

Shlossman, Amy

From: Shlossman, Amy
Sent: Monday, August 31, 2009 8:48 PM
To: Grossman, Jordan
Subject: what do you think of this?

(b) (5)

Shlossman, Amy

Pending Consult with Outside Agency

Sent using BlackBerry

Shlossman, Amy

From: Smith, Sean (b) (6)
Sent: Sunday, August 30, 2009 11:20 PM
To: Kuban, Sara; Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: RE: Baucus, Tester defend border money

(b) (5)

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

From: Kuban, Sara (b) (6)
Sent: Sun 8/30/2009 10:25 PM
To: Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: Fw: Baucus, Tester defend border money

Here is the other story - this posted yesterday mid-afternoon and ran in most of the papers in Montana.

Sent using BlackBerry

From: Sara Kuban
To: Kuban, Sara A
Sent: Sun Aug 30 22:19:14 2009
Subject: Baucus, Tester defend border money

Baucus, Tester defend border money

JENNIFER McKEE Gazette State Bureau | Posted: Friday, August 28, 2009 11:05 pm

HELENA - Montana's two senators stressed Friday that it was preparation - not pork - that brought millions of dollars to the state to improve crossing stations along Montana's long border with Canada.

"Post-9/11 is a whole lot different arena than pre-9/11," said Sen. Jon Tester, D-Mont. "We're not building Hollywood mansions along the northern border, I can tell you that."

Tester was responding to an Associated Press report that questioned why Montana received \$15 million for border crossings that receive little traffic. One article described border crossing in Whitetail as costing as much as a "Hollywood mansion."

Tester and Baucus have taken credit for the Homeland Security money flowing to the northern border. The AP report questioned whether that and other crossing stations in rural states leapfrogged ahead of busier crossings in terms of getting money.

Janet Napolitano, director of Homeland Security and former governor of Arizona, which has a busy border with Mexico, said the AP reports were "wrong."

Tester said Friday that one of his first tasks as a senator was to ask for a report on the safety of nation's northern border, which in many places is known for its rural quality and sparse traffic. The report "came back that you've got a vast border, an expansive border that is open to terrorism and smuggling," Tester said.

The nation cannot ignore its border with Canada just because it doesn't see a lot of traffic, he said. Terrorism doesn't necessarily show up at the busiest ports of entry.

"We've pushed to make sure that border is as secure as possible," Tester said. "We are only as secure as our weakest point. It only takes one terrorist."

Baucus also said the northern border is important, if not as busy.

It "cannot be a back door for terrorism and other illegal activity," he said. "I have long fought to make sure our border with Canada is secure and these funds are a wise investment for our national security."

The Whitetail port, for example, was built 45 years ago and has never seen any improvements. The federal priority list for border improvements also considered the condition of the building and the working conditions of border agents.

Shlossman, Amy

From: Smith, Sean (b) (6)
Sent: Saturday, August 29, 2009 10:09 AM
To: Kroloff, Noah; Chani Wiggins; Kuban, Sara A
Cc: Shlossman, Amy
Subject: Day 2

Anything more to report today?

The story didn't even appear in our clips this morning. It's on the Wash Post website, but not the print edition. It's not in any other "national" news outlet site that I can find and I quickly scanned the MT papers and TV sites and I only saw it twice, and in both places it wasn't prominently featured.

Here is the quote we worked up last night to use if asked.

(b) (5)

Anything to report from their offices today? If so, perhaps we do by conf call.

Shlossman, Amy

From: Smith, Sean (b) (6)
Sent: Friday, August 28, 2009 11:13 PM
To: Kroloff, Noah; Shlossman, Amy
Subject: Re: Jon

Sara getting it to them.

From: Kroloff, Noah
To: Shlossman, Amy ; Smith, Sean ; Kroloff, Noah
Sent: Fri Aug 28 22:49:22 2009
Subject: Re: Jon

(b) (5)

From: Shlossman, Amy
To: Smith, Sean ; Kroloff, Noah ; Shlossman, Amy
Sent: Fri Aug 28 22:47:41 2009
Subject: RE: Jon

Noah's changes:

(b) (5)

From: Smith, Sean (b) (6)
Sent: Friday, August 28, 2009 10:33 PM
To: Kroloff, Noah; Shlossman, Amy
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Smith, Sean ; Shlossman, Amy ; Kroloff, Noah
Sent: Fri Aug 28 22:29:50 2009
Subject: Re: Jon

(b) (5)

(b) (5)

From: Smith, Sean
To: Shlossman, Amy ; Kroloff, Noah ; Smith, Sean
Sent: Fri Aug 28 22:22:29 2009
Subject: Re: Jon

(b) (5)

From: Shlossman, Amy
To: Kroloff, Noah ; Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 22:14:37 2009
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Kroloff, Noah ; Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 22:10:49 2009
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Smith, Sean ; Kroloff, Noah ; Shlossman, Amy
Sent: Fri Aug 28 22:09:54 2009
Subject: Re: Jon

(b) (5)

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 22:02:43 2009
Subject: Re: Jon

(b) (5)

Shlossman, Amy

Pending Consult with Outside Agency

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

DHS: Senators wrongly took credit for money

By EILEEN SULLIVAN and MATT APUZZO
The Associated Press
Friday, August 28, 2009; 6:12 PM

WASHINGTON -- The Obama administration said Friday that two Democratic senators falsely took credit for steering millions of dollars to projects in their home state, even as officials acknowledged that the Homeland Security secretary met with the lawmakers and discussed financing the projects.

Homeland Security Secretary Janet Napolitano denies politics played any role in distributing stimulus money. The Associated Press reported this week that her department did not follow its own priority list when selecting projects.

Montana Sens. Max Baucus and Jon Tester have taken credit for helping secure \$77 million in stimulus money for repairs at border stations in their state. That includes \$15 million for a Whitetail, Mont., checkpoint that sees three travelers a day.

"Politicians take credit for things that go on in their state whether they deserve it or not," Homeland Security spokesman Sean Smith said Friday. "These guys are politicians. I don't think anyone should be surprised if they decided to jump in front of that and take some credit for that."

