

From: (b)(6)
Sent: 7/17/2024 3:10:21 PM
To: (b)(6)
CC:
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

CISA did not receive one. Waiting to hear if ICE got one.

From: (b)(6)
Sent: Wednesday, July 17, 2024 11:04 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

These are the ones I have. USCIS also received the same working group one but they didn't send it to me.

From: (b)(6)
Sent: Wednesday, July 17, 2024 10:40 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attorney – Client Privileged / Deliberative

(b)(5)

From: (b)(6)
Sent: Tuesday, July 16, 2024 6:39 PM
To: (b)(6)
(b)(6)

Cc: (b)(6)

Subject: Re: Post-Loper Bright Congressional Oversight Letter - Please Respond

Should also remind everyone on Monday Council call.

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:27:13 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: Re: Post-Loper Bright Congressional Oversight Letter - Please Respond

Yes I've been forwarding them to Jon, I'll send your way

(b)(6)

Chief of Staff

DHS Office of Legislative Affairs

Desk: (b)(6)

Cell:

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:10:33 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attorney – Client Privileged / Deliberative

Hi OLA,

(b)(5)

Thanks,

(b)(6)

From: (b)(6)

Sent: Monday, July 15, 2024 4:54 PM

To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Yes, there will be one coordinated departmental response (if not one administration response).

From: (b)(6)
Sent: Monday, July 15, 2024 4:45 PM
To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

(b)(6) and (b)(6) in (b)(6) absence.

From: (b)(6)
Sent: Monday, July 15, 2024 4:43 PM
To: (b)(6)
(b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

It looks like all the components are receiving these letters now. Is the plan for there to be one coordinated departmental response?

From: (b)(6)
Sent: Friday, July 12, 2024 1:46 PM
To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

First of these post-Chevron letters to be flagged by a component. Can OLA reach out to other components to see if any others have received a similar letter?

From: (b)(6)
Sent: Friday, July 12, 2024 1:35 PM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Hi (b)(6)

For your situational awareness, (b)(5)
(b)(5)
(b)(5)

Thank You.

(b)(6)

Attorney Advisor | Legal Counsel and Ethics Legal Division | Office of Chief Counsel

Mobile: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

This message and any attachments may contain attorney-client communications, attorney work product, and deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Consult with the Federal Emergency Management Agency, Office of the Chief Counsel, before further disseminating any information contained in this e-mail. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you are not the intended recipient of this message, please delete this message immediately and reply to the sender. Thank you.

From: (b)(6)

Sent: Friday, July 12, 2024 10:49 AM

To: FEMAExecSec (b)(6)

Cc: OCC.LC (b)(6)

FEMA-ActionOffice-OC

(b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good Morning ExecSec, please see the attached letter to F1 from a group of Senators inquiring about the recent Chevron decision. I presume this will be tasked to OCC.

Thanks,

(b)(6)

Congressional Affairs Specialist | Congressional Affairs Division | Office of External Affairs

Mobile: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

From: FEMA-Congressional-Affairs (b)(6)

Sent: Friday, July 12, 2024 10:36 AM

To: (b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good morning: (b)(6)

Forwarding incoming letter. Receipt has not been acknowledged.

Sincerely,

(b)(6)

Congressional Affairs Division | Office of External Affairs

Office: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

From: (b)(6) <(b)(6)@senate.gov>

Sent: Friday, July 12, 2024 8:28 AM

To: FEMA-Congressional-Affairs (b)(6)

Subject: Post-Loper Bright Congressional Oversight Letter - Please Respond

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Good morning,

Following the *Loper Bright* decision, a Working Group of United States Senators is looking into the impact of the case on your agency. This Post-*Chevron* Working Group, has sent a letter to every agency to publish more than 50 rules in the Federal Register since 2000, which includes your agency. Please respond to the attached letter by August 2nd. Emailed responses sent directly to me are preferred. Your office will be receiving a printed and mailed copy of this letter in the next week. For questions, please contact our General Counsel at (b)(6)@senate.gov.

Thank you in advance for your time and thoughtful responses.

Regards,

(b)(6)



(b)(6)

Legislative Director

(b)(6)

(b)(6)

387 Russell Senate Office Building, Washington, DC, 20510

From:

(b)(6)

Sent:

7/12/2024 6:24:00 PM

To:

(b)(6)

EN

Subject:

RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attachments:

24-03446 Green 7.11.24_incoming letter (1).pdf

From:

(b)(6)

Sent: Friday, July 12, 2024 1:46 PM

To:

(b)(6)

(b)(6)

Cc:

(b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

First of these post-Chevron letters to be flagged by a component. Can OLA reach out to other components to see if any others have received a similar letter?

From:

(b)(6)

Sent: Friday, July 12, 2024 1:35 PM

To:

(b)(6)

Cc:

(b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Hi (b)(6)

For your situational awareness,

(b)(5)

(b)(5)

Thank You,

(b)(6)

Attorney Advisor | Legal Counsel and Ethics Legal Division | Office of Chief Counsel

Mobile:

(b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

This message and any attachments may contain attorney-client communications, attorney work product, and deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Consult with the Federal Emergency Management Agency, Office of the Chief Counsel, before further disseminating any information contained in this e-mail. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you are not the intended recipient of this message, please delete this message immediately and reply to the sender. Thank you.

From: (b)(6)
Sent: Friday, July 12, 2024 10:49 AM
To: FEMAExecSec (b)(6)
Cc: OCC LC (b)(6) FEMA-ActionOffice-OCC (b)(6) CAD-HQ (b)(6)
(b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good Morning ExecSec, please see the attached letter to F1 from a group of Senators inquiring about the recent Chevron decision. I presume this will be tasked to OCC.

Thanks

(b)(6)

Congressional Affairs Specialist | Congressional Affairs Division | Office of External Affairs

Mobile: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

From: FEMA-Congressional-Affairs (b)(6)
Sent: Friday, July 12, 2024 10:36 AM
To: (b)(6) (b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good morning Jessica,

Forwarding incoming letter. Receipt has not been acknowledged.

Sincerely

(b)(6)

Congressional Affairs Division | Office of External Affairs

Office: (b)(6)

(b)(6)



FEMA

From: (b)(6) <(b)(6)@senate.gov>

Sent: Friday, July 12, 2024 8:28 AM

To: FEMA-Congressional-Affairs (b)(6)

Subject: Post-Loper Bright Congressional Oversight Letter - Please Respond

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Good morning,

Following the *Loper Bright* decision, a Working Group of United States Senators is looking into the impact of the case on your agency. This Post-*Chevron* Working Group, has sent a letter to every agency to publish more than 50 rules in the Federal Register since 2000, which includes your agency. Please respond to the attached letter by August 2nd. Emailed responses sent directly to me are preferred. Your office will be receiving a printed and mailed copy of this letter in the next week. For questions, please contact our General Counsel at (b)(6)@senate.gov.

Thank you in advance for your time and thoughtful responses.

Regards,

(b)(6)



(b)(6)

Legislative Director

(b)(6)

(b)(6)

387 Russell Senate Office Building, Washington, DC, 20510

From:

(b)(6)

Sent:

7/12/2024 6:41:49 PM

To:

(b)(6)

Subject:

FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attachments:

Federal Emergency Management Agency.pdf; 24-03446 Green 7.11.24_incoming letter (1).pdf

Hi all,

Can folks let us know if you have received any letters directly into your components re Chevron, like the two attached?

