.
L

REV_00090113

From: CN=H. Christopher Bartolomucci/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 2/27/2002 2:45:24 PM
Subject: : Fw: Hey - Barbara needs to talk to Bret Kavanaugh now - emergency

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:H. Christopher Bartolomucci (CN=H. Christopher Bartolomucci/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:27-FEB-2002 19:45:24.00

SUBJECT:: Fw: Hey - Barbara needs to talk to Bret Kavanaugh now - emergency

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

End Original ARMS Header

Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

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

From:<Monica.Goodling@usdoj.gov>

To:H. Christopher Bartolomucci/WHO/EOP@EOP

Cc:

Date: 02/27/2002 07:39:39 PM

Subject: Hey - Barbara needs to talk to Bret Kavanaugh now - emergency

Do you have his cell phone or home number??! Pls email or call -- or have
Bret call Barbara at **PRA 6**. THANKS!

REV_00090864

From: CN=H. Christopher Bartolomucci/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 2/27/2002 3:29:03 PM
Subject: : Fw: Hey - Barbara needs Tim Flanigan since we can't get Bret

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:H. Christopher Bartolomucci (CN=H. Christopher Bartolomucci/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME:27-FEB-2002 20:29:03.00
SUBJECT:: Fw: Hey - Barbara needs Tim Flanigan since we can't get Bret
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

They want to talk to Tim as well. I think he's you know where. Can you handle this?

Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

----- Original Message -----
From:<Monica.Goodling@usdoj.gov>
To:H. Christopher Bartolomucci/WHO/EOP@EOP
Cc:
Date: 02/27/2002 07:56:55 PM
Subject: Hey - Barbara needs Tim Flanigan since we can't get Bret

Do you have Tim's cell or home number as well?

-----Original Message-----
From: Goodling, Monica
Sent: Wednesday, February 27, 2002 7:40 PM
To:
'/DDV=H._Christopher_Bartolomucci@who.eop.gov/DDT=RFC-822/O=INETGW/P=GOV+DO
J/A=TELEMAIL/C=US/'
Subject: Hey - Barbara needs to talk to Bret Kavanaugh now -
emergency

Do you have his cell phone or home number??! Pls email or call -- or have
Bret call Barbara at PRA 6. THANKS!

From: Emil Kleinhaus [PRA 6]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 2/27/2002 7:31:23 PM
Subject: : message from Randy Barnett

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Emil Kleinhaus [PRA 6] (Emil Kleinhaus [PRA 6]
[UNKNOWN])

CREATION DATE/TIME:28-FEB-2002 00:31:23.00

SUBJECT:: message from Randy Barnett

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

End Original ARMS Header

Randy Barnett left me a phone message suggesting that he should speak last on the panel since he will probably be responding to criticisms of originalism offered by Larry Kramer and Rebecca Brown. I thought I'd pass his message on. Thanks. Emil

From: Brown, Rebecca [REDACTED] PRA 6
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 3/1/2002 8:48:27 AM
Subject: : my remarks

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:"Brown, Rebecca" [REDACTED] PRA 6 ("Brown, Rebecca"
[REDACTED] PRA 6 [UNKNOWN])

CREATION DATE/TIME: 1-MAR-2002 13:48:27.00

SUBJECT:: my remarks

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

End Original ARMS Header

I can give you the beginning of what I plan to say tomorrow, just for purposes of your putting the panelists in an effective order and getting a sense of my overall theme. This is not the complete paper and I do plan to make significant revisions before tomorrow morning. Sorry for going down to the wire like this..

Rebecca Brown

I would like to use my time to pose and explore a puzzle that I think has not been satisfactorily resolved: why a nonoriginalist (like me) should care about history-as I do and as I think most non-originalists do. I want to say that historical truth (assuming there is such a thing) is overrated. At least in constitutional interpretation. What I mean by that is that the quest for "truth" misconceives, I think, the project of reading the Constitution as well as the role of the judge. That project, to my mind, is not the pursuit of historical fact at all. As my fellow panelist Professor Rakove has said so well, it "is very much about a specific moment in history but is not about history alone." But I am unwilling to say that history itself is either unimportant or irrelevant to the task of reading the Constitution. That is the puzzle. Setting out the framework for considering this puzzle, let me use Federalist 10 as an example. Should we consider Federalist 10 in interpreting the Constitution? The standard originalist view, looking to intent of the framers, is yes, we should-Madison was a framer and Federalist 10 sets out his theory of the structure of a large republic. Professor Kramer has shown us that, in fact, an originalist worth her salt should not follow Federalist 10 because few people other than Madison were aware of those arguments, let alone took them seriously in understanding or ratifying the Constitution. Thus, the answer for the revised originalist, like Professor Barnett-who looks for original meaning-should be no. That is one end of the spectrum-the original intent or original meaning originalism. Use history to confine, constrain and determine the meaning of a constitutional provision. At the other end of the spectrum is only a caricature, for no one has ever really pressed this approach, but it would be that we should look to the "best" political theory we can find, whether it be Madison or Machiavelli or Rawls-and use it to interpret the Constitution. This view is sometimes attributed to Dworkin, but as I say I believe it is a caricature of him and so will call that view the Dworkin caricature.

I submit that the challenge for truly responsible constitutional interpretation is to consider what middle ground there is that can consider Madison's views on faction as discussed in Federalist 10, caring about them

REV_00090936

even if they had no 18th century audience, yet not simply because Madison was a particularly astute political theorist, in the same category in that regard as Machiavelli or John Rawls. That middle ground holds the promise for constitutional judgment that has integrity both because it accords value to the historical and theoretical origins of the Constitution and because, at the same time, it does not abdicate responsibility to give that Constitution its best meaning for present times.

For I would want to understand Federalist 10 and use it to help me resolve current interpretational issues even if I knew that it had never been published at all. The question is why, and all I can do in this limited time is take a shot at beginning to answer it.

The project is to interpret the Constitution that we have. That is why history is useful-it helps us know more about the events that gave rise to our nation's commitments, it informs us as to the evils that the founders of our nation sought to avoid, and some of the aspirations to which they set their sights for posterity. History, in combination with the text of the Constitution, is a contributor to a larger sense of what the Constitution seeks to achieve, the balance that it seeks to strike, the values that it seeks to perpetuate. In that sense, history is relevant to the interpretation of the Constitution as a whole.

But history should not be confused with truth or with specific subjective desires of our ancestors. The historians confirm our sense that history will always be art, not nature. The array of choices and inferences to be made, the selection of dominant over recessive themes in a historical period, are all ways in which historians seek to render a collection of events intelligible for subsequent generations. That is a very useful task that they provide. By doing so, however, they tell us nothing about what the Constitution should mean in a given setting. Rather, they offer us a basis for developing insight into the larger purposes of the Constitution which judges or scholars can then use to develop judgments about what particular provisions should mean.

[more to come]

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: [PRA 6] [UNKNOWN] [PRA 6]
Sent: 3/7/2002 4:16:41 PM
Subject: : Re: party

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 7-MAR-2002 21:16:41.00
SUBJECT:: Re: party
TO: [PRA 6] ([PRA 6] [UNKNOWN])
READ: UNKNOWN
End Original ARMS Header

The blackberry did not go down far enough to get the attachment. Can you resend the invite part. Thanks

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: [PRA 6] [UNKNOWN] [PRA 6]
Sent: 3/9/2002 1:15:20 PM
Subject: : Homeland Security

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 9-MAR-2002 18:15:20.00
SUBJECT:: Homeland Security
TO: [PRA 6] [UNKNOWN])
READ: UNKNOWN
End Original ARMS Header

may well have room for a good summer intern, per your voicemail.
FAX me a resume at [PRA 6] hope all is well.

From: CN=Elizabeth N. Camp/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
CC: Allison L. Riepenhoff/WHO/EOP@EOP [WHO] <Allison L. Riepenhoff>
Sent: 4/24/2002 5:50:09 AM
Subject: : Re: tour time for Thursday

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Elizabeth N. Camp (CN=Elizabeth N. Camp/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME:24-APR-2002 09:50:09.00
SUBJECT:: Re: tour time for Thursday
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
CC:Allison L. Riepenhoff (CN=Allison L. Riepenhoff/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

Brett - If we start them at 7:00 at five minute intervals they should all be done approx 8:00 pm - maybe a few minutes before. Will this work?

----- Forwarded by Elizabeth N. Camp/WHO/EOP on
04/24/2002 09:48 AM -----

Colleen Litkenhaus
04/24/2002 09:48:14 AM
Record Type: Record

To: Elizabeth N. Camp/WHO/EOP@EOP
cc: Chad Babin/WHO/EOP@EOP
bcc:
Subject: Re: tour time for Thursday

He said 7PM was ok

Elizabeth N. Camp
04/24/2002 08:46:34 AM
Record Type: Record

To: Colleen Litkenhaus/WHO/EOP@EOP
cc:
Subject: tour time for Thursday

Checking in -

Were you able to determine if we could start the tour of the Supreme Court Clerks on Thursday as early as 6:30, 6:45 or 7:00?

Please let me know so we can let them know.

The President, Ash and Blake and I think the rest of the world are leaving today and tomorrow for Logan and Kate's wedding so hopefully we won't be disturbing anyone at all.

Thanks!

Lib

REV_00092767

From: CN=Collister W. Johnson/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
CC: mcnulty@ohiogop.org [UNKNOWN] <mcnulty@ohiogop.org>; Susan B. Ralston/WHO/EOP@EOP [WHO] <Susan B. Ralston>
Sent: 5/7/2002 11:30:03 AM
Subject: : Re: Legal Question for Karl Rove Friday

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Collister W. Johnson (CN=Collister W. Johnson/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 7-MAY-2002 15:30:03.00
SUBJECT:: Re: Legal Question for Karl Rove Friday
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
CC:mcnulty@ohiogop.org (mcnulty@ohiogop.org [UNKNOWN])
READ:UNKNOWN
CC:Susan B. Ralston (CN=Susan B. Ralston/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

Chris - please reply to all of us on questions as we go forward?

Brett - in answer to your question below: the Ohio Republican Party plans to write a check to the Limited for cost of first class airfare. That would be \$501 per person. Secondly, they would put Bruce Sol, who apparently knows Karl, on the flight. Bruce works for the Limited - your thoughts?

cj

Collister W. Johnson
05/07/2002 11:05:44 AM
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc: mcnulty@ohiogop.org
bcc: Records Management@EOP
Subject: Re: Legal Question for Karl Rove Friday

Chris - see below from Legal?
cj

Brett M. Kavanaugh
05/07/2002 11:03:28 AM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: susan b. ralston/who/eop@eop
bcc:
Subject: Re: Legal Question for Karl Rove Friday

What does it mean to pay "in full" -- that the Ohio GOP is actually renting the plane rather than merely reimbursing equivalent fare? About how much would they pay?

REV_00093536

Collister W. Johnson
05/07/2002 10:58:44 AM
Record Type: Record

To: Chris McNulty <McNulty@ohiogop.org>
cc: Brett M. Kavanaugh/WHO/EOP@EOP, Susan B. Ralston/WHO/EOP@EOP
bcc:
Subject: Re: Legal Question for Karl Rove Friday

Brett and Susan -
please see below re. Karl's travel from Columbus to Austin, TX this
Friday.
The Party is willing to pay for his plane in the manner below -
does this qualify as acceptable per White House regulations for plane
travel by senior staff?

cj

Chris McNulty <McNulty@ohiogop.org>
05/07/2002 10:23:46 AM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: PRA 6
Subject: Plane for Friday

Clarification Please

If we (ORP) pay, in full the Limited's Plane to fly you and Mr. Rove does
that work for you. The Limited would not be giving us the plane. We would
be paying them for the usage.
CAM

REV_00093537

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: Collister W. Johnson/WHO/EOP@EOP [WHO] <Collister W. Johnson>
CC: susan b. ralston/who/eop@eop [WHO] <susan b. ralston>
Sent: 5/7/2002 11:51:29 AM
Subject: : Re: Legal Question for Karl Rove Friday

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 7-MAY-2002 15:51:29.00
SUBJECT:: Re: Legal Question for Karl Rove Friday
TO: Collister W. Johnson (CN=Collister W. Johnson/OU=WHO/O=EOP@EOP [WHO])
READ: UNKNOWN
CC: susan b. ralston (CN=susan b. ralston/OU=who/O=eop@eop [WHO])
READ: UNKNOWN
End Original ARMS Header

That is a no. Note that I cc'ed only Susan.

Collister W. Johnson
05/07/2002 03:29:36 PM
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc: mcnulty@ohiogop.org, Susan B. Ralston/WHO/EOP@EOP
bcc:
Subject: Re: Legal Question for Karl Rove Friday

Chris - please reply to all of us on questions as we go forward?

Brett - in answer to your question below: the Ohio Republican Party plans to write a check to the Limited for cost of first class airfare. That would be \$501 per person. Secondly, they would put Bruce Sol, who apparently knows Karl, on the flight. Bruce works for the Limited - your thoughts?

cj

Collister W. Johnson
05/07/2002 11:05:44 AM
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc: mcnulty@ohiogop.org
bcc: Records Management@EOP
Subject: Re: Legal Question for Karl Rove Friday

Chris - see below from Legal?

cj

Brett M. Kavanaugh
05/07/2002 11:03:28 AM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: susan b. ralston/who/eop@eop
bcc:
Subject: Re: Legal Question for Karl Rove Friday

What does it mean to pay "in full" -- that the Ohio GOP is actually renting the plane rather than merely reimbursing equivalent fare? About how much would they pay?

Collister W. Johnson
05/07/2002 10:58:44 AM
Record Type: Record

To: Chris McNulty <McNulty@ohiogop.org>
cc: Brett M. Kavanaugh/WHO/EOP@EOP, Susan B. Ralston/WHO/EOP@EOP
bcc:
Subject: Re: Legal Question for Karl Rove Friday

Brett and Susan -
please see below re. Karl's travel from Columbus to Austin, TX this Friday.
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cj

Chris McNulty <McNulty@ohiogop.org>
05/07/2002 10:23:46 AM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: PRA 6
Subject: Plane for Friday

Clarification Please

If we (ORP) pay, in full the Limited's Plane to fly you and Mr. Rove does that work for you. The Limited would not be giving us the plane. We would be paying them for the usage.

CAM

REV_00093539

From: CN=Collister W. Johnson/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
CC: mcNulty@ohiogop.org [UNKNOWN] <mcNulty@ohiogop.org>
Sent: 5/7/2002 12:14:50 PM
Subject: : Re: Legal Question for Karl Rove Friday

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Collister W. Johnson (CN=Collister W. Johnson/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME: 7-MAY-2002 16:14:50.00
SUBJECT:: Re: Legal Question for Karl Rove Friday
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
CC:mcNulty@ohiogop.org (mcNulty@ohiogop.org [UNKNOWN])
READ:UNKNOWN
End Original ARMS Header

Thanks Brett -

Chris - we need a true charter option or a commerical option -
cj

Brett M. Kavanaugh
05/07/2002 03:51:17 PM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: susan b. ralston/who/eop@eop
bcc:
Subject: Re: Legal Question for Karl Rove Friday

That is a no. Note that I cc'ed only Susan.

Collister W. Johnson
05/07/2002 03:29:36 PM
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc: mcNulty@ohiogop.org, Susan B. Ralston/WHO/EOP@EOP
bcc:
Subject: Re: Legal Question for Karl Rove Friday

Chris - please reply to all of us on questions as we go forward?

Brett - in answer to your question below: the Ohio Republican Party plans to write a check to the Limited for cost of first class airfare. That would be \$501 per person. Secondly, they would put Bruce Sol, who apparently knows Karl, on the flight. Bruce works for the Limited - your thoughts?

cj

Collister W. Johnson
05/07/2002 11:05:44 AM
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc: mcnulty@ohiogop.org
bcc: Records Management@EOP
Subject: Re: Legal Question for Karl Rove Friday

Chris - see below from Legal?
cj

Brett M. Kavanaugh
05/07/2002 11:03:28 AM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: susan b. ralston/who/eop@eop
bcc:
Subject: Re: Legal Question for Karl Rove Friday

What does it mean to pay "in full" -- that the Ohio GOP is actually renting the plane rather than merely reimbursing equivalent fare? About how much would they pay?

Collister W. Johnson
05/07/2002 10:58:44 AM
Record Type: Record

To: Chris McNulty <McNulty@ohiogop.org>
cc: Brett M. Kavanaugh/WHO/EOP@EOP, Susan B. Ralston/WHO/EOP@EOP
bcc:
Subject: Re: Legal Question for Karl Rove Friday

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The Party is willing to pay for his plane in the manner below - does this qualify as acceptable per White House regulations for plane travel by senior staff?

cj

Chris McNulty <McNulty@ohiogop.org>
05/07/2002 10:23:46 AM
Record Type: Record

To: Collister W. Johnson/WHO/EOP@EOP
cc: PRA 6
Subject: Plane for Friday

Clarification Please

REV_00093542

If we (ORP) pay, in full the Limited's Plane to fly you and Mr. Rove does that work for you. The Limited would not be giving us the plane. We would be paying them for the usage.

CAM

From: CN=Jay P. Lefkowitz/OU=OPD/O=EOP [OPD]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 5/8/2002 12:19:40 PM
Subject: : AP on today's fill rule court decision

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Jay P. Lefkowitz (CN=Jay P. Lefkowitz/OU=OPD/O=EOP [OPD])
CREATION DATE/TIME: 8-MAY-2002 16:19:40.00
SUBJECT:: AP on today's fill rule court decision
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

I've mandamus'd this guy before. Think we should offer to help out . . .
.
----- Forwarded by Jay P. Lefkowitz/OPD/EOP on 05/08/2002
04:19 PM -----

Samuel A. Thernstrom
05/08/2002 04:16:21 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: AP on today's fill rule court decision

Judge rules Army Corps of Engineers can't issue mountaintop coal mining permits
By BRIAN FARKAS
Associated Press Writer
May 8, 2002

CHARLESTON, W.Va. (AP) -- A federal judge Wednesday ordered the U.S. Army Corps of Engineers to stop issuing the permits needed to conduct mountaintop coal mining, in which the tops of ridges in Appalachia are sheared off and the dirt and rock are pushed into nearby streams.

Environmentalists have bitterly objected to the practice.

The order represents the second time since 1999 that U.S. District Judge Charles Haden II has ruled on the issue. A federal appeals court overturned Haden's earlier ruling, saying he lacked jurisdiction because the underlying lawsuit involved a state agency.

Wednesday's ruling was issued instead against the Army Corps of Engineers, a federal agency.

The ruling stems from a lawsuit filed against the corps in February by the group Kentuckians for the Commonwealth.

In its lawsuit, the group charged the corps "has no legal authority under the Clean Water Act to issue permits to dispose of waste rock from surface coal mining activities in streams." It asked Haden to block a permit the corps had approved for Beechfork Processing Inc.'s mountaintop removal mine in Martin County, Ky.

Beechfork's mine would create 27 valley fills and bury 6.3 miles of stream.

Coal companies that operate in mountainous Appalachian coalfields have

been turning to mountaintop removal mining as an inexpensive way to mine coal reserves. The tops of mountains are sheared off by explosives and large earth moving machines are used to expose coal seams.

Although federal mining laws require companies to reclaim land to its approximate original contour, companies have received permits to dump tons of excess rock and dirt into hollows to create fills.

Of the 306 fill permits issued in 2000 under Section 404 of the U.S. Clean Water Act, the corps' Huntington district issued 257, which accounted for the burial of 85 miles of stream. The remaining permits accounted for 2 miles of stream.

The Huntington district covers West Virginia and portions of Kentucky and Ohio.

Message Sent

To:

james.connaughton/ceq/eop@eop
jay.p.lefkowitz/opd/eop@eop
phil.cooney/ceq/eop@eop
scott.mcclellan/who/eop@eop
claire.e.buchan/who/eop@eop
nicolle.devenish/who/eop@eop
jeanie.s.mamo/who/eop@eop
kristen.silverberg/who/eop@eop
john.graham/omb/eop@eop
paul.r.noel/omb/eop@eop
trent.d.duffy/omb/eop@eop
george.dunlop@hqda.army.mil @ inet
PRA 6
dominic.izzo@hqda.army.mil @ inet
bruce.berwick@hqda.army.mil @ inet
martyak.joe@epa.gov
william.l.leary/ceq/eop@eop
Peck.Gregory@epamail.epa.gov
Jennifer.G.Newstead/WHO/EOP@EOP

From: Burton, Faith <Faith.Burton@usdoj.gov>
To: Herbert, James <James.Herbert@usdoj.gov>; Colborn, Paul P
<Paul.P.Colborn@usdoj.gov>; Israelite, David <David.Israelite@usdoj.gov>; Ayres, David
<David.T.Ayres@usdoj.gov>; Wray, Chris <Chris.Wray@usdoj.gov>; Durham, John
<John.Durham2@usdoj.gov>; Hoffman, Richard <Richard.Hoffman2@usdoj.gov>; Chertoff,
Michael <Mike.Chertoff@usdoj.gov>; Horowitz, Michael-CRM
<Michael.Horowitz3@usdoj.gov>; Ohr, Bruce G <Bruce.G.Ohr@usdoj.gov>; Lowrie, Kenneth
<Kenneth.Lowrie@usdoj.gov>; Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M.
Kavanaugh>; [REDACTED] PRA 6
CC: O'Brien, Pat <Pat.O'Brien@usdoj.gov>; Bryant, Dan <Dan.Bryant@usdoj.gov>
Sent: 5/9/2002 8:02:45 AM
Subject: : Counteroffer from Jim Wilson, following up on our letter of last night

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:"Burton, Faith" <Faith.Burton@usdoj.gov> ("Burton, Faith" <Faith.Burton@usdoj.gov>
[UNKNOWN])

CREATION DATE/TIME: 9-MAY-2002 12:02:45.00

SUBJECT:: Counteroffer from Jim Wilson, following up on our letter of last night

TO:"Herbert, James" <James.Herbert@usdoj.gov> (Receipt Notification Requested) (IPM Return
Requested) ("Herbert, James" <James.Herbert@usdoj.gov> (Receipt Notification Requested)
(IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Colborn, Paul P" <Paul.P.Colborn@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) ("Colborn, Paul P" <Paul.P.Colborn@usdoj.gov> (Receipt Notification
Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Israelite, David" <David.Israelite@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) ("Israelite, David" <David.Israelite@usdoj.gov> (Receipt Notification
Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Ayres, David" <David.T.Ayres@usdoj.gov> (Receipt Notification Requested) (IPM Return
Requested) ("Ayres, David" <David.T.Ayres@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Wray, Chris" <Chris.Wray@usdoj.gov> (Receipt Notification Requested) (IPM Return
Requested) ("Wray, Chris" <Chris.Wray@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Durham, John" <John.Durham2@usdoj.gov> (Receipt Notification Requested) (IPM Return
Requested) ("Durham, John" <John.Durham2@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Hoffman, Richard" <Richard.Hoffman2@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) ("Hoffman, Richard" <Richard.Hoffman2@usdoj.gov> (Receipt Notification
Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Chertoff, Michael" <Mike.Chertoff@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) ("Chertoff, Michael" <Mike.Chertoff@usdoj.gov> (Receipt Notification
Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Horowitz, Michael-CRM" <Michael.Horowitz3@usdoj.gov> (Receipt Notification Requested)
(IPM Return Requested) ("Horowitz, Michael-CRM" <Michael.Horowitz3@usdoj.gov> (Receipt
Notification Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Ohr, Bruce G" <Bruce.G.Ohr@usdoj.gov> (Receipt Notification Requested) (IPM Return
Requested) ("Ohr, Bruce G" <Bruce.G.Ohr@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:"Lowrie, Kenneth" <Kenneth.Lowrie@usdoj.gov> (Receipt Notification Requested) (IPM
Return Requested) ("Lowrie, Kenneth" <Kenneth.Lowrie@usdoj.gov> (Receipt Notification
Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

REV_00093681

READ:UNKNOWN

TO: [REDACTED] (Receipt Notification Requested) (IPM Return Requested) ([REDACTED] (Receipt Notification Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

CC:"O'Brien, Pat" <Pat.O'Brien@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) ("O'Brien, Pat" <Pat.O'Brien@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

CC:"Bryant, Dan" <Dan.Bryant@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) ("Bryant, Dan" <Dan.Bryant@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

End Original ARMS Header

Last night, we sent the enclosed letter, with multiple attachments, to the Committee. As the letter indicates, O'Sullivan will not appear at the hearing, although we've agreed to make the memo he authored available for his review and the Committee's questioning of him about it at a later time. In lieu of agreeing to their providing access to the Harrington memo to Zalkind, we enclosed with our letter the two portions of the Patriarca wiretap logs that are reiterated verbatim in the memo; they are the only references to the Deegan murder in the memo (which pertains to a subsequent unrelated crime). In our conversation yesterday, Jim indicated that he hasn't reviewed the memo in some time, although in response to his request, we have provided it to him for the full days of this past Monday and Tuesday. We have taken it up again this morning and will leave it with him for review as late in the day as he wants it (we'll camp out in front of his office all night, if necessary). This morning, he asked if we would agree to their showing the Harrington memo to Zalkind if that portion of the hearing were closed. Views?