It was an unusually pointed criticism directed at two Democrats. Baucus is chairman of the Senate Finance Committee and a key ally in the Obama administration's push for a health care overhaul.

At first, Smith and Napolitano's chief of staff, Noah Kroloff, denied that Napolitano even met with Tester and Baucus. After the AP contacted the two lawmakers, Smith acknowledged two meetings during the presidential transition, when Napolitano had been nominated but not confirmed.

A reference to the senators' meetings was included in an AP story this week that raised questions about the funding process.

During the Jan. 16 meeting, Baucus told Napolitano it was important to spend money on checkpoints along the Canadian border, citing concerns about illegal activity there, said Tyler Matsdorf, a spokesman for Baucus. He said they did not discuss specific projects.

Tester similarly met with Napolitano Jan. 14 and "discussed in general the importance of strengthening security along Montana's northern border," his spokesman Aaron Murphy said.

After Montana projects received \$77 million under the stimulus, Tester issued a press release crediting those meetings with Napolitano.

It's not unusual or improper for senators to fight for hometown projects. But President Barack Obama banned Congress from choosing projects as part of the \$787 economic stimulus bill, promising his agencies would be objective and transparent.

Smith said Friday that the secretary did not intervene in the selection process.

Napolitano herself acknowledged in April that politicians can influence how money gets spent. She said that as Arizona governor, she pushed the Bush administration to put a project in Nogales, Ariz., at the front of the line for money. It was ranked No. 34 on the internal priority list.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

California Rep. Darrell Issa, the senior Republican on a House oversight committee investigating stimulus spending, is asking Homeland Security to release its records about the selection process.

"All Secretary Napolitano has to do to support her assertion that politics played no role in the awarding of stimulus funds is comply with our letter and disclose the criteria DHS used to determine who got what and why," Issa's spokesman, Kurt Bardella said.

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Shlossman, Amy

From: Kroloff, Noah
Sent: Friday, August 28, 2009 6:54 PM
To: Smith, Sean; (b) (6)
Cc: Shlossman, Amy
Subject: Re: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean
To: Kuban, Sara ; Wiggins, Chani Winn
Cc: Kroloff, Noah; Shlossman, Amy
Sent: Fri Aug 28 18:39:20 2009
Subject: FW: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

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The Associated Press
Friday, August 28, 2009; 6:12 PM

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"All Secretary Napolitano has to do to support her assertion that politics played no role in the awarding of stimulus funds is comply with our letter and disclose the criteria DHS used to determine who got what and why," Issa's spokesman, Kurt Bardella said.

###

Shlossman, Amy

From: Smith, Sean (b) (6)
Sent: Friday, August 28, 2009 4:23 PM
To: Komarow, Steven
Cc: Kroloff, Noah; Shlossman, Amy
Subject: RE: clarification

Hi Steve:

Not denying. If you all end up writing on this, I'd like to give you something more succinct, but I suspect they did indeed talk about northern border crossing, highly dubious though that they would have talked about the recovery act, since I'm not sure it existed yet.

On the other, the list that was shared with Eileen and Matt includes the outstanding infrastructural "needs" of all CBP and GSA ports throughout the country. When funding becomes available, however, ports are evaluated based on current needs in addition to requirements of the given enacting legislation- be it regular appropriations or in this case, ARRA. Under ARRA, port projects were evaluated based on need as well as the feasibility of implementing major construction within the timelines and accountability requirements prescribed by the legislation, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues.

Accordingly, the list your reporters saw does not accurately reflect the "priority" order of ARRA projects, but simply the outstanding needs of all ports- GSA and CBP owned- across the country. The ARRA "priority list," which takes into account all of the requirements of the legislation as well as the actual funding distribution - \$420 million to CBP and \$300 million to GSA- was released publicly last spring and is available at recovery.gov.

Thanks,
Sean

From: prvs=48404d2c8=SKomarow@ap.org [mailto:prvs=48404d2c8=SKomarow@ap.org] **On Behalf Of** Komarow, Steven
Sent: Friday, August 28, 2009 2:34 PM
To: Smith, Sean
Cc: Kroloff, Noah; Shlossman, Amy
Subject: RE: clarification

Hi Sean,

We're still checking with the Senate offices. Clarifying question, from your email: does DHS deny that the issue of these northern border crossings came up in the transition meeting with Baucus and Tester?

I also would like to request again that DHS make available the priority list that our folks were able to view but couldn't make public. Seems to me that's the best way for us to go forward effectively on examining the funding or not funding of the ports under the stimulus program.

Much thanks,
Steve

From: Smith, Sean [mailto: (b) (6)]
Sent: Friday, August 28, 2009 2:07 PM
To: Komarow, Steven
Cc: Kroloff, Noah; Shlossman, Amy
Subject: clarification

Hi Steve: Thanks again for the call today. I want to make a clarifying point. I believe I said Secretary Napolitano has not met with Sens. Baucus and Tester. That is true, but apparently she met with them both during the transition, after she was nominated but prior to her confirmation. Additionally, she spoke with Tester on May 6 and with Baucus on August 5, both after the CBP port project list was made public.

Also, off the record, you might ask Matt to go through Tester's website and see how many other projects for which he takes credit. Will there be a thorough investigation into if he has surreptitiously influenced the process in these cases?

http://tester.senate.gov/Newsroom/pr_071309_housing.cfm

Baucus, Tester announce \$15.5 million for Montana housing

Money will create jobs by building low-income housing

Monday, July 13, 2009

(WASHINGTON, D.C.) –More money is heading to Montana to create jobs, thanks to \$15.5 million from the Jobs-Stimulus Bill announced today by Senators Max Baucus and Jon Tester.

The Montana Board of Housing will receive \$15,510,979 to finance projects to build and upgrade housing for low-income families. The board will use the money to replace a loss in bond sales due to the downturn in the economy.

“With Montana’s rural nature, it is impossible for smaller projects to attract investors for our tax credits,” said Bruce Brendsal, Administrator for the Montana Board of Housing. “This important program will allow our small projects to move forward employing many folks in the construction industry as well as providing housing that is a critical need in our communities across the great State of Montana.”