Thanks.

From:

(b)(6)

Sent:

Friday, July 12, 2024 1:46 PM

To:

(b)(6)

(b)(6)

Cc:

(b)(6)

Subject:

FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

First of these post-Chevron letters to be flagged by a component. Can OLA reach out to other components to see if any others have received a similar letter?

From:

(b)(6)

Sent:

Friday, July 12, 2024 1:35 PM

To:

(b)(6)

Cc: (b)(6) gov>

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Hi (b)(6)

For your situational awareness, (b)(5)

(b)(5)

(b)(5)

Thank You,

(b)(6)

Attorney Advisor | Legal Counsel and Ethics Legal Division | Office of Chief Counsel

Mobile: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

This message and any attachments may contain attorney-client communications, attorney work product, and deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Consult with the Federal Emergency Management Agency, Office of the Chief Counsel, before further disseminating any information contained in this e-mail. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you are not the intended recipient of this message, please delete this message immediately and reply to the sender. Thank you.

From: (b)(6)

Sent: Friday, July 12, 2024 10:49 AM

To: (b)(6)

Cc: OCC LC (b)(6) FEMA-ActionOffice-OCC (b)(6) CAD-HQ (b)(6)

(b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good Morning ExecSec, please see the attached letter to F1 from a group of Senators inquiring about the recent Chevron decision. I presume this will be tasked to OCC.

Thanks,

(b)(6)

Congressional Affairs Specialist | Congressional Affairs Division | Office of External Affairs

Mobile: (b)(6)

(b)(6)



FEMA

From: FEMA-Congressional-Affairs (b)(6)
Sent: Friday, July 12, 2024 10:36 AM
To: (b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good morning Jessica,

Forwarding incoming letter. Receipt has not been acknowledged.

Sincerely,
(b)(6)

Congressional Affairs Division | Office of External Affairs

Office: (b)(6)

(b)(6)

Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)



FEMA

From: (b)(6) <(b)(6).senate.gov>
Sent: Friday, July 12, 2024 8:28 AM
To: FEMA-Congressional-Affairs (b)(6)
Subject: Post-Loper Bright Congressional Oversight Letter - Please Respond

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Good morning,

Following the *Loper Bright* decision, a Working Group of United States Senators is looking into the impact of the case on your agency. This Post-*Chevron* Working Group, has sent a letter to every agency to publish more than 50 rules in the Federal Register since 2000, which includes your agency. Please respond to the attached letter by August 2nd. Emailed responses sent directly to me are preferred. Your office will be receiving a printed and mailed copy of this letter in the next week. For questions, please contact our General Counsel at (b)(6).senate.gov.

Thank you in advance for your time and thoughtful responses.

Regards,

(b)(6)



(b)(6)

Legislative Director

(b)(6)

(b)(6)

387 Russell Senate Office Building, Washington, DC, 20510

From: (b)(6)
Sent: 7/17/2024 3:47:32 PM
To: (b)(6)
CC:
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond
Attachments: Letter to D1.pdf

Here is USCIS

From: (b)(6)
Sent: Wednesday, July 17, 2024 11:10 AM
To: (b)(6)
(b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

CISA did not receive one. Waiting to hear if ICE got one.

From: (b)(6)
Sent: Wednesday, July 17, 2024 11:04 AM
To: (b)(6)
(b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

These are the ones I have. USCIS also received the same working group one but they didn't send it to me.

From: (b)(6)
Sent: Wednesday, July 17, 2024 10:40 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attorney – Client Privileged / Deliberative

(b)(5)

From: (b)(5)

Sent: Tuesday, July 16, 2024 6:39 PM

To: (b)(6)

(b)(6)

(b)(6)

Cc: (b)(6)

Subject: Re: Post-Loper Bright Congressional Oversight Letter - Please Respond

Should also remind everyone on Monday Council call.

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:27:13 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: Re: Post-Loper Bright Congressional Oversight Letter - Please Respond

Yes I've been forwarding them to (b)(6), I'll send your way

(b)(6)

Chief of Staff

DHS Office of Legislative Affairs

Desk:

Cell: (b)(6)

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:10:33 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attorney – Client Privileged / Deliberative

Hi OLA,

(b)(5)

(b)(5)

Thanks,

(b)(6)

From: (b)(6)

Sent: Monday, July 15, 2024 4:54 PM

To: (b)(6)

(b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Yes, there will be one coordinated departmental response (if not one administration response).

From: (b)(6)

Sent: Monday, July 15, 2024 4:45 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

(b)(6) and (b)(6), in (b)(6) absence.

From: (b)(6)

Sent: Monday, July 15, 2024 4:43 PM

To: (b)(6)

(b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

It looks like all the components are receiving these letters now. Is the plan for there to be one coordinated departmental response?

From: (b)(6)

Sent: Friday, July 12, 2024 1:46 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

First of these post-Chevron letters to be flagged by a component. Can OLA reach out to other components to see if any others have received a similar letter?

From: (b)(6)

Sent: Friday, July 12, 2024 1:35 PM

To: (b)(6)

Cc: (b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Hi (b)(6)

For your situational awareness,

(b)(5)

(b)(5)

Thank You,

(b)(6)

Attorney Advisor | Legal Counsel and Ethics Legal Division | Office of Chief Counsel

Mobile (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

This message and any attachments may contain attorney-client communications, attorney work product, and deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Consult with the Federal Emergency Management Agency, Office of the Chief Counsel, before further disseminating any information contained in this e-mail. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you are not the intended recipient of this message, please delete this message immediately and reply to the sender. Thank you.

From: (b)(6)

Sent: Friday, July 12, 2024 10:49 AM

To: FEMAExecSec (b)(6)

Cc: OCC.LC (b)(6) FEMA-ActionOffice-OCC (b)(6) CAD-HQ (b)(6)
(b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good Morning ExecSec, please see the attached letter to F1 from a group of Senators inquiring about the recent Chevron decision. I presume this will be tasked to OCC.

Thanks,

(b)(6)

Congressional Affairs Specialist | Congressional Affairs Division | Office of External Affairs

Mobile: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

From: FEMA-Congressional-Affairs (b)(6)
Sent: Friday, July 12, 2024 10:36 AM
To: (b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good morning Jessica,

Forwarding incoming letter. Receipt has not been acknowledged.

Sincerely,

(b)(6)

Congressional Affairs Division | Office of External Affairs

Office: (b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

From: (b)(6) <(b)(6)@senate.gov>
Sent: Friday, July 12, 2024 8:28 AM
To: FEMA-Congressional-Affairs (b)(6)
Subject: Post-Loper Bright Congressional Oversight Letter - Please Respond

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Good morning,

Following the *Loper Bright* decision, a Working Group of United States Senators is looking into the impact of the case on your agency. This Post-*Chevron* Working Group, has sent a letter to every agency to publish more than 50 rules in the Federal Register since 2000, which includes your agency. Please respond to the attached letter by August 2nd. Emailed responses sent directly to me are preferred. Your office will be receiving a printed and mailed copy of this letter in the next week. For questions, please contact our General Counsel at (b)(6)@senate.gov.

