



U.S. Department of Justice
Civil Rights Division

17-00420-F

Freedom of Information/Privacy Acts Branch - BICN
950 Pennsylvania Ave., NW
Washington, DC 20530
November 30, 2017

Austin R. Evers
Executive Director
American Oversight
1030 15th Street, NW, Suite B-255
Washington, DC 20005

Kristen Clarke
President and Executive Director
Lawyers' Committee for Civil Rights Under Law

Dear Mr. Evers and Ms. Clarke:

This is in further response to your August 30, 2017 Freedom of Information Act request seeking copies of records related to the announcement seeking lawyers interested in working on investigations related to race-based university admissions.

Enclosed you will find a copy of the Civil Rights Division's detail opportunity announcement and copies of the related emails subject to excisions of personal information pursuant to 5 U.S.C. § 552(b)(6) since disclosure thereof would constitute a clearly unwarranted invasion of personal privacy and pursuant to 5 U.S.C. § 552(b)(5) since the redacted information relates to predecisional deliberative material.

You may contact our FOIA Public Liaison, April Freeman, for any further assistance and to discuss any aspect of your request by calling 202-514-4210.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the Civil Rights Division's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,


Nelson D. Herrilla, Chief

Freedom of Information/Privacy Acts Branch, Civil Rights Division

Detail Opportunity
Office of the Assistant Attorney General
Announcement Number: 17-CRT-DTL-012

The Civil Rights Division (Division) seeks attorney detailees to work with the Office of the Assistant Attorney General (OAAG) on investigations and possible litigation related to intentional race-based discrimination in college and university admissions. This detail opportunity is limited to Division employees who currently serve in attorney positions.

The successful candidate must be an attorney with excellent written and oral communication skills, demonstrated litigation experience, exceptional interpersonal skills, demonstrated experience working collaboratively with management and line staff, and superlative professional judgment. Interested candidates should be available to start the detail within two weeks of selection.

We encourage all interested attorneys to apply for this position. If you are interested in this detail, please consult the Division's detail policy at http://mycrt/human_resources/employment/detail-policy.docx to confirm that you are eligible for a detail within the Division. The requirement for employees to be in his/her section for two (2) or more continuous years has been waived. All other detail rules will apply. Individuals interested in this detail opportunity should submit a resume and your most recent performance appraisal to CRD.vacancies@usdoj.gov no later than August 9, 2017. Application packages sent via email should reference the announcement number in the subject of the email. Selections will be made based on the candidate's qualifications. Consideration will also be given to staffing needs of particular Sections; all selections will require Section Chief approval.

For additional information on details within the Division, please contact Diane Turner or Delicia Taylor (202) 514-3934.


Equal Employment Opportunity: The U.S. Department of Justice is an Equal Opportunity/Reasonable Accommodation Employer. Except where otherwise provided by law, there will be no discrimination because of color, race, religion, national origin, political affiliation, marital status, disability (physical or mental), age, sex, gender identity, sexual orientation, genetic information, status as a parent, membership or non-membership in an employee organization, on the basis of personal favoritism, or any other non-merit factor. We welcome and encourage applications from persons with physical and mental disabilities. We are firmly committed to satisfying our affirmative obligations under the Rehabilitation Act of 1973, to ensure that persons with disabilities have every opportunity to be hired and advanced on the basis of merit within the Department of Justice.

Reasonable Accommodations: The Division provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and selection process, please notify Disability Program Manager Derek Orr at (202) 307-5165. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

From: Taylor, Delicia (CRT)
Sent: Wednesday, October 25, 2017 7:09 AM
To: Taylor, Delicia (CRT)
Subject: FW: Detail Applicants - 17-CRT-DTL-012
Attachments: Donnelly Perf Appraisal 17-CRT-DTL-012.pdf; Dorinelly Resume 17-CRT-DTL-012 (7-26-17).pdf; Funk Pinon Resume 8 9 17.pdf; Funk Pinon Rating 2015 to 2016.pdf; j (b)(7)(C) Rating.pdf; (b)(7)(C) resume (sh).pdf; (b)(6) 2015-2016 Performance Appraisal.pdf; (b)(6) Resume4.docx