“Affordable housing is key to maintaining a strong community,” Baucus said. “This is a win-win because construction workers will have jobs building housing for the families and individuals who need that housing the most.”

“This is good news for working folks all over Montana,” Tester said. “This money will put people to work today and make our infrastructure stronger in the long run. With smart investments like this, we can keep Montana a great place to live and work.”

The Jobs-Stimulus Bill is bringing more than \$1 billion in new funding to Montana in addition to more than \$500 million in middle-class tax relief.

http://tester.senate.gov/Newsroom/pr_081409_vetscenters.cfm

Tester announces new Veterans Centers for Great Falls, Kalispell

Senator's request for new centers approved by VA

Friday, August 14, 2009

(BELGRADE, Mont.) – The U.S. Veterans Administration has approved two requests by Senator Jon Tester to open new Vet Centers in Great Falls and Kalispell, Tester announced today.

Tester made the requests, along with Montana's Lieutenant Governor John Bohlinger, in a face-to-face meeting with Secretary of Veterans Affairs Eric Shinseki.

"This is great news for Montana's veterans," said Tester, Montana's only member of the Veterans' Affairs Committee. "These new Vet Centers will help veterans in Great Falls, Kalispell and surrounding communities access valuable and vital services closer to home."

Vet Centers provide readjustment counseling, mental health screening, assistance with disability claims, and other services to combat veterans. Centers also conduct community outreach on family and employment issues and provide bereavement counseling for families of service members killed on active duty.

Tester is the author of the Rural Veterans Health Care Improvement Act, which would improve care for the more than 100,000 veterans living in Montana. Tester's bill would improve mental health services for veterans, provide grants for innovative programs that improve health care for rural veterans, and lock in the current travel reimbursement for disabled veterans, secured by Tester. The bill has cleared the Veterans' Affairs Committee and is awaiting a vote by the full Senate.

Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)

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Shlossman, Amy

From: Shlossman, Amy
Sent: Friday, August 28, 2009 4:17 PM
To: 'Smith, Sean'
Subject: RE: clarification

Noticed an extra "s" in timelines below and added a few clarifications.

From: Shlossman, Amy
Sent: Friday, August 28, 2009 4:05 PM
To: Smith, Sean
Cc: Kroloff, Noah
Subject: RE: clarification

(b) (5)

From: Smith, Sean [mailto: (b) (6)]
Sent: Friday, August 28, 2009 3:02 PM
To: Shlossman, Amy; Smith, Sean
Cc: Kroloff, Noah
Subject: RE: clarification

(b) (5)

[Redacted]

From: Shlossman, Amy [mailto: (b) (6)]
Sent: Friday, August 28, 2009 2:59 PM
To: Smith, Sean
Cc: Kroloff, Noah
Subject: RE: clarification

(b) (5)

[Redacted]

(b) (5)

From: Smith, Sean [mailto: (b) (6)]
Sent: Friday, August 28, 2009 2:47 PM
To: Shlossman, Amy
Cc: Kroloff, Noah
Subject: Fw: clarification

(b) (5)

From: prvs=48404d2c8=SKomarow@ap.org
To: Smith, Sean
Cc: Kroloff, Noah ; Shlossman, Amy
Sent: Fri Aug 28 14:33:45 2009
Subject: RE: clarification
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I also would like to request again that DHS make available the priority list that our folks were able to view but couldn't make public. Seems to me that's the best way for us to go forward effectively on examining the funding or not funding of the ports under the stimulus program.

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Money will create jobs by building low-income housing

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Tester announces new Veterans Centers for Great Falls, Kalispell

Senator’s request for new centers approved by VA

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“This is great news for Montana’s veterans,” said Tester, Montana’s only member of the Veterans’ Affairs Committee. “These new Vet Centers will help veterans in Great Falls, Kalispell and surrounding communities access valuable and vital services closer to home.”

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Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)

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Shlossman, Amy

From: Kroloff, Noah (b) (6)
Sent: Friday, August 28, 2009 1:00 PM
To: Smith, Sean; Shlossman, Amy
Subject: Fw: Not again

From: Kroloff, Noah
To: Fournier, Ron ; Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted ; Dan Pfeifer
Sent: Fri Aug 28 12:34:38 2009
Subject: RE: Not again
R—

Thanks for your email. You're right, we did have what I thought was a productive conversation last night. I appreciated it and appreciated that you agreed to take a second look at the story about ports and ARRA. As you know, I expressed serious concern about today's follow-on story and had reached out to you before it was written. We have now absorbed two stories that we believe are inaccurate and not based in fact. Because the facts were not reported accurately, we believed it important for us to inform the public about them.

I very much enjoyed our conversation with your deputies. It was productive and I appreciate that they too are going to go back and take another look at this.

As for apologies, I certainly accept that both Eileen's and Matt's were genuine when they expressed regret for their behavior with respect to Jay Ahearn. You have no reason to question Sean's or my apology.

I agree on trends. We seem to be having a troubling time with the AP on the factual basis for stories about DHS that we are not having with other media outlets. We should continue to discuss at your convenience.

From: prvs=484a5f168=RFournier@ap.org [mailto:prvs=484a5f168=RFournier@ap.org] **On Behalf Of** Fournier, Ron
Sent: Friday, August 28, 2009 10:37 AM
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted; Dan Pfeifer
Subject: Not again

Noah,

I heard you out for 30 minutes last night, defending our story point-by-every point raised in your initial email and agreeing to have our deputies discuss new claims you raised on the call and details you and I were not versed in.

And now I hear you posted the dubious AP attack before allowing that follow-up conversation to occur today? The one we agreed to have?

To say I feel betrayed and played would be an understatement.

I now must take with a grain of salt the apologies you gave me for your staff's rude and threatening treatment of my beat reporter earlier this year. There is a distinct and troubling trend here, one I've not come across in any other corner of the Obama administration

There is an old saying, Noah: Fool me once, shame on you. Fool me twice, shame on me.

It won't happen again.