Thank you in advance for your time and thoughtful responses.

Regards,

(b)(6)



(b)(6)

Legislative Director

(b)(6)

387 Russell Senate Office Building, Washington, DC, 20510

From:

Sent:

To:

(b)(6)

CC:

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attachments: United States Coast Guard.pdf; Transportation Security Administration.pdf; U.S. Customs and Border Protection.pdf; Federal Emergency Management Agency.pdf; Department of Homeland Security.pdf; 24-03446 Green 7.11.24_incoming letter (1).pdf

These are the ones I have. USCIS also received the same working group one but they didn't send it to me.

From: (b)(6)

Sent: Wednesday, July 17, 2024 10:40 AM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attorney – Client Privileged / Deliberative

(b)(5)

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:39 PM

To: (b)(6)

(b)(6)

(b)(6)

Cc: (b)(6)

Subject: Re: Post-Loper Bright Congressional Oversight Letter - Please Respond

Should also remind everyone on Monday Council call.

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:27:13 PM

To: (b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

Cc: (b)(6)

Subject: Re: Post-Loper Bright Congressional Oversight Letter - Please Respond

Yes I've been forwarding them to Jon, I'll send your way

(b)(6)

Chief of Staff

DHS Office of Legislative Affairs

Desk:

Cell:

(b)(6)

From: (b)(6)

Sent: Tuesday, July 16, 2024 6:10:33 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Attorney – Client Privileged / Deliberative

Hi OLA,

(b)(5)

Thanks

(b)(6)

From: (b)(6)

Sent: Monday, July 15, 2024 4:54 PM

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

Yes, there will be one coordinated departmental response (if not one administration response).

From: (b)(6)

Sent: Monday, July 15, 2024 4:45 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

(b)(6) and (b)(6) in (b)(6) absence.

From: (b)(6)

Sent: Monday, July 15, 2024 4:43 PM

To: (b)(6)

(b)(6)

Subject: RE: Post-Loper Bright Congressional Oversight Letter - Please Respond

It looks like all the components are receiving these letters now. Is the plan for there to be one coordinated departmental response?

From: (b)(6)

Sent: Friday, July 12, 2024 1:46 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

First of these post-Chevron letters to be flagged by a component. Can OLA reach out to other components to see if any others have received a similar letter?

From: (b)(6)

Sent: Friday, July 12, 2024 1:35 PM

To: (b)(6)

Cc: (b)(6)

Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Hi Ryan,

For your situational awareness, (b)(5)

(b)(5)

(b)(5)

Thank You,

(b)(6)

Attorney Advisor | Legal Counsel and Ethics Legal Division | Office of Chief Counsel

Mobile (b)(6)

(b)(6)



FEMA

This message and any attachments may contain attorney-client communications, attorney work product, and deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Consult with the Federal Emergency Management Agency, Office of the Chief Counsel, before further disseminating any information contained in this e-mail. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you are not the intended recipient of this message, please delete this message immediately and reply to the sender. Thank you.

From: (b)(6)
Sent: Friday, July 12, 2024 10:49 AM
To: FEMAExecSec (b)(6)
Cc: OCC LC (b)(6); FEMA-ActionOffice-OCC (b)(6); CAD-HQ (b)(6)
(b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good Morning ExecSec, please see the attached letter to F1 from a group of Senators inquiring about the recent Chevron decision. I presume this will be tasked to OCC.

Thanks,

(b)(6)

(b)(6)

Congressional Affairs Specialist | Congressional Affairs Division | Office of External Affairs

Mobile: (b)(6)

(b)(6)



FEMA

From: FEMA-Congressional-Affairs (b)(6)
Sent: Friday, July 12, 2024 10:36 AM
To: (b)(6)
Subject: FW: Post-Loper Bright Congressional Oversight Letter - Please Respond

Good morning (b)(6)

Forwarding incoming letter. Receipt has not been acknowledged.

Sincerely,

(b)(6)

Congressional Affairs Division | Office of External Affairs

Office:

(b)(6)

(b)(6)

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)



FEMA

From: (b)(6) <(b)(6)@senate.gov>

Sent: Friday, July 12, 2024 8:28 AM

To: FEMA-Congressional-Affair (b)(6)

Subject: Post-Loper Bright Congressional Oversight Letter - Please Respond

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Good morning,

Following the *Loper Bright* decision, a Working Group of United States Senators is looking into the impact of the case on your agency. This Post-*Chevron* Working Group, has sent a letter to every agency to publish more than 50 rules in the Federal Register since 2000, which includes your agency. Please respond to the attached letter by August 2nd. Emailed responses sent directly to me are preferred. Your office will be receiving a printed and mailed copy of this letter in the next week. For questions, please contact our General Counsel at (b)(6)@t.senate.gov.

Thank you in advance for your time and thoughtful responses.

Regards,

(b)(6)



(b)(6)

Legislative Director

(b)(6)

387 Russell Senate Office Building, Washington, DC, 20510

From: (b)(6)
(b)(6)
Sent: 8/30/2024 2:16:56 PM
To:

CC: (b)(6)

Subject: RE: Loper Bright Draft Responses

(b)(6) cleared. Will follow up with (b)(6) to see if she has any comments. Either way, we should get it into clearance today.

From: (b)(6)
Sent: Friday, August 30, 2024 10:16 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(5),(b)(6)

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

From: (b)(6)
Sent: Tuesday, August 27, 2024 9:28 PM
To: (b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6)

(b)(6) can you adopt the changes, and then we should share with (b)(6) & (b)(6) for their review before going back to WH Counsel.

(b)(6)

From: (b)(6)
Sent: Tuesday, August 27, 2024 4:51 PM

To: (b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(6)

Thanks for putting this draft response together. (b)(5)
(b)(5)

(b)(5)

Thanks.
(b)(6)

(b)(6)
Deputy Associate General Counsel
for Regulatory Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)
Sent: Thursday, August 22, 2024 2:32 PM
To: (b)(6)
Cc: (b)(6)
(b)(6)
Subject: FW: Loper Bright Draft Responses

Hi (b)(6)

I know you and (b)(6) have asked periodically about the status of the responses to the various Congressional letters we have received on Loper Bright. We finally have them for review. I would like (b)(6) to also have a chance to take a look at these. Can you and (b)(6) ensure we provide any feedback to (b)(6) Congressional Oversight by COB Tuesday? I will be on leave at that time.

(b)(5)

Thanks,

(b)(6)

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress. (b)(5),(b)(6)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Monday, August 19, 2024 2:53 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)
Sent: Monday, August 19, 2024 2:50 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

Hey Jon,

Do you have template letters I can use for like the header and signature portion?

