

## **Newly Released FOIA Documents Reveal Interior Solicitor Jorjani Perjured Himself When Testifying About His Oversight Of Interior's FOIA Program**

**Documents Show Interior Solicitor Daniel Jorjani -- Who Told Senators He Rarely Reviews FOIA Productions -- Withheld Western Values Project's Responsive Documents And That FOIA Officers "Must" Clear Certain Documents Through Jorjani Before Sending Them To WVP**

### **Daniel Jorjani Told Senator Wyden In Written Testimony He "Typically Did Not Review Records Prior To Their Release Under The FOIA."**

In Written Testimony, Solicitor Daniel Jorjani Told Senator Ron Wyden He "Typically Did Not Review Records Prior To Their Release Under The FOIA." Senator Ron Wyden asked then Solicitor-nominee Daniel Jorjani in his Questions for the Record: "You testified that you do not review FOIA request or productions. Records provided to this committee show that you have been given the opportunity to review FOIA records prior to release under the 'awareness review' process. Given this information, would you like to correct or clarify your testimony?" Jorjani: "As indicated in my testimony, day-to-day management of the FOIA office is done by the Deputy Chief FOIA Officer, who is a career lawyer. As a policy matter, I typically did not review records prior to their release under the FOIA." [Daniel Jorjani Questions For The Record, [05/15/19](#)]

### **In Mid-2018, Political Appointee Downey Magallanes Wrote That FOIA Officers "Must" Clear Certain Responsive FOIA Documents Through Solicitor Jorjani Before They Could Be Sent To WVP.**

Deputy Chief of Staff Downey Magallanes Wrote That The FOIA Office "Must" Send Certain Documents To Daniel Jorjani To Clear With the White House Before They Were Allowed To Send To Western Values Project.

On July 9, 2018, Downey Magallanes emailed about the July 2018 set of responsive documents to WVP FOIA OS-2018-00938 to the Political Awareness Review team, saying "The cabinet affairs reports must be separated out and given to Dan Jorjani to clear with WH for equities. This includes the email sent around internally in addition to the attached report." [Responsive Documents to FOIA OS-2019-000906, [page 284](#)]

### **Around That Same Time, Jorjani Got Interior's FOIA Office To Withhold Pages From Documents Responsive to a WVP FOIA, And The Political Awareness Review Delayed The Production of Documents to WVP For Weeks.**

Daniel Jorjani, Along With Todd Willens, Micah Chambers, Lori Mashburn, And Heather Swift, Agreed to Withhold Pages From Documents Responsive To A WVP FOIA,

On June 7, 2018, Daniel Jorjani agreed with then-White House Liaison Lori Mashburn saying she had “some concerns with the documents included,” and to “not proceed” with the release of the June 2018 set of responsive documents to WVP FOIA OS-2018-00938, and Jorjani then asked Solicitor attorney Gabe Lohr to “stop by tomorrow.” [Responsive Documents to FOIA OS-2019-000906, [page 73](#)]

On June 6, 2018, Todd Willens weighed in on the same set of documents, asking, “I have questions. How best to convey those to you?” [Responsive Documents to FOIA OS-2019-000906, [page 265](#)]

On June 8, 2018, Heather Swift emailed the Political Awareness Review team, on the June 2018 release of WVP FOIA OS-2017-00938: “WHAT IS THIS IN RESPONSE TO?” [Responsive Documents to FOIA OS-2019-000906, [page 279](#)]

- A few minutes later, Heather Swift later emailed around, saying “I did not pull these emails. When were they pulled and who pulled them?” [Responsive Documents to FOIA OS-2019-000906, [page 67](#)]

On June 7, 2018, Micah Chambers chimed in on the same FOIA documents, saying “I had some questions on the relevance of some of results in the first attachment though. 1. Page 17, Rigas email with ADN article is prior to the July dates listed in the FOIA request 2. All of the calendar submissions from page 27 onward are also prior to the July dates in the request.” [Responsive Documents to FOIA OS-2019-000906, [page 277](#)]

On June 7, 2018, Lori Mashburn also weighed in on the same FOIA documents, saying “I have some concerns with the documents included in this. Many are not a responsive. Please do not proceed.” [Responsive Documents to FOIA OS-2019-000906, [page 278](#)]

On June 26, 2018, the OS FOIA Office emailed the Political Review Team about the same documents, saying “I am following up on this litigation production that was set to go out on June 15, 2018. OS FOIA has now incorporated comments and received clearance from all other parties. As I understand the current policy, OS FOIA must receive your affirmative clearance prior to release of material related to the Secretary. Please find the updated files attached below. Can you clear this material at this time?” [Responsive Documents to FOIA OS-2019-000906, [page 78](#)]

That same day, Downey Magallanes responded “Yes,” effecting clearing the documents for release. [Responsive Documents to FOIA OS-2019-000906, [page 280](#)]

**Originally Scheduled For Release June 15, 2018, Politicals Got FOIA Officials To Delay Release To Alter The Responsive Documents Before They Were Finally Released June 27, 2018.**