From: CN=Helgard C. Walker/OU=WHO/O=EOP [WHO]
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>;Jennifer G. Newstead/WHO/EOP@EOP [WHO] <Jennifer G. Newstead>;Elizabeth S. Dougherty/OPD/EOP@EOP [OPD] <Elizabeth S. Dougherty>
CC: PRA 6
Sent: 5/20/2002 9:22:48 AM
Subject: : I see a (really good) Maureen Dowd column in this...

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Helgard C. Walker (CN=Helgard C. Walker/OU=WHO/O=EOP [WHO])
CREATION DATE/TIME:20-MAY-2002 13:22:48.00
SUBJECT:: I see a (really good) Maureen Dowd column in this...
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
TO:Jennifer G. Newstead (CN=Jennifer G. Newstead/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
TO:Elizabeth S. Dougherty (CN=Elizabeth S. Dougherty/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN
CC:j [PRA 6] [UNKNOWN])
READ:UNKNOWN
End Original ARMS Header

Ted Kennedy Hosts Obesity Hearings. In its &Inside the Beltway8 column, the Washington Times (5/20, McCaslin) writes, &Who better than Sen. Edward M. Kennedy, Massachusetts Democrat and chairman of the Senate's subcommittee on Public Health, to convene hearings this week on the nation's +obesity epidemic,? (The Senate's hearings come on the heels of Uncle Sam raising his BMI (Body Mass Index) standards. As a result, 30 million Americans overnight went from being government-approved to +overweight, or +obese.,8 The Times adds, &As for the raised BMI standards, seemingly fit athletes like Michael Jordan and Cal Ripken Jr. are now classified as +overweight, in Uncle Sam's book, while Hollywood hunks Tom Cruise and Russell Crowe are officially +obese., (Come to think of it, this columnist broke bread with Mr. Kennedy during one dinner last week, and I wouldn't be surprised if the senator ranks right up there with the other hunks.8

From: Terry Sullivan [REDACTED] PRA 6
To: Brett M. Kavanaugh/WHO/EOP@EOP [WHO] <Brett M. Kavanaugh>
Sent: 5/21/2002 5:58:40 PM
Subject: : Baker Institute assistance

Begin Original ARMS Header #####
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:Terry Sullivan [REDACTED] PRA 6 (Terry Sullivan
[REDACTED] PRA 6 [UNKNOWN])
CREATION DATE/TIME:21-MAY-2002 21:58:40.00
SUBJECT:: Baker Institute assistance
TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

Mr. Kavanaugh,

The Baker Institute needs some help. The Institute was an original attendee to your meeting with social science groups in December on the President's Executive Order 13233. We pledged our assistance on this issue to Judge Gonzales back in September when he visited the Institute.

Recently I was invited to attend the followup meeting this Thursday. In preparation for attending the meeting, I sent you an email containing a memo outlining our sense of the issue.

Sending you that memo has apparently violated some norm that we, being in Houston, are not aware of and as a consequence we were "uninvited" today. Since this is an issue that Secretary Baker cares about, I hope you appreciate that I cannot simply let the matter of our participation drop.

I am sure that you have better things to do than to get entwined in interscholastic disputes, but the Baker Institute would like very much to participate in this discussion and would hope that there is something that you can do. I would appreciate it if you could invite the Institute to the meeting separately. Barring that, I would like to see you or Judge Gonzales separately so that the Institute has an opportunity to lend you our judgment and, frankly, to demonstrate that the Institute can't simply be dismissed because its opinions differ or because it fails to follow some protocol it didn't know about or didn't participate in creating.

Again, please accept my apologies for getting you into this.

~~~~~  
Terry Sullivan 512/276.1104  
White House Transition Project  
James A. Baker III Institute for Public Policy chiefsforum@rice.edu

and

Department of Political Science sullivan@ibiblio.org  
& the White House 2001 Project www.whitehouse2001.org  
University of North Carolina at Chapel Hill

[www.ibiblio.org/sullivan/bios/TerrySullivan-bio.html](http://www.ibiblio.org/sullivan/bios/TerrySullivan-bio.html)

When the only sure thing is change,  
the only real hope is imagination.

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Terry Sullivan [ PRA 6 ]  
**Sent:** 5/21/2002 6:04:26 PM  
**Subject:** : Re: Baker Institute assistance

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 21-MAY-2002 22:04:26.00

SUBJECT: Re: Baker Institute assistance

TO: Terry Sullivan [ PRA 6 ] ( Terry Sullivan [ PRA 6 ] [ UNKNOWN ] )

READ: UNKNOWN

##### End Original ARMS Header #####

We are happy to meet with interested parties on this subject regardless of what group you may be a part of.

Terry Sullivan [ PRA 6 ]

05/21/2002 09:53:38 PM

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: Baker Institute assistance

Mr. Kavanaugh,

The Baker Institute needs some help. The Institute was an original attendee to your meeting with social science groups in December on the President's Executive Order 13233. We pledged our assistance on this issue to Judge Gonzales back in September when he visited the Institute.

Recently I was invited to attend the followup meeting this Thursday. In preparation for attending the meeting, I sent you an email containing a memo outlining our sense of the issue.

Sending you that memo has apparently violated some norm that we, being in Houston, are not aware of and as a consequence we were "uninvited" today. Since this is an issue that Secretary Baker cares about, I hope you appreciate that I cannot simply let the matter of our participation drop.

I am sure that you have better things to do than to get entwined in interscholastic disputes, but the Baker Institute would like very much to participate in this discussion and would hope that there is something that you can do. I would appreciate it if you could invite the Institute to the meeting separately. Barring that, I would like to see you or Judge Gonzales separately so that the Institute has an opportunity to lend you our judgment and, frankly, to demonstrate that the Institute can't simply be dismissed because its opinions differ or because it fails to follow some protocol it didn't know about or didn't participate in creating.

Again, please accept my apologies for getting you into this.

~~~~~  
Terry Sullivan 512/276.1104
White House Transition Project
James A. Baker III Institute for Public Policy chiefsforum@rice.edu

REV_00094339

and

Department of Political Science sullivan@ibiblio.org
& the White House 2001 Project www.whitehouse2001.org
University of North Carolina at Chapel Hill

www.ibiblio.org/sullivan/bios/TerrySullivan-bio.html

When the only sure thing is change,
the only real hope is imagination.

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]
To: Terry Sullivan [PRA 6]
Sent: 5/22/2002 1:54:01 AM
Subject: : Re: Baker Institute assistance

Begin Original ARMS Header

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 22-MAY-2002 05:54:01.00

SUBJECT:: Re: Baker Institute assistance

TO: Terry Sullivan [PRA 6] (Terry Sullivan [PRA 6] [UNKNOWN])

READ: UNKNOWN

End Original ARMS Header

We will not dictate who Martha Kumar wants to invite to the meeting. But we are happy to meet with you separately or as part of that group.

Terry Sullivan [PRA 6]

05/21/2002 10:09:30 PM

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP
cc:
Subject: Re: Baker Institute assistance