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel

U.S. Department of Homeland Security

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

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6) >

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel

Office of the General Counsel

U.S. Department of Homeland Security

(b)(6)

(b)(6) (cell)

Sent: 8/22/2024 6:28:03 PM

To: (b)(6)

CC: (b)(6)

Subject: FW: Loper Bright Draft Responses

Attachments: 24-03431 Graves 7.10.24.pdf; 24-03433 Jordan 7.10.24.pdf; 24-03446 Green 7.11.24.pdf; Draft DHS response to Post Chevron Group 24-3477 7.12.24.docx; Draft DHS response to Graves 24-03431 7.10.24.docx; 24-03477 Schmitt 7.12.24.pdf

Hi (b)(6)

I know you and (b)(6)

From: (b)(6)

Sent: Thursday, August 22, 2024 9:22 AM

To: (b)(6)

Cc: (b)(6)

Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress (b)(5)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)

Attorney Advisor

Detailer, Congressional Oversight

Office of the General Counsel

U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Monday, August 19, 2024 2:53 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)

Sent: Monday, August 19, 2024 2:50 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

Hey (b)(6)

Do you have template letters I can use for like the header and signature portion?

(b)(6)

Attorney Advisor

Detailer, Congressional Oversight

Office of the General Counsel

U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel

Office of the General Counsel

U.S. Department of Homeland Security

(b)(6)

(b)(6)

(cell)

From: (b)(6)
Sent: 8/22/2024 6:13:19 PM
To: (b)(6)
CC:
Subject: RE: Loper Bright Draft Responses

Received thanks. I'd like (b)(6) to have an opportunity to see this before we clear, and she is on leave. Can we return this on Tuesday?

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress. (b)(5)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)
Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Monday, August 19, 2024 2:53 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)
Sent: Monday, August 19, 2024 2:50 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

Hey (b)(6)

Do you have template letters I can use for like the header and signature portion?

(b)(6)

Attorney Advisor

Detailer, Congressional Oversight

Office of the General Counsel

U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

(b)(6)

(b)(6)

(cell)

From: (b)(6)
Sent: 8/22/2024 6:14:10 PM
To: (b)(6)
Subject: RE: Loper Bright Draft Responses

For sure! Thanks.

From: (b)(6)
Sent: Thursday, August 22, 2024 2:13 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Draft Responses

Received thanks. I'd like (b)(6) to have an opportunity to see this before we clear, and she is on leave. Can we return this on Tuesday?

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress (b)(5),(b)(6)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)
Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Monday, August 19, 2024 2:53 PM

To: (b)(6)
Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)
Sent: Monday, August 19, 2024 2:50 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

Hey (b)(6)

Do you have template letters I can use for like the header and signature portion?

(b)(6)
Attorney Advisor
Detailer, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Friday, August 9, 2024 2:23 PM
To: (b)(6)
Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6) beth.C.Mueller@who.eop.gov>
Sent: Friday, August 9, 2024 2:00 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)
Office of the White House Counsel
(b)(6)
(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

(b)(6)

(b)(6) (cell)

From: (b)(6)

Sent: 8/30/2024 6:37:36 PM

To: (b)(6)

Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6)

(b)(6) (b)(6), when you're back next week, you can adopt these changes into both letters and share with (b)(6) for component clearance in STORM.

(b)(6)

From: (b)(6)

Sent: Friday, August 30, 2024 1:53 PM

To: (b)(6)

(b)(6)

Subject: RE: Loper Bright Draft Responses

A few thoughts from me in this doc that can be imported into the other Senate letter. Thanks!

From: (b)(6)

Sent: Friday, August 30, 2024 10:18 AM

To: (b)(6)

(b)(6)

Subject: RE: Loper Bright Draft Responses

(b)(6) let us know if you have any additional comments. If not, we'll put into component clearance.

From: (b)(6)

Sent: Wednesday, August 28, 2024 1:35 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6) Subject to any thought (b)(6) may have, I am good with these.

(b)(6)

From: (b)(6)

Sent: Wednesday, August 28, 2024 12:08 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Draft Responses

Dear (b)(6) and (b)(6)

Please see attached two draft responses relating to Loper Bright for your review. For ease of reference, I have also attached the corresponding letters from Congress. (b)(5)

(b)(5)

(b)(5),(b)(6)

(b)(5),(b)(6)

Let me know if you have any questions. Thank you in advance for your time and consideration.

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security

(b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

(b)(6)

(b)(6)

(cell)

From: (b)(6)
Sent: 7/11/2024 2:23:53 PM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Have a wonderful break! Should I coordinate with (b)(6) or someone else on any oversight matters while you're gone?

(b)(6)
Office of the White House Counsel
(b)(6)

From: (b)(6)
Sent: Thursday, July 11, 2024 10:23 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Out starting this Saturday through the 29th.

From: (b)(6)
Sent: Thursday, July 11, 2024 10:06 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Will do. Are you out for the full week?

(b)(6)
Office of the White House Counsel
(b)(6)

From: (b)(6)
Sent: Thursday, July 11, 2024 10:06 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

When you set up the call next week, make sure to invite Jackson while I'm out of town.

From: (b)(6)
Sent: Thursday, July 11, 2024 10:05 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

You will not be surprised to hear that DHS is the only agency to receive three nearly identical letters yesterday.

(b)(6)

Office of the White House Counsel

(b)(6)

From: (b)(6) <>

Sent: Thursday, July 11, 2024 9:42 AM

To: (b)(6)

Subject: FW: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

We got a third Chevron letter! Does DHS win a prize?

From: OGC Exec Sec <(b)(6)>

Sent: Thursday, July 11, 2024 8:55 AM

To: OGC Congressional Oversight (b)(6)

Cc: OGC Exec Sec (b)(6)

(b)(6)

Subject: FW: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Good Morning,

Third letter on the similar topic we talked about yesterday.

Thanks,
Megan

From: STORM Notifications (b)(6)

Sent: Thursday, July 11, 2024 8:52 AM

To: OGC Exec Sec (b)(6)

(b)(6)

Cc: ESEC-External Liaison <(b)(6)>

Subject: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

STORM

System of Tracking, Operations, and Records Management

OGC: You are the lead Component; please clear your draft response with the Components listed on the clearance tab and any other Components that have equities prior to submitting your draft to ESEC. Clearing Components require 48 hours for clearance; you should allow time for clearance and comment reconciliation before submitting the action to ESEC by the deadline. Please note that per DHS FO direction, if clearance from PRIV, CRCL, OPE, OSA, OPA, and OSLLE are not received by the clearance due date, their silence is to be taken as concurrence.

MGMT / OLA / PLCY: OGC has the lead to prepare a draft in response to the attached incoming. Please share this incoming with your leadership. If your leadership has any comments, concerns, or issues that should be incorporated into the draft response, please share them with the drafting component within 24 hours so that the issues can be addressed prior to submitting the draft to ESEC.

PRIV / CRCL / OSA / OPA / OPE / OSLLE: OGC has the lead to prepare a draft in response to the attached incoming. Please share this incoming with your leadership. If your leadership has any comments, concerns, or issues that should be incorporated into the draft response, please share them with the drafting component within 24 hours so that the issues can be addressed prior to submitting the draft to ESEC. Please note that per DHS FO direction, if your clearance is not provided to the lead component by the clearance due date, your silence is concurrence.

[View Record](#)

Assignment Number: EXT-2024-03446 - OGC

From:

(b)(6)

Sent:

9/3/2024 2:28:03 PM

To:

(b)(6)

CC:

Subject:

RE: Loper Bright Draft Responses

Hi (b)(6)

I wanted to confirm that the 03477 package should include CBP, USCIS, TSA, FEMA, and Coast Guard in component clearance.