Ron

Sent from my GoodLink Wireless Handheld (www.good.com)

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Shlossman, Amy

From: Smith, Sean (b) (6)
Sent: Friday, August 28, 2009 10:41 AM
To: Kroloff, Noah; Shlossman, Amy
Subject: Re: Not again

The LJ post by Aguliar.

From: Kroloff, Noah
To: Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 10:38:58 2009
Subject: Fw: Not again

What is he talking about

From: prvs=484a5f168=RFournier@ap.org
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted ; Dan Pfeifer
Sent: Fri Aug 28 10:36:43 2009
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Shlossman, Amy

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To: Shlossman, Amy; Smith, Sean
Subject: Fw: Re: Let's talk. Free now?

From: prvs=484a5f168=RFournier@ap.org
To: Kroloff, Noah
Sent: Thu Aug 27 20:23:51 2009
Subject: RE: Re: Let's talk. Free now?

Ah. Yes.

Sent from my GoodLink Wireless Handheld (www.good.com)

-----Original Message-----
From: Kroloff, Noah [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 08:19 PM Eastern Standard Time
To: Fournier, Ron
Subject: Re: Let's talk. Free now?

Thanks. I'm hoping you/he will give it consideration tonight before it runs in papers tomorrow.

----- Original Message -----
From: prvs=48300002f=RFournier@ap.org <prvs=48300002f=RFournier@ap.org>
To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 19:55:14 2009
Subject: RE: Let's talk. Free now?

Steve will, sure.

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

-----Original Message-----
From: Kroloff, Noah [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 7:47 PM
To: Fournier, Ron
Subject: Re: Let's talk. Free now?

Also meant to add that if today's piece, as currently written says, "The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs," how can it also be claiming that, "Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list." That very contradiction--on the one hand claiming that we wouldn't share a priority list while on the other saying that the ap reviewed the priority list--really would give anyone some pause as to factual accuracy in my opinion, to say nothing of the fact that I think we are witnessing some serious confusion about gsa vs cbp vs arra vs approps funding/ports.

Would you taking a look at this, Ron?

----- Original Message -----
From: Kroloff, Noah

To: 'RFournier@ap.org' <RFournier@ap.org>
Sent: Thu Aug 27 18:35:40 2009
Subject: Re: Let's talk. Free now?

Hey. Thanks for talking. The quote below gets to the point of where we have a serious miscommunication that calls for a correction:

"The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs." "But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list." "A busy border station in her home state, for instance, was ranked No. 34 on the master priority list."

This isn't factually accurate and blends the confusion between what is a gsa port and cbp port, what is shovel ready under arra and what got funded thru the approps.

I appreciate you agreeing to remove the line saying we aren't asking for a correction, because we are, but I strongly believe printing the above misrepresents the facts as they are and as they were presented to your reporters.

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

From: prvs=4830002f=RFournier@ap.org <prvs=4830002f=RFournier@ap.org>
To: Kroloff, Noah <(b) (6)>
Sent: Thu Aug 27 17:02:19 2009
Subject: Let's talk. Free now?

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Shlossman, Amy

From: Grossman, Jordan
Sent: Thursday, August 27, 2009 7:04 PM
To: Shlossman, Amy
Subject: RE:

(b) (5) [Redacted]

[Redacted]

From: Shlossman, Amy
Sent: Thursday, August 27, 2009 6:40 PM
To: Grossman, Jordan
Subject:

(b) (5) [Redacted]

Shlossman, Amy

From: Shlossman, Amy
Sent: Thursday, August 27, 2009 6:40 PM
To: Kroloff, Noah; Kudwa, Amy; Smith, Sean; Beers, Rand
Subject: RE: Napolitano: Politics didn't push stimulus projects

To add to our running fact vs. fiction list.

(b) (5) [Redacted]

From: Kroloff, Noah
Sent: Thursday, August 27, 2009 6:31 PM
To: Shlossman, Amy; Kudwa, Amy; Smith, Sean; Beers, Rand
Subject: Re: Napolitano: Politics didn't push stimulus projects

Guys--i talked to ron. Cn we do a call at 8 (b) (6) [Redacted] We have a call with them tomorrow.

From: Shlossman, Amy
To: Kudwa, Amy; Kroloff, Noah; Smith, Sean; Beers, Rand
Sent: Thu Aug 27 18:08:42 2009
Subject: RE: Napolitano: Politics didn't push stimulus projects

Among the many factual errors in this article, I think the back to back contradiction here puts it best:

"The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs."

"But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list."

"A busy border station in her home state, for instance, was ranked No. 34 on the master priority list."

From: Kudwa, Amy
Sent: Thursday, August 27, 2009 5:46 PM
To: Kroloff, Noah; Smith, Sean; Shlossman, Amy; Beers, Rand
Subject: AP: Napolitano: Politics didn't push stimulus projects

AP ran a story on her comments this morning. I don't see how the chief of staff reaching out to the bureau chief with a point by point rebuttal isn't asking for a correction.

Napolitano: Politics didn't push stimulus projects

By EILEEN SULLIVAN and ANABELLE GARAY (AP) – 1 hour ago

DALLAS — Homeland Security Secretary Janet Napolitano said Thursday that politics did not influence the decision to spend millions of dollars in stimulus money on little-used border checkpoints while passing over higher-priority projects.

Members of Congress have asked for answers after The Associated Press showed that the Obama administration did not follow its internal priority list when handing out money to repair border stations nationwide.

Two Montana senators have taken credit for securing money for projects in their state, including \$15 million for a border crossing that sees about three travelers a day. Democratic Sen. John Tester said he and colleague Max Baucus personally appealed to Napolitano to make that and other Montana projects happen.

At a Dallas news conference Thursday, Napolitano said the AP story "was just wrong and I'll say that because there was no kind of political issues involved there."

Napolitano did not say what was incorrect about the story and the department has not asked for a correction.

The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs. On Thursday, the AP renewed its request for the department to release its justification for deviating from the list, which Congress requires to be updated annually.

A House oversight committee has added the checkpoint projects to its investigation into how the stimulus money is being spent. The top Republican on that committee, California Rep. Darrell Issa, sent Napolitano a letter Wednesday, questioning why some projects leapfrogged others.