The June 2018 production of OS-2018-00938 was “set to go out on June 15, 2018.” [Responsive Documents to FOIA OS-2019-000906, [page 78](#)]

On June 27, 2018, WVP was sent the June 2018 production of OS-2018-00938. [Correspondence about OS-2017-00938, 06/27/18]

## **Jorjani Calendars Show He Had Multiple Meetings Explicitly About FOIA Or With Interior Staff Who Work On FOIAs.**

### **Jorjani's Calendars Also Show He Met With Other Interior Political Appointees And Staff On FOIAs.**

The acronym "FOIA" appears 25 times in Daniel Jorjani's May 2017 through September 2019's calendars. [SOL-2019-00280]

- Page 156: October 31<sup>st</sup>, 2017, 5pm-5:30pm: "Check in- Downey/Daniel/Laura re: FOIA's".
- 163: November 8<sup>th</sup>, 2017, 11am-11:45am: "Briefing on FOIA's."
- 254: February 20<sup>th</sup>, 2018, 2 - 3pm: "FOIA briefing for Dan."
- 273: March 13<sup>th</sup>, 2018, 2pm - 2pm: "FOIA lit atty fees w/Katie/voyles - 6 min." Attendees include Daniel Jorjani, Katie Mills ([Counsel](#), Office of the Secretary), James Voyles ([Senior Counsel](#), Office of the Sec)
- 283: March 23<sup>rd</sup>, 2018, 10:30am - 12pm: "FOIA Officers Meeting."
- 284: March 23<sup>rd</sup>, 2018, 2pm - 3pm: "FOIA open forum Rm 5056"
- 285: March 26<sup>th</sup>, 2018, 1pm - 2pm: "Grizzly delisting lit mtg [Confidential/attorney-client privileged/FOIA exempt]"
- 300: April 10<sup>th</sup>, 2018, 1pm - 1:30pm: "FOIA meeting" Attendees included FOIA officers and lawyers, including Rachel Spector ([Senior](#) DOI attorney).
- 307: April 17<sup>th</sup>, 2018, 5pm - 5:30pm: "FOIA emails w/Rachel/DJ": Jorjani met with Spector.
- 417: August 9<sup>th</sup>, 2018, 4:30pm - 5pm: "NPS FOIA settlement (high sierra hikers association)"
- 580: February 11<sup>th</sup>, 2019, 4:30pm - 5pm: "Meet w/ Rachel S. re FOIA": Jorjani met with Spector.
- 624: March 20<sup>th</sup>, 2019, 11:45am - 11:45am: "Cafaro - FOIA binder and question." Jorjani met with Cindy Cafaro ([Acting](#) for both the Office of the Secretary and Office of Natural Resources Revenue).

- 633: March 28<sup>th</sup>, 2019, 3:30pm - 4pm: "FOIA check-in." Rachel Spector was scheduled to attend.
- 634: March 29<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector.
- 635: March 30<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector.
- 635: March 31<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector.
- 640: April 5<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Tony Irish, an [attorney](#) at Interior.
- 642: April 6<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 642: April 7<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 648: April 11<sup>th</sup>, 2019, 3:30pm - 4pm: "FOIA check-in." Meeting included Spector and Irish.
- 651: April 13<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 651: April 14<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 660: April 20<sup>th</sup> 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 660: April 21<sup>st</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 677: May 7<sup>th</sup>, 2019, 10am - 10:30am: "Karen R re: FOIA office." Jorjani met with Karen Richardson, the [Director](#) of Interior's Employment and Labor Law Unit.

**Jorjani's Calendars Also Show He Met With Rachel Spector, Who Is Now Leading Interior's Team On Public Records Requests, At Least 34 Times.**

Jorjani also met with Rachel Spector alone or with other Interior employees 34 times between May 2018 through August 2019 . [SOL-2019-00280, [KUNC](#), 01/14/20]

- 300: April 10<sup>th</sup>, 2018. 1pm - 1:30pm: "FOIA meeting" Attendees included FOIA officers and lawyers, including Rachel Spector ([Senior](#) DOI attorney).
- 307: April 17<sup>th</sup>, 2018, 5pm - 5:30pm: "FOIA emails w/Rachel/DJ": Jorjani met with Spector.

- 331: May 15th, 2018, 3:30pm - 3:30pm: "R Spector - quick walkthru next release." Rachel Spector is listed in the "Who" section.
- 377: June 28th, 2018, 4pm - 4pm: "Rachel Spector/ doc.s"
- 342: May 24th, 2018, 5pm - 5:30pm: "Rachel S - email review" Rachel Spector is in this meeting.
- 517: November 27th, 2018, 11am - 11:30am: "Rachel Spector w/DJ. Jorjani met with Spector.
- 539: December 21st, 2018, "DCFO check-in." Jorjani and Spector meet. "DCFO" likely refers to [Deputy Chief Freedom of Information Act Officer](#).
- 580: February 11th, 2019, 4:30pm - 5pm: "Meet w/ Rachel S. re FOIA.: Jorjani met with Spector
- 633: March 28th, 2019, 3:30pm - 4pm: "FOIA check-in." Rachel Spector was scheduled to attend.
- 634: March 29th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector.
- 635: March 30th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector.
- 635: March 31st, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector.
- 637: April 2nd, 2019, 2pm - 2:30pm: "Rachel/TonyI w/DJ." Jorjani and Spector also meet with Tony Irish, a DOI Attorney.
- 640: April 5th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Tony Irish.
- 642: April 6th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 642: April 7th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 648: April 11th, 2019, 3:30pm - 4pm: "FOIA check-in." Meeting included Spector and Irish.
- 651: April 13th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 651: April 14th, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.