(b)(6) (she/her)

Special Assistant to the General Counsel
Office of the General Counsel
U.S. Department of Homeland Security

Cell: (b)(6)

A-LAN:

C-LAN:

(b)(6)

From:

(b)(6)

Sent: Tuesday, September 3, 2024 9:40 AM

To:

(b)(6)

Cc:

(b)(6)

Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Attached are the department's responses to the loper bright letters from congress, specifically four responses to Congress. Three have the same language (Graves, Green, Jordan) and one has slightly different language and it's a response from the Chevron working group, lead by Rep Schmitt, for DHS and all of its component agencies. There are technically four letters addressed to DHS generally and a few others from the Chevron Working Group to DHS' components (USCIS, TSA, CBP, FEMA and Coast Guard), see attached.

Let me know if you have any questions.

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 30, 2024 2:38 PM

To: (b)(6)

(b)(6)

Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6)

(b)(6) when you're back next week, you can adopt these changes into both letters and share with (b)(6) for component clearance in STORM.

(b)(6)

From: (b)(6)

Sent: Friday, August 30, 2024 1:53 PM

To: (b)(6)

(b)(6)

Subject: RE: Loper Bright Draft Responses

A few thoughts from me in this doc that can be imported into the other Senate letter. Thanks!

From: (b)(6)

Sent: Friday, August 30, 2024 10:18 AM

To: (b)(6)

(b)(6)

Subject: RE: Loper Bright Draft Responses

(b)(6) let us know if you have any additional comments. If not, we'll put into component clearance.

From: (b)(6)

Sent: Wednesday, August 28, 2024 1:35 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Draft Responses

Thank you, Nelsy. Subject to any thought (b)(6) may have, I am good with these.

(b)(6)

From: (b)(6)

Sent: Wednesday, August 28, 2024 12:08 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Draft Responses

Dear (b)(6) and (b)(6)

Please see attached two draft responses relating to Loper Bright for your review. For ease of reference, I have also attached the corresponding letters from Congress. (b)(5)

(b)(5)

(b)(5)

(b)(5),(b)(6)

(b)(5),(b)(6)

Let me know if you have any questions. Thank you in advance for your time and consideration.

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

(b)(6)

From: (b)(6)
Sent: 7/11/2024 2:24:31 PM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

(b)(6) is your guy while I'm out.

From: (b)(6)
Sent: Thursday, July 11, 2024 10:24 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Have a wonderful break! Should I coordinate with Jackson or someone else on any oversight matters while you're gone?

(b)(6)
Office of the White House Counsel
(b)(6)
(b)(6)

From: (b)(6)
Sent: Thursday, July 11, 2024 10:23 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Out starting this Saturday through the 29th.

From: (b)(6)
Sent: Thursday, July 11, 2024 10:06 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Will do. Are you out for the full week?

(b)(6)
Office of the White House Counsel
(b)(6)
(b)(6)

From: (b)(6) >
Sent: Thursday, July 11, 2024 10:06 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

When you set up the call next week, make sure to invite (b)(6) while I'm out of town.

From: (b)(6)

Sent: Thursday, July 11, 2024 10:05 AM

To: (b)(6)

Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

You will not be surprised to hear that DHS is the only agency to receive three nearly identical letters yesterday.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)

Sent: Thursday, July 11, 2024 9:42 AM

To: (b)(6)

Subject: FW: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

We got a third Chevron letter! Does DHS win a prize?

From: OGC Exec Sec (b)(6)

Sent: Thursday, July 11, 2024 8:55 AM

To: OGC Congressional Oversight (b)(6)

Cc: OGC Exec Sec (b)(6)

(b)(6)

Subject: FW: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Good Morning,

Third letter on the similar topic we talked about yesterday.

Thanks,

(b)(6)

From: STORM Notifications (b)(6)

Sent: Thursday, July 11, 2024 8:52 AM

To: OGC Exec Sec (b)(6)

(b)(6)

(b)(6)

Cc: ESEC-External Liaison (b)(6)

Subject: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

STORM

System of Tracking, Operations, and Records Management

OGC: You are the lead Component; please clear your draft response with the Components listed on the clearance tab and any other Components that have equities prior to submitting your draft to ESEC. Clearing Components require 48 hours for clearance; you should allow time for clearance and comment reconciliation before submitting the action to ESEC by the deadline. Please note that per DHS FO direction, if clearance from PRIV, CRCL, OPE, OSA, OPA, and OSLLE are not received by the clearance due date, their silence is to be taken as concurrence.

MGMT / OLA / PLCY: OGC has the lead to prepare a draft in response to the attached incoming. Please share this incoming with your leadership. If your leadership has any comments, concerns, or issues that should be incorporated into the draft response, please share them with the drafting component within 24 hours so that the issues can be addressed prior to submitting the draft to ESEC.

PRIV / CRCL / OSA / OPA / OPE / OSLLE: OGC has the lead to prepare a draft in response to the attached incoming. Please share this incoming with your leadership. If your leadership has any comments, concerns, or issues that should be incorporated into the draft response, please share them with the drafting component within 24 hours so that the issues can be addressed prior to submitting the draft to ESEC. Please note that per DHS FO direction, if your clearance is not provided to the lead component by the clearance due date, your silence is concurrence.

[View Record](#)

Assignment Number: EXT-2024-03446 - OGC

From: (b)(6)
(b)(6)
Sent: 7/11/2024 2:05:49 PM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

When you set up the call next week, make sure to invite Jackson while I'm out of town.

From: (b)(6)
Sent: Thursday, July 11, 2024 10:05 AM
To: (b)(6)
Subject: RE: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

You will not be surprised to hear that DHS is the only agency to receive three nearly identical letters yesterday.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)
Sent: Thursday, July 11, 2024 9:42 AM
To: (b)(6)
Subject: FW: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

We got a third Chevron letter! Does DHS win a prize?

From: OGC Exec Sec (b)(6)
Sent: Thursday, July 11, 2024 8:55 AM
To: OGC Congressional Oversight <(b)(6)>
Cc: OGC Exec Sec (b)(6)
(b)(6)
Subject: FW: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

Good Morning,

Third letter on the similar topic we talked about yesterday.

Thanks,

(b)(6)

From: STORM Notifications (b)(6)
Sent: Thursday, July 11, 2024 8:52 AM
To: OGC Exec Sec (b)(6)

(b)(6)

(b)(6)

Cc: ESEC-External Liaison

(b)(6)

Subject: EXTERNAL – Rep. Mark E. Green re: Loper Bright v. Raimondo - EXT-2024-03446 - OGC Lead Component Draft Response to Rep. Mark E. Green regarding Due: 7/24/2024 8:00 AM EST

STORM

System of Tracking, Operations, and Records Management

OGC: You are the lead Component; please clear your draft response with the Components listed on the clearance tab and any other Components that have equities prior to submitting your draft to ESEC. Clearing Components require 48 hours for clearance; you should allow time for clearance and comment reconciliation before submitting the action to ESEC by the deadline. Please note that per DHS FO direction, if clearance from PRIV, CRCL, OPE, OSA, OPA, and OSLLE are not received by the clearance due date, their silence is to be taken as concurrence.