In promoting the stimulus, President Barack Obama banned "earmarks," which lawmakers routinely slip into bills to pay for pet projects, and he told agencies to "develop transparent, merit-based selection criteria" for spending.

But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list. Officials said the list was just a starting point and would be too easily misunderstood. Officials said they could select projects out of order for any number of reasons.

Napolitano has acknowledged that politicians can influence an administration's spending plans. A busy border station in

her home state, for instance, was ranked No. 34 on the master priority list. But as governor of Arizona, she lobbied hard to get it at the top of the Bush administration's spending plan.

Under the stimulus, the Nogales, Ariz., checkpoint will receive \$199 million, five times more than any other project.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

CBP officials provided justifications for some but not all of the projects that were funded out of order. They would not address what role Tester and Baucus played in securing \$15 million for a border station in the sleepy town of Whitetail, Mont., the size and cost of a Hollywood mansion.

Nor have they addressed another why the Westhope, N.D., checkpoint, which serves about 73 people a day and is among the lowest-priority projects, is set to get nearly \$15 million for renovations. Sullivan reported from Washington. Associated Press writer Matt Apuzzo in Washington contributed to this report.

From: 36-yWShQKCbknfkdZkdqsr-mnqdokxfnnfkd.bn19lx.JtcvZcgr.fnu@alerts.bounces.google.com

To: Kudwa, Amy

Sent: Thu Aug 27 16:30:35 2009

Subject: Google Alert - Janet Napolitano

Google News Alert for: Janet Napolitano

Napolitano: Politics didn't push stimulus projects

The Associated Press

DALLAS — Homeland Security Secretary **Janet Napolitano** said Thursday that politics did not influence the decision to spend millions of dollars in stimulus ...

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Shlossman, Amy

From: Kudwa, Amy
Sent: Thursday, August 27, 2009 6:37 PM
To: Smith, Sean; Kroloff, Noah; Shlossman, Amy; Beers, Rand
Subject: Re: Napolitano: Politics didn't push stimulus projects

Whenever we do it, we can use the OPA conference line:

(b) (6)

From: Smith, Sean
To: Kroloff, Noah; Shlossman, Amy; Kudwa, Amy; Beers, Rand
Sent: Thu Aug 27 18:35:18 2009
Subject: RE: Napolitano: Politics didn't push stimulus projects
7:30 or 7:45 would be easier for me, but I can do whatever

From: Kroloff, Noah
Sent: Thursday, August 27, 2009 6:31 PM
To: Shlossman, Amy; Kudwa, Amy; Smith, Sean; Beers, Rand
Subject: Re: Napolitano: Politics didn't push stimulus projects

Guys--i talked to ron. Cn we do a call at 8. (b) (6). We have a call with them tomorrow.

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From: Kudwa, Amy
Sent: Thursday, August 27, 2009 5:46 PM
To: Kroloff, Noah; Smith, Sean; Shlossman, Amy; Beers, Rand
Subject: AP: Napolitano: Politics didn't push stimulus projects

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Napolitano has acknowledged that politicians can influence an administration's spending plans. A busy border station in her home state, for instance, was ranked No. 34 on the master priority list. But as governor of Arizona, she lobbied hard to get it at the top of the Bush administration's spending plan.

Under the stimulus, the Nogales, Ariz., checkpoint will receive \$199 million, five times more than any other project.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

CBP officials provided justifications for some but not all of the projects that were funded out of order. They would not address what role Tester and Baucus played in securing \$15 million for a border station in the sleepy town of Whitetail, Mont., the size and cost of a Hollywood mansion.

Nor have they addressed another why the Westhope, N.D., checkpoint, which serves about 73 people a day and is among the lowest-priority projects, is set to get nearly \$15 million for renovations. Sullivan reported from Washington. Associated Press writer Matt Apuzzo in Washington contributed to this report.

From: 36-yWShQKCbknfkdZkdqsr-mnqdokxfnnfkd.bnI9lx.JtcvZcgr.fnu@alerts.bounces.google.com

To: Kudwa, Amy

Sent: Thu Aug 27 16:30:35 2009

Subject: Google Alert - Janet Napolitano

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Napolitano: Politics didn't push stimulus projects

The Associated Press

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Shlossman, Amy

From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 6:36 PM
To: Shlossman, Amy; Smith, Sean; Kudwa, Amy; Beers, Rand
Subject: Fw: Let's talk. Free now?

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

From: Kroloff, Noah
To: 'RFournier@ap.org' <RFournier@ap.org>
Sent: Thu Aug 27 18:35:40 2009
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To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 17:02:19 2009
Subject: Let's talk. Free now?

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Shlossman, Amy

From: Smith, Sean
Sent: Thursday, August 27, 2009 6:07 PM
To: Kudwa, Amy; Kroloff, Noah; Shlossman, Amy; Beers, Rand
Subject: RE: Napolitano: Politics didn't push stimulus projects

(b) (5)

From: Kudwa, Amy
Sent: Thursday, August 27, 2009 5:46 PM
To: Kroloff, Noah; Smith, Sean; Shlossman, Amy; Beers, Rand
Subject: AP: Napolitano: Politics didn't push stimulus projects

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From: 36-yWShQKCbknfnfdZkdqsr-mnqdokxfnnfd.bn19lx.JtcvZcgr.fnu@alerts.bounces.google.com

To: Kudwa, Amy

Sent: Thu Aug 27 16:30:35 2009

Subject: Google Alert - Janet Napolitano

Google News Alert for: **Janet Napolitano**

Napolitano: Politics didn't push stimulus projects

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The Associated
Press

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Shlossman, Amy

From: Shlossman, Amy
Sent: Thursday, August 27, 2009 4:21 PM
To: Smith, Sean; LOPEZ, MARCO A
Subject: RE: Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 4:15 PM
To: Shlossman, Amy; LOPEZ, MARCO A
Subject: RE: Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

(b) (5)

From: LOPEZ, MARCO A (HQ) [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 4:12 PM
To: Smith, Sean; O'CONNELL, MARIA L.; Shlossman, Amy
Subject: RE: Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 4:12 PM
To: O'CONNELL, MARIA L.; Shlossman, Amy
Cc: LOPEZ, MARCO A (HQ)
Subject: RE: Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

(b) (5)

From: O'CONNELL, MARIA L. [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 4:01 PM
To: Smith, Sean
Cc: LOPEZ, MARCO A (HQ)
Subject: Fw: Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

(b) (5)

Maria Luisa

From: LEMAITRE, RAFAEL
To: O'CONNELL, MARIA L.
Cc: FRIEL, MICHAEL J
Sent: Thu Aug 27 15:52:21 2009
Subject: Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

David Aguilar

Acting Deputy Commissioner, U.S. Customs and Border Protection

The American Recovery and Reinvestment Act (ARRA) provided critical funding to improve security along our borders at our land ports of entry. Customs and Border Protection, part of the Department of Homeland Security, is utilizing \$420 million in Recovery Act funding to replace aging infrastructure and enhance safety at 43 ports of entry across the country- through an objective, thorough, and transparent process.

