

CREW

**citizens for responsibility
and ethics in washington**

June 30, 2017

BY FACSIMILE: (202) 514-1009

Laurie Day
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Ave., N.W.
Washington, D.C. 20530-0001

Re: Freedom of Information Act Request

Dear Ms. Day:

Citizens for Responsibility and Ethics in Washington ("CREW") makes this request for records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and U.S. Department of the Justice ("DOJ") regulations.

Specifically, CREW requests:

- (1) Communications from Charles Cooper to General Sessions or DOJ staff that mention or refer to Mr. Cooper's lobbying client, Coalition to Stop Internet Gambling, or gambling in general, between May 1, 2017 and the present;
- (2) Communications from Charles Cooper to General Sessions or DOJ staff that mention or refer to Mr. Cooper's lobbying client, chemical company DuPont, or industrial chemicals in general, between May 1, 2017 and the present;
- (3) Communications from Charles Cooper to General Sessions or DOJ staff that mention or refer to Mr. Cooper's lobbying client, Inseego Corporation, or telematics in general, between May 1, 2017 and the present; and
- (4) Communications between General Sessions and DOJ staff related to General Sessions's recusal from decisions that would affect Mr. Cooper's three lobbying clients.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as emails to which the subjects of this request were cc'ed or bcc'ed.

If it is your position any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See *Mead Data Central v. U.S. Dep't of the Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and DOJ regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. See 5 U.S.C. § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. See, e.g., *McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

Charles Cooper filed registrations to lobby on behalf of the Coalition to Stop Internet Gambling, DuPont USA, and the Inseego Corporation on June 15, 2017, effective May 1, 2017.¹ On June 20, 2017, it was reported that General Sessions had retained Mr. Cooper as a personal attorney.² Mr. Cooper told *Bloomberg Politics* that he had begun representing General Sessions several days before General Sessions testified before the Senate Intelligence Committee on June 13, 2017.³

On June 30, 2017, *Bloomberg Politics* reported that the Coalition to Stop Internet Gambling, one of Mr. Cooper's lobbying clients, had asked the DOJ to review a decision related to online gambling.⁴ A spokesperson for DOJ assured *Bloomberg Politics* that General Sessions

¹ See <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=50E59A34-F79C-4678-9D6E-6D0B6BBCC476&filingTypeID=1>;
<https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=6E1CEE57-1C8A-4AE6-8546-091DB0C34635&filingTypeID=1>;
<https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=814BC74E-1A60-4734-B18D-630E850B32E9&filingTypeID=1>.

² Katelyn Polantz, [Chuck Cooper Confirms: He's AG Jeff Sessions' Lawyer](http://www.nationallawjournal.com/id=1202790695886/Chuck-Cooper-Confirms-Hes-AG-Jeff-Sessions-Lawyer?slreturn=20170530144715), *The National Law Journal*, June 20, 2017, available at <http://www.nationallawjournal.com/id=1202790695886/Chuck-Cooper-Confirms-Hes-AG-Jeff-Sessions-Lawyer?slreturn=20170530144715>.

³ Greg Stohr, [Sessions Hires Outside Lawyer Amid Expanding Russia Probes](https://www.bloomberg.com/news/articles/2017-06-20/sessions-hires-outside-lawyer-amid-expanding-russia-probes), *Bloomberg Politics*, June 20, 2017, available at <https://www.bloomberg.com/news/articles/2017-06-20/sessions-hires-outside-lawyer-amid-expanding-russia-probes>.

⁴ Ben Brody and Christopher Palmeri, [Adelson-Backed Lobbying Against Web Gaming Makes Sessions Fold](https://www.bloomberg.com/news/articles/2017-06-30/adelson-backed-lobbying-against-web-gaming-makes-sessions-fold), *Bloomberg Politics*, June 30, 2017, available at <https://www.bloomberg.com/news/articles/2017-06-30/adelson-backed-lobbying-against-web-gaming-makes-sessions-fold>.

would recuse himself from the gambling issue.⁵ The requested records could inform the public whether Mr. Cooper lobbied General Sessions after he began representing General Sessions, posing a conflict of interest for General Sessions.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org, and through www.scribd.com. The release of information obtained through this request is not in CREW's financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. *See Nat'l Sec. Archive v. U.S. Dep't of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a "representative of the news media" and broadly interpreting the term to include "any person or organization which regularly publishes or disseminates information to the public").

CREW routinely and systematically disseminates information to the public in several ways. CREW's website receives tens of thousands of page views every month. The website includes a blog that reports on and analyzes newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. In addition, CREW posts all documents it receives under the FOIA at www.scribd.com, and those documents have been visited hundreds of thousands of times.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

Conclusion

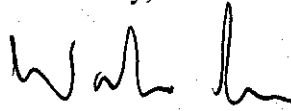
If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at (202) 408-5565 or wdavis@citizensforethics.org. Also, if CREW's request for a fee waiver is not granted in full, please contact our office immediately upon making such a determination.

⁵ *Ibid.*

Laurie Day
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Where possible, please produce records in electronic format. Please send the requested records to me either at wdavis@citizensforethics.org or at Walker Davis, Citizens for Responsibility and Ethics in Washington, 455 Massachusetts Ave., N.W., 6th Floor, Washington, D.C. 20001. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Walker Davis". The signature is fluid and cursive, with the first name "Walker" being more prominent than the last name "Davis".

Walker Davis

Research Associate