MGMT / OLA / PLCY: OGC has the lead to prepare a draft in response to the attached incoming. Please share this incoming with your leadership. If your leadership has any comments, concerns, or issues that should be incorporated into the draft response, please share them with the drafting component within 24 hours so that the issues can be addressed prior to submitting the draft to ESEC.

PRIV / CRCL / OSA / OPA / OPE / OSLLE: OGC has the lead to prepare a draft in response to the attached incoming. Please share this incoming with your leadership. If your leadership has any comments, concerns, or issues that should be incorporated into the draft response, please share them with the drafting component within 24 hours so that the issues can be addressed prior to submitting the draft to ESEC. Please note that per DHS FO direction, if your clearance is not provided to the lead component by the clearance due date, your silence is concurrence.

[View Record](#)

Assignment Number: EXT-2024-03446 - OGC

From: (b)(6)
Sent: 9/3/2024 2:38:03 PM
To: (b)(6)
(b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

Since we're responding on their behalf, we can include them.

From: (b)(6)
Sent: Tuesday, September 3, 2024 10:31 AM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Draft Responses

Hi (b)(6)

(b)(5)

(b)(6)

Attorney Advisor
Detailer, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security

(b)(5)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Tuesday, September 3, 2024 10:28 AM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Draft Responses

Hi (b)(6)

I wanted to confirm that the 03477 package should include CBP, USCIS, TSA, FEMA, and Coast Guard in component clearance.

(b)(6)

(she/her)

Special Assistant to the General Counsel

Office of the General Counsel
U.S. Department of Homeland Security
Cell: (b)(6)
A-LAN: (b)(6)
C-LAN: (b)(6)

From: (b)(6)
Sent: Tuesday, September 3, 2024 9:40 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Attached are the department's responses to the loper bright letters from congress, specifically four responses to Congress. Three have the same language (Graves, Green, Jordan) and one has slightly different language and it's a response from the Chevron working group, lead by Rep Schmitt, for DHS and all of its component agencies. There are technically four letters addressed to DHS generally and a few others from the Chevron Working Group to DHS' components (USCIS, TSA, CBP, FEMA and Coast Guard), see attached.

Let me know if you have any questions.

(b)(6)

Attorney Advisor
Detailer, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Friday, August 30, 2024 2:38 PM
To: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6)

(b)(6) when you're back next week, you can adopt these changes into both letters and share with Brianna for component clearance in STORM.

(b)(6)

From: (b)(6)
Sent: Friday, August 30, 2024 1:53 PM
To: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

A few thoughts from me in this doc that can be imported into the other Senate letter. Thanks!

From: (b)(6)
Sent: Friday, August 30, 2024 10:18 AM
To: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(6), let us know if you have any additional comments. If not, we'll put into component clearance.

From: (b)(6)
Sent: Wednesday, August 28, 2024 1:35 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6) Subject to any thought Kara may have, I am good with these.

(b)(6)
From: (b)(6)
Sent: Wednesday, August 28, 2024 12:08 PM
To: (b)(6)
Cc: (b)(6)
Subject: Loper Bright Draft Responses

Dear (b)(5) and (b)(6)

Please see attached two draft responses relating to Loper Bright for your review. For ease of reference, I have also attached the corresponding letters from Congress. Most of the language in these drafts were used from previously cleared WH and/or DHS language. These drafts have also been reviewed by RLD. (b)(5)

(b)(5)
(b)(5)

Let me know if you have any questions. Thank you in advance for your time and consideration.

(b)(6)
Attorney Advisor
Detailer, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended

recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Friday, August 9, 2024 2:23 PM
To: (b)(6)
Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)
Sent: Friday, August 9, 2024 2:00 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)
Office of the White House Counsel
(b)(6)
(b)(6)

From: (b)(6)
Sent: Friday, August 9, 2024 1:58 PM
To: (b)(6)
Cc: (b)(6)
Subject: Loper Bright Letters

(b)(6)
(b)(5)

Thanks,

(b)(6)
Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security
(b)(6)
(b)(6) cell)

Sent: 8/27/2024 6:48:56 PM

To:

(b)(6)

CC:

Subject: RE: Loper Bright Draft Responses

Thanks, (b)(6)

From: (b)(6)

Sent: Monday, August 26, 2024 2:41 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Draft Responses

Some suggested edits to the non-WH language attached.

(b)(6)

Senior Attorney / Team Lead for Regulatory Program Development

Regulatory Affairs Law Division

Office of the General Counsel

U.S. Department of Homeland Security

Desk/Cell: (b)(6)

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)

Sent: Monday, August 26, 2024 12:16 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Draft Responses

I agree with the commenter that: (b)(5)

(b)(5)

(b)(5)

(b)(5)

(b)(6)

From: (b)(6)

Sent: Monday, August 26, 2024 9:25 AM

To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

(b)(6)

As you have all expressed interest and enthusiasm in our response to Loper Bright, sharing here the Oversight team's responses to the incoming congressional letters on this topic. They are short; if you would like to take a look, please do so today.

Thanks,

(b)(6)

(b)(6)

Deputy Associate General Counsel
for Regulatory Affairs
U.S. Department of Homeland Security

(b)(6)

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)
Sent: Thursday, August 22, 2024 2:32 PM
To: (b)(6)
Cc: (b)(6) (b)(6)
Subject: FW: Loper Bright Draft Responses

Hi (b)(6)

I know you and (b)(6) have asked periodically about the status of the responses to the various Congressional letters we have received on Loper Bright. We finally have them for review. I would like (b)(6) to also have a chance to take a look at these. Can you and (b)(6) ensure we provide any feedback to (b)(6) Congressional Oversight by COB Tuesday? I will be on leave at that time.

I had no edits on these.

Thanks,

(b)(6)

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress (b)(5)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)

Attorney Advisor
Detailer, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Monday, August 19, 2024 2:53 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)

Sent: Monday, August 19, 2024 2:50 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

Hey (b)(6)

Do you have template letters I can use for like the header and signature portion?

(b)(6)

Attorney Advisor
Detailer, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S.

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel
(b)(6)

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6) (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

(b)(6)

From:

(b)(6)

Sent:

8/22/2024 6:49:58 PM

To:

CC:

(b)(6)

Subject:

RE: Loper Bright Draft Responses

Thanks, Jackson. Yes, I will coordinate with Christina and share any edits by COB Tuesday.

Thanks,

(b)(6)

(b)(6)

Deputy Associate General Counsel
for Regulatory Affairs

U.S. Department of Homeland Security

(b)(6)

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From:

(b)(6)

Sent: Thursday, August 22, 2024 2:32 PM

To:

(b)(6)

Cc:

(b)(6)

(b)(6)

Subject: FW: Loper Bright Draft Responses

Hi (b)(6)

I know you and (b)(6) have asked periodically about the status of the responses to the various Congressional letters we have received on Loper Bright. We finally have them for review. I would like (b)(6) to also have a chance to take a look at these. Can you and (b)(6) ensure we provide any feedback to (b)(6) Congressional Oversight by COB Tuesday? I will be on leave at that time.