- 660: April 20<sup>th</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 660: April 21<sup>st</sup>, 2019, 11:30am - 12pm: "FOIA check-in." Meeting included Spector and Irish.
- 665: April 24<sup>th</sup>, 2019, 1pm - 1:30pm: "Weekly w/Rachel Spector - 5 min connect." Jorjani meets with Spector.
- 677: May 7<sup>th</sup>, 2019, 10am - 10:30am: "Karen R re: FOIA office." Jorjani met with Karen Richardson, the [Director](#) of Interior's Employment and Labor Law Unit.
- 679: May 8<sup>th</sup>, 2019, 2pm - 3pm: "Weekly w/Rachel Spector - 5 min connect."
- 691: May 21<sup>st</sup>, 2019, 3pm - 3:30pm: "Weekly w/Rachel Spector."
- 698: May 29<sup>th</sup>, 2019, 1pm - 1:30pm: "Weekly w/Rachel Spector."
- 720: June 20<sup>th</sup>, 2019, 1:30pm - 2pm: "Weekly w/Rachel Spector."
- 727: June 25<sup>th</sup>, 2019, 4:25pm - 4:55pm: "Zerzan/Rachel w/DanJ": Jorjani and Spector also meet with Gregory Zerzan, who is [Principal](#) Deputy Solicitor at DOI.
- 731: June 28<sup>th</sup>, 2019, 1:30pm - 2pm: "Weekly w/Rachel Spector."
- 745: July 10<sup>th</sup>, 2019, 1pm - 1:30pm: "Weekly w/Rachel Spector."
- 752: July 17<sup>th</sup>, 2019, 5pm - 5:30pm: "Weekly w/Rachel Spector."
- 758: July 25<sup>th</sup>, 2019, 1pm - 1:30pm: "Weekly w/Rachel Spector."
- 774: August 7<sup>th</sup>, 2019, 4:45pm - 4:45pm: "Rachel Spector - quick touchbase."
- 790, August 22<sup>nd</sup>, 2019, 4pm - 4:30pm: "Weekly w/Rachel Spector."

## **Hubbel Relat, Now A Top Aide To Secretary Bernhardt, Attended At Least 12 FOIA Meetings With Jorjani**

### **Hubbel Relat Met With Both Jorjani And Rachel Spector.**

Relat's Name Appears In Meetings Relating To FOIA In Jorjani's Calendars Between November 2018 And April 2019. [SOL-2019-00280]

- 522: November 30th, 2018, 3pm - 4pm: "Next steps re: 3371 implementation." Jorjani met with Spector, Hubbel Relat and Edward Keable (Interior's [associate](#) solicitor general) after order [3371](#) is issued.
- 528: December 13th, 2018, 3:30pm - 4pm: "Rachel/Hubbel w/Dan." Jorjani, Hubbel Relat and Spector all met.
- 575: February 5th, 2019, 1pm - 1:30pm: "Weekly w/Hubbel Relat." Relat, Jorjani and Spector are all in this meeting.
- 576: February 7th, 2019, 1pm - 1:30pm: "Hubbel/Rachel cont." Jorjani/Relat/Spector meet.
- 583: February 13th, 2019, 2pm - 2:30pm: "Weekly w/Hubbel Relat." Another Jorjani/Spector/Relat meeting.
- 590: February 20th, 2019, 1pm - 1:30pm: "Weekly w/Hubbel Relat." Another Jorjani/Spector/Relat meeting.
- 599: February 27th, 2019, 10am - 10:30am: "Weekly w/Hubbel Relat." Another Jorjani/Spector/Relat meeting.
- 607: March 6th, 2019: 2:30pm - 3:00pm: "Weekly w/Hubbel Relat" Another Jorjani/Spector/Relat meeting.
- 608: March 6th, 2019, 4pm - 4:15pm: "Meeting" Jorjani, Spector, Relat were in this meeting
- 632: March 27th, 2019, 1pm - 1:30pm: "Weekly w/Hubbel Relat." Another Jorjani/Spector/Relat meeting
- 639: April 4th, 2019, 1pm - 1:30pm: "Weekly w/Hubbel Relat." Another Jorjani/Spector/Relat meeting.
- 656: April 18th, 2019, 1pm - 1:30pm: "Weekly w/Hubbel Relat." Another Jorjani/Spector/Relat meeting.