Last

Thanks,

Delicia 
Room 3216 BICN Building
Direct: 202-514-0292
Office: 202-514-3934

From: Taylor, Delicia (CRT)
Sent: Thursday, August 10, 2017 3:26 PM
To: Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>; Kelley, Beth (CRT) <Beth.Kelley@crt.usdoj.gov>
Cc: Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>; Turner, Diane (CRT) <Diane.Turner@crt.usdoj.gov>
Subject: Detail Applicants - 17-CRT-DTL-012


Kathy and Beth,

Attached are the applications and performance ratings for the detail applicants listed below.

(b)(6)

Please let me know if you need anything else.

Thanks,

Delicia 
Room 3216 BICN Building
Direct: 202-514-0292
Office: 202-514-3934

From: Toomey, Kathleen (CRT)
Sent: Thursday, August 10, 2017 2:52 PM
To: Taylor, Delicia (CRT); Turner, Diane (CRT)
Cc: Guzman, Antonio (CRT)
Subject: RE: Resumes

Thanks.

From: Taylor, Delicia (CRT)
Sent: Thursday, August 10, 2017 2:48 PM
To: Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>; Turner, Diane (CRT) <Diane.Turner@crt.usdoj.gov>
Cc: Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>
Subject: RE: Resumes

Yes, I will send them over shortly.

Thanks,

Delicia ✂
Room 3216 BICN Building
Direct: 202-514-0292
Office: 202-514-3934

From: Toomey, Kathleen (CRT)
Sent: Thursday, August 10, 2017 2:45 PM
To: Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov>; Turner, Diane (CRT) <Diane.Turner@crt.usdoj.gov>
Cc: Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>
Subject: FW: Resumes

Delicia and Diane,

Is it possible for you to send me and Beth Kelley the resumes for the Front Office detail that closed yesterday?

Thanks, Kathy

From: Kelley, Beth (CRT)
Sent: Thursday, August 10, 2017 2:16 PM
To: Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>
Subject: Resumes

Kathy,

Are you able to forward me the resumes we received for the (b)(5) detail?

Thanks,
Beth

Beth C. Kelley

Senior Counsel
Office of the Assistant Attorney General for the Civil Rights Division
United States Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
(202) 514-0460

From: Toomey, Kathleen (CRT)
Sent: Tuesday, August 8, 2017 3:05 PM
To: Taylor, Delicia (CRT)
Cc: Guzman, Antonio (CRT)
Subject: Re: Front Office detail

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks. Let's let it close tomorrow.

Sent from my iPhone

> On Aug 8, 2017, at 3:04 PM, Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov> wrote:

>

> Yes, we have two applicants (names provided below). The announcement closes tomorrow. Please let me know if you want the open period extended.

>

> (b)(6)

>

> Thanks,

>

> Delicia

> Room 3216 BICN Building

> Direct: 202-514-0292

> Office: 202-514-3934

>

>

> -----Original Message-----

> From: Toomey, Kathleen (CRT)

> Sent: Tuesday, August 8, 2017 2:54 PM

> To: Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov>

> Cc: Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>

> Subject: Front Office detail

>

> Delicia,

>

> Has anyone applied for the Front Office detail? When does it close?

>

> Thanks, Kathy

>

> Sent from my iPhone

From: (b)(6) (CRT)
Sent: Wednesday, July 26, 2017 9:20 AM
To: Taylor, Delicia (CRT)
Subject: RE: Detail to Front Office - Race-Based Discrimination 17-CRT-DTL-012

Follow Up Flag: Follow up
Flag Status: Flagged

Completed
http://mycrt/human_resources/employment/vacancies.php

Thank so much.