On August 26, the Associated Press ran a misleading story that portrayed this process as biased and secretive. This is absolutely incorrect. The AP was provided information which it chose not to include in its story that clearly demonstrates how our Recovery dollars are being put to work quickly and transparently.

The AP claimed that political considerations helped determine which ports received ARRA funding. In reality, CBP and the General Services Administration used a thorough, objective, and transparent process based on the merits of each project to select the ports of entry that will be modernized with ARRA funds.

This process was long in the making. The assessment to rank the conditions and needs of all 163 U.S. land ports of entry started in 2003. CBP incorporated over 60 factors across four categories, ranging from health and life safety concerns to workload growth and space and site deficiencies. For ARRA funds, which were tied to construction timelines, CBP also identified and analyzed a range of factors that could impact the feasibility of meeting these timelines. This list is public on Recovery.gov <http://www.recovery.gov/?q=content/program-plan&program_id=7878> .

The AP also alleges that DHS chose to use ARRA funding for small, low-traffic northern border ports rather than for busier ports along the southwest border, such as the port in Laredo, Texas.

But what the AP story doesn't reflect is how the funding process works and an understanding of how ownership of a port restricts the funding process. DHS received ARRA funding specifically for ports owned by CBP, which includes 39 ports of entry along the northern border and four along the

southwest border. None of these CBP owned ports are in Laredo. GSA owns or leases all the Laredo port facilities, part of the 38 southwest border land ports that GSA controls.

Most of the ports CBP owns are small, rural, low-traffic ports along the northern border. Most are four decades old and unequipped to meet the security needs of a modern, post-9/11 world.

Finally, the AP wrote that CBP had a secretive process for determining port funding and refused to provide justifications for its decisions. This is patently false. Prior to the AP's story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov <http://www.recovery.gov/?q=content/program-plan&program_id=7878> .

DHS provided the AP with unprecedented access to a wide array of additional information about final project selections, including a nearly three-hour briefing and access to all supporting documents. CBP also provided written, on-the-record justifications for why specific ports were not eligible for ARRA funds due to feasibility and project readiness issues. DHS also made available to the AP numerous high-level policymakers for interviews on this topic.

In every instance, we provided the AP with information, which – if reported fully and accurately – would have addressed their questions. Americans should have confidence in the objectivity and openness with which ARRA funds have been dedicated to port projects and both CBP and DHS are committed to upholding this responsibility. To find out more about how ARRA funds are being used in your community and across the country, visit Recovery.gov.

Rafael Lemaitre
Senior Advisor for Media and Communications
Customs and Border Protection
Department of Homeland Security

(b) (6)

Shlossman, Amy

From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 2:17 PM
To: Shlossman, Amy; Smith, Sean; Kudwa, Amy; Beers, Rand
Subject: Fw:

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

From: Kroloff, Noah
To: 'RFournier@ap.org' <RFournier@ap.org>
Sent: Thu Aug 27 14:13:08 2009
Subject: Re:

Thanks. Heading to the airport. Appreciate you taking a look at this.

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

From: prvs=48300002f=RFournier@ap.org <prvs=48300002f=RFournier@ap.org>
To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 13:53:16 2009
Subject: RE:

Hi Noah,

Just returned from the road. Let me dig into this note and the story.

I will get back to you.

Hope you're well.

Ron

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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

From: Kroloff, Noah [mailto:(b) (6)]
Sent: Thursday, August 27, 2009 11:59 AM
To: Fournier, Ron
Subject:

Ron--

How are you? I'm traveling with the secretary right now, which is why I didn't reach out to you yesterday, as per our agreement to come to each other on serious issues that arise between dhs and the ap, but Eileen and Matt's story on ports yesterday was one. So, a couple things I'd like to catch you on later today/tomorrow:

1) Can you take a look at below? It basically walks through the allegations made in the story and provides context on what I believe is reality related to the claims.

2) I was personally involved in trying to brief Matt and Eileen. I have to say that that process was alarming at best. Matt later called to apologize and it is my understanding that Eileen also sent an apology email to Jay Ahearn (cbp commissioner), but the gist of it was

that they had a number of erroneous assumptions about port funding that were not supported by the facts. We provided them with those facts through unprecedented access and a 3 hour meeting at cbp literally walking them through the analysis done to prioritize port funding. This occurred even though Matt was accusing us of lying to him and hiding information from the ap. Worth also noting that we did this the Monday following the murder of one of our border patrol agents.

3) While I thought we had arrived at a point where the facts spoke for themselves, it appears that your writers simply chose to ignore them.

I'd like to discuss all of this with you further. Is there a time we can speak?

AP claim: Political considerations determined which port of entry projects received ARRA money.

FACT: CBP and GSA used a thorough, objective and transparent process of analysis and prioritization based on the merits of each project to select the ports of entry that will be modernized with ARRA funds. Beginning in 2003, CBP started an assessment to rank the conditions and needs of all 163 U.S. land ports of entry. CBP incorporated over 60 distinct factors across four categories—mission and operation requirements, health and life safety concerns, personnel and workload growth, and space and site deficiencies. In order to satisfy additional ARRA requirements for accountability, timeliness and transparency, CBP incorporated an additional layer of analysis into this assessment methodology. Specifically, CBP identified risk factors that could impact the feasibility of implementing major construction at any CBP-owned location within the timelines prescribed under the ARRA, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues. Through this comprehensive and objective process, the land ports of entry modernization list was determined and made public on Recovery.gov

AP claim: Sens. Baucus and Tester “pressed Napolitano to finance projects in their state.”