(b)(5)

Thanks,

(b)(6)

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress. (b)(5)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)

Attorney Advisor
Detailée, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Monday, August 19, 2024 2:53 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)
Sent: Monday, August 19, 2024 2:50 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

Hey (b)(6)

Do you have template letters I can use for like the header and signature portion?

(b)(6)

Attorney Advisor
Detailée, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel

Office of the General Counsel

U.S. Department of Homeland Security

(b)(6)

(b)(6)

(cell)

From: (b)(6)
Sent: 8/26/2024 1:58:28 PM
To: (b)(6)
CC:
Subject: RE: Loper Bright Draft Responses

Oops, sorry (b)(6) and thanks for forwarding (b)(6)

(b)(6)
Deputy Associate General Counsel
for Regulatory Affairs
U.S. Department of Homeland Security
(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)
Sent: Monday, August 26, 2024 9:38 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(6) (will forward attachments separately)

(b)(6)
Senior Attorney / Team Lead for Regulatory Program Development
Regulatory Affairs Law Division
Office of the General Counsel
U.S. Department of Homeland Security
Desk/Cell: (b)(6)
(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)
Sent: Monday, August 26, 2024 9:25 AM

To: (b)(6)
(b)(6)
Subject: FW: Loper Bright Draft Responses

(b)(6)

As you have all expressed interest and enthusiasm in our response to Loper Bright, sharing here the Oversight team's responses to the incoming congressional letters on this topic. They are short; if you would like to take a look, please do so today.

Thanks,

(b)(6)

(b)(6)

Deputy Associate General Counsel
for Regulatory Affairs
U.S. Department of Homeland Security

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)
Sent: Thursday, August 22, 2024 2:32 PM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Hi (b)(6)

I know you and (b)(6) have asked periodically about the status of the responses to the various Congressional letters we have received on Loper Bright. We finally have them for review. I would like (b)(6) to also have a chance to take a look at these. Can you and (b)(6) ensure we provide any feedback to (b)(6) Congressional Oversight by COB Tuesday? I will be on leave at that time.

(b)(5)

Thanks,

(b)(6)

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress. (b)(5)

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Monday, August 19, 2024 2:53 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

I'm not sure whether this letter will be coming from OGC or OLA, but in the case that it's OGC, here is a version.

From: (b)(6)

Sent: Monday, August 19, 2024 2:50 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

Hey (b)(6)

Do you have template letters I can use for like the header and signature portion?

(b)(5)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Friday, August 9, 2024 2:23 PM
To: (b)(6)
Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)
Sent: Friday, August 9, 2024 2:00 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)
Office of the White House Counsel
(b)(6)
(b)(6)

From: (b)(6)
Sent: Friday, August 9, 2024 1:58 PM
To: (b)(6)
Cc: (b)(6)
Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)
Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

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

From: (b)(6)
Sent: 8/30/2024 2:16:29 PM
To: (b)(6)
Subject: FW: Loper Bright Draft Responses

(b)(5)
(b)(6)
(b)(6) (mobile)
(b)(6)

From: (b)(6) (OGC)
Sent: Friday, August 30, 2024 10:16 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(6) (b)(5)
(b)(5)
(b)(6)
(b)(6) (mobile)
(b)(6)

From: (b)(6)
Sent: Tuesday, August 27, 2024 9:28 PM
To: (b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6)

(b)(5)

(b)(6)

From: (b)(6)
Sent: Tuesday, August 27, 2024 4:51 PM
To: (b)(6)
Cc: (b)(6)
(b)(6) >

(b)(6)

Subject: RE: Loper Bright Draft Responses

(b)(6)

(b)(5)

Thanks,

(b)(6)

(b)(6)

Deputy Associate General Counsel
for Regulatory Affairs
U.S. Department of Homeland Security

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)

Sent: Thursday, August 22, 2024 2:32 PM

To: (b)(6)

Cc: (b)(6)

(b)(6)

Subject: FW: Loper Bright Draft Responses

Hi (b)(6)

I know you and (b)(6) have asked periodically about the status of the responses to the various Congressional letters we have received on Loper Bright. We finally have them for review. I would like (b)(6) to also have a chance to take a look at these. Can you and (b)(6) ensure we provide any feedback to (b)(6)/Congressional Oversight by COB Tuesday? I will be on leave at that time.

(b)(5)

Thanks,

(b)(6)

From: (b)(6)
Sent: Thursday, August 22, 2024 9:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Loper Bright Draft Responses

Good Morning Jackson

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress. (b)(5)
(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)
Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***
This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Monday, August 19, 2024 2:53 PM
To: (b)(6)
Subject: RE: Loper Bright Letters

(b)(5)

From: (b)(6)
Sent: Monday, August 19, 2024 2:50 PM
To: (b)(6) >
Subject: RE: Loper Bright Letters

Hey Jon,

Do you have template letters I can use for like the header and signature portion?

(b)(6)
Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security
(m) (b)(6)
(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)
Sent: Friday, August 9, 2024 2:23 PM
To: (b)(6)
Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)
Sent: Friday, August 9, 2024 2:00 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)
Office of the White House Counsel
(b)(6)
(b)(6)

From: (b)(6)
Sent: Friday, August 9, 2024 1:58 PM
To: (b)(6)
Cc: (b)(6)
Subject: Loper Bright Letters

(b)(6)
(b)(5)

Thanks,

(b)(6)
Senior Oversight Counsel
Office of the General Counsel
U.S. Department of Homeland Security

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

From: (b)(6)
Sent: 8/30/2024 2:18:35 PM
To: (b)(6)
Subject: FW: Loper Bright Draft Responses

(b)(5)

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

From: (b)(6)
Sent: Friday, August 30, 2024 10:17 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(6) (b)(5)
(b)(5)

From: (b)(6)
Sent: Friday, August 30, 2024 10:16 AM
To: (b)(6)
(b)(6)
Cc: (b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

(b)(6) (b)(5)
(b)(5)

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

From: (b)(6)
Sent: Tuesday, August 27, 2024 9:28 PM
To: (b)(6)
Cc: (b)(6)
(b)(6)
(b)(6)
Subject: RE: Loper Bright Draft Responses

Thank you, (b)(6)

(b)(5)

(b)(6)

From: (b)(6)

Sent: Tuesday, August 27, 2024 4:51 PM

To: (b)(6)

Cc: (b)(6)

(b)(6)

(b)(6)

Subject: RE: Loper Bright Draft Responses

(b)(6)

(b)(5)

Thanks,

(b)(6)

(b)(6)

Deputy Associate General Counsel
for Regulatory Affairs

U.S. Department of Homeland Security

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)

Sent: Thursday, August 22, 2024 2:32 PM

To: (b)(6)

Cc: (b)(6)

(b)(6)

Subject: FW: Loper Bright Draft Responses

Hi (b)(6)

(b)(5),(b)(6)

(b)(5) I will be on leave at that time.

(b)(5)

Thanks,

(b)(6)

From: (b)(6)

Sent: Thursday, August 22, 2024 9:22 AM

To: (b)(6)

Cc: (b)(6)

Subject: FW: Loper Bright Draft Responses

Good Morning (b)(6)

Please see the two draft responses relating to Loper Bright with the corresponding letters from Congress. The response to

(b)(5),(b)(6)

Let me know if you have any questions. Thanks!