Thanks for your prompt response. Is it possible to get cleared through the West Gate then (Eisenhower) for the Thursday meeting or would you rather meet at a different time? I arrive in DC tomorrow around 2 and would be at your service until 9:30 Friday morning. I would prefer participating in the meeting on Thursday but can understand it if you feel reluctant to get in the middle of what is a silly dispute between Washington and non-Washington entities.

~~~~~  
Terry Sullivan 919/962.0413  
Department of Political Science sullivan@ibiblio.org  
& the White House 2001 Project www.whitehouse2001.org  
University of North Carolina at Chapel Hill

[www.ibiblio.org/sullivan/bios/TerrySullivan-bio.html](http://www.ibiblio.org/sullivan/bios/TerrySullivan-bio.html)

When the only sure thing is change,  
the only real hope is imagination.

**From:** Rebecca Seidel) ( Rebecca\_Seidel@judiciary.senate.gov (Rebecca Seidel) [ UNKNOWN ]  
**To:** Matthew Kirk/WHO/EOP@EOP [ WHO ] <Matthew Kirk>;Brett M. Kavanaugh/WHO/EOP@EOP  
[ WHO ] <Brett M. Kavanaugh>  
**Sent:** 6/10/2002 6:43:46 AM  
**Subject:** : Fwd:Media Advisory: 9/11 Families to Rally on Capitol Hill f

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Rebecca\_Seidel@judiciary.senate.gov (Rebecca Seidel) (  
Rebecca\_Seidel@judiciary.senate.gov (Rebecca Seidel) [ UNKNOWN ] )

CREATION DATE/TIME:10-JUN-2002 10:43:46.00

SUBJECT:: Fwd:Media Advisory: 9/11 Families to Rally on Capitol Hill f

TO:Matthew Kirk ( CN=Matthew Kirk/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

##### End Original ARMS Header #####

FYI - in case you didn't already hear.

Forward Header

Subject: Media Advisory: 9/11 Families to Rally on Capitol Hill for I

Author: Stephen Push <spush@familiesofseptember11.org>

Date: 6/10/2002 5:52 AM

Contact:

Stephen Push

Families of September 11

202-257-1252

www.familiesofseptember11.org

Sept. 11 Families to Rally in Support of Independent Commission

WHO: A coalition of organizations representing families of the Sept. 11 victims, including September 11th Advocates, Families of September 11, the Skyscraper Safety Campaign, and Voices of September 11th.

WHAT: A rally to support establishment of an independent, bipartisan commission that would have a broad mandate to study events surrounding the Sept. 11 terrorist attacks and make recommendations to improve prevention of and response to future attacks.

WHEN: Tuesday, June 11, 2002, from 11:00 a.m. to 1:00 p.m.

WHERE: Upper Senate Park on the corner of Constitution and Delaware Avenues, Washington, D.C.

SPEAKERS: Senators Robert Torricelli (D-N.J.), John McCain (R-Ariz.), Joseph Lieberman (D-Conn.), Chuck Grassley (R-Iowa), Jon Corzine (D-N.J.), and Hilary Clinton (D-N.Y.); Representatives Dick Gephardt (D-Mo.), Tim Roemer (D-Ind.), Rush Holt (D-N.J.), and Chris Shays (R-Conn.); and advocates representing the Sept. 11 families, families of the Pan Am 103 victims, and flight attendants.

BACKGROUND:

On December 20, Senators Lieberman and McCain introduced a bill that would establish a 14-member panel of experts not currently in government service to evaluate facts relating to intelligence, law enforcement, diplomacy, border control, commercial aviation, the flow of assets to terrorist organizations, and any other matters relevant to the Sept. 11 attacks. Co-sponsors of the bill include Senators Torricelli, Grassley, Corzine, and Clinton.

REV\_00095239

On May 20, Representative Roemer introduced a bill that would establish a 10-member commission to study the attacks. So far, the House bill has 76 co-sponsors.

Representative Shays and others are calling on President George W. Bush to appoint a presidential commission to investigate the attacks. The coalition supports the establishment of an independent commission because:

- The nation cannot effectively prevent or respond to future attacks without adequate knowledge of the problems that led to the Sept. 11 tragedy.
- The victims' families and the public deserve to know the facts concerning the most devastating act of terrorism against Americans in history.
- Only an independent commission can conduct the study in an atmosphere free from political pressure.
- Only a comprehensive study can provide the "big picture" view needed for an integrated approach to homeland security and the war on terrorism.

The coalition wants the commission to take a broad view of the issues, including actions taken by Congress and past administrations. It also wants the commission to avoid a potentially divisive search for individuals to blame; the focus should be on improving the nation's security. The victims' families believe that saving lives is the only way to ensure that their loved ones will not have died in vain. The coalition applauds the Senate and House intelligence committees and other congressional committees that are undertaking investigations and oversight of various areas relating to homeland security and anti-terrorism efforts. The families believe those investigations should continue and would be complemented by an independent commission report. Independent commission reports were prepared after the Pearl Harbor attack, the bombing of Pan Am 103 over Lockerbie, Scotland, and other tragic events in the nation's history.

Received: from mailsims1.senate.gov ([156.33.203.10]) by mailexch.senate.gov with SMTP

(IMA Internet Exchange 3.13) id 00336102; Mon, 10 Jun 2002 05:44:17 -0400

Received: from [REDACTED] by mailsims1.senate.gov

(Sun Internet Mail Server sims.3.5.2000.03.23.18.03.p10)

with SMTP id <0GXH00BF3HPQXO@mailsims1.senate.gov>; Mon,

10 Jun 2002 05:44:16 -0400 (EDT)

Received: from oemcomputer ([68.100.183.54])

[REDACTED] (InterMail vM.5.01.04.05

201-253-122-122-105-20011231)

with SMTP id <20020610094414.JXXQ4949 [REDACTED]

Mon,

10 Jun 2002 05:44:14 -0400

Date: Mon, 10 Jun 2002 05:52:39 -0400

From: Stephen Push <spush@familiesofseptember11.org>

Subject: Media Advisory: 9/11 Families to Rally on Capitol Hill for

Independent

Commission

To: Stephen Push <spush@familiesofseptember11.org>

Message-id: <000a01c21064\$b7e04ee0\$36b76444@nv.cox.net>

MIME-version: 1.0

X-Mailer: Microsoft Outlook Express 6.00.2600.0000

Content-type: text/plain; charset=Windows-1252

Content-transfer-encoding: QUOTED-PRINTABLE

X-MSMail-Priority: Normal

X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2600.0000

REV\_00095240

X-Priority: 3

**From:** Manuel Miranda) ( Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda) [ UNKNOWN ]  
**To:** joe\_jacquot@hutchison.senate.gov [ UNKNOWN ] <joe\_jacquot@hutchison.senate.gov>; Tim  
Goeglein/WHO/EOP@EOP [ WHO ] <Tim Goeglein>; Heather Wingate/WHO/EOP@EOP [ WHO  
] <Heather Wingate>; Anne Womack/WHO/EOP@EOP [ WHO ] <Anne  
Womack>; Kristi.L.Remington@usdoj.gov [ UNKNOWN ]  
<Kristi.L.Remington@usdoj.gov>; Steve.Koebele@usdoj.gov [ UNKNOWN ]  
<Steve.Koebele@usdoj.gov>; Mark.Corallo@usdoj.gov [ UNKNOWN ]  
<Mark.Corallo@usdoj.gov>; Pat.O'Brien@usdoj.gov [ UNKNOWN ]  
<Pat.O'Brien@usdoj.gov>; Don.Willett@usdoj.gov [ UNKNOWN ] <Don.Willett@usdoj.gov>; Alex  
Dahl) ( Alex\_Dahl@judiciary.senate.gov (Alex Dahl) [ UNKNOWN ]  
<Alex\_Dahl@judiciary.senate.gov>; Barbara\_Ledeen@src.senate.gov [ UNKNOWN ]  
<Barbara\_Ledeen@src.senate.gov>; Matthew E. Smith/WHO/EOP@EOP [ WHO ] <Matthew E.  
Smith>; joschal@att.net [ UNKNOWN ] <joschal@att.net>; Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>; Nathan.Sales@usdoj.gov [ UNKNOWN ]  
<Nathan.Sales@usdoj.gov>; Wendy.J.Keefer@usdoj.gov [ UNKNOWN ]  
<Wendy.J.Keefer@usdoj.gov>; Adam.Charnes@usdoj.gov [ UNKNOWN ]  
<Adam.Charnes@usdoj.gov>; Monica.Goodling@usdoj.gov [ UNKNOWN ]  
<Monica.Goodling@usdoj.gov>; Viet.Dinh@usdoj.gov [ UNKNOWN ]  
<Viet.Dinh@usdoj.gov>; Nancy.Scottfinan@usdoj.gov [ UNKNOWN ]  
<Nancy.Scottfinan@usdoj.gov>

**PRA 6**

**Sent:** 7/12/2002 2:53:14 PM  
**Subject:** : Re[2]: REMINDER -- daily conf. call re. Priscilla Owen nomin

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda) (  
Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda) [ UNKNOWN ] )

CREATION DATE/TIME:12-JUL-2002 18:53:14.00

SUBJECT:: Re[2]: REMINDER -- daily conf. call re. Priscilla Owen nomin

TO:joe\_jacquot@hutchison.senate.gov ( joe\_jacquot@hutchison.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO:Heather Wingate ( CN=Heather Wingate/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO:Anne Womack ( CN=Anne Womack/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO:Kristi.L.Remington@usdoj.gov ( Kristi.L.Remington@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Steve.Koebele@usdoj.gov ( Steve.Koebele@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Mark.Corallo@usdoj.gov ( Mark.Corallo@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Pat.O'Brien@usdoj.gov ( Pat.O'Brien@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Don.Willett@usdoj.gov ( Don.Willett@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Alex\_Dahl@judiciary.senate.gov (Alex Dahl) ( Alex\_Dahl@judiciary.senate.gov (Alex Dahl)  
[ UNKNOWN ] )  
READ:UNKNOWN

TO:Barbara\_Ledeen@src.senate.gov ( Barbara\_Ledeen@src.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Matthew E. Smith ( CN=Matthew E. Smith/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO:joschal@att.net ( joschal@att.net [ UNKNOWN ] )  
READ:UNKNOWN

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO:Nathan.Sales@usdoj.gov ( Nathan.Sales@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Wendy.J.Keefer@usdoj.gov ( Wendy.J.Keefer@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Adam.Charnes@usdoj.gov ( Adam.Charnes@usdoj.gov [ UNKNOWN ] )

REV\_00096697

READ:UNKNOWN  
TO:Monica.Goodling@usdoj.gov ( Monica.Goodling@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Viet.Dinh@usdoj.gov ( Viet.Dinh@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Nancy.Scottfinan@usdoj.gov ( Nancy.Scottfinan@usdoj.gov [ UNKNOWN ] )  
READ:UNKNOWN  
TO:KRdaly@aol.com ( KRdaly@aol.com [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Not if their's is going forward. The plan appears to be to change the date to Wednesday.

Reply Separator

Subject: Re: REMINDER -- daily conf. call re. Priscilla Owen nominati  
Author: KRdaly@aol.com  
Date: 7/12/2002 6:32 PM

I am having heart palpitations.....does this mean that we cancel the press conference on Monday that we just spent hours and hours and hours putting together?

Received: from mailsims1.senate.gov ([156.33.203.10]) by mailexch.senate.gov with SMTP

(IMA Internet Exchange 3.13) id 00426412; Fri, 12 Jul 2002 18:32:52 -0400  
Received: from imo-d08.mx.aol.com by mailsims1.senate.gov (Sun Internet Mail Server sims.3.5.2000.03.23.18.03.p10) with SMTP id <0GZ500DAFQMEUX@mailsims1.senate.gov>; Fri, 12 Jul 2002 18:32:40 -0400 (EDT)

Received: from KRdaly@aol.com by imo-d08.mx.aol.com (mail\_out\_v32.21.) id s.9b.2a4a05c3 (4197); Fri, 12 Jul 2002 18:32:11 -0400 (EDT)  
Date: Fri, 12 Jul 2002 18:32:11 -0400 (EDT)

From: KRdaly@aol.com

Subject: Re: REMINDER -- daily conf. call re. Priscilla Owen nomination -- 6:00-6:30

To: Nancy.Scottfinan@usdoj.gov, Don.Willett@usdoj.gov, Viet.Dinh@usdoj.gov, Pat.O'Brien@usdoj.gov, Monica.Goodling@usdoj.gov, Mark.Corallo@usdoj.gov, Adam.Charnes@usdoj.gov, Steve.Koebele@usdoj.gov, Wendy.J.Keefner@usdoj.gov, Kristi.L.Remington@usdoj.gov, Nathan.Sales@usdoj.gov, Anne\_Womack@who.eop.gov, brett\_m.\_kavanaugh@who.eop.gov, Heather\_Wingate@who.eop.gov, joschal@att.net,

Alex\_Dahl@judiciary.senate.gov, Manuel\_Miranda@judiciary.senate.gov, Tim\_Goeglein@who.eop.gov, Matthew\_E.\_Smith@who.eop.gov, joe\_jacquot@hutchison.senate.gov, Barbara\_Ledeen@src.senate.gov

Message-id: <9b.2a4a05c3.2a60b2eb@aol.com>

MIME-version: 1.0

X-Mailer: AOL 7.0 for Windows US sub 119

Content-type: text/plain; charset=US-ASCII

Content-transfer-encoding: 7bit

**From:** Willett, Don <Don.Willett@usdoj.gov>  
**To:** PRA 6; 'Manuel\_Miranda@judiciary.senate.gov' <Manuel\_Miranda@judiciary.senate.gov> PRA 6; Anne Womack/WHO/EOP@EOP [ WHO ] <Anne Womack>; 'Barbara\_Ledeen@src.senate.gov' <Barbara\_Ledeen@src.senate.gov>; Charnes, Adam <Adam.Charnes@usdoj.gov>; Sales, Nathan <Nathan.Sales@usdoj.gov>; Dinh, Viet <Viet.Dinh@usdoj.gov>; Corallo, Mark <Mark.Corallo@usdoj.gov>; Heather Wingate/WHO/EOP@EOP [ WHO ] <Heather Wingate>; 'alex\_dahl@judiciary.senate.gov' <alex\_dahl@judiciary.senate.gov>; Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>; Tim Goeglein/WHO/EOP@EOP [ WHO ] <Tim Goeglein>; O'Brien, Pat <Pat.O'Brien@usdoj.gov>; Remington, Kristi L <Kristi.L.Remington@usdoj.gov>; Koebele, Steve <Steve.Koebele@usdoj.gov>; Goodling, Monica <Monica.Goodling@usdoj.gov>; Keefer, Wendy J <Wendy.J.Keefer@usdoj.gov>  
**Sent:** 7/12/2002 11:39:01 AM  
**Subject:** : Re: anti-Owen briefing by TPJ at the Nat'l Press Club nex

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:"Willett, Don" <Don.Willett@usdoj.gov> ( "Willett, Don" <Don.Willett@usdoj.gov> [ UNKNOWN ] )

CREATION DATE/TIME:12-JUL-2002 15:39:01.00

SUBJECT:: Re: anti-Owen briefing by TPJ at the Nat'l Press Club nex

TO: "'KRdaly@aol.com'" <KRdaly@aol.com> ( "'KRdaly@aol.com'" <KRdaly@aol.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "'Manuel\_Miranda@judiciary.senate.gov'" <Manuel\_Miranda@judiciary.senate.gov> ( "'Manuel\_Miranda@judiciary.senate.gov'" <Manuel\_Miranda@judiciary.senate.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "'joschal@att.net'" <joschal@att.net> ( "'joschal@att.net'" <joschal@att.net> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Anne Womack ( CN=Anne Womack/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: "'Barbara\_Ledeen@src.senate.gov'" <Barbara\_Ledeen@src.senate.gov> ( "'Barbara\_Ledeen@src.senate.gov'" <Barbara\_Ledeen@src.senate.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Charnes, Adam" <Adam.Charnes@usdoj.gov> ( "Charnes, Adam" <Adam.Charnes@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Sales, Nathan" <Nathan.Sales@usdoj.gov> ( "Sales, Nathan" <Nathan.Sales@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Dinh, Viet" <Viet.Dinh@usdoj.gov> ( "Dinh, Viet" <Viet.Dinh@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Corallo, Mark" <Mark.Corallo@usdoj.gov> ( "Corallo, Mark" <Mark.Corallo@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Heather Wingate ( CN=Heather Wingate/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: "'alex\_dahl@judiciary.senate.gov'" <alex\_dahl@judiciary.senate.gov> ( "'alex\_dahl@judiciary.senate.gov'" <alex\_dahl@judiciary.senate.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: "O'Brien, Pat" <Pat.O'Brien@usdoj.gov> ( "O'Brien, Pat" <Pat.O'Brien@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Remington, Kristi L" <Kristi.L.Remington@usdoj.gov> ( "Remington, Kristi L" <Kristi.L.Remington@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Koebele, Steve" <Steve.Koebele@usdoj.gov> ( "Koebele, Steve" <Steve.Koebele@usdoj.gov> [ UNKNOWN ] )  
READ:UNKNOWN

TO: "Goodling, Monica" <Monica.Goodling@usdoj.gov> ( "Goodling, Monica"

REV\_00096700

<Monica.Goodling@usdoj.gov> [ UNKNOWN ] )

READ:UNKNOWN

TO:"Keefer, Wendy J" <Wendy.J.Keefer@usdoj.gov> ( "Keefer, Wendy J"

<Wendy.J.Keefer@usdoj.gov> [ UNKNOWN ] )

READ:UNKNOWN

##### End Original ARMS Header #####

BL, I'm in a mtg right now with GOP counsels on Judiciary, and there's strong agreement here that there needs to be a strong jam-back in the same new cycle. Having CFJ folks there at the TPJ event to buttonhole media and rebut charges is terrific, but the consensus at this R-side counsel mtg is that there needs to be an immediate and more formal countervailing event, maybe sponsored by CFJ, but featuring strong, articulate folks who can effectively separate fact from fiction re. Justice Owen and her record. --- Sent from my BlackBerry.

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

From: Barbara Ledeen <Barbara\_Ledeen@src.senate.gov>

To: Keefer, Wendy J <Wendy.J.Keefer@USDOJ.gov>; Willett, Don

<Don.Willett@USDOJ.gov>; Corallo, Mark <Mark.Corallo@USDOJ.gov>; Goodling,

Monica <Monica.Goodling@USDOJ.gov>; Dinh, Viet <Viet.Dinh@USDOJ.gov>;

Koebele, Steve <Steve.Koebele@USDOJ.gov>; Sales, Nathan

<Nathan.Sales@USDOJ.gov>; Remington, Kristi L

<Kristi.L.Remington@USDOJ.gov>; Charnes, Adam <Adam.Charnes@USDOJ.gov>;

O'Brien, Pat <Pat.O'Brien@USDOJ.gov>; 'Tim(u)Goeglein(a)who.eop.gov'

<Tim\_Goeglein@who.eop.gov>; 'anne(u)womack(a)who.eop.gov'

<anne\_womack@who.eop.gov>; 'brett(u)m.(u)kavanaugh(a)who.eop.gov'

<brett\_m.\_kavanaugh@who.eop.gov>; 'joschal(a)att.net' <joschal@att.net>;

'alex(u)dahl(a)judiciary.senate.gov' <alex\_dahl@judiciary.senate.gov>;

'Manuel(u)Miranda(a)judiciary.senate.gov'

<Manuel\_Miranda@judiciary.senate.gov>; 'heather(u)wingate(a)who.eop.gov'

<heather\_wingate@who.eop.gov>; 'KRdaly(a)aol.com' <KRdaly@aol.com>

Sent: Fri Jul 12 14:00:01 2002

Subject: Re[2]: anti-Owen briefing by TPJ at the Nat'l Press Club nex

The tort reform people cannot come to town on Monday--they will be here wed. so

i think we will have the members of the coalition for a fair judiciary on monday

and the tort reofrm people and the lowyers on wed. OK?

Barbara Ledeen

Director of Coalitions

Senate Republican Conference

202-224-2763

Reply Separator

Subject: Re: anti-Owen briefing by TPJ at the Nat'l Press Club next M

Author: "Keefer; Wendy J" <Wendy.J.Keefer@usdoj.gov>

Date: 7/12/2002 1:43 PM

Great idea, I actually just got a mesage from ATRA that they are standing by to

help on all our judicial nominees. I will send the contact info to Barbara

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

From: Barbara Ledeen <Barbara\_Ledeen@src.senate.gov>

To: Willett, Don <Don.Willett@USDOJ.gov>; Corallo, Mark

<Mark.Corallo@USDOJ.gov>; Goodling, Monica <Monica.Goodling@USDOJ.gov>;

Dinh,

Viet <Viet.Dinh@USDOJ.gov>; Koebele, Steve <Steve.Koebele@USDOJ.gov>;

Sales,

Nathan <Nathan.Sales@USDOJ.gov>; Remington, Kristi L

<Kristi.L.Remington@USDOJ.gov>; Keefer, Wendy J <Wendy.J.Keefer@USDOJ.gov>;

Charnes, Adam <Adam.Charnes@USDOJ.gov>; O'Brien, Pat

<Pat.O'Brien@USDOJ.gov>;

REV\_00096701



Tim Goeglein (E-mail) <Tim\_Goeglein@who.eop.gov>; Anne Womack (E-mail) <anne\_womack@who.eop.gov>; brett\_m.\_kavanaugh@who.eop.gov <brett\_m.\_kavanaugh@who.eop.gov>; Jennifer Oschal (E-mail) <joschal@att.net>; Alex Dahl (E-mail) <alex\_dahl@judiciary.senate.gov>; Manuel\_Miranda@judiciary.senate.gov <Manuel\_Miranda@judiciary.senate.gov>; Heather Wingate (E-mail) <heather\_wingate@who.eop.gov>; Kay Daly (E-mail) <KRDaly@aol.com>  
Sent: Fri Jul 12 11:03:51 2002  
Subject: Re:anti-Owen briefing by TPJ at the Nat'l Press Club next Mo

I think we should get the American Tort Reform Association, the Texas Tort Reform group and any other organizations of that sort to have a counter press conference at the same time.

Barbara Ledeen  
Director of Coalitions  
Senate Republican Conference  
202-224-2763

Reply Separator

Subject: anti-Owen briefing by TPJ at the Nat'l Press Club next Mon.  
Author: "Willett; Don" <Don.Willett@usdoj.gov>  
Date: 7/12/2002 9:38 AM

July 15, 2002

ORGANIZATION: Texans for Public Justice - holds a briefing to oppose Priscilla Owen's nomination to the Fifth Circuit Court of Appeals.

TIME: 10 a.m.

LOCATION: National Press Club, 14th and F Streets NW, Zenger Room, Washington, DC

CONTACT: 512-472-9770

TYPE: Briefing

SUBJECT: Judiciary;

LOAD-DATE: July 11, 2002

Received: from mailsims1.senate.gov ([156.33.203.10]) by mailexch.senate.gov with SMTP

(IMA Internet Exchange 3.13) id 004210A1; Fri, 12 Jul 2002 10:55:31 -0400

Received: from wdcsun022.usdoj.gov (wdcsun4.usdoj.gov) by mailsims1.senate.gov (Sun Internet Mail Server sims.3.5.2000.03.23.18.03.p10)

with SMTP id <0GZ5004JV5G8JC@mailsims1.senate.gov> for Barbara\_Ledeen@src.senate.gov; Fri, 12 Jul 2002 10:55:21 -0400 (EDT)

Received: from wt6.usdoj.gov (localhost [127.0.0.1]) by wdcsun022.usdoj.gov (Netscape Messaging Server 4.15)

with ESMTP id GZ55FW00.X1G; Fri, 12 Jul 2002 10:55:08 -0400

Received: (from x400@localhost) by wt6.usdoj.gov (8.9.3 (PHNE\_24419)/8.9.3) id KAA16422; Fri, 12 Jul 2002 10:55:07 -0400 (EDT)

Received: by TELEMAIL; Fri, 12 Jul 2002 09:38:47 -0400

Date: Fri, 12 Jul 2002 09:38:48 -0400

From: "Willett, Don" <Don.Willett@usdoj.gov>

REV\_00096702

Subject: anti-Owen briefing by TPJ at the Nat'l Press Club next Mon.

To: "Corallo, Mark" <Mark.Corallo@usdoj.gov> (Receipt Notification Requested)

(IPM Return Requested), "Goodling, Monica" <Monica.Goodling@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested),

"Dinh, Viet" <Viet.Dinh@usdoj.gov> (Receipt Notification Requested)

(IPM Return Requested), "Koebele, Steve" <Steve.Koebele@usdoj.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Sales, Nathan" <Nathan.Sales@usdoj.gov> (Receipt Notification Requested)

(IPM Return Requested), "Remington, Kristi L"

<Kristi.L.Remington@usdoj.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Keefer, Wendy J" <Wendy.J.Keefer@usdoj.gov> (Receipt Notification

Requested)

(IPM Return Requested), "Charnes, Adam" <Adam.Charnes@usdoj.gov>

(Receipt Notification Requested) (IPM Return Requested),

"O'Brien, Pat" <Pat.O'Brien@usdoj.gov> (Receipt Notification Requested)

(IPM Return Requested), "Tim Goeglein (E-mail)" <Tim\_Goeglein@who.eop.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Anne Womack (E-mail)" <anne\_womack@who.eop.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Brett Kavanaugh (E-mail)" <brett\_m.\_kavanaugh@who.eop.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Jennifer Oschal (E-mail)" <joschal@att.net> (Receipt Notification

Requested)

(IPM Return Requested),

"Barbara Ledeen (E-mail)" <Barbara\_Ledeen@src.senate.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Alex Dahl (E-mail)" <alex\_dahl@judiciary.senate.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Manuel Miranda (E-mail)" <Manuel\_Miranda@judiciary.senate.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Heather Wingate (E-mail)" <heather\_wingate@who.eop.gov>

(Receipt Notification Requested) (IPM Return Requested),

"Kay Daly (E-mail)" <KRdaly@aol.com> (Receipt Notification Requested)

(IPM Return Requested)

Message-id: <"JMD0081-020712133847Z-392276\*/PRMD=USDOJ-JCON/ADMD=

/C=US/"@MHS>

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Content-identifier: anti-Owen briefi

MIME-version: 1.0

X-Mailer: NetJunction (NetJunction 5.1.1-p2)/MIME

Content-type: TEXT/PLAIN; CHARSET=US-ASCII

Importance: Normal

Original-encoded-information-types: IA5-Text

Priority: Normal

Precedence: first-class

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X-Priority: 3 (Normal)

Received: from mailsims1.senate.gov ([156.33.203.10]) by

mailexch.senate.gov

with SMTP

(IMA Internet Exchange 3.13) id 00422E45; Fri, 12 Jul 2002 13:43:55 -0400

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by mailsims1.senate.gov (Sun Internet Mail Server

sims.3.5.2000.03.23.18.03.p10)

with SMTP id <0GZ5008GMD9GKX@mailsims1.senate.gov> for

Barbara\_Ledeen@src.senate.gov; Fri, 12 Jul 2002 13:44:05 -0400 (EDT)

Received: from wt6.usdoj.gov (localhost [127.0.0.1])

by wdcsun022.usdoj.gov (Netscape Messaging Server 4.15)

with ESMTP id GZ5D9301.Q51; Fri, 12 Jul 2002 13:43:51 -0400

Received: (from x400@localhost) by wt6.usdoj.gov (8.9.3 (PHNE\_24419)/8.9.3)

id NAA04434; Fri, 12 Jul 2002 13:43:51 -0400 (EDT)