FACT: The AP gives no evidence whatsoever of this claim, probably because none exists. Secretary Napolitano had no influence on the funding decisions and these Senators did not communicate to the Secretary their desire to see these projects financed.

AP claim: CBP's process for selecting land port of entry projects for ARRA funding is secretive and the agency refused to provide justifications for its decisions. FACT: Prior to the AP's story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov. While some information used to rank projects cannot be made public because it contains law enforcement sensitive information, DHS provided the AP with unprecedented access to a wide array of additional information CBP used to support final project selections, including written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues. They were given a nearly 3 hour briefing and access to all of the supporting documents. Additionally, DHS repeatedly made DHS Chief of Staff Noah Kroloff, Acting Commissioner of CBP Jay Ahern, CBP Chief of Staff Marco Lopez, and DHS Assistant Secretary for Public Affairs Sean Smith available to the AP for on-the-record interviews on this topic.

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AP claim: DHS is choosing to use ARRA funding for small, low-traffic Northern border ports that are lower on the priority list than several busier ports along the Southwest border, such as the port in Laredo, TX that are not receiving ARRA funding.

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reporting.

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this e-mail. Thank you.

[IP_US_DISC]

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Shlossman, Amy

From: Smith, Sean
Sent: Thursday, August 27, 2009 10:19 AM
To: Kroloff, Noah
Cc: Shlossman, Amy
Subject: AP Fact sheet

AP Claim: Political considerations determined which port of entry projects received ARRA money.

FACT: CBP and GSA used a thorough, objective and transparent process of analysis and prioritization based on the merits of each project to select the ports of entry that will be modernized with ARRA funds. Beginning in 2003, CBP started an assessment to rank the conditions and needs of all 163 U.S. land ports of entry. CBP incorporated over 60 distinct factors across four categories—mission and operation requirements, health and life safety concerns, personnel and workload growth, and space and site deficiencies. In order to satisfy additional ARRA requirements for accountability, timeliness and transparency, CBP incorporated an additional layer of analysis into this assessment methodology. Specifically, CBP identified risk factors that could impact the feasibility of implementing major construction at any CBP-owned location within the timelines prescribed under the ARRA, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues. Through this comprehensive and objective process, the land ports of entry modernization list was determined and made public on Recovery.gov.

AP claim: Sens. Baucus and Tester “pressed Napolitano to finance projects in their state.”

FACT: The *AP* gives no evidence whatsoever of this claim, probably because none exists. Secretary Napolitano had no influence on the funding decisions and these Senators did not communicate to the Secretary their desire to see these projects financed.

AP claim: CBP’s process for selecting land port of entry projects for ARRA funding is secretive and the agency refused to provide justifications for its decisions.

FACT: Prior to the *AP*’s story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov. While some information used to rank projects cannot be made public because it contains law enforcement sensitive information, DHS provided the *AP* with unprecedented access to a wide array of additional information CBP used to support final project selections, including written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues. They were given a nearly 3 hour briefing and access to all of the supporting documents. Additionally, DHS repeatedly made DHS Chief of Staff Noah Kroloff, Acting Commissioner of CBP Jay Ahern, CBP Chief of Staff Marco Lopez, and DHS Assistant Secretary for Public Affairs Sean Smith available to the *AP* for on-the-record interviews on this topic.

AP claim: Projects in DHS Secretary Janet Napolitano’s home state of Arizona received preferential treatment.

FACT: The Nogales, AZ Land Port of Entry referenced in the *AP* story is owned by GSA, not DHS as the *AP* implies. *This was made clear to the reporters before the story ran.* Planning for this port project began in 2006 with a feasibility study and Congress authorized the GSA to initiate the design for the new port of entry in 2007, more than two years before Napolitano became Secretary of DHS. The design was completed in early 2009, and the passage of ARRA put the project on course to initiate construction in late 2009. *This was also made clear to the reporters before the story ran.*

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Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)

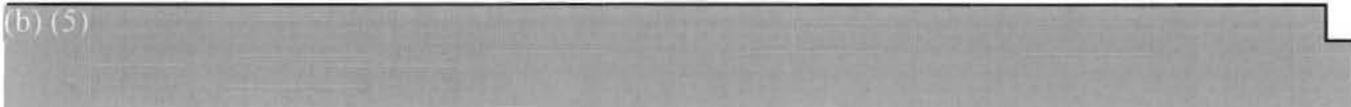
Shlossman, Amy

Not Responsive

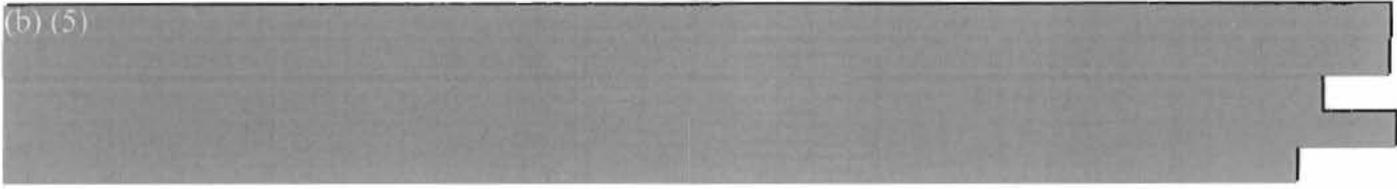
From: Smith, Sean
Sent: Wednesday, August 26, 2009 6:23 PM
To: 'Oxhorn, Elizabeth A.'
Cc: Shapiro, Nicholas S.; 'Chandler, Matthew M'; Shlossman, Amy
Subject: port inquiry

A TV station in Tucson wants to do a story on the Nogales port. Looking for a DHS spox to interview. We're going to try and kill the story first. But here's a draft quote if we're unsuccessful. Thoughts?