(b)(6)

Attorney Advisor

Detailer, Congressional Oversight

Office of the General Counsel

U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Monday, August 19, 2024 2:53 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

(b)(5)

From: (b)(6)

Sent: Monday, August 19, 2024 2:50 PM

To: (b)(6)

Subject: RE: Loper Bright Letters

Hey Jon,

Do you have template letters I can use for like the header and signature portion?

(b)(6)

Attorney Advisor
Detailee, Congressional Oversight
Office of the General Counsel
U.S. Department of Homeland Security

(m) (b)(6)

(b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This document contains confidential and/or sensitive attorney/client privileged information or attorney work product and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this message has been misdirected and immediately destroy all originals and copies. Any disclosure of this document must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY. FOIA exempt under 5 U.S.C. § 552(b)(5).

From: (b)(6)

Sent: Friday, August 9, 2024 2:23 PM

To: (b)(6)

Subject: FW: Loper Bright Letters

"Near" final draft from OMB

From: (b)(6)

Sent: Friday, August 9, 2024 2:00 PM

To: (b)(6)

Cc: (b)(6)

Subject: RE: Loper Bright Letters

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

I am attaching OMB's near-final draft, which should be helpful. Happy to discuss if there are additional questions.

(b)(6)

Office of the White House Counsel

(b)(6)

(b)(6)

From: (b)(6)

Sent: Friday, August 9, 2024 1:58 PM

To: (b)(6)

Cc: (b)(6)

Subject: Loper Bright Letters

(b)(6)

(b)(5)

Thanks,

(b)(6)

Senior Oversight Counsel

Office of the General Counsel

U.S. Department of Homeland Security

(b)(6)

(b)(6)

(cell)

From: (b)(6)
Sent: 7/11/2024 1:25:18 PM
To: (b)(6)
Subject: FW: Chairmen Green, Comer Demand Answers on DHS Administrative Overreach Following SCOTUS Overturning Chevron

(b)(5)

Thanks,

(b)(6)

Assistant General Counsel, Legislative Counsel
Legal Counsel Division, Office of the General Counsel, U.S. Department of Homeland Security
Cell: (b)(6) | Email: (b)(6)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies.

From: (b)(6)
Sent: Thursday, July 11, 2024 9:19 AM
To: (b)(6)
Cc: List-Counsel-LegAuth (b)(6)
Subject: FW: Chairmen Green, Comer Demand Answers on DHS Administrative Overreach Following SCOTUS Overturning Chevron

(b)(5)

From: (b)(6)
Sent: Thursday, July 11, 2024 8:33 AM
To: (b)(6), TSA-OLA (b)(6), List-Counsel-LegAuth (b)(6)
(b)(6)
(b)(6)

Subject: RE: Chairmen Green, Comer Demand Answers on DHS Administrative Overreach Following SCOTUS Overturning Chevron

+ CC

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6)

Date: Thursday, Jul 11, 2024 at 8:30 AM

To: TSA-OLA (b)(6)

Subject: FW: Chairmen Green, Comer Demand Answers on DHS Administrative Overreach Following SCOTUS Overturning Chevron

FYI

From: House Homeland Security Press (b)(6)

Sent: Wednesday, July 10, 2024 3:38 PM

To: (b)(6)

Subject: Chairmen Green, Comer Demand Answers on DHS Administrative Overreach Following SCOTUS Overturning Chevron

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. If you believe this is SPAM or a phishing email, contact the TSA Cyber Security Operations Center at TSA-SPAM.

[View this email in your browser](#)

For Immediate Release
July 10, 2024

Contact: John Cooper
Anna Holland

Chairmen Green, Comer Demand Answers on DHS Administrative Overreach Following SCOTUS Overturning Chevron

WASHINGTON, D.C. — Today, House Committee on Homeland Security Chairman Mark E. Green, MD (R-TN) and Committee on Oversight and Accountability Chairman James Comer (R-KY) sent a letter to now-impeached Department of Homeland Security (DHS) Secretary Alejandro Mayorkas, reminding him of the limitations on the department's authority following the Supreme Court's recent decision in *Loper Bright Enterprises v. Raimondo*, which overruled *Chevron U.S.A., Inc v Natural Resources Defense Council, Inc.* (1984). This landmark decision effectively prevents unaccountable, unelected executive branch bureaucrats from assuming undue authority in administering the laws passed by Congress—a stark change from the administrative overreach of the past 40 years.

Now, months after the impeachment of Secretary Mayorkas for his refusal to comply with the

clear text of the laws passed by Congress, let alone acknowledge congressional lawmaking authority, the Chairmen will continue investigating the Biden administration to ensure its actions, statutes, and/or practices do not encroach upon Congress' Article I authorities. Read the full letter [here](#) and excerpts below. Read Majority Leader Steve Scalise's press release and letters from other committee chairs [here](#).

In the letter, the Chairmen state, *"We write to call to your attention Loper Bright Enterprises v. Raimondo, a recent Supreme Court decision that precludes courts from deferring to agency interpretations of the statutes they administer. In its decision, the Court overruled Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc., 467 U.S. 837 (1984), which had allowed courts to defer to agency interpretations of ambiguous statutes. By allowing such deference, the Court in Chevron upset the founders' careful separation of powers, permitting courts to abdicate the judicial role granted exclusively to them through Article III of the Constitution and enabling the Executive to usurp the legislative authority granted exclusively to Congress through Article I. Unsurprisingly, Chevron unleashed decades of successively broader, more costly and more invasive assertions of agency power over citizens' lives, liberty and property, as agencies adopted expansive interpretations of assertedly ambiguous statutes, demanding courts defer to them."*

The Chairmen continue, *"Perhaps no administration has gone as far as President Biden's to found sweeping and intrusive agency dictates on such questionable assertions of agency authority. The Biden administration has promulgated far more major rules, imposing far more costs and paperwork burdens, than either of its recent predecessor administrations. Many of these rules—such as those promulgated to impose President Biden's climate, energy and Environment, Social and Governance (ESG) agendas—have been based on aggressive interpretations of statutes enacted by Congress years and even decades ago, before many issues against which the Biden administration has sought to deploy them were even imagined."*

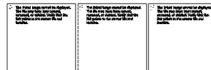
"The expansive administrative state Chevron deference encouraged has undermined our system of government, overburdening our citizenry and threatening to overwhelm the founders' system of checks and balances. Thankfully, the Court in Loper Bright has now corrected its Chevron error, reaffirming that "[i]t is emphatically the province and duty of the judicial department to say what the law is." This long-needed reversal should stem the vast tide of federal agencies' overreach. Given the Biden administration's track record, however, we are compelled to underscore the implications of Loper Bright and remind you of the limitations it has set on your authority."

The Chairmen conclude, *"As the committees of jurisdiction overseeing the Department of Homeland Security (Department) and its component agencies, we assure you that we will*

exercise our robust investigative and legislative powers not only to reassert forcefully our Article I responsibilities, but to ensure the Biden administration respects the limits placed on its authority by the Court's Loper Bright decision."

###

Homeland Security Committee Republicans



Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe from this list](#)