Received: by TELEMAIL; Fri, 12 Jul 2002 13:43:09 -0400

Date: Fri, 12 Jul 2002 13:43:10 -0400

From: "Keefer, Wendy J" <Wendy.J.Keefer@usdoj.gov>

Subject: Re: anti-Owen briefing by TPJ at the Nat'l Press Club next Mo

REV\_00096703

To: "Willet, Don" <Don.Willet@usdoj.gov>,  
"Corallo, Mark" <Mark.Corallo@usdoj.gov>,  
"Goodling, Monica" <Monica.Goodling@usdoj.gov>,  
"Dinh, Viet" <Viet.Dinh@usdoj.gov>,  
"Koebele, Steve" <Steve.Koebele@usdoj.gov>,  
"Sales, Nathan" <Nathan.Sales@usdoj.gov>,  
"Remington, Kristi L" <Kristi.L.Remington@usdoj.gov>,  
"Charnes, Adam" <Adam.Charnes@usdoj.gov>,  
"O'Brien, Pat" <Pat.O'Brien@usdoj.gov>,  
"Barbara\_Ledeen@src.senate.gov" <Barbara\_Ledeen@src.senate.gov>,  
"Tim\_Goeglein@who.eop.gov" <Tim\_Goeglein@who.eop.gov>,  
"anne\_womack@who.eop.gov" <anne\_womack@who.eop.gov>,  
"brett\_m.\_kavanaugh@who.eop.gov" <brett\_m.\_kavanaugh@who.eop.gov>,  
"joschal@att.net" <joschal@att.net>,  
"alex\_dahl@judiciary.senate.gov" <alex\_dahl@judiciary.senate.gov>,  
"Manuel\_Miranda@judiciary.senate.gov" <Manuel\_Miranda@judiciary.senate.gov>,  
"heather\_wingate@who.eop.gov" <heather\_wingate@who.eop.gov>,  
"KRdaly@aol.com" <KRdaly@aol.com>  
Message-id: <"JMD0081-020712174309Z-395927\*/PRMD=USDOJ-JCON/ADMD=  
/C=US/"@MHS>  
Autoforwarded: FALSE  
Content-identifier: Re: anti-Owen br  
MIME-version: 1.0  
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Content-type: TEXT/PLAIN; CHARSET=US-ASCII  
Importance: Normal  
Original-encoded-information-types: IA5-Text  
Priority: Normal  
Precedence: first-class  
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X400-MTS-identifier: [/P=USDOJ-JCON/A= /C=US/;JMD0081-020712174309Z-395927]  
X-Priority: 3 (Normal)

**From:** Barbara Ledeen) ( Barbara\_Ledeen@src.senate.gov (Barbara Ledeen) [ UNKNOWN ]  
**To:** <PRA 6 >; Anne Womack/WHO/EOP@EOP [ WHO ]  
<Anne Womack>; Pat.O'Brien@usdoj.gov [ UNKNOWN ]  
<Pat.O'Brien@usdoj.gov>; Kristi.L.Remington@usdoj.gov [ UNKNOWN ]  
<Kristi.L.Remington@usdoj.gov>; Steve.Koebele@usdoj.gov [ UNKNOWN ]  
<Steve.Koebele@usdoj.gov>; Monica.Goodling@usdoj.gov [ UNKNOWN ]  
<Monica.Goodling@usdoj.gov>; Wendy.J.Keefer@usdoj.gov [ UNKNOWN ]  
<Wendy.J.Keefer@usdoj.gov>; Alex\_Dahl@judiciary.senate.gov [ UNKNOWN ]  
<Alex\_Dahl@judiciary.senate.gov>; Mark Rodgers) ( Mark\_Rodgers@src.senate.gov (Mark Rodgers) [ UNKNOWN ] <Mark\_Rodgers@src.senate.gov>; Heather Wingate/WHO/EOP@EOP [ WHO ] <Heather Wingate>; Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>; Tim Goeglein/WHO/EOP@EOP [ WHO ] <Tim Goeglein>; Adam.Charnes@usdoj.gov [ UNKNOWN ]  
<Adam.Charnes@usdoj.gov>; Nathan.Sales@usdoj.gov [ UNKNOWN ]  
<Nathan.Sales@usdoj.gov>; Viet.Dinh@usdoj.gov [ UNKNOWN ]  
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<Mark.Corallo@usdoj.gov>; Don.Willett@usdoj.gov [ UNKNOWN ]  
<Don.Willett@usdoj.gov>; Manuel\_Miranda@judiciary.senate.gov [ UNKNOWN ]  
<Manuel\_Miranda@judiciary.senate.gov> <PRA 6 >  
**Sent:** 7/15/2002 6:38:03 AM  
**Subject:** : Re[2]: Re[5]: anti-Owen briefing by TPJ at the Nat'l Press C

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Barbara\_Ledeen@src.senate.gov (Barbara Ledeen) ( Barbara\_Ledeen@src.senate.gov (Barbara Ledeen) [ UNKNOWN ] )

CREATION DATE/TIME: 15-JUL-2002 10:38:03.00

SUBJECT:: Re[2]: Re[5]: anti-Owen briefing by TPJ at the Nat'l Press C

TO: joschal@att.net ( joschal@att.net [ UNKNOWN ] )

READ: UNKNOWN

TO: Anne Womack ( CN=Anne Womack/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Pat.O'Brien@usdoj.gov ( Pat.O'Brien@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Kristi.L.Remington@usdoj.gov ( Kristi.L.Remington@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Steve.Koebele@usdoj.gov ( Steve.Koebele@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Monica.Goodling@usdoj.gov ( Monica.Goodling@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Wendy.J.Keefer@usdoj.gov ( Wendy.J.Keefer@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Alex\_Dahl@judiciary.senate.gov ( Alex\_Dahl@judiciary.senate.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Mark\_Rodgers@src.senate.gov (Mark Rodgers) ( Mark\_Rodgers@src.senate.gov (Mark Rodgers) [ UNKNOWN ] )

READ: UNKNOWN

TO: Heather Wingate ( CN=Heather Wingate/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Adam.Charnes@usdoj.gov ( Adam.Charnes@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Nathan.Sales@usdoj.gov ( Nathan.Sales@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Viet.Dinh@usdoj.gov ( Viet.Dinh@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Mark.Corallo@usdoj.gov ( Mark.Corallo@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Don.Willett@usdoj.gov ( Don.Willett@usdoj.gov [ UNKNOWN ] )

READ: UNKNOWN

REV\_00096753

TO:Manuel\_Miranda@judiciary.senate.gov ( Manuel\_Miranda@judiciary.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN  
TO:KRDaly@aol.com ( KRDaly@aol.com [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

BOYDEN GRAY and VICTORIA TOENSING WILL SPEAK.

Barbara Ledeen  
Director of Coalitions  
Senate Republican Conference  
202-224-2763

Reply Separator

Subject: Re: Re[5]: anti-Owen briefing by TPJ at the Nat'l Press Club  
Author: KRDaly@aol.com  
Date: 7/12/2002 5:55 PM

Monday's press conference -- 11 AM -- National Press Club -- Edward R.  
Murrow  
Room.

Confirmed participants include Ken Conner (Family Research Council), Tom  
Jipping (Concerned Women for America), Todd Gaziano (Heritage Foundation),  
James Fotis (Law Enforcement Alliance of America), Victor Schwartz  
(American  
Tort Reform Association), Marty Reiser (Citizens for a Sound Economy), Fred  
Nichols (National Association of Manufacturers) and John Nowacki (Judicial  
Selection Monitoring Project, Free Congress Foundation). Others to be  
confirmed.

Received: from mailsims2.senate.gov ([156.33.203.11]) by  
mailexch.senate.gov  
with SMTP

(IMA Internet Exchange 3.13) id 00425F5A; Fri, 12 Jul 2002 17:56:10 -0400  
Received: from imo-m09.mx.aol.com by mailsims2.senate.gov  
(Sun Internet Mail Server sims.3.5.2000.03.23.18.03.p10)  
with SMTP id <0GZ500L300XR9T@mailsims2.senate.gov>; Fri,  
12 Jul 2002 17:56:19 -0400 (EDT)

Received: from [REDACTED] by imo-m09.mx.aol.com (mail\_out\_v32.21.)  
id v.33.29db3542 (4197); Fri, 12 Jul 2002 17:55:56 -0400 (EDT)  
Date: Fri, 12 Jul 2002 17:55:56 -0400 (EDT)

From: KRDaly@aol.com

Subject: Re: Re[5]: anti-Owen briefing by TPJ at the Nat'l Press Club nex

To: Manuel\_Miranda@judiciary.senate.gov, Barbara\_Ledeen@src.senate.gov,  
Alex\_Dahl@judiciary.senate.gov, Mark\_Rodgers@src.senate.gov,  
Don\_Willett@usdoj.gov, Wendy.J.Keefer@usdoj.gov, Mark.Corallo@usdoj.gov,  
Monica.Goodling@usdoj.gov, Viet.Dinh@usdoj.gov, Steve.Koebele@usdoj.gov,  
Nathan.Sales@usdoj.gov, Kristi.L.Remington@usdoj.gov,  
Adam.Charnes@usdoj.gov,  
Pat.O'Brien@usdoj.gov, Tim\_Goeglein@who.eop.gov, anne\_womack@who.eop.gov,  
brett\_m.\_kavanaugh@who.eop.gov, [REDACTED],  
heather\_wingate@who.eop.gov

Message-id: <33.29db3542.2a60aa6c@aol.com>

MIME-version: 1.0

X-Mailer: AOL 7.0 for Windows US sub 119

Content-type: text/plain; charset=US-ASCII

Content-transfer-encoding: 7bit

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** [ PRA 6 ] [ UNKNOWN ] [ PRA 6 ] @ inet>  
**Sent:** 7/28/2002 5:47:10 PM  
**Subject:** :

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 28-JUL-2002 21:47:10.00

SUBJECT: :

TO: [ PRA 6 ] ( [ PRA 6 ] [ UNKNOWN ] )

READ: UNKNOWN

##### End Original ARMS Header #####

Where are you working now? Sorry we could not work anything out here, but positions here require some experience in practice or govt. Keep me posted.

---

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Anne Womack/WHO/EOP@EOP [ WHO ] <Anne Womack>  
**Sent:** 8/26/2002 5:57:21 AM  
**Subject:** : Re: I know I chastised you for this yesterday...

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 26-AUG-2002 09:57:21.00  
SUBJECT: : Re: I know I chastised you for this yesterday...  
TO: Anne Womack ( CN=Anne Womack/OU=WHO/O=EOP@EOP [ WHO ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

your e-mail was very funny (and Ashley agreed). We had just been sitting by the pool in California, so it was easy to respond. But shortly after you sent your e-mail chastising me, we left for Sun Valley, Idaho, where the blackberry no longer worked and so I was in radio silence. Anyway, I will talk to Taylor Griffin.

Anne Womack  
08/22/2002 02:23:48 PM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: I know I chastised you for this yesterday...

but today I need you. are you on your blackberry?

**From:** CN=Charlotte L. Montiel/OU=WHO/O=EOP [ WHO ]  
**To:** Timothy E. Flanigan/WHO/EOP@EOP [ WHO ] <Timothy E. Flanigan>;Patrick J. Bumatay/WHO/EOP@EOP [ WHO ] <Patrick J. Bumatay>;Allison L. Riepenhoff/WHO/EOP@EOP [ WHO ] <Allison L. Riepenhoff>;Jennifer G. Newstead/WHO/EOP@EOP [ WHO ] <Jennifer G. Newstead>;Kyle Sampson/WHO/EOP@EOP [ WHO ] <Kyle Sampson>;Brent D. Greenfield/WHO/EOP@EOP [ WHO ] <Brent D. Greenfield>;Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>;Noel J. Francisco/WHO/EOP@EOP [ WHO ] <Noel J. Francisco>;Alberto R. Gonzales/WHO/EOP@EOP [ WHO ] <Alberto R. Gonzales>;James W. Carroll/WHO/EOP@EOP [ WHO ] <James W. Carroll>;Elizabeth N. Camp/WHO/EOP@EOP [ WHO ] <Elizabeth N. Camp>;Bradford A. Berenson/WHO/EOP@EOP [ WHO ] <Bradford A. Berenson>;Helgard C. Walker/WHO/EOP@EOP [ WHO ] <Helgard C. Walker>;Hana F. Brilliant/WHO/EOP@EOP [ WHO ] <Hana F. Brilliant>;Nanette Everson/WHO/EOP@EOP [ WHO ] <Nanette Everson>;H. Christopher Bartolomucci/WHO/EOP@EOP [ WHO ] <H. Christopher Bartolomucci>;Benjamin A. Powell/WHO/EOP@EOP [ WHO ] <Benjamin A. Powell>  
**Sent:** 9/12/2002 12:18:11 PM  
**Subject:** : Benji's Big News

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Charlotte L. Montiel ( CN=Charlotte L. Montiel/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:12-SEP-2002 16:18:11.00

SUBJECT:: Benji's Big News

TO:Timothy E. Flanigan ( CN=Timothy E. Flanigan/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Patrick J. Bumatay ( CN=Patrick J. Bumatay/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Allison L. Riepenhoff ( CN=Allison L. Riepenhoff/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Jennifer G. Newstead ( CN=Jennifer G. Newstead/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Kyle Sampson ( CN=Kyle Sampson/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Brent D. Greenfield ( CN=Brent D. Greenfield/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Noel J. Francisco ( CN=Noel J. Francisco/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Alberto R. Gonzales ( CN=Alberto R. Gonzales/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:James W. Carroll ( CN=James W. Carroll/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Elizabeth N. Camp ( CN=Elizabeth N. Camp/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Bradford A. Berenson ( CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Helgard C. Walker ( CN=Helgard C. Walker/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Hana F. Brilliant ( CN=Hana F. Brilliant/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Nanette Everson ( CN=Nanette Everson/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:H. Christopher Bartolomucci ( CN=H. Christopher Bartolomucci/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:Benjamin A. Powell ( CN=Benjamin A. Powell/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

##### End Original ARMS Header #####

Benji McMurray, one of our summer interns, has accepted an offer to clerk for Judge Paul G. Cassell of the U.S. District Court for the District of Utah. If you'd like to email him to congratulate him, his email address

is: PRA 6

Charlotte Montiel

REV\_00099376





---

**From:** CN=Charlotte L. Montiel/OU=WHO/O=EOP [ WHO ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 9/26/2002 9:47:57 AM  
**Subject:** : Lauren needs final sig on Health Act HR 4600--- call her

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Charlotte L. Montiel ( CN=Charlotte L. Montiel/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME:26-SEP-2002 13:47:57.00  
SUBJECT:: Lauren needs final sig on Health Act HR 4600--- call her  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Call her at PRA 6

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Katherine M. Walters/WHO/EOP@EOP [ WHO ] <Katherine M. Walters>  
**Sent:** 9/26/2002 3:21:09 PM  
**Subject:** : Re: Jennifer Bendall

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 26-SEP-2002 19:21:09.00  
SUBJECT: Re: Jennifer Bendall  
TO: Katherine M. Walters ( CN=Katherine M. Walters/OU=WHO/O=EOP@EOP [ WHO ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

I think we should avoid this.

Katherine M. Walters  
09/26/2002 11:55:45 AM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: Jennifer Bendall

Brett- please advise on whether ken can do this. He does not have a strong feeling either way.

----- Forwarded by Katherine M. Walters/WHO/EOP on  
09/26/2002 11:55 AM -----

Michael J. Conway  
09/24/2002 04:36:29 PM  
Record Type: Record

To: Katherine M. Walters/WHO/EOP@EOP  
cc:  
Subject: Jennifer Bendall

Kate,

This is the request that I was telling you about earlier today. Nick will do it if Ken thinks it's OK and if Ken comes with him.

Please let me know what you think.

Thanks, Kate. Have a good one.

Mike  
----- Forwarded by Michael J. Conway/WHO/EOP on  
09/24/2002 04:36 PM -----

Ginger G. Loper  
09/19/2002 02:25:44 PM  
Record Type: Record

To: Michael J. Conway/WHO/EOP@EOP  
cc:

Subject: Jennifer Bendall

Jennifer Bendall would like for Nick to speak to a group of media/entertainment GOP lobbyists at his convenience. They want Nick's advice on how to help with the election and where to spend their remaining soft dollars.

They would host him at AOL/Time Warner across the park.

Jennifer Bendall

**PRA 6**

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Jerome M. Marcus [ PRA 6 ]  
**Sent:** 10/9/2002 6:17:19 PM  
**Subject:** : Re: rotundafinal.wpd

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 9-OCT-2002 22:17:19.00  
SUBJECT:: Re: rotundafinal.wpd  
TO: "Jerome M. Marcus" [ PRA 6 ] ( "Jerome M. Marcus"  
<jeromemmarcus@comcast.net> [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

It's not going to happen. Sorry. On the positive front, I expect a positive editorial re MAE again in next few days.

"Jerome M. Marcus" [ PRA 6 ]  
10/09/2002 06:07:15 AM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc: Jerome Marcus [ PRA 6 ]  
Subject: Re: rotundafinal.wpd

I agree it's doubtful, given the silence. Would it be sensible for you to close the loop by calling or emailing, just to make sure?

Thanks

Jerome

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

From: <Brett\_M.\_Kavanaugh@who.eop.gov>  
To: <jmarcus@bm.net>  
Sent: Wednesday, October 09, 2002 12:10 AM  
Subject: Re: rotundafinal.wpd

> heard nothing, but think it is highly doubtful.  
>  
>  
>  
>  
>  
>  
> (Embedded  
> image moved [ PRA 6 ]  
> to file: 10/07/2002 03:54:35 PM  
> pic22686.pcx)  
>  
>  
>  
>

REV\_00101218

> Please respond to PRA 6  
>  
> Record Type: Record  
>  
>  
> To: Brett M. Kavanaugh/WHO/EOP@EOP  
>  
> cc:  
> Subject: rotundafinal.wpd  
>  
>  
>  
> Brett -- Here you go.  
> Let me know what they say, so I can tell RR.  
>  
> Jerome  
>  
> rotundafinal.wpd  
>  
>

---

**From:** Rosenzweig, Paul <Paul.Rosenzweig@heritage.org>  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**CC:** Gaziano, Todd <todd.gaziano@heritage.org>  
**Sent:** 10/28/2002 3:47:38 AM  
**Subject:** : RE: Legal Strategy Forum -- Oct. 30

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:"Rosenzweig, Paul" <Paul.Rosenzweig@heritage.org> ( "Rosenzweig, Paul"  
<Paul.Rosenzweig@heritage.org> [ UNKNOWN ] )  
CREATION DATE/TIME:28-OCT-2002 08:47:38.00  
SUBJECT:: RE: Legal Strategy Forum -- Oct. 30  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
CC:"Gaziano, Todd" <todd.gaziano@heritage.org> ( "Gaziano, Todd"  
<todd.gaziano@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Bret

Per my voicemail: We end at lunch on Thursday so there isn't an afternoon schedule to change to. And the morning is already booked w/ people who can't change.

We really do hope you can come -- the panel will be interesting and the dinner afterwards lots of fun. If you can't make it though, we'd like to know as soon as possible. It will leave us with a hole to fill and we'll need as much time as possible to scramble and fill it. [Any suggestions?]. So . . . please email or call [PRA 6] as soon as you can to let me know whether you can make it or not.

Take care,  
Paul

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

From: Brett M. Kavanaugh@who.eop.gov  
[mailto:Brett\_M\_Kavanaugh@who.eop.gov]  
Sent: Sunday, October 27, 2002 4:46 PM  
To: Rosenzweig, Paul  
Subject: Re: Legal Strategy Forum -- Oct. 30

Paul: Hate to do this, but is there any way I can switch to Thursday. Have a major work conflict now on Wednesday afternoon?

(Embedded  
image moved "Rosenzweig, Paul" <Paul.Rosenzweig@heritage.org>  
to file: 10/15/2002 09:49:52 AM  
pic23671.pcx)

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP

REV\_00102055

cc: "Gaziano, Todd" <todd.gaziano@heritage.org>  
Subject: Legal Strategy Forum -- Oct. 30

Brett

Thanks for agreeing to speak at the LSF on October 30. We have scheduled you for a panel at 4:30 PM along with Keith Ausbrook and (we hope) Alex Azar. The subject is basically a "mid year" review of the Bush Administration -- it's success and failures -- and how the Bush administration and the conservative movement can work together in the second half of the 1st term.

The event is at Lansdowne Resort -- directions are at [www.lansdowneresort.com](http://www.lansdowneresort.com). Your panel will run to approx. 5:45. After a short break the group will reconvene at approx. 6:15 for cocktails, followed by dinner and a dinner speaker [we believe it will be Judge Loren Smith -- though he needs to clear a conflict] at which we hope you will be our guest.

On another note -- nice piece in the Post today.

See you then,  
Paul

cc: Todd G.

This message (and any associated files) is intended only for the use of Brett\_M.\_Kavanaugh@who.eop.gov, todd.gaziano@heritage.org and may contain information that is confidential. If you are not the named addressee you should not disseminate, distribute or copy this email. Any views or opinions presented in this email are solely those of PaulRosenzweig and do not necessarily represent those of The Heritage Foundation.

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REV\_00102056



**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Ashley Snee/WHO/EOP@EOP [ WHO ] <Ashley Snee>; Timothy E. Flanigan/WHO/EOP@EOP [ WHO ] <Timothy E. Flanigan>; Heather Wingate/WHO/EOP@EOP [ WHO ] <Heather Wingate>; Alberto R. Gonzales/WHO/EOP@EOP [ WHO ] <Alberto R. Gonzales>  
**Sent:** 11/1/2002 7:36:44 AM  
**Subject:** : interesting view of a Dem law professor on the President's proposal

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 1-NOV-2002 12:36:44.00

SUBJECT:: interesting view of a Dem law professor on the President's proposal

TO: Ashley Snee ( CN=Ashley Snee/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Timothy E. Flanigan ( CN=Timothy E. Flanigan/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Heather Wingate ( CN=Heather Wingate/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Alberto R. Gonzales ( CN=Alberto R. Gonzales/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

##### End Original ARMS Header #####

This Dem professor submitted this op-ed to Post but it was rejected because Wittes is writing a Post editorial on it. I send it as an fyi because it is probably what many Dems truly think on these issues.

Neal Katyal  
Professor of Law, Georgetown University  
Visiting Professor, Harvard Law School

**PRA 6**

President Bush on Tuesday outlined a wise and sensible approach to the judicial confirmation mess. The problem is pervasive ? in both the last Administration and this one, the Senate has too often stalled well qualified nominees. Anyone who doubts that the problem exists should look no further than Washington's own John Roberts, nominated over a year ago for a seat on the Court of Appeals. Having given 38 Supreme Court arguments and enjoying the respect of the entire Bar, Roberts is one of the most qualified individuals to be nominated to any appellate court in this nation's history, and yet he can't even get a hearing.

President Bush's proposal asks sitting judges to announce their plans to retire in advance, the President to select a nominee within 180 days, a Senate hearing within three months after the nomination, and an up or down vote on the nominee by the full Senate within 180 days of the nomination. President Bush, ignoring the, well, elephant in the room, claimed that his proposal created a "clean start" and "would not favor Democrats or Republicans" because "it doesn't matter who the President is." But, apart from the timing (six days before an election), there are two obvious problems. First, it pretends that the judicial vacancy crisis started with his Administration, but a Republican Senate obstructed President Clinton's nominees precisely to have more seats to fill in a Republican Administration. (No doubt Democrats wanted a "clean start" after they won the White House in 1992, too, after their mistreatment of Robert Bork.) Second, there is no guarantee whatsoever that a future Senate would adhere to this streamlined process once a Democrat became President. Indeed, President Bush's view is an

REV\_00102382

amplified version of the patently false claim that campaign finance reform doesn't benefit incumbents because the limits apply to everyone, ignoring the obvious advantages of being a sitting legislator. And these two problems are exacerbated by the fact that President Bush has nominated individuals to the courts that are well to the right of the country, a far cry from President Clinton's moderate choices.

Nevertheless, no nominee, regardless of ideology, should be treated with the inertia that the Republican and Democratic Senates have applied in recent years. If nominees are unqualified to serve, then the Senate should say so. The President is absolutely right on this key point. Yet the decisions not to decide, by Senators of both parties, are understandable reactions to the veil of ignorance: they do not know what the future holds, and they know that nominees were mistreated by the other party in the past. The difficulty is that everyone thinks the fight started when the other side hit them back.

To solve this problem, two things need to happen. First, the President must offer a mechanism to compensate for the self-dealing of the last Senate, which blocked President Clinton's nominees only to give President Bush extra vacancies to fill. Second, the Senate must develop a credible procedure that would help ensure that the President's streamlining proposal would apply in 2005 and 2009. The second problem is easier to solve: The Senate could enshrine the President's proposed streamlining into its Senate Rules (thus making it more difficult for the Senate to change this baseline rule in future administrations) and each Republican Senator could publicly pledge now to adhere to the rule in the next Administration, regardless of who the nominees are.