(b)(6) PMP@
Web Master
Civil Rights Division
Direct Dial: (b)(6)

From: Taylor, Delicia (CRT)
Sent: Wednesday, July 26, 2017 8:57 AM
To: (b)(6) <(b)(6)@crt.usdoj.gov>
Subject: Detail to Front Office - Race-Based Discrimination 17-CRT-DTL-012

Please post to the CRT Insider - Detail Page.

From: (b)(6) (CRT)
Sent: Wednesday, July 26, 2017 9:14 AM
To: Taylor, Delicia (CRT)
Subject: RE: Detail to Front Office - Race-Based Discrimination 17-CRT-DTL-012

Follow Up Flag: Follow up
Flag Status: Flagged

Please send me the job title for this posting

Thank so much.

(b)(6) PMP@

Web Master
Civil Rights Division
Direct Dial: (b)(6)

From: Taylor, Delicia (CRT)
Sent: Wednesday, July 26, 2017 8:57 AM
To: (b)(6) <(b)(6)@crt.usdoj.gov>
Subject: Detail to Front Office - Race-Based Discrimination 17-CRT-DTL-012

Please post to the CRT Insider - Detail Page.

From: Kelley, Beth (CRT)
Sent: Wednesday, July 26, 2017 8:44 AM
To: Guzman, Antonio (CRT); Toomey, Kathleen (CRT)
Cc: Howe, Suey (CRT); Gore, John (CRT); Taylor, Delicia (CRT)
Subject: RE: Detail Ad

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you!

Beth C. Kelley
Senior Counsel
Office of the Assistant Attorney General for the Civil Rights Division
United States Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
(202) 514-0460

From: Guzman, Antonio (CRT)
Sent: Wednesday, July 26, 2017 8:40 AM
To: Kelley, Beth (CRT) <Beth.Kelley@crt.usdoj.gov>; Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>
Cc: Howe, Suey (CRT) <Susan.Howe@crt.usdoj.gov>; Gore, John (CRT) <John.Gore@crt.usdoj.gov>; Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov>
Subject: RE: Detail Ad

Hi Beth,

I just talked to Delicia and we missed it. With all that is going on, we forgot to post it. She is loading it right now. My apologies.

A.

Antonio Guzmán
Human Resources Officer & Security Program Manager
Administrative Management Section
Civil Rights Division | U.S. Department of Justice
202-353-0174 | antonio.guzman@usdoj.gov

From: Kelley, Beth (CRT)
Sent: Wednesday, July 26, 2017 8:36 AM
To: Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>; Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov>; Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>
Cc: Howe, Suey (CRT) <Susan.Howe@crt.usdoj.gov>; Gore, John (CRT) <John.Gore@crt.usdoj.gov>
Subject: RE: Detail Ad

All,

I'm writing to follow up on the detail ad. I haven't seen it go up on the Insider yet? What is the ETA on posting it?

Thanks,
Beth

Beth C. Kelley
Senior Counsel
Office of the Assistant Attorney General for the Civil Rights Division
United States Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
(202) 514-0460

From: Toomey, Kathleen (CRT)
Sent: Thursday, July 20, 2017 2:31 PM
To: Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov>; Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>
Cc: Howe, Suey (CRT) <Susan.Howe@crt.usdoj.gov>; Kelley, Beth (CRT) <Beth.Kelley@crt.usdoj.gov>
Subject: RE: Detail Ad


Thanks so much, Delicia, Cc'ing Beth Kelley for awareness.

From: Taylor, Delicia (CRT)
Sent: Thursday, July 20, 2017 2:21 PM
To: Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>; Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>
Cc: Howe, Suey (CRT) <Susan.Howe@crt.usdoj.gov>
Subject: RE: Detail Ad

Good Afternoon Kathy,

Yes, we will have this posted to the insider on Monday.

Thanks,

Delicia 
Room 3216 BJCN Building
Direct: 202-514-0292
Office: 202-514-3934

From: Toomey, Kathleen (CRT)
Sent: Thursday, July 20, 2017 1:20 PM
To: Guzman, Antonio (CRT) <Antonio.Guzman@crt.usdoj.gov>; Taylor, Delicia (CRT) <Delicia.Taylor@crt.usdoj.gov>
Cc: Howe, Suey (CRT) <Susan.Howe@crt.usdoj.gov>
Subject: Fwd: Detail Ad

Please see below. Is it possible to post this on Monday?

