
From: Hernandez, Rachel (USAAZ)
To: Reich, Steven (ODAG) (JMD)
CC: Cunningham, Patrick (USAAZ); Morrissey, Mike (USAAZ); Scheel, Ann (USAAZ); Burke, Dennis (USAAZ)
Sent: 7/15/2011 2:44:25 PM
Subject: Unredacted Emails--Names of AUSAs
Attachments: **ATF** Produce.pdf

Steve—

I am sorry I wasn't here to meet you last week when you were in town. I was on vacation then, and now Ann and Dennis are out this week.

I have spoken extensively to Mike and Pat about the May 7, 2008 email from SA **ATF**. I understand that DOJ has decided to produce that email without redacting Emory Hurley's name. As you know, the email was sent about 18 months before Fast and Furious was opened. We object to disclosing this email without the redaction of Emory's name.

First, it is inconsistent. As you know, in the **ATF** Production of July 12, DOJ is redacting AUSA Lemke's name in an email from SA **ATF** (See page 2 in the attachment.) We appreciate that redaction and feel it is appropriate and should be done with regard to the email at issue here as well.

Second, we believe sending the names of line AUSAs within documents in which agents are making un-rebutted, adverse comments about the AUSAs does not advance the oversight or policy review by Congress. We note that by subject matter and date, the email is not responsive to the subpoena. Even under the broadest view of responding to the Congress' interests or curiosity, more than the actual requirements of the subpoena (a point which has been articulated to us as a basis for production), the "relevance" is at best to the relationship between the two offices. That relationship can be demonstrated just as effectively by providing the email with names redacted. We should take all steps possible to shield line level AUSAs from this process so that they may continue to make day to day decisions regarding prosecutions free from political interference, as our letters to Congress have so clearly stated.

Thank you in advance for your consideration of our position that the May 7, 2008 email not be disclosed without redactions. If I can provide any further information, please do not hesitate to call me. I look forward to meeting you in person. Rachel

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