But the reward-for-obstructionism problem is more difficult, because it illustrates why President Bush's proposal is not politically neutral. The most obvious way to get true neutrality is to have the proposal take effect later, in 2005. Short of that, real neutrality today requires the President to re-nominate the individuals who didn't get the benefit of the streamlining in the last Administration. The idea of President Bush nominating President Clinton's candidates may sound like a nonstarter, but it creates neutrality and divests the rewards from obstruction the last time around. (Many of the Clinton nominees had substantial Republican support anyway, due to the past Administration's deference to home state legislators.) Of course, the Senate can vote any of these nominees down, and if the President agreed to do this before next Tuesday, the veil of ignorance can become a way to propel reform. The point is not that any of this will happen, only that it explains why real neutrality is so elusive. Another, more palatable way to restore some neutrality is to ensure that streamlining is not used to reward past obstructionism; so the holdover slots left unfilled from the last Administration should be treated quite differently from the new vacancies which arose after Inauguration Day, with strong deference to Democratic home State Senators picks for holdover seats.

President Bush should be commended for putting a smart proposal on the table. It is now time to develop ways to make sure that it is implemented fairly, in a way that penalizes obstruction by both parties. No one knows this better than John Roberts, who was nominated by President George H.W. Bush to the same court in 1992, only to be a victim of obstruction and election year politics then too. It's time for this to end. But it won't happen without more from this Administration to create a real clean start.

Neal Katyal, a Professor at Georgetown University Law Center, is currently a Visiting Professor at Harvard Law School.

**From:** CN=Diana E. Furchtgott-Roth/OU=CEA/O=EOP [ CEA ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 11/6/2002 9:40:43 AM  
**Subject:** : Korsmo Probe Could Move Beyond Ethics

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Diana E. Furchtgott-Roth ( CN=Diana E. Furchtgott-Roth/OU=CEA/O=EOP [ CEA ] )

CREATION DATE/TIME: 6-NOV-2002 14:40:43.00

SUBJECT:: Korsmo Probe Could Move Beyond Ethics

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

##### End Original ARMS Header #####

Don't know if you've seen this one.

----- Forwarded by Diana E. Furchtgott-Roth/CEA/EOP on  
11/06/2002 02:40 PM -----

Keya Sanders <ksanders@cfhlab.org>

11/06/2002 01:07:21 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: Korsmo Probe Could Move Beyond Ethics

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The American Banker

November 6, 2002, Wednesday

SECTION: WASHINGTON; Pg. 1

LENGTH: 777 words

HEADLINE: Korsmo Probe Could Move Beyond Ethics

BYLINE: BY ROB GARVER

DATELINE: WASHINGTON

BODY:

An investigation of Federal Housing Finance Board Chairman John T. Korsmo began with questions about the ethics of his involvement in a political fund-raiser, but it could end up raising serious legal issues.

Mr. Korsmo said last week that he sought and received information about the political donations made by Federal Home Loan Bank officials, and investigators are now examining data taken from computers belonging to Mr. Korsmo and members of his staff. If they discover that Finance Board employees gathered information about donations on his behalf, Mr. Korsmo faces a no-win situation.

If he claims that the information was gathered as part of his job as the lead regulator of the Home Loan banks, the question would be why he believed such political information was necessary for him to perform his duties as a supervisor. On the other hand, if he claims that the information was gathered for a nonregulatory purpose, Mr. Korsmo could leave himself and members of his staff open to the accusation that they violated federal law by engaging in political activity that is prohibited for certain government employees.

A Finance Board spokesman would not comment on the probe Tuesday, except to say that Mr. Korsmo's written answers to questions by Senate Banking

REV\_00102590

Committee Chairman Paul Sarbanes "speak for themselves."

Since early last month Sen. Sarbanes has been asking pointed questions about the extent of Mr. Korsmo's political activity while in office. In an Oct. 9 letter, the senator asked whether Mr. Korsmo or any of the Finance Board staff had "obtained records regarding the political contributions of Home Loan bank executives."

In a response two days later, Mr. Korsmo did not answer the question. The senator followed up on Oct. 18 by reiterating his question in more detail. He asked, in part, whether Mr. Korsmo or any of his staff, "have acquired, directly or indirectly, information regarding the political contributions of Home Loan bank executives, officers, or employees."

He also asked if Mr. Korsmo or his staff had acquired such data about the political contributions of "executives, officers, or employees of Home Loan bank member institutions."

On Oct. 28 investigators for the Finance Board's inspector general entered the agency's offices and temporarily seized about a dozen computers, including Mr. Korsmo's and those being used by members of his staff and general counsel. They made copies of the data on the computers and then returned the machines.

Two days later Mr. Korsmo sent another letter to Sen. Sarbanes. In that letter, he responded to the question about obtaining information about Home Loan bank employee contributions by saying that, while he could not speak for all Finance Board employees, "in my own case, however, and in the case of members of my immediate staff, I can answer the question easily: Of course.

"For many years, in anticipation of meeting or working with individuals or organizations, I have sought information regarding such individuals or organizations available from public sources," he told Sen. Sarbanes. "Such information has routinely included news articles, writings, promotional materials, and, on occasion, public information concerning political contributions readily available on the Internet."

This admission in the Oct. 30 letter raises a delicate legal issue. Mr. Korsmo is subject to the Hatch Act, which regulates the political activity of government workers.

Though she offered no opinion on the specifics of Mr. Korsmo's conduct, Anna Galindo-Marrone, the lead attorney for the Hatch Act Unit of the U.S. Office of Special Counsel, said that most Senate-confirmed presidential appointees are not barred from gathering information for political purposes while on the job.

However, a presidential appointee who asked staff members to gather information for a political purpose could be open to charges that he or she violated the Hatch Act's prohibition on using official authority to coerce any person to participate in political activity, she said.

The act defines political activity as "an activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group."

Sen. Sarbanes had called for investigations by both the General Accounting Office and the inspector general after it was revealed that invitations to a fund-raiser for a Republican candidate for the House, Rick Clayburgh, prominently featured Mr. Korsmo's name, and were sent to the presidents of several Home Loan banks.

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<http://www.americanbanker.com>

GRAPHIC: photo, Korsmo

LOAD-DATE: November 6, 2002  
Document 2 of 9

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Keya Sanders  
Council of FHLBanks

REV\_00102591

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ksanders@cfhhlb.org

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The American Banker  
November 6, 2002, Wednesday

SECTION: WASHINGTON; Pg. 1

LENGTH: 777 words

HEADLINE: Korsmo Probe Could Move Beyond Ethics

BYLINE: BY ROB GARVER

DATELINE: WASHINGTON

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A Finance Board spokesman would not comment on the probe Tuesday, except to say that Mr. Korsmo's written answers to questions by Senate Banking Committee Chairman Paul Sarbanes "speak for themselves."

Since early last month Sen. Sarbanes has been asking pointed questions about the extent of Mr. Korsmo's political activity while in office. In an Oct. 9 letter, the senator asked whether Mr. Korsmo or any of the Finance Board staff had "obtained records regarding the political contributions of Home Loan bank executives."

In a response two days later, Mr. Korsmo did not answer the question. The senator followed up on Oct. 18 by reiterating his question in more detail. He asked, in part, whether Mr. Korsmo or any of his staff, "have acquired, directly or indirectly, information regarding the political contributions of Home Loan bank executives, officers, or employees."

He also asked if Mr. Korsmo or his staff had acquired such data about the political contributions of "executives, officers, or employees of Home Loan bank member institutions."

On Oct. 28 investigators for the Finance Board's inspector general entered the agency's offices and temporarily seized about a dozen computers, including Mr. Korsmo's and those being used by members of his staff and general counsel. They made copies of the data on the computers and then returned the machines.

Two days later Mr. Korsmo sent another letter to Sen. Sarbanes. In that letter, he responded to the question about obtaining information about Home Loan bank employee contributions by saying that, while he could not speak for all Finance Board employees, "in my own case, however, and in the case of members of my immediate staff, I can answer the question easily: Of course.

"For many years, in anticipation of meeting or working with individuals or organizations, I have sought information regarding such individuals or organizations available from public sources," he told Sen. Sarbanes. "Such information has routinely included news articles, writings, promotional materials, and, on occasion, public information concerning political contributions readily available on the Internet."

This admission in the Oct. 30 letter raises a delicate legal issue. Mr. Korsmo is subject to the Hatch Act, which regulates the political activity of government workers.

Though she offered no opinion on the specifics of Mr. Korsmo's conduct, Anna Galindo-Marrone, the lead attorney for the Hatch Act Unit of the U.S. Office of Special Counsel, said that most Senate-confirmed presidential appointees are not barred from gathering information for political purposes while on the job.

However, a presidential appointee who asked staff members to gather information for a political purpose could be open to charges that he or she violated the Hatch Act's prohibition on using official authority to coerce any person to participate in political activity, she said.

The act defines political activity as "an activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group."

Sen. Sarbanes had called for investigations by both the General Accounting Office and the inspector general after it was revealed that invitations to a fund-raiser for a Republican candidate for the House, Rick Clayburgh, prominently featured Mr. Korsmo's name, and were sent to the presidents of several Home Loan banks.

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<http://www.americanbanker.com>

GRAPHIC: photo, Korsmo

LOAD-DATE: November 6, 2002  
Document 2 of 9

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Council of FHLBanks  
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Suite 208  
Washington, DC 20037  
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202-835-1144 fax  
[ksanders@cfhllb.org](mailto:ksanders@cfhllb.org)

Message Sent

To:

---

[twilliams@fhlbi.com](mailto:twilliams@fhlbi.com)  
[paul.joiner@fhlb.com](mailto:paul.joiner@fhlb.com)  
[dallasmd@fhlbcin.com](mailto:dallasmd@fhlbcin.com)  
[stewart@fhlbsf.com](mailto:stewart@fhlbsf.com)  
[cbrooks@omnibank.com](mailto:cbrooks@omnibank.com)  
[mike@radway.org](mailto:mike@radway.org)  
[mlemen@fhlbi.com](mailto:mlemen@fhlbi.com)  
[akimble@fhlbatl.com](mailto:akimble@fhlbatl.com)  
[amendelowitz@yahoo.com](mailto:amendelowitz@yahoo.com)  
[laura.lutz@fhlbtopeka.com](mailto:laura.lutz@fhlbtopeka.com)  
[andy.jetter@fhlbtopeka.com](mailto:andy.jetter@fhlbtopeka.com)  
[sonia.brown@fhlb.com](mailto:sonia.brown@fhlb.com)  
[mgroske@fhlbsea.com](mailto:mgroske@fhlbsea.com)  
[arichards@fhlbdm.com](mailto:arichards@fhlbdm.com)

REV\_00102593

mjennings@cfhllb.org  
mark\_zelermeyer@fhlbboston.com  
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lopezcc@fhlbsf.com  
traynors@fhlbsf.com  
johnvon@cfhllb.org  
ksanders@cfhllb.org  
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cmcentee@fhlbatl.com  
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woodc@fhfb.gov  
ciota@fhlb-of.com  
rfritz@fhlbatl.com  
KolitaCM@fhlbcin.com  
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Diana E. Furchtgott-Roth/CEA/EOP@EOP  
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rita.fair@verizon.net  
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mortonc@fhfb.gov  
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j.norrisiii@att.net  
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joanne.sullivan@fhlbboston.com  
nschissel@fhlbdm.com  
twilliams@fhlbi.com  
jwest@fhlbi.com  
estrom@fhlbsea.com  
parksl@fhlbsf.com  
richard.schaplowsky@fhlbtopeka.com  
yealyd@fhlb-pgh.com  
scott.m.waitlevertch@fhlb-pgh.com  
dallasmd@fhlbcin.com  
alexandd@fhlbsf.com  
harvey.simon@fhlb.com

---

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Rachel Brand <[REDACTED] PRA 6 >  
**Sent:** 11/8/2002 8:13:28 AM  
**Subject:** : Re: post

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 8-NOV-2002 13:13:28.00

SUBJECT:: Re: post

TO: Rachel Brand <[REDACTED] PRA 6 > Rachel Brand <[REDACTED] PRA 6 > [ UNKNOWN ] )

READ: UNKNOWN

##### End Original ARMS Header #####

yes, will be interesting.

Rachel Brand <[REDACTED] PRA 6 >  
11/08/2002 10:26:15 AM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: post

Interesting editorial in the Post. At least they called your proposal "constructive"

---

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---

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Rachel Brand [ PRA 6 ]  
**Sent:** 11/8/2002 8:13:28 AM  
**Subject:** : Re: post

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 8-NOV-2002 13:13:28.00

SUBJECT:: Re: post

TO: Rachel Brand [ PRA 6 ] ( Rachel Brand < [ PRA 6 ] )

UNKNOWN ] )

READ: UNKNOWN

##### End Original ARMS Header #####

yes, will be interesting.

Rachel Brand [ PRA 6 ]  
11/08/2002 10:26:15 AM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: post

Interesting editorial in the Post. At least they called your proposal "constructive"

---

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Message

**From:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] ) [Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )]  
**Sent:** 11/11/2002 6:26:04 PM  
**To:** PRA 6  
**Subject:** PRA 6

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 11-NOV-2002 19:26:04.00

PRA 6  
READ: UNKNOWN  
##### End Original ARMS Header #####

Excerpt from Press Conference (11/7/02)

Jackson, from Texas. You got anything -- a Texas question?

Q As a matter of fact, I do. (Laughter.)

THE PRESIDENT: Thank you.

Q Do you intend to resuscitate the nomination of Priscilla Owen and Charles Pickering? And, also, how bloody do you think the next Supreme Court nomination will be?

THE PRESIDENT: Well, first, I want the new chairman of the Senate Judiciary Committee to understand that I am very serious about the reforms that I suggested in the East Room, about how to get this process of nominating judges and approving judges on the right course, not only for this administration, but future administrations; not only for this Senate, but future Senates. And so step one on the judiciary process, I believe there needs to be reform. I would be glad to reprise the reforms if you can't remember them.

Q Owen and Pickering, are they going to --

THE PRESIDENT: I'll be there in a minute. (Laughter.) I'm using this as an opportunity to make a point on judicial reform. And that is that if a judge thinks he's going to retire, give us a year's notice, if possible. And then we will act -- "we," the administrative branch, will nominate somebody and clear them within 180 days. And then the Senate judiciary has got 90 days to go through the process and then get the person's name to the floor, and 180 days for an up or down vote. To me that would be a needed and necessary reform.

So step one on the nomination process is to work with Senator Hatch -- and Senator Leahy -- to put these reforms in place; is to convince members of the Senate we're serious about a process that will get rid of the old bitterness of the judicial process.

This is probably not to your liking, by the way. You love those court fights. I'm confident it makes great covering and great stories.

I also said at the time of Priscilla Owen's being -- not being put to the floor of the Senate that I would hope that the judiciary committee would let her name out to the Senate floor at some point in time. We don't have to recommit them, they never -- they're there. Pickering and Owen are still there at the committee level. They just weren't ever -- their names were never let to the floor for a vote.

By the way, if they had been let to the floor for a vote, we believe they would have won the vote -- perhaps the reason why they were never let to the floor for a vote. But -- so, I hope that judiciary committee will let their names out and they get a fair hearing.

I thought you were going to talk about the Texas elections. But that's okay. (Laughter.)



**From:** CN=Elizabeth N. Camp/OU=WHO/O=EOP [ WHO ]  
**To:** Allison L. Riepenhoff/WHO/EOP [ WHO ] <Allison L. Riepenhoff>; Laura.Flippin@usdoj.gov @ inet [ UNKNOWN ] <Laura.Flippin@usdoj.gov @ inet>; Helgard C. Walker/WHO/EOP@EOP [ WHO ] <Helgard C. Walker>; Benjamin A. Powell/WHO/EOP@EOP [ WHO ] <Benjamin A. Powell>; Carolyn Nelson/WHO/EOP@EOP [ WHO ] <Carolyn Nelson>; Edward McNally/WHO/EOP@EOP [ WHO ] <Edward McNally>; Alberto R. Gonzales/WHO/EOP@EOP [ WHO ] <Alberto R. Gonzales>; Nanette Everson/WHO/EOP@EOP [ WHO ] <Nanette Everson>; ecamp@who.eop.gov [ WHO ] <ecamp@who.eop.gov>; Patrick J. Bumatay/WHO/EOP [ WHO ] <Patrick J. Bumatay>; Bradford A. Berenson/WHO/EOP@EOP [ WHO ] <Bradford A. Berenson>; H. Christopher Bartolomucci/WHO/EOP@EOP [ WHO ] <H. Christopher Bartolomucci> [ PRA 6 ] @ inet [ UNKNOWN ] < [ PRA 6 ] @ inet>; rcobb@hq.nasa.gov @ inet [ UNKNOWN ] <rcobb@hq.nasa.gov @ inet>; Kyle\_Sampson@who.eop.gov [ UNKNOWN ] <Kyle\_Sampson@who.eop.gov>; Jennifer G. Newstead/WHO/EOP@EOP [ WHO ] <Jennifer G. Newstead>; Charlotte L. Montiel/WHO/EOP@EOP [ WHO ] <Charlotte L. Montiel>; Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>; Noel\_J.\_Francisco@who.eop.gov [ UNKNOWN ] <Noel\_J.\_Francisco@who.eop.gov>; James W. Carroll/WHO/EOP@EOP [ WHO ] <James W. Carroll>; Raquel Cabral/WHO/EOP@EOP [ WHO ] <Raquel Cabral>; Hana F. Brilliant/WHO/EOP@EOP [ WHO ] <Hana F. Brilliant>; John\_B.\_Bellinger@nsc.eop.gov [ UNKNOWN ] <John\_B.\_Bellinger@nsc.eop.gov>; David\_S.\_Addington@ovp.eop.gov [ UNKNOWN ] <David\_S.\_Addington@ovp.eop.gov>  
**Sent:** 11/18/2002 10:29:41 AM  
**Subject:** : Dinner for Tim on Wednesday, Nov. 20th

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth N. Camp ( CN=Elizabeth N. Camp/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 18-NOV-2002 15:29:41.00

SUBJECT:: Dinner for Tim on Wednesday, Nov. 20th

TO: Allison L. Riepenhoff ( CN=Allison L. Riepenhoff/OU=WHO/O=EOP [ WHO ] )

READ: UNKNOWN

TO: Laura.Flippin@usdoj.gov @ inet ( Laura.Flippin@usdoj.gov @ inet [ UNKNOWN ] )

READ: UNKNOWN

TO: Helgard C. Walker ( CN=Helgard C. Walker/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Benjamin A. Powell ( CN=Benjamin A. Powell/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Carolyn Nelson ( CN=Carolyn Nelson/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Edward McNally ( CN=Edward McNally/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Alberto R. Gonzales ( CN=Alberto R. Gonzales/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Nanette Everson ( CN=Nanette Everson/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: ecamp@who.eop.gov ( ecamp@who.eop.gov [ WHO ] )

READ: UNKNOWN

TO: Patrick J. Bumatay ( CN=Patrick J. Bumatay/OU=WHO/O=EOP [ WHO ] )

READ: UNKNOWN

TO: Bradford A. Berenson ( CN=Bradford A. Berenson/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: H. Christopher Bartolomucci ( CN=H. Christopher Bartolomucci/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: [ PRA 6 ] @ inet ( [ PRA 6 ] @ inet [ UNKNOWN ] )

READ: UNKNOWN

TO: rcobb@hq.nasa.gov @ inet ( rcobb@hq.nasa.gov @ inet [ UNKNOWN ] )

READ: UNKNOWN

TO: Kyle\_Sampson@who.eop.gov ( Kyle\_Sampson@who.eop.gov [ UNKNOWN ] )

READ: UNKNOWN

TO: Jennifer G. Newstead ( CN=Jennifer G. Newstead/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

TO: Charlotte L. Montiel ( CN=Charlotte L. Montiel/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

REV\_00103277

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Noel\_J.\_Francisco@who.eop.gov ( Noel\_J.\_Francisco@who.eop.gov [ UNKNOWN ] )  
READ:UNKNOWN  
TO:James W. Carroll ( CN=James W. Carroll/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Raquel Cabral ( CN=Raquel Cabral/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Hana F. Brilliant ( CN=Hana F. Brilliant/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:John\_B.\_Bellinger@nsc.eop.gov ( John\_B.\_Bellinger@nsc.eop.gov [ UNKNOWN ] )  
READ:UNKNOWN  
TO:David\_S.\_Addington@ovp.eop.gov ( David\_S.\_Addington@ovp.eop.gov [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Who: Current and Former Counsel Office Staff Members\*  
What: A Farewell Dinner for Timmy  
When: Wednesday, November 20th - 6:30 p.m.  
Where: Morton's Steakhouse - 1050 Connecticut Ave.  
RSVP: Please email me no later than 12:00 pm on Tuesday, November 19th to let me know if you will join us.  
\*This is for Counsel Office lawyers and staff to be able to have a little quality time with Timmy. If you are not able make this dinner fear not ) there are several Counsel Office social and/or holiday functions over the next couple of weeks where staff and spouses can spend time with both Tim and Katie.

We anticipate the total cost per person to be approximately \$80-\$90. This does not include alcohol. A separate bill will be presented at the end of the evening for the booze and the heathens can fight over it then. Below is the set menu.

Salads

Morton,s Salad  
Spinach Salad  
Caesar Salad

Entrees

Double Filet Mignon, Sauce B?arnaise  
New York Strip Sirloin  
Cajun Ribeye Steak  
Farm Raised Salmon

Vegetables

Saut?ed Mushrooms  