Sent from my iPhone

Begin forwarded message:

From: "Kelley, Beth (CRT)" <Beth.Kelley@crt.usdoj.gov>
Date: July 20, 2017 at 1:08:48 PM EDT
To: "Gore, John (CRT)" <John.Gore@crt.usdoj.gov>, "Toomey, Kathleen (CRT)"
<Kathleen.Toomey@crt.usdoj.gov>
Subject: RE: Detail Ad

Kathy:

Attached please find an updated detail ad (b)(5) per our discussion. Also, I changed the deadline date for applying to August 4, which would be 2 weeks from Monday. Is it possible to get this ad posted and emailed out to everyone on Monday?

Thanks,
Beth

Beth C. Kelley
Senior Counsel
Office of the Assistant Attorney General for the Civil Rights Division
United States Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
(202) 514-0460

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

From: Gore, John (CRT)
Sent: Monday, July 17, 2017 9:10 PM
To: Toomey, Kathleen (CRT) <Kathleen.Toomey@crt.usdoj.gov>
Cc: Kelley, Beth (CRT) <Beth.Kelley@crt.usdoj.gov>
Subject: Detail Ad

Kathy:

As I mentioned today, we are moving forward with detailing some attorneys to initiate a Title VI investigation of a university's admissions policy under the front office's supervision. (b)(5) has drafted a detail ad, which I have reviewed and signed off on.

Beth will send you the ad. Will you take a look, let us know if we need to make any changes, and help us get it posted?

Thanks.

Sent from my iPhone

Detail Opportunity
Office of the Assistant Attorney General
Announcement Number: 17-CRT-DTL-0XX

The Civil Rights Division (Division) seeks attorney detailees to work with the Office of the Assistant Attorney General (OAG) on investigations and possible litigation related to intentional race-based discrimination in college and university admissions. This detail opportunity is limited to Division employees who currently serve in attorney positions.

The successful candidate must be an attorney with excellent written and oral communication skills, demonstrated litigation experience, exceptional interpersonal skills, demonstrated experience working collaboratively with management and line staff, and superlative professional judgment. Interested candidates should be available to start the detail within two weeks of selection.

We encourage all interested attorneys to apply for this position. If you are interested in this detail, please consult the Division's detail policy at http://mycrt/human_resources/employment/detail-policy.docx to confirm that you are eligible for a detail within the Division. The requirement for employees to be in his/her section for two (2) or more continuous years has been waived. All other detail rules will apply. Individuals interested in this detail opportunity should submit a resume and your most recent performance appraisal to CRD.vacancies@usdoj.gov no later than August 4, 2017. Application packages sent via email should reference the announcement number in the subject of the email. Selections will be made based on the candidate's qualifications. Consideration will also be given to staffing needs of particular Sections; all selections will require Section Chief approval.

For additional information on details within the Division, please contact Melissa Jones or Delicia Taylor (202)514-3934.

Equal Employment Opportunity: The U.S. Department of Justice is an Equal Opportunity/Reasonable Accommodation Employer. Except where otherwise provided by law, there will be no discrimination because of color, race, religion, national origin, political affiliation, marital status, disability (physical or mental), age, sex, gender identity, sexual orientation, genetic information, status as a parent, membership or non-membership in an employee organization, on the basis of personal favoritism, or any other non-merit factor. We welcome and encourage applications from persons with physical and mental disabilities. We are firmly committed to satisfying our affirmative obligations under the Rehabilitation Act of 1973, to ensure that persons with disabilities have every opportunity to be hired and advanced on the basis of merit within the Department of Justice.

Reasonable Accommodations: The Division provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and selection process, please notify Disability Program Manager Derek Orr at (202) 307-5165. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.