Steamed Fresh Broccoli, Sauce Hollandaise  
Lyonnaise Potatoes  
Mashed Potatoes

Desserts

Chocolate Velvet Cake  
Fresh Seasonal Berries, Sabayon Sauce  
New York Cheesecake

Message

---

**From:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] ) [Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )]  
**Sent:** 12/3/2002 7:17:44 AM  
**To:** Manuel Miranda ( Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda) [ UNKNOWN ] )  
[Manuel\_Miranda@judiciary.senate.gov]  
**Subject:** : Re: Fwd:January 23 meeting

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 3-DEC-2002 08:17:44.00  
SUBJECT: : Re: Fwd:January 23 meeting  
TO: Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda) ( Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda) [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

Obviously, they can/should send formal invitation letters. I have no way of knowing at this point who might attend from the Administration.

Manuel\_Miranda@judiciary.senate.gov (Manuel Miranda)  
12/02/2002 06:50:22 PM  
Record Type: Record

To: "Dinh; Viet" <Viet.Dinh@usdoj.gov>, Brett M. Kavanaugh/WHO/EOP@EOP,  
"Willett; Don" <Don.Willett@usdoj.gov>  
cc:  
Subject: Fwd:January 23 meeting

This "summit" is a "for real" gathering of legitimate (law abiding) organizations. They are seeking to meet with Viet and Judge Gonzalez. The letter is self explanatory. They will be sending formal letters. The meeting is unofficial. But let me know if deputies are more advisable. What they do not want is outreach folks.

This unofficial leaders group will be key in shaping the reaction to the President's S.Ct nominees and communicating in general on nominations in general.

\_\_\_\_\_  
Forward Header  
Subject: January 23 meeting  
Author: PRA 6  
Date: 12/2/2002 6:29 PM

Dear Manny,

I'm writing to ask your help. On January 23, 2003, the Life Forum group will be meeting. As you know, this is the off-the-record, invitation-only, confidential summit meeting of the leaders of about 50 different major pro-life organizations.

You haven't heard of the Forum because in its nearly 12 years of existence it has not appeared in print. The group includes all the legitimate streams of the movement: educational, political, and care ministries, and deals with life issues ranging from abstinence to bioethics, all the way through what is usually

considered "life".

Over the years, our agenda has had a recurring item on the topic of judicial nominations. This forthcoming meeting seems a very apropos time to revisit that topic. I would like to invite Al Gonzales and Viet Dinh to speak to the group, along with yourself.

It is important that this group have a high level of confidence in the decisionmaking process of the Administration. As you know, the yappers-at-the-heels on the fringes will be negative, but if the mainstream, which is what the group primarily is, has confidence, that fringe group will be relegated to precisely that -- the fringes.

I believe if the White House and the Department of Justice were to honor us with their presence, it would go a long way to building a good working relationship with this important part of the coalition.

I would appreciate any influence you could bring to bear to speak to these gentlemen, or their deputies, to dispose them to look with favor on an invitation to the Life Forum on January 23.

Thank you very much.

Sincerely yours,

Connie Marshner  
Chairman, Life Forum

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** kate@georgewbush.com [ OMB ] <kate@georgewbush.com>  
**Sent:** 1/8/2003 3:42:12 AM  
**Subject:** : Re: FW: Possible New York Labor Union Endorsement  
**Attachments:** P\_C1KSC003\_WHO.TXT\_1.htm

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 8-JAN-2003 08:42:12.00  
SUBJECT:: Re: FW: Possible New York Labor Union Endorsement  
TO: kate@georgewbush.com ( kate@georgewbush.com [ OMB ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

A meeting in his office is permissible.

Kate Walters <kate@georgewbush.com>  
01/07/2003 04:12:21 PM  
Please respond to kate@georgewbush.com  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: FW: Possible New York Labor Union Endorsement

Brett- can Ken do this meeting here in his office?

-----Original Message-----  
From: Ken Mehlman [mailto:kmehlman@georgewbush.com]  
Sent: Tuesday, January 07, 2003 1:35 PM  
To: Kate Walters  
Subject: FW: Possible New York Labor Union Endorsement

Please set up. Check with Brett to make sure i can do this meeting.

-----Original Message-----  
From: [PRA 6] [mailto:[PRA 6]]  
Sent: Tuesday, January 07, 2003 10:49 AM  
To: Ken Mehlman  
Subject: Re: Possible New York Labor Union Endorsement

Ken,  
  
If you could give me some suggested times and dates, we'll come to meet you at your convenience. There will be 2 people with me Jim Cahill, the secretary of the steamfitters union and his brother Dave Cahill who is a lawyer for Structuretone Construction Company. Let us know who we need to send the appropriate security info to set the meeting.

Great choice on picking New York for the convention. I think you will win NY. The President's current popularity in the suburbs and among Latinos should hold and carry NY for you. Labor's defection from the Democrfats to you will help, too.

Thanks.



John

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_C1KSC003\_WHO.TXT\_1>

Brett- can Ken do this meeting here in his office?

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

**From:** Ken Mehlman [mailto:kmehlman@georgewbush.com]  
**Sent:** Tuesday, January 07, 2003 1:35 PM  
**To:** Kate Walters  
**Subject:** FW: Possible New York Labor Union Endorsement

Please set up. Check with Brett to make sure I can do this meeting.

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

**From:** PRA 6  
**Sent:** Tuesday, January 07, 2003 10:49 AM  
**To:** Ken Mehlman  
**Subject:** Re: Possible New York Labor Union Endorsement

Ken,

If you could give me some suggested times and dates, we'll come to meet you at your convenience. There will be 2 people with me Jim Cahill, the secretary of the steamfitters union and his brother Dave Cahill who is a lawyer for Structuretone Construction Company. Let us know who we need to send the appropriate security info to set the meeting.

Great choice on picking New York for the convention. I think you will win NY. The President's current popularity in the suburbs and among Latinos should hold and carry NY for you. Labor's defection from the Democrats to you will help, too.

Thanks.

John

**From:** CN=Charlotte L. Montiel/OU=WHO/O=EOP [ WHO ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 1/13/2003 6:45:32 AM  
**Subject:** : Tuesday's Orientation

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Charlotte L. Montiel ( CN=Charlotte L. Montiel/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME:13-JAN-2003 11:45:32.00  
SUBJECT:: Tuesday's Orientation  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

How would you like me to respond to our intern's second question?

----- Forwarded by Charlotte L. Montiel/WHO/EOP on  
01/13/2003 11:41 AM -----

**PRA 6**

01/13/2003 11:33:14 AM  
Record Type: Record

To: Charlotte L. Montiel/WHO/EOP@EOP  
cc:  
Subject: Tuesday's Orientation

Since I'll already be in the building tomorrow morning would it be alright if I worked from around 11 (or whenever the security briefing ends) until around 3 or so? Also, this is a ridiculous question I'm sure, but is facial hair permitted on male interns (I never see many White House staffers running around with beards so I just wanted to check).

Thanks,  
John Kammerer

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Charlotte L. Montiel/WHO/EOP@EOP [ WHO ] <Charlotte L. Montiel>  
**Sent:** 1/13/2003 6:57:37 AM  
**Subject:** : Re: Tuesday's Orientation

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 13-JAN-2003 11:57:37.00  
SUBJECT:: Re: Tuesday's Orientation  
TO: Charlotte L. Montiel ( CN=Charlotte L. Montiel/OU=WHO/O=EOP@EOP [ WHO ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

His choice. He should look appropriate.

Charlotte L. Montiel  
01/13/2003 11:45:30 AM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: Tuesday's Orientation

How would you like me to respond to our intern's second question?

----- Forwarded by Charlotte L. Montiel/WHO/EOP on  
01/13/2003 11:41 AM -----

**PRA 6**

01/13/2003 11:33:14 AM  
Record Type: Record

To: Charlotte L. Montiel/WHO/EOP@EOP  
cc:  
Subject: Tuesday's Orientation

Since I'll already be in the building tomorrow morning would it be alright if I worked from around 11 (or whenever the security briefing ends) until around 3 or so? Also, this is a ridiculous question I'm sure, but is facial hair permitted on male interns (I never see many White House staffers running around with beards so I just wanted to check).

Thanks,  
John Kammerer

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Ciongoli, Adam <Adam.Ciongoli@usdoj.gov>  
**Sent:** 2/3/2003 9:32:12 AM  
**Subject:** : RE: Morton's Connecticut 8pm

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 3-FEB-2003 14:32:12.00  
SUBJECT: RE: Morton's Connecticut 8pm  
TO: "Ciongoli, Adam" <Adam.Ciongoli@usdoj.gov> ( "Ciongoli, Adam" <Adam.Ciongoli@usdoj.gov>  
[ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

in

"Ciongoli, Adam" <Adam.Ciongoli@usdoj.gov>  
02/03/2003 01:57:53 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: See the distribution list at the bottom of this message  
Subject: RE: Morton's Connecticut 8pm

we're on for tonight. see everyone at 8

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

From: Ciongoli, Adam  
Sent: Tuesday, January 28, 2003 12:10 PM  
To: Ciongoli, Adam; 'Brett\_M.\_Kavanaugh@who.eop.gov'; Coughlin, Robert;  
Yoo, John C; 'Noel\_Francisco@who.eop.gov'; Dinh, Viet;

**PRA 6**

Cc: Bryant, Dan; Garre, Gregory G; Philbin, Patrick;  
'H.\_Christopher\_Bartolomucci@who.eop.gov'; 'Brian.Jones@ed.gov'  
Subject: Morton's Connecticut 8pm

Gentlemen,

After another hiatus, Monday, February 3 is the first Monday of the month. Please rsvp for availability, and someone pass along to Ullyot.

agc

Message Sent

To: \_\_\_\_\_  
"Ciongoli, Adam" <Adam.Ciongoli@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested)  
"Coughlin, Robert" <Robert.Coughlin@usdoj.gov> (Receipt Notification Requested)  
"Yoo, John C" <John.C.Yoo@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested)  
"Dinh, Viet" <Viet.Dinh@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested)  
Brett M. Kavanaugh/WHO/EOP@EOP  
Noel J. Francisco/WHO/EOP@EOP

REV\_00108485

**PRA 6** (Receipt Notification Requested) (IPM Return Requested)

Message Copied

To:  
"Bryant, Dan" <Dan.Bryant@usdoj.gov> (Receipt Notification Requested)  
"Garre, Gregory G" <Gregory.G.Garre@usdoj.gov> (Receipt Notification Requested)  
"Philbin, Patrick" <Patrick.Philbin@usdoj.gov> (Receipt Notification Requested)  
H. Christopher Bartolomucci/WHO/EOP@EOP  
"'Brian.Jones@ed.gov'" <Brian.Jones@ed.gov> (Receipt Notification Requested) (IPM Return Requested)  
Theodore W. Ulyot/WHO/EOP@EOP

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
To: PRA 6 UNKNOWN ] PRA 6  
CC: edward mcNally/who/eop@eop [ WHO ] <edward mcNally> PRA 6 UNKNOWN ]  
Sent: 2/7/2003 12:54:37 PM  
Subject: : Re: Leaving tomorrow AM

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 7-FEB-2003 17:54:37.00  
SUBJECT:: Re: Leaving tomorrow AM  
TO: PRA 6 PRA 6 [ UNKNOWN ] )  
READ: UNKNOWN  
CC: edward mcNally ( CN=edward mcNally/OU=who/O=eop@eop [ WHO ] )  
READ: UNKNOWN  
CC: PRA 6 PRA 6 [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

I have the letter. It is very nice. Can you pick it up from me.

PRA 6

PRA 6

02/07/2003 12:27:49 PM  
Record Type: Record

To: PRA 6 Brett M. Kavanaugh/WHO/EOP@EOP  
cc: Edward McNally/WHO/EOP@EOP  
Subject: Leaving tomorrow AM

Brett,

I'm leaving tomorrow morning for New Haven for the ceremony and presentation of money raised for the scholarship. My plan is to take the 10am shuttle.

Please let me know if the letter will be ready. Thanks for all of your help. I know this is a very busy week at the White House!

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** PRA 6  
**Sent:** 2/9/2003 2:22:12 PM  
**Subject:** : Re: Quick question  
**Attachments:** P\_PV3RD003\_WHO.TXT\_1.html

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 9-FEB-2003 19:22:12.00  
SUBJECT:: Re: Quick question  
TO: PRA 6 [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

what is the latest on this

Rob Hur PRA 6  
01/17/2003 01:32:10 AM  
Please respond to PRA 6  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: Re: Quick question

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_PV3RD003\_WHO.TXT\_1>



Hi Brett,

Thanks for your message. I'm meeting w/ Mark Heilburn (Sen. Specter's staffer) early next week; I'll keep you posted. Talk to you soon.

Rob

-----Original Message Follows-----

From: Brett M. Kavanaugh@who.eop.gov

To: PRA 6

Subject: Re: Quick question

Date: Thu, 16 Jan 2003 22:59:22 -0500

I would probably do it. Good job, good experience. Sorry to be difficult to reach.

(Embedded

image moved Rob Hur

to file: 01/14/2003 02:17:51 PM

pic07818.pcx)

Please respond to PRA 6

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP

cc:

Subject: Quick question

<< att1.htm >>

<< pic07818.pcx >>

---

MSN 8 with e-mail virus protection service: 2 months FREE\*

From: CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
To: PRA 6  
Sent: 2/9/2003 2:22:12 PM  
Subject: : Re: Quick question  
Attachments: P\_PV3RD003\_WHO.TXT\_1.html

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 9-FEB-2003 19:22:12.00  
SUBJECT:: Re: Quick question  
TO: PRA 6 [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

what is the latest on this

Rob Hur PRA 6  
01/17/2003 01:32:10 AM  
Please respond to rhur@post.harvard.edu  
Record Type: Record  
To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: Re: Quick question

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_PV3RD003\_WHO.TXT\_1>

Hi Brett,

Thanks for your message. I'm meeting w/ Mark Heilburn (Sen. Specter's staffer) early next week; I'll keep you posted. Talk to you soon.

Rob

-----Original Message Follows-----

From: Brett M. Kavanaugh@who.eop.gov

To: PRA 6

Subject: Re: Quick question

Date: Thu, 16 Jan 2003 22:59:22 -0500

I would probably do it. Good job, good experience. Sorry to be difficult to reach.

(Embedded

image moved Rob Hur

to file: 01/14/2003 02:17:51 PM

pic07818.pcx)

Please respond to PRA 6

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP

cc:

Subject: Quick question

<< att1.htm >>

<< pic07818.pcx >>

---

MSN 8 with e-mail virus protection service: 2 months FREE\*

REV\_00108889

---

**From:** Kavanaugh, Brett M.  
**To:** <Snee, Ashley>  
**Sent:** 2/13/2003 3:53:29 PM  
**Subject:** RE: Estrada Phone Conf at 4 pm

----- Forwarded by Brett M. Kavanaugh/WHO/EOP on 02/13/2003 03:57 PM -----

**"Miranda, Manuel (Frist)"**

02/13/2003 03:55:42 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc: margaret.hoover@mail.house.gov, omar.franco@mail.house.gov

Subject: RE: Estrada Phone Conf at 4 pm

Agenda for 4 pm conference

- 1) 10 day plan
- 2) Senate activity (Barbara)
- 3) Celebrity targets
- 4) In-state activity during recess (Jennufer and others)
  - RNLA
  - media
  - grassroots
- 6) Other DOJ support and activity
- 7) Other WH support and activity
- 8) Other efforts by others on call
- 9) Week Two activity

REV\_00109489

Message Sent To:

---

"Benczkowski, Brian A"

"Corallo, Mark"

"Goodling, Monica"

"Dinh, Viet"

rena\_comisac\_johnson@Judiciary.senate.gov

error?@usdoj.gov

"Brown, Jamie E (OLA)"

barbara\_ledeen@rpc.senate.gov

"Duffield, Steven (RPC)"

srushton@cagw.org

alafferty@traditionalvalues.org

"Dahl, Alex (Judiciary)"

"Tapia, Margarita (Judiciary)"

"Higgins, Stephen (Judiciary)"

"Delrahim, Makan (Judiciary)"

krdaly@aol.com

joschal@att.net

"Stewart, Don (Cornyn)"

Ed Rogers

**PRA 6**

"Keys, Elizabeth (Republican-Conf)"

"Wicherman, Bill (Frist)"

"Vogel, Alex (Frist)"

"Stevenson, Bob (Frist)"

"Jacobson, Paul (Frist)"

Mercedes M. Viana/WHO/EOP@EOP

Tim Goeglein/WHO/EOP@EOP

REV\_00109490

Brett M. Kavanaugh/WHO/EOP@EOP

Abel Guerra/WHO/EOP@EOP

Leonard B. Rodriguez/WHO/EOP@EOP

Heather Wingate/WHO/EOP@EOP

ddiaz@NRCC.org

neil.bradley@mail.house.gov

"Simmons, Kyle (McConnell)"

"Abegg, John (McConnell)"

---

**From:** Snee, Ashley  
**To:** <Kavanaugh, Brett M.>  
**Sent:** 2/13/2003 4:02:40 PM  
**Subject:** RE: Estrada Phone Conf at 4 pm

thanks

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

**From:** Kavanaugh, Brett M.  
**Sent:** Thursday, February 13, 2003 3:53 PM  
**To:** Snee, Ashley  
**Subject:** RE: Estrada Phone Conf at 4 pm

----- Forwarded by Brett M. Kavanaugh/WHO/EOP on 02/13/2003 03:57 PM -----



"Miranda, Manuel (Frist)"

02/13/2003 03:55:42 PM

Record Type: Record

**To:** See the distribution list at the bottom of this message  
**cc:** margaret.hoover@mail.house.gov, omar.franco@mail.house.gov  
**Subject:** RE: Estrada Phone Conf at 4 pm



Agenda for 4 pm conference

- 1) 10 day plan
- 2) Senate activity (Barbara)
- 3) Celebrity targets
- 4) In-state activity during recess (Jennufer and others)
  - RNLA
  - media
  - grassroots
- 6) Other DOJ support and activity
- 7) Other WH support and activity
- 8) Other efforts by others on call
- 9) Week Two activity

REV\_00109493

Message Sent To:

---

"Benczkowski, Brian A"  
"Corallo, Mark"  
"Goodling, Monica"  
"Dinh, Viet"  
rena\_comisac\_johnson@Judiciary.senate.gov  
error?@usdoj.gov  
"Brown, Jamie E (OLA)"  
barbara\_ledeen@rpc.senate.gov  
"Duffield, Steven (RPC)"  
srushton@cagw.org  
alafferty@traditionalvalues.org  
"Dahl, Alex (Judiciary)"  
"Tapia, Margarita (Judiciary)"  
"Higgins, Stephen (Judiciary)"  
"Delrahim, Makan (Judiciary)"  
krdaly@aol.com  
joschal@att.net  
"Stewart, Don (Cornyn)"  
Ed Rogers

**PRA 6**

"Keys, Elizabeth (Republican-Conf)"  
"Wichterman, Bill (Frist)"  
"Vogel, Alex (Frist)"  
"Stevenson, Bob (Frist)"  
"Jacobson, Paul (Frist)"  
Mercedes M. Viana/WHO/EOP@EOP  
Tim Goeglein/WHO/EOP@EOP  
Brett M. Kavanaugh/WHO/EOP@EOP  
Abel Guerra/WHO/EOP@EOP  
Leonard B. Rodriguez/WHO/EOP@EOP  
Heather Wingate/WHO/EOP@EOP  
ddiaz@NRCC.org  
neil.bradley@mail.house.gov  
"Simmons, Kyle (McConnell)"  
"Abegg, John (McConnell)"



---

**From:** Bumatay, Patrick J.  
**To:** <Kavanaugh, Brett M.>  
**Sent:** 2/21/2003 5:20:32 PM  
**Subject:** red tag

just a reminder, the red tag entitled to Q&A Economic Roundtable w. Reporters was due at 4 pm

Patrick J. Bumatay  
Office of Counsel to the President  
o: 202-456-5214  
f: 202-456-6279  
mainline: 202-456-2632

**From:** CN=Patrick J. Bumatay/OU=WHO/O=EOP@Exchange [ WHO ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 2/25/2003 3:34:05 AM  
**Subject:** : Washington Article

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Patrick J. Bumatay ( CN=Patrick J. Bumatay/OU=WHO/O=EOP@Exchange [ WHO ] )  
CREATION DATE/TIME:25-FEB-2003 08:34:05.00  
SUBJECT:: Washington Article  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

;  
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The Spokesman-Review (Spokane, Wa.)

February 22, 2003 Saturday Spokane Edition

SECTION: REGION; Pg.B2

LENGTH: 536 words

HEADLINE: Spokane lawyer seeks federal judgeship After not making final  
three, he asks backers to intercede

BYLINE: Bill Morlin, Staff writer

BODY:  
The former head of the Republican Party in Spokane County, who isn't among  
three finalists to become a federal judge, is mounting his own campaign  
for  
the post.

Spokane lawyer Richard Kuhling confirmed Friday that he is asking  
supporters to write letters to Rep. George Nethercutt, R-Wash.

Kuhling began his effort last week after a bipartisan screening committee  
selected three finalists and didn't include him.

'There's no end run here," Kuhling said. 'This committee is merely  
recommending candidates for the job.

'I've always been applying for the job," Kuhling said. 'The committee's  
three selections was not the end of it, as far as I'm concerned."

Kuhling is a close friend and former campaign manager for Nethercutt, who  
spent Thursday and Friday interviewing the three finalists, Lonnie Suko,  
Jim  
King and Richard Miller.

A spokeswoman for Nethercutt said Friday that only the names of Suko, King  
and Miller were forwarded to President Bush for consideration. They are  
scheduled for interviews next week by White House staff.

The three finalists were interviewed this week in Spokane by Sens. Patty  
Murray and Maria Cantwell, both Washington Democrats.;;The Senate must

REV\_00110391

confirm  
the lifetime appointments to the federal judiciary made by the president.  
If a  
senator doesn't approve of a judicial nomination from the White House, the  
lawmaker can "blue tag" the candidate's name, delaying or derailing the  
process.

Kuhling was among 20 applicants who submitted their names to the  
six-member, bipartisan selection committee that met in Spokane earlier  
this  
month.

The selection committee's members were appointed by Nethercutt and  
Republican Rep.;;Doc Hastings, and the two Democratic senators.

The bipartisan selection process has been in place for several years in  
Washington state. But the process was reaffirmed last year by the state's  
Democratic senators and Alberto R.;;Gonzales, counsel to President Bush.

"This is a process the White House has agreed to and has served the  
people  
of Washington state well for years," said Todd Webster, a spokesman for  
Murray.

April Gentry, press spokeswoman for Nethercutt, said his office had  
"received a handful of letters" supporting Kuhling's bid for the  
appointment  
to succeed retiring Judge Frem Nielsen.

"The congressman's position is he worked with the senators to set up of  
screening committee, and it selected three highly qualified finalists,"  
Gentry said. ;;"Congressman Nethercutt has forwarded those three names to  
the  
White House."

Kuhling made the initial cut by the screening committee when it cut the  
field in half, to 10 semifinalists. That group also included Spokane  
lawyer  
Bill Hyslop, who also reportedly is talking about pitching his candidacy  
for  
the judgeship to Nethercutt.

Hyslop, a former U.S. attorney appointed by President George H. Bush, did  
not return telephone calls on Friday.

The group of 10 semifinalists was cut to five, then to the three. Suko is  
a  
federal magistrate and Miller is an Adams County Superior Court judge.  
King is  
a private attorney in Spokane.

NOTES:

Bill Morlin can be reached at PRA 6 or by e-mail at  
billm@spokesman.com <mailto:billm@spokesman.com>.

;  
Patrick J. Bumatay  
Office of Counsel to the President

o: 202-456-5214  
f: 202-456-6279  
mainline: 202-456-2632  
;

---

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** [ PRA 6 ] @ inet [ UNKNOWN ] < [ PRA 6 ] @ inet >  
**Sent:** 3/1/2003 10:17:10 AM  
**Subject:** : nothing yet

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 1-MAR-2003 15:17:10.00  
SUBJECT:: nothing yet  
TO: [ PRA 6 ] @ inet ( [ PRA 6 ] @ inet [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

**From:** CN=David G. Leitch/OU=WHO/O=EOP@Exchange [ WHO ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 3/10/2003 3:56:23 PM  
**Subject:** : Fw:

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:David G. Leitch ( CN=David G. Leitch/OU=WHO/O=EOP@Exchange [ WHO ] )  
CREATION DATE/TIME:10-MAR-2003 20:56:23.00  
SUBJECT:: Fw:  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Who do these folks know?

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

From: [REDACTED] **PRA 6**  
To: Leitch, David G. <David\_G\_Leitch@who.eop.gov>  
Sent: Mon Mar 10 20:42:34 2003  
Subject:

<http://198.30.217.73/noleftturns/default.asp?archiveID=1273>  
<<http://198.30.217.73/noleftturns/default.asp?archiveID=1273>>

---

**From:** Leitch, David G.  
**To:** <Kavanaugh, Brett M.>  
**Sent:** 3/10/2003 8:56:05 PM  
**Subject:** Fw:

Who do these folks know?

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

**From:** PRA 6  
**To:** Leitch, David G.  
**Sent:** Mon Mar 10 20:42:34 2003  
**Subject:**

<http://198.30.217.73/noleftturns/default.asp?archiveID=1273>

**From:** Kane, Thomas <[REDACTED] PRA 6 >  
**To:** mikewalsh@wachoviasec.com [ UNKNOWN ]  
<mikewalsh@wachoviasec.com>;raaronson@mcguirewoods.com [ UNKNOWN ]  
<raaronson@mcguirewoods.com>; [REDACTED] PRA 6 [ UNKNOWN ]  
<[REDACTED] PRA 6 >;Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M.  
Kavanaugh> [REDACTED] PRA 6 [ UNKNOWN ]  
<[REDACTED] PRA 6 >;patrick.smyth@libertyram.com [ UNKNOWN ]  
<patrick.smyth@libertyram.com>;Phillip Merkle <MERKLEP@OJP.USDOJ.GOV>  
**Sent:** 3/21/2003 3:51:26 AM  
**Subject:** : RE: new info

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:"Kane, Thomas" <[REDACTED] PRA 6 > ( "Kane, Thomas" <[REDACTED] PRA 6 > [ UNKNOWN ] )

CREATION DATE/TIME:21-MAR-2003 08:51:26.00

SUBJECT:: RE: new info

TO:mikewalsh@wachoviasec.com ( mikewalsh@wachoviasec.com [ UNKNOWN ] )

READ:UNKNOWN

TO:raaronson@mcguirewoods.com ( raaronson@mcguirewoods.com [ UNKNOWN ] )

READ:UNKNOWN

TO:[REDACTED] PRA 6 ( [REDACTED] PRA 6 [ UNKNOWN ] )

READ:UNKNOWN

TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO:[REDACTED] PRA 6 ( [REDACTED] PRA 6 [ UNKNOWN ] )

READ:UNKNOWN

TO:patrick.smyth@libertyram.com ( patrick.smyth@libertyram.com [ UNKNOWN ] )

READ:UNKNOWN

TO:Phillip Merkle <MERKLEP@OJP.USDOJ.GOV> ( Phillip Merkle <MERKLEP@OJP.USDOJ.GOV> [ UNKNOWN ] )

READ:UNKNOWN

##### End Original ARMS Header #####

Don was kind enough to point out that I omitted my attachment.  
Are you getting tournament games in your bunker, Don?  
Shorty

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

From: Phillip Merkle [mailto:MERKLEP@OJP.USDOJ.GOV]

Sent: Thursday, March 20, 2003 10:57 AM

To: [REDACTED] PRA 6; patrick.smyth@libertyram.com;

raaronson@mcguirewoods.com; [REDACTED] PRA 6; Kane, Thomas;

mikewalsh@wachoviasec.com; brett\_m.\_kavanaugh@who.eop.gov

Subject: Re: new info

Tom,

I am signed up for the meeting on the 25th.

>>> mhprint-tlkane@mhprint.com 03/20/03 10:54AM >>>

Here is my new info.

When are you girls planning to attend a meeting?

Shorty

-----  
mail2web - Check your email from the web at  
<http://mail2web.com/> .

Date: Wed, 19 Mar 2003 16:54:36 -0500

REV\_00112480



From: "Kane, Thomas" <[REDACTED] PRA 6 [REDACTED]>  
Subject: Thomas Kane  
Message-id:  
<67CADDBCD956D94AAB4E1A73B2A6D0B201094CD7@nxclmex2.us.nextel.com>  
MIME-version: 1.0  
X-MIMEOLE: Produced By Microsoft Exchange V6.0.6410.0  
Content-type: text/plain; charset=iso-8859-1  
Content-transfer-encoding: 7BIT  
Thread-Topic: Thomas Kane  
Thread-Index: AcLuYiIa5J/Gd++dTawNoJn/KeHMIg==  
content-class: urn:content-classes:person  
X-MS-Has-Attach:  
X-MS-TNEF-Correlator:

Message

**From:** Duffield, Steven (RPC) ("Duffield, Steven (RPC)" <Steven\_Duffield@rpc.senate.gov> [ UNKNOWN ])  
[Steven\_Duffield@rpc.senate.gov]  
**Sent:** 3/27/2003 3:12:21 PM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : RE: Updated: Status of Circuit Nominees

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:"Duffield, Steven (RPC)" <Steven\_Duffield@rpc.senate.gov> ("Duffield, Steven (RPC)"  
<Steven\_Duffield@rpc.senate.gov> [ UNKNOWN ] )  
CREATION DATE/TIME:27-MAR-2003 16:12:21.00  
SUBJECT:: RE: Updated: Status of Circuit Nominees  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Brett -- Is the list of upcoming nominations (i.e., which ones will be filled) public information? (I don't know if there are other seats that won't be filled.) -- Steven

---

Steven J. Duffield  
Judiciary Policy Analyst & Counsel  
Senate Republican Policy Committee  
347 Russell Senate Office Building  
(202) 224-3463 Fax (202) 224-1235

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

From: Brett\_M.\_Kavanaugh@who.eop.gov  
[mailto:Brett\_M.\_Kavanaugh@who.eop.gov]  
Sent: Thursday, March 27, 2003 3:40 PM  
To: Miranda, Manuel (Frist); viet.dinh@usdoj.gov;  
brian.a.benczkowski@usdoj.gov; Comisac, RenaJohnson (Judiciary);  
jamie.e.brown@usdoj.gov; Ledeen, Barbara (Republican-Conf); Duffield,  
Steven (RPC); Dahl, Alex (Judiciary); Tapia, Margarita (Judiciary);  
Higgins, Stephen (Judiciary); Delrahim, Makan (Judiciary); Stewart, Don  
(Cornyn); [REDACTED] PRA 6 Keys, Elizabeth  
(Republican-Conf); Wichterman, Bill (Frist); Vogel, Alex (Frist);  
Stevenson, Bob (Frist); Jacobson, Paul (Frist);  
Tim\_Goeglein@who.eop.gov; neil.bradley@mail.house.gov; Abegg, John  
(McConnell); Gumerson, Katie (RPC); ashley\_snee@oa.eop.gov;  
Wendy\_J.\_Grubbs@who.eop.gov; Jeanie\_S.\_Mamo@who.eop.gov;  
Matthew\_E.\_Smith@who.eop.gov; [REDACTED] PRA 6  
Subject: Updated: Status of Circuit Nominees

108th Congress

REV\_00113005

Message

**From:** Miranda, Manuel (Frist) ( "Miranda, Manuel (Frist)" <Manuel\_Miranda@frist.senate.gov> [ UNKNOWN ] )  
[Manuel\_Miranda@frist.senate.gov]  
**Sent:** 3/27/2003 4:08:05 PM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : RE: Updated: Status of Circuit Nominees

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:"Miranda, Manuel (Frist)" <Manuel\_Miranda@frist.senate.gov> ( "Miranda, Manuel (Frist)"  
<Manuel\_Miranda@frist.senate.gov> [ UNKNOWN ] )  
CREATION DATE/TIME:27-MAR-2003 17:08:05.00  
SUBJECT:: RE: Updated: Status of Circuit Nominees  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Good idea.

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

From: Brett\_M.\_Kavanaugh@who.eop.gov  
[mailto:Brett\_M.\_Kavanaugh@who.eop.gov]  
Sent: Thursday, March 27, 2003 3:40 PM  
To: Miranda, Manuel (Frist); viet.dinh@usdoj.gov;  
brian.a.benczkowski@usdoj.gov; Comisac, RenaJohnson (Judiciary);  
jamie.e.brown@usdoj.gov; Ledeen, Barbara (Republican-Conf); Duffield,  
Steven (RPC); Dahl, Alex (Judiciary); Tapia, Margarita (Judiciary);  
Higgins, Stephen (Judiciary); Delrahim, Makan (Judiciary); Stewart, Don  
(Cornyn); [REDACTED] PRA 6 Keys, Elizabeth  
(Republican-Conf); Wichterman, Bill (Frist); Vogel, Alex (Frist);  
Stevenson, Bob (Frist); Jacobson, Paul (Frist);  
Tim\_Goeglein@who.eop.gov; neil.bradley@mail.house.gov; Abegg, John  
(McConnell); Gumerson, Katie (RPC); ashley\_snee@oa.eop.gov;  
Wendy\_J.\_Grubbs@who.eop.gov; Jeanie\_S.\_Mamo@who.eop.gov;  
Matthew\_E.\_Smith@who.eop.gov; [REDACTED] PRA 6  
Subject: Updated: status of Circuit Nominees

108th Congress

Message

**From:** Brown, Jamie E (OLA) ( "Brown, Jamie E (OLA)" <Jamie.E.Brown@usdoj.gov> [ UNKNOWN ] )  
[Jamie.E.Brown@usdoj.gov]  
**Sent:** 3/27/2003 5:39:05 PM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : RE: Updated: Status of Circuit Nominees

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:"Brown, Jamie E (OLA)" <Jamie.E.Brown@usdoj.gov> ( "Brown, Jamie E (OLA)"  
<Jamie.E.Brown@usdoj.gov> [ UNKNOWN ] )  
CREATION DATE/TIME:27-MAR-2003 18:39:05.00  
SUBJECT:: RE: Updated: Status of Circuit Nominees  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Thanks. This is a helpful document

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

From: Brett\_M.\_Kavanaugh@who.eop.gov  
[mailto:Brett\_M.\_Kavanaugh@who.eop.gov]  
Sent: Thursday, March 27, 2003 3:46 PM  
To: Benczkowski, Brian A; Brown, Jamie E (OLA); Dinh, Viet;  
manuel\_miranda@frist.senate.gov;  
rena\_johnson\_comisac@judiciary.senate.gov;  
barbara\_ledeen@src.senate.gov; steven\_duffield@rpc.senate.gov;  
alex\_dahl@judiciary.senate.gov; margarita\_tapia@judiciary.senate.gov;  
stephen\_higgins@judiciary.senate.gov;  
makan\_delrahim@judiciary.senate.gov; don\_stewart@cornyn.senate.gov;  
PRA 6 } elizabeth\_keys@src.senate.gov;  
bill\_wichterman@frist.senate.gov; alex\_vogel@frist.senate.gov;  
bob\_stevenson@frist.senate.gov; paul\_jacobson@frist.senate.gov;  
Tim\_Googlein@who.eop.gov; neil.bradley@mail.house.gov;  
john\_abegg@mcconnell.senate.gov; katie\_gumerson@rpc.senate.gov;  
ashley\_snee@oa.eop.gov; Wendy\_J.\_Grubbs@who.eop.gov;  
Jeanie\_S.\_Mamo@who.eop.gov; Matthew\_E.\_Smith@who.eop.gov;  
PRA 6 }  
Subject: Updated: Status of Circuit Nominees

108th Congress

---

**From:** Nelson, Carolyn  
**To:** <Kavanaugh, Brett M.>  
**Sent:** 4/29/2003 4:56:07 PM  
**Subject:** RE: argument seats

There isn't an attachment to open. Want me to call Rachel and have her email it to me?

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

**From:** Kavanaugh, Brett M.  
**Sent:** Tuesday, April 29, 2003 4:53 PM  
**To:** Nelson, Carolyn  
**Subject:** Fw: argument seats

Please email me attachment in text. I am on blackberry.

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

**PRA 6**

To: Brett M. Kavanaugh/WHO/EOP@EOP  
Cc:  
Date: 04/29/2003 04:41:21 PM  
Subject: Re: argument seats

- att1.htm << File: att1.htm >>

Message

**From:** Sara Taylor ( Sara Taylor <Staylor@georgewbush.com> [ UNKNOWN ] ) [Staylor@georgewbush.com]  
**Sent:** 5/5/2003 9:41:29 AM  
**To:** mschlapp@georgewbush.com [ WHO ] [mschlapp@georgewbush.com]; Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : FW: APwire: 6th Circuit Ads  
**Attachments:** P\_EQ45G003\_WHO.TXT\_1.htm

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Sara Taylor <Staylor@georgewbush.com> ( Sara Taylor <Staylor@georgewbush.com> [ UNKNOWN ] )  
CREATION DATE/TIME: 5-MAY-2003 09:41:29.00  
SUBJECT:: FW: APwire: 6th Circuit Ads  
TO:mschlapp@georgewbush.com ( mschlapp@georgewbush.com [ WHO ] )  
READ:UNKNOWN  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

fyi.....

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

From: Greg McNeilly [mailto:Greg@migop.org]  
Sent: Friday, May 02, 2003 3:45 PM  
To: [REDACTED]; Rob Minard; Curt Anderson;  
Jeff Stormo; Anne Hathaway - Political; Sara Taylor; Matthew Dowd -  
Strategy  
Subject: APwire: 6th Circuit Ads

Conservative legal group takes on Stabenow in ad

The Associated Press  
5/2/03 2:18 PM

Details of a radio ad paid for by the Michigan Legal Foundation.

Title: "Strong Judges"

Time: 60 seconds.

Where airing: Grand Rapids, Traverse City and Kalamazoo.

When airing: Began May 1.

Cost: Not disclosed.

Text: (Woman's voice.)

In these uncertain times, America needs strong judges on the bench. Judges who will uphold the Constitution and help law enforcement keep dangerous criminals off our streets.

President Bush has nominated four respected judges from Michigan to fill vacancies on the Sixth Circuit Court of Appeals.

Each judge has received high marks from the American Bar Association. But Senator Debbie Stabenow is refusing to allow the Senate to vote on their nominations.

Stabenow won't let her Senate colleagues hold a hearing on Michigan's judges. If Stabenow keeps playing politics, Michigan could lose its voice on the second highest court in the land.

That's right, Michigan's positions on the Sixth Circuit Court could end up being filled by judges from Kentucky or Tennessee. And that would be a travesty of justice for Michigan.

Call Senator Stabenow today at (616) 975-0052. Tell her to stop playing

politics.

Paid for by the Michigan Legal Foundation.

Analysis: This is the second ad on the issue of judicial nominees that the Midland-based Michigan Legal Foundation has run in the last month. The first criticized U.S. Sen. Carl Levin as well as Stabenow. Both are Michigan Democrats.

The Sixth Circuit Court, which hears cases from Michigan, Ohio, Kentucky and Tennessee, currently has four vacancies that are supposed to be filled by Michigan judges.

President Bush has nominated U.S. District Judge David McKeague, Michigan Court of Appeals Judges Henry Saad and Richard Griffin and Wayne County Circuit Judge Susan Bieke Neilson to fill those vacancies.

But Levin and Stabenow are blocking the hearing process for those judges, invoking a privilege given to home state senators.

Both Levin and Stabenow have said they will not consider Bush's nominees because President Clinton's Sixth Circuit nominees were never granted hearings. While Clinton was president, the Republican-controlled Senate Judiciary Committee kept his nomination of Michigan Court of Appeals Judge Helene White for more than four years, longer than any nominee in Senate history.

Levin and Stabenow have proposed allowing one of Clinton's nominees to take a spot on the court, but Bush rejected that proposal.

Stabenow, who was first elected to the Senate in 2000, doesn't face re-election until 2006. But the ad indicates that Republicans are keeping a close eye on her seat. The recently formed Michigan Legal Foundation is a conservative organization which has described itself as an answer to the traditionally liberal American Civil Liberties Union.

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00

File attachment <P\_EQ45G003\_WHO.TXT\_1>

fyi.....

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

**From:** Greg McNeilly [mailto:Greg@migop.org]

**Sent:** Friday, May 02, 2003 3:45 PM

**Subject:** APWire: 6th Circuit Ads

PRA 6

Rob Minard; Curt Anderson; Jeff Stormo; Anne Hathaway - Political; Sara Taylor; Matthew Dowd - Strategy

## Conservative legal group takes on Stabenow in ad

The Associated Press

5/2/03 2:18 PM

Details of a radio ad paid for by the Michigan Legal Foundation.

Title: "Strong Judges"

Time: 60 seconds.

Where airing: Grand Rapids, Traverse City and Kalamazoo.

When airing: Began May 1.

Cost: Not disclosed.

Text: (Woman's voice.)

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Each judge has received high marks from the American Bar Association. But Senator Debbie Stabenow is refusing to allow the Senate to vote on their nominations.

Stabenow won't let her Senate colleagues hold a hearing on Michigan's judges. If Stabenow keeps playing politics, Michigan could lose its voice on the second highest court in the land.

That's right, Michigan's positions on the Sixth Circuit Court could end up being filled by judges from Kentucky or Tennessee. And that would be a travesty of justice for Michigan.

Call Senator Stabenow today at (616) 975-0052. Tell her to stop playing politics.

Paid for by the Michigan Legal Foundation.

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Stabenow, who was first elected to the Senate in 2000, doesn't face re-election until 2006. But the ad indicates that Republicans are keeping a close eye on her seat. The recently formed Michigan Legal Foundation is a conservative organization which has described itself as an answer to the traditionally liberal American Civil Liberties Union.

REV\_00116560





---

**From:** Viet.Dinh@usdoj.gov  
**To:** Heather.McNaught@usdoj.gov <Snee, Ashley>; Heather.McNaught@usdoj.gov <Kavanaugh, Brett M.>  
**CC:** Heather.McNaught@usdoj.gov <Heather.McNaught@usdoj.gov>  
**Sent:** 5/7/2003 5:46:45 PM  
**Subject:** chuck Lane at [PRA 6] on filibusters

can you guys handle? am heading out of town to London. thanks

---

**From:** CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ]  
**To:** Ashley Snee/WHO/EOP@EOP [ WHO ] <Ashley Snee>  
**Sent:** 5/7/2003 2:12:35 PM  
**Subject:** : Fw: chuck Lane at [ PRA 6 ] on filibusters

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 7-MAY-2003 18:12:35.00  
SUBJECT:: Fw: chuck Lane at 334-7330 on filibusters  
TO: Ashley Snee ( CN=Ashley Snee/OU=WHO/O=EOP@EOP [ WHO ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

We need to call him.

.

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

From: <Viet.Dinh@usdoj.gov>  
To: Ashley Snee/WHO/EOP@EOP,  
Brett M. Kavanaugh/WHO/EOP@EOP  
Cc: <Heather.McNaught@usdoj.gov> (Receipt Notification Requested) (IPM  
Return Requested)  
Date: 05/07/2003 05:46:45 PM  
Subject: chuck Lane at [ PRA 6 ] on filibusters

can you guys handle? am heading out of town to London. thanks

Message

**From:** Charles Spies - Legal ( Charles Spies - Legal <CSpies@rnchq.org> [ UNKNOWN ] ) [CSpies@rnchq.org]  
**Sent:** 5/16/2003 12:35:32 PM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] ); Adrian G. Gray ( CN=Adrian G. Gray/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : RE: Evans Letter

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Charles Spies - Legal <CSpies@rnchq.org> ( Charles Spies - Legal <CSpies@rnchq.org> [ UNKNOWN ] )  
CREATION DATE/TIME:16-MAY-2003 12:35:32.00  
SUBJECT:: RE: Evans Letter  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Adrian G. Gray ( CN=Adrian G. Gray/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Ok from this end.

- Charlie

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

From: Adrian\_G.\_Gray@who.eop.gov [mailto:Adrian\_G.\_Gray@who.eop.gov]  
Sent: Friday, May 16, 2003 11:34 AM  
To: Brett\_M.\_Kavanaugh@who.eop.gov; Charles Spies - Legal  
Subject: Evans Letter

here is an updated version with your edits. thoughts?

AG  
----- Forwarded by Adrian G. Gray/WHO/EOP on 05/16/2003  
08:55  
AM -----

(Embedded  
image moved AFleischer@DOC.GOV  
to file: 05/15/2003 06:34:46 PM  
pic27068.pcx)

Record Type: Record

To: Adrian G. Gray/WHO/EOP@EOP, HFord@DOC.GOV, bDiGiacco@DOC.GOV

cc:  
Subject: Here you go ...

Adrian and Harrison -

Per your comments, attached are revised drafts of the Senator Nickles letters and response device with corrections. Please review ASAP as they are trying to get them out by COB tomorrow.

Thanks, Aimee  
----- Forwarded by Aimee Fleischer/HCHB/Osnet on 05/15/2003 06:32 PM -----

REV\_00118558

"Mike Osburn"  
<PRA 6>  
<afleischer@doc.gov>

To:

cc:

Subject: Here you go ...

05/15/2003 06:21  
PM

(See attached file: Nickles Save Date Letter.doc)(See attached file:  
Nickles Response.doc)

Message

**From:** Joel Pardue ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] ) [judicialumbrella@yahoo.com]  
**Sent:** 5/19/2003 4:44:27 PM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] ); Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] ); Elizabeth Reid ( Elizabeth Reid <elizabeth.reid@heritage.org> [ UNKNOWN ] ) [elizabeth.reid@heritage.org]; Anne Kienlen ( Anne Kienlen <akienlen@wilmer.com> [ UNKNOWN ] ) [akienlen@wilmer.com]; Boyden Gray ( Boyden Gray <bgray@wilmer.com> [ UNKNOWN ] ) [bgray@wilmer.com]; Jay Sekulow ( Jay Sekulow <[REDACTED] PRA 6 [REDACTED]> [ UNKNOWN ] ) [REDACTED] PRA 6 [REDACTED]; Ed Meese ( Ed Meese <edwin.meese@heritage.org> [ UNKNOWN ] ) [edwin.meese@heritage.org]  
**Subject:** : Conference Call Tomorrow  
**Attachments:** P\_XONJG003\_WHO.TXT\_1.txt

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Joel Pardue <judicialumbrella@yahoo.com> ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] )  
CREATION DATE/TIME:19-MAY-2003 16:44:27.00  
SUBJECT:: Conference Call Tomorrow  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Elizabeth Reid <elizabeth.reid@heritage.org> ( Elizabeth Reid <elizabeth.reid@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Anne Kienlen <akienlen@wilmer.com> ( Anne Kienlen <akienlen@wilmer.com> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Boyden Gray <bgray@wilmer.com> ( Boyden Gray <bgray@wilmer.com> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Jay Sekulow <[REDACTED] PRA 6 [REDACTED]> ( Jay Sekulow <[REDACTED] PRA 6 [REDACTED]> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Ed Meese <edwin.meese@heritage.org> ( Ed Meese <edwin.meese@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

How does a 4:00 call sound for tomorrow? The call in number would be 1-800-498-2860. Ask for the Judicial Umbrella call. Please let me know. Thanks.

-----  
Do you Yahoo!?  
The New Yahoo! Search - Faster. Easier. Bingo.  
- att1.htm  
ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_XONJG003\_WHO.TXT\_1>

How does a 4:00 call sound for tomorrow? The call in number would be 1-800-498-2860. Ask for the Judicial Umbrella call. Please let me know.& nbsp; Thanks.

---

Do you Yahoo!?

The Ne w Yahoo! Search - Faster. Easier. Bingo.

Message

**From:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] ) [Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )]  
**Sent:** 5/19/2003 7:09:35 PM  
**To:** Joel Pardue ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] ) [judicialumbrella@yahoo.com]  
**Subject:** : Re: Conference Call Tomorrow  
**Attachments:** P\_G5VJG003\_WHO.TXT\_1.txt

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 19-MAY-2003 19:09:35.00  
SUBJECT: : Re: Conference Call Tomorrow  
TO: Joel Pardue <judicialumbrella@yahoo.com> ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

good

Joel Pardue <judicialumbrella@yahoo.com>  
05/19/2003 04:43:02 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: Conference Call Tomorrow

How does a 4:00 call sound for tomorrow? The call in number would be 1-800-498-2860. Ask for the Judicial Umbrella call. Please let me know. Thanks.

-----  
Do you Yahoo!?  
The New Yahoo! Search - Faster. Easier. Bingo.

- att1.htm

Message Sent

To: \_\_\_\_\_  
Ed Meese <edwin.meese@heritage.org>  
Elizabeth Reid <elizabeth.reid@heritage.org>  
Jay Sekulow <PRA 6>  
Tim Goeglein/WHO/EOP@EOP  
Boyden Gray <bgray@wilmer.com>  
Brett M. Kavanaugh/WHO/EOP@EOP  
Anne Kienlen <akienlen@wilmer.com>

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_G5VJG003\_WHO.TXT\_1>



How does a 4:00 call sound for tomorrow? The call in number would be 1-800-498-2860. Ask for the Judicial Umbrella call. Please let me know.& nbsp; Thanks.

---

Do you Yahoo!?

The Ne w Yahoo! Search - Faster. Easier. Bingo.

Message

---

**From:** Joel Pardue ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] ) [judicialumbrella@yahoo.com]  
**Sent:** 5/20/2003 4:17:01 PM  
**To:** Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] ); Elizabeth Reid ( Elizabeth Reid <elizabeth.reid@heritage.org> [ UNKNOWN ] ) [elizabeth.reid@heritage.org]; Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] ); Jay Sekulow ( Jay Sekulow <[REDACTED] PRA 6 [REDACTED]> [ UNKNOWN ] ) [REDACTED] PRA 6 [REDACTED]; Ed Meese ( Ed Meese <edwin.meese@heritage.org> [ UNKNOWN ] ) [edwin.meese@heritage.org]  
**Subject:** : Conference Call Today  
**Attachments:** P\_2TMKG003\_WHO.TXT\_1.txt

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Joel Pardue <judicialumbrella@yahoo.com> ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] )  
CREATION DATE/TIME:20-MAY-2003 13:17:01.00  
SUBJECT:: Conference Call Today  
TO:Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Elizabeth Reid <elizabeth.reid@heritage.org> ( Elizabeth Reid <elizabeth.reid@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Jay Sekulow [REDACTED] PRA 6 [REDACTED] ( Jay Sekulow <[REDACTED] PRA 6 [REDACTED]> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Ed Meese <edwin.meese@heritage.org> ( Ed Meese <edwin.meese@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

The call has been set for 4:00 PM today. The dial in number is 1-800-498-2860. Ask for the Judicial Umbrella Group call. Thanks.

-----  
Do you Yahoo!?  
The New Yahoo! Search - Faster. Easier. Bingo.  
- att1.htm  
ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_2TMKG003\_WHO.TXT\_1>

The call has been set for 4:00 PM today. The dial in number is 1-800 -498-2860. Ask for the Judicial Umbrella Group call. Thanks.

<p>

---

Do you Yahoo!?

The New Yahoo! Search - Faster. Easier. Bingo.

Message

---

**From:** [ PRA 6 ] [ UNKNOWN ] [ PRA 6 ]  
**Sent:** 5/21/2003 9:57:14 AM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : Galway!

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR [ PRA 6 ] ( [ PRA 6 ] [ UNKNOWN ] )  
CREATION DATE/TIME:21-MAY-2003 09:57:14.00  
SUBJECT:: Galway!  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Message

**From:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] ) [Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )]  
**Sent:** 5/28/2003 4:19:07 PM  
**To:** Gallagher, Michael, M ( "Gallagher, Michael, M" <[REDACTED]> [ UNKNOWN ] )  
**Subject:** : Re: W's Letter

##### Begin Original ARMS Header #####

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 28-MAY-2003 16:19:07.00

SUBJECT: : Re: W's Letter

TO: "Gallagher, Michael, M" <[REDACTED]> ( "Gallagher, Michael, M" <[REDACTED]> [ UNKNOWN ] )

READ: UNKNOWN

##### End Original ARMS Header #####

You are very welcome. And that's a real signature too! Hope you are well.

"Gallagher, Michael, M" <[REDACTED]>  
05/28/2003 04:15:21 PM

Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP

cc:

Subject: W's Letter

Brett, I received a letter from President Bush yesterday regarding my law school graduation, one that (I imagine) you had a role in. Thank you very much for your kind gift; I can assure you that the letter will be framed quite soon. I wish you all the best with everything going in in D.C. Tell everyone up there I said hi.

Michael.

**From:** Joel Pardue <judicialumbrella@yahoo.com>  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>;Tim Goeglein/WHO/EOP@EOP [ WHO ] <Tim Goeglein>;Elizabeth Reid <elizabeth.reid@heritage.org>;Anne Kienlen <akienlen@wilmer.com>;Boyden Gray <bgray@wilmer.com>;Jay Sekulow <PRA 6>;Ed Meese <edwin.meese@heritage.org>  
**Sent:** 5/29/2003 12:09:10 PM  
**Subject:** : Conference Call & Meeting  
**Attachments:** P\_AUQSG003\_WHO.TXT\_1.txt

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Joel Pardue <judicialumbrella@yahoo.com> ( Joel Pardue <judicialumbrella@yahoo.com> [ UNKNOWN ] )  
CREATION DATE/TIME:29-MAY-2003 16:09:10.00  
SUBJECT:: Conference Call & Meeting  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Tim Goeglein ( CN=Tim Goeglein/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
TO:Elizabeth Reid <elizabeth.reid@heritage.org> ( Elizabeth Reid <elizabeth.reid@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Anne Kienlen <akienlen@wilmer.com> ( Anne Kienlen <akienlen@wilmer.com> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Boyden Gray <bgray@wilmer.com> ( Boyden Gray <bgray@wilmer.com> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Jay Sekulow <PRA 6> ( Jay Sekulow <PRA 6> [ UNKNOWN ] )  
READ:UNKNOWN  
TO:Ed Meese <edwin.meese@heritage.org> ( Ed Meese <edwin.meese@heritage.org> [ UNKNOWN ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

As we discussed on the call yesterday, we plan on having a conference call with everyone (Tier 1 and Tier 2) on the 6th of next week. Please let me know soon the times you absolutely cannot make the call.

As for the meeting, we are having another meeting, with everyone, on the 16th. Same place. It was suggested that we have it either morning or early afternoon. I am thinking 10:00 am (since we need, not Tier 1 or 2, to meet 45 minutes prior to the big meeting). Pleast let me know if this does not work with your schedule and if that is the case when you can meet that day. Thanks.

-----  
Do you Yahoo!?  
Free online calendar with sync to Outlook(TM).  
- att1.htm  
ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_AUQSG003\_WHO.TXT\_1>

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---

Do you Yahoo!?

Free on line calendar with sync to Outlook(TM).

**From:** CN=David G. Leitch/OU=WHO/O=EOP@Exchange [ WHO ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 5/29/2003 5:32:46 PM  
**Subject:** : Fw:

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:David G. Leitch ( CN=David G. Leitch/OU=WHO/O=EOP@Exchange [ WHO ] )  
CREATION DATE/TIME:29-MAY-2003 21:32:46.00  
SUBJECT:: Fw:  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

.  
-----Original Message-----

From: [REDACTED] PRA 6  
To: Leitch, David G. <David\_G\_Leitch@who.eop.gov>  
Sent: Thu May 29 21:30:40 2003  
Subject:

May 30, 2003

MEMORANDUM FOR: THE WHITE HOUSE STAFF

FROM:;; ;;;;;;;;; ;;;;;;;;; ANDREW H. CARD, JR.  
;;;;;;;;; ;;;;;;;;; ;;;;;;;;; ;;;;;;;;; CHIEF OF STAFF TO THE PRESIDENT  
SUBJECT:; ;;;;;;;;; ;;;;;;;;; ;;;;;;;;; BUSH-CHENEY '04

The President has authorized the establishment of his re-election committee.; The re-elect committee's organization papers have been filed and a headquarters has been opened in Arlington, Virginia.

Ken Mehlman has been named Campaign Manger.; Nicolle Devenish has become Communications Director.; Some other White House and Administration staff will be moving to the campaign in the months ahead.

Matt Schlapp has replaced Ken Mehlman as Deputy Assistant to the President and Director of Political Affairs.

With the establishment of the re-election campaign, Bush-Cheney '04, all communication between the White House and the re-elect campaign and the Republican National Committee (RNC) will be coordinated through the Office of the Senior Advisor or me.

Israel Hernandez is the White House liaison to the re-elect campaign responsible for coordinating the Bush-Cheney '04 campaign scheduling of the President, the Vice President, the First Lady, Mrs. Cheney, and other Administration figures.; Note, however, that the actual scheduling of the President will continue to be the responsibility of the White House Scheduling Office, as approved by me.; Susan Ralston is the White House liaison to the re-elect campaign responsible for all other communication between the White House and the campaign.; All contact with Bush-Cheney '04 campaign and/or the RNC must be coordinated through either Israel or Susan unless authorized by Senior Advisor Karl Rove or me.;

The White House Office of Political Affairs will continue to operate as the liaison to other Republican candidates, the National Republican Campaign Committee (NRCC), the National Republican Senatorial Committee (NRSC), and the Republican Governors Association (RGA).



Please pay special attention to the memorandum on "Political Activity" from White House Counsel, Alberto Gonzales dated May 30, 2003.; It will be the guide for how to act during campaign season.

Thank you for helping us meet our responsibilities for the President.

**From:** Joel Pardue <judicialumbrella@yahoo.com>  
**To:** jpardue@fed-soc.org [ UNKNOWN ] <jpardue@fed-soc.org>  
**BCC:** Brett M. Kavanaugh ( Brett M. Kavanaugh/WHO/EOP [ WHO ] )  
**Sent:** 6/4/2003 10:10:37 AM  
**Subject:** : Today's News  
**Attachments:** P\_T5MXG003\_WHO.TXT\_1.txt

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Joel Pardue <judicialumbrella@yahoo.com> ( Joel Pardue <judicialumbrella@yahoo.com>  
[ UNKNOWN ] )  
CREATION DATE/TIME: 4-JUN-2003 14:10:37.00  
SUBJECT:: Today's News  
TO:jpardue@fed-soc.org ( jpardue@fed-soc.org [ UNKNOWN ] )  
READ:UNKNOWN  
BCC:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

LOS ANGELES DAILY JOURNAL NEWSWIRE ARTICLE  
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----- June 03, 2003

UNFAIR TREATMENT?  
Kuhl Epitomizes 'Mainstream' of Appropriate Conduct for Judiciary

Forum Column

By John C. Eastman

Stellar credentials and a "well-qualified" rating from the American Bar Association, its highest, following her nomination to the 9th U.S. Circuit Court of Appeals should have made the road to confirmation an easy one for Judge Carolyn Kuhl.

But the path since Kuhl's nomination June 22, 2001 - two years ago - has been anything but easy. Indeed, for 21 months, she was not even given the courtesy of a hearing by the Senate Judiciary Committee, and a month after she finally did receive a hearing April 1, 2003, her nomination was "reported out" to the Senate floor on only the barest, 10-9 vote, with not a single Democrat siding with what Sen. Patrick Leahy, D-Vt., once called the "gold standard" of the ABA's well-qualified rating.

Her credentials are impeccable. Bachelor's degree in chemistry from Princeton, graduated cum laude. Law degree from Duke, graduated with distinction, inducted into the prestigious Order of the Coif, served as an editor of the Duke Law Journal. Law clerk in California on the 9th Circuit with then judge, now Supreme Court justice, Anthony Kennedy. High-ranking official at the U.S. Department of Justice, served as deputy solicitor general, deputy assistant attorney general and special assistant to the attorney general. Partner in one of Los Angeles' most prestigious firms, Munger, Tolles & Olson. Eight years of service as a judge on the Los Angeles Superior Court, in both the criminal and civil divisions.

And she's a woman, which means she accomplished all this at a time when women were just beginning to break through the glass ceiling that had for far too long limited opportunities for women in the legal profession.

So why all the opposition? Some self-proclaimed "women's groups" have apparently decided that this impeccably well-qualified woman is ... anti-woman! She might even, they fear, have conservative leanings.

There are three key pieces of "evidence" in this frontal assault

REV\_00120694

on Kuhl. First, while a young, 29-year-old attorney at the Department of Justice with no policy-making authority, Kuhl helped urge the attorney general to reverse an Internal Revenue Service policy denying tax-exempt status to Bob Jones University.

She did so on two grounds, neither of which had anything to do with defending the university's racial policies. She believed that Congress, not an administrative agency like the IRS, ought to be making such determinations. She also was concerned lest the IRS use its power to define "public policy" to deprive tax-exempt status to all-girls schools (such as the high school Kuhl herself had attended) or all-women colleges.

Harvard Law professor Laurence Tribe, in a 1984 letter to Attorney General William French Smith, praised the quality of the brief submitted by the Department of Justice in the case. Tribe noted that he "thought it was a powerful and, in most respects, entirely compelling legal document."

Second, while serving on the Los Angeles Superior Court, Kuhl dismissed one of several counts in a case brought by a woman alleging the tort of intrusion after her doctor, while conducting a breast exam, had invited into the examining room a pharmaceutical company representative who was observing the doctor's work as part of his participation in an oncology mentorship program designed to improve care for breast-cancer patients.

Kuhl ruled that the remaining counts could proceed to trial, and the case ultimately settled with the plaintiff receiving an undisclosed sum.

Her ruling dismissing the intrusion count was well-grounded in existing precedent of the state Supreme Court, which had held that the tort of intrusion encompassed only unconsented-to physical intrusion.

Although her decision dismissing the intrusion count was reversed on appeal, state Court of Appeal Justice Paul Turner, who wrote the appellate opinion in the case, has acknowledged that "a strong argument can be made that [Kuhl] correctly assessed the competing societal interests the California Supreme Court requires all jurists in this state to weigh in determining whether the tort of intrusion has occurred."

Finally, Kuhl had a limited role in the drafting of the brief filed by acting Solicitor General Charles Fried in *Thornburgh v. American College of Obstetricians and Gynecologists*, 476 U.S. 747 (1986), in which Fried, acting on behalf of President Reagan, urged the Supreme Court to overturn *Roe v. Wade*. Her name appears third on the brief, though, so abortion rights groups have attributed the position to her.

Most troubling about this attack on Kuhl is the disparity of treatment it represents. Charles Fried, whose name appears first on the brief, has acknowledged that he wrote the "overrule-Roe part of the brief" himself. Yet Fried's nomination as solicitor general later that year was approved unanimously by the Senate Judiciary Committee. He was confirmed by the full Senate by a voice vote, without debate, by several of the same Democrats opposing Kuhl, including Sens. Joseph Biden, D-Del., Edward Kennedy, D-Mass. and Leahy.

Moreover, the initial draft of the brief was written by John Rogers, whose name appears second on the brief, yet Rogers is sitting as judge on the 6th Circuit. Rogers was not even questioned about his role in the case during his confirmation hearing. He was approved by the Judiciary Committee and confirmed by the full Senate on a voice vote.

What are we to make of this opposition to Kuhl? For some reason, the confirmation bar seems higher for her than for other, equally qualified male nominees. Perhaps it is no surprise that a woman jurist who is not lock step in line with the abortion-on-demand policies of the National Abortion Rights Action League would not get its support - although Kuhl has vowed that she is "fully committed to following the

precedent established by [Roe v. Wade] and would do so fairly and properly."

But it is somewhat surprising that Sen. Dianne Feinstein, D.-Calif., would go along - the same Feinstein who first was elected in the 1992 "year of the woman" with a campaign message of sending more women to the men's club of the U.S. Senate.

Or that Sen. Barbara Boxer, D.-Calif., elected that same year with a similar campaign message, would not at least support a vote on this extremely well-qualified woman nominee.

Is this the same Boxer who just nine months before Kuhl was nominated held a press conference decrying the "shameful way that women nominees to the federal judiciary were being treated" by the Senate and who had vigorously contended for years that every judicial nominee should receive an up or down vote?

"Whether the delays are on the Republican side or the Democrat side," she said in 1998, "let these names come up, let us have debate, let us vote."

Boxer finds Kuhl to be "outside the mainstream." Yet the overwhelming consensus among people who actually know her is just the opposite.

Two years ago, Vilma Martinez, former director of the Mexican American Legal Defense and Educational Fund and lifelong Democrat, wrote of Kuhl, "I consider her mainstream. ... She's careful and she's thoughtful. She's been an excellent Superior Court judge, and I think she will be an excellent 9th Circuit judge."

A year ago, a bipartisan group of 23 women judges who work with Kuhl at the Los Angeles Superior Court, in a letter to the Senate Judiciary Committee, wrote in support of her nomination: "As sitting judges, we more than anyone appreciate the importance of an independent, fair-minded and principled judiciary. We believe that Carolyn Kuhl represents the best values of such a judiciary."

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With such impeccable credentials and widespread testament to a demonstrably stellar judicial temperament by litigators of every political persuasion, including leading environmental, trial and civil rights attorneys - traditional Democrat allies all - Kuhl epitomizes the "mainstream" of appropriate judicial conduct.

The real question for Boxer and Feinstein is whether they will listen to such longtime allies and permit a vote on this well-qualified nominee from their home state or whether they will heed the slanders being propounded by the National Abortion Rights Action League and erect a new glass ceiling against any woman nominee who does not fully support the most extreme of the group's positions.

John C. Eastman teaches constitutional law at Chapman University School of Law and is the director of the Claremont Institute Center for Constitutional Jurisprudence.

-----Do you Yahoo!?  
Free online calendar with sync to Outlook(TM).

REV\_00120696

- att1.htm

ATT CREATION TIME/DATE: 0 00:00:00.00

File attachment <P\_T5MXG003\_WHO.TXT\_1>

June 03, 2003

## UNFAIR TREATMENT?

Kuhl Epitomizes 'Mainstream' of Appropriate Conduct for Judiciary

### Forum Column

&nbsp;

&nbsp; By John C. Eastman

&n

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&nbsp; So why all the opposition? Some self-proclaimed "women's groups" have apparently decided that this impeccably well-qualified woman is ... anti-woman! She might even, they fear, have conservative leanings.

&nbsp; There are three key pieces of "evidence" in this frontal assault on Kuhl. First, while a young, 29-year-old attorney at the Department of Justice with no policy-making authority, Kuhl helped urge the attorney general to reverse an Internal Revenue Service policy denying tax-exempt status to Bob </SPAN>Jones </FONT>University.

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**&nb sp;**

**John C. Eastman** teaches constitutional law at Chapman University School of Law and is the director of the <FONT size=4>Claremont Institute Free on line calendar with sync to Outlook(TM).

Message

**From:** Carl Cohen ( Carl Cohen [ PRA 6 ] )  
**Sent:** 6/20/2003 4:37:46 PM  
**To:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
**Subject:** : query

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Carl Cohen [ PRA 6 ] [ UNKNOWN ] )  
CREATION DATE/TIME:20-JUN-2003 16:37:46.00  
SUBJECT:: query  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Brett - Carl Cohen here, at the University of Michigan. I am taking a stab with this e-mail address. Do I reach you? Let me know, please. Thanks and be well. Carl

--  
Carl Cohen  
[ PRA 6 ]  
FAX: (734) 665-1116

Message

**From:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] ) [Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )]  
**Sent:** 6/20/2003 4:54:19 PM  
**To:** Carl Cohen [ PRA 6 ]  
**Subject:** : Re: query

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR: Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME: 20-JUN-2003 16:54:19.00  
SUBJECT: : Re: query  
TO: Carl Cohen [ PRA 6 ] [ UNKNOWN ] )  
READ: UNKNOWN  
##### End Original ARMS Header #####

I am here.

Carl Cohen [ PRA 6 ]  
06/20/2003 04:38:06 PM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: query

Brett - Carl Cohen here, at the University of Michigan. I am taking a stab with this e-mail address. Do I reach you? Let me know, please. Thanks and be well. Carl

--  
Carl Cohen  
[ PRA 6 ]  
FAX: (734) 665-1116

---

**From:** Litkenhaus, Colleen  
**To:** <Kavanaugh, Brett M.>  
**Sent:** 6/22/2003 4:15:33 PM  
**Subject:** FW: Are you sure the campaign didn't have to pay for it?

Alicia went on a trip with Secretary Card and the RNC paid for it. Please find components below. Who should have paid for this ticket?

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

**From:** Davis, Alicia W.  
**Sent:** Wednesday, June 18, 2003 3:46 PM  
**To:** Litkenhaus, Colleen  
**Subject:** Re: Are you sure the campaign didn't have to pay for it?

We had 5 components to the trip:

- 1) Bush Cheney Pre-Sell (not a fundraiser-meeting with supporters)
- 2) Press Interviews in MA
- 3) Press Interviews in NH
- 4) NH GOP Party Building Event (RNC)
- 5) Boy Scouts

So?

From: Colleen Litkenhaus/WHO/EOP@Exchange on 06/18/2003 03:00:36 PM  
Record Type: Record

To: Alicia W. Davis/WHO/EOP@EOP  
cc:  
Subject: Are you sure the campaign didn't have to pay for it?

**Event: Bush – Cheney '04 Finance Luncheon**

12:00 p.m. Secretary Card begins participation in Bush-Cheney '04 finance event

Congress Room  
Harvard Club  
1 Federal St, 38th floor

Boston, Massachusetts

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

**From:** Davis, Alicia W.  
**Sent:** Wednesday, June 18, 2003 2:44 PM

REV\_00124019

**To:** Litkenhaus, Colleen

**Subject:** Re: FW:

RNC-we had a party building event in there.

From: Colleen Litkenhaus/WHO/EOP@Exchange on 06/17/2003 09:15:09 AM

Record Type: Record

To: Alicia W. Davis/WHO/EOP@EOP

cc:

Subject: FW:

who paid for your ticket? The campaign, RNC or WHO?

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

**From:** Bennett, Melissa S.

**Sent:** Tuesday, June 17, 2003 8:38 AM

**To:** Rob Digiuse; Glenn Kessler; PRA 6 PRA 6  
Lin Tynes; Riepenhoff, Allison L.; Bennett, Melissa S.; Estes, Ashley; Gambatesa, Linda M.; Gary Lowman;  
Gottesman, Blake; Kaplan, Joel D.; Kupfer, Jeffrey F.; Kyle, Ross M.; Litkenhaus, Colleen; Mallea, Jose;  
Reynolds, Tim

**Subject:**

Jose and Alicia Davis are traveling with the Chief today.

Thanks.

MB << File: june17.doc >>

---

**From:** Litkenhaus, Colleen  
**To:** <Kavanaugh, Brett M.>  
**Sent:** 6/22/2003 7:08:03 PM  
**Subject:** RE: FW: Are you sure the campaign didn't have to pay for it?

Does "let's" mean you will as Tom or you would like me to? I'm happy to.

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

**From:** Kavanaugh, Brett M.  
**Sent:** Sunday, June 22, 2003 5:10 PM  
**To:** Litkenhaus, Colleen  
**Subject:** Re: FW: Are you sure the campaign didn't have to pay for it?

First, how did they travel? I believe campaign should pay for cost of trip back and forth to Boston since that was the only campaign-related event. RNC and govt should pay the remains. But let's make sure Josefiak is ok with that.

From: Colleen Litkenhaus/WHO/EOP@Exchange on 06/22/2003 04:15:33 PM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP  
cc:  
Subject: FW: Are you sure the campaign didn't have to pay for it?

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Record Type: Record

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Congress Room  
Harvard Club  
1 Federal St, 38th floor

Boston, Massachusetts

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

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**Sent:** Wednesday, June 18, 2003 2:44 PM  
**To:** Litkenhaus, Colleen  
**Subject:** Re: FW:

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From: Colleen Litkenhaus/WHO/EOP@Exchange on 06/17/2003 09:15:09 AM  
Record Type: Record

To: Alicia W. Davis/WHO/EOP@EOP  
cc:  
Subject: FW:

who paid for your ticket? The campaign, RNC or WHO?

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

**From:** Bennett, Melissa S.  
**Sent:** Tuesday, June 17, 2003 8:38 AM  
**To:** Rob Digiuse; Glenn Kessler; [REDACTED]

[REDACTED] Lin Tynes; Riepenhoff, Allison L.; Bennett, Melissa S.; Estes, Ashley; Gambatesa, Linda M.; Gary Lowman; Gottesman, Blake; Kaplan, Joel D.; Kupfer, Jeffrey F.; Kyle, Ross M.; Litkenhaus, Colleen; Mallea, Jose; Reynolds, Tim

**Subject:**

Jose and Alicia Davis are traveling with the Chief today.

Thanks.  
MB << File: june17.doc >>

REV\_00124030