(b) (5)



(b) (5)



Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)



Shlossman, Amy

From: Kroloff, Noah (b) (6)
Sent: Wednesday, August 26, 2009 6:40 PM
To: Shlossman, Amy; LEMAITRE, RAFAEL; Smith, Sean; Grossman, Jordan; Kroloff, Noah; LOPEZ, MARCO A (HQ); Chandler, Matthew M; O'CONNELL, MARIA L.
Subject: Re: AP- fact vs. fiction

This is good. What are we doing with it

From: Shlossman, Amy
To: LEMAITRE, RAFAEL; Smith, Sean ; Grossman, Jordan ; Kroloff, Noah ; LOPEZ, MARCO A (HQ); Chandler, Matthew ; O'CONNELL, MARIA L.
Sent: Wed Aug 26 18:29:35 2009
Subject: RE: AP- fact vs. fiction
Here's the latest with a few gems from Sean and the Laredo funding issue clarified.

Misleading AP Claim: Political considerations determined which port of entry projects received ARRA money.

FACT: CBP and GSA used a thorough, objective and transparent process of analysis and prioritization based on the merits of each project to select the ports of entry that will be modernized with ARRA funds. Beginning in 2003, CBP started an assessment to rank the conditions and needs of all 163 U.S. land ports of entry. CBP incorporated over 60 distinct factors across four categories—mission and operation requirements, health and life safety concerns, personnel and workload growth, and space and site deficiencies. In order to satisfy additional ARRA requirements for accountability, timeliness and transparency, CBP incorporated an additional layer of analysis into this assessment methodology. Specifically, CBP identified risk factors that could impact the feasibility of implementing major construction at any CBP-owned location within the timelines prescribed under the ARRA, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues. Through this comprehensive and objective process, the land ports of entry modernization list was determined and made public on Recovery.gov.

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The "port" of Laredo encompasses four distinct inspection facilities, which are all owned or leased by GSA, not DHS. When evaluated for ARRA funding, potential projects for each of the four inspection facilities within the Laredo metropolitan area could not meet ARRA requirements because of project scoping issues and historic preservation requirements. As noted above, at the AP's request, CBP provided written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues, but the AP chose not to include this information in their reporting.

From: LEMAITRE, RAFAEL [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 6:25 PM
To: Shlossman, Amy; Smith, Sean; Grossman, Jordan; Kroloff, Noah; LOPEZ, MARCO A (HQ); Chandler, Matthew; O'CONNELL, MARIA L.
Subject: RE: AP- fact vs. fiction

This is fantastic.

We're getting a few local TV station types calling for comment. Our posture is to refer them over to DHS OPA.

From: Shlossman, Amy [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 5:03 PM
To: Smith, Sean; Grossman, Jordan; Kroloff, Noah; LOPEZ, MARCO A (HQ); LEMAITRE, RAFAEL; Chandler, Matthew
Subject: AP- fact vs. fiction

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(b) (5)



(b) (6)

Shlossman, Amy

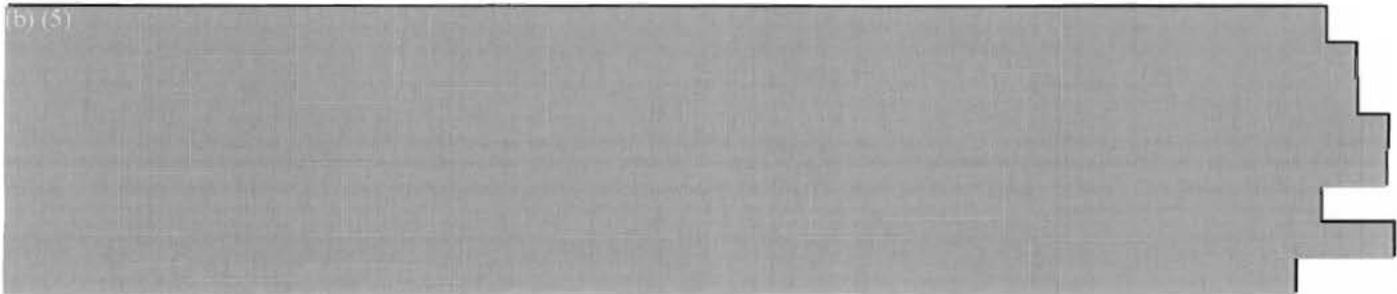
From: Shlossman, Amy
Sent: Wednesday, August 26, 2009 6:26 PM
To: Smith, Sean
Subject: RE: port inquiry

Planning for this port project began in 2006 with a feasibility study and Congress authorized the GSA to initiate the design for the new port of entry in 2007, more than two years before Napolitano became Secretary of DHS. The design was completed in early 2009, and the passage of ARRA put the project on course to initiate construction in late 2009.

From: Smith, Sean
Sent: Wednesday, August 26, 2009 6:23 PM
To: 'Oxhorn, Elizabeth A.'
Cc: Shapiro, Nicholas S.; 'Chandler, Matthew M'; Shlossman, Amy
Subject: port inquiry

(b) (5)

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A large rectangular area of the document is completely redacted with a solid grey fill. The redaction covers the majority of the page's content.

Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)

Shlossman, Amy

From: Shlossman, Amy
Sent: Wednesday, August 26, 2009 5:39 PM
To: Smith, Sean
Subject: RE: try this

From: Smith, Sean
Sent: Wednesday, August 26, 2009 5:36 PM
To: Shlossman, Amy
Subject: RE: try this

(b) (5)

From: Shlossman, Amy
Sent: Wednesday, August 26, 2009 5:30 PM
To: Smith, Sean
Subject: try this

Misleading AP claim: DHS is choosing to use ARRA funding for small, low-traffic Northern border ports that are lower on the priority list than several busier ports along the Southwest border, such as the port in Laredo, TX that are not receiving ARRA funding.

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Shlossman, Amy

From: Shlossman, Amy
Sent: Wednesday, August 26, 2009 5:09 PM
To: Shlossman, Amy; LEMAITRE, RAFAEL; Smith, Sean; O'CONNELL, MARIA L.
Cc: LOPEZ, MARCO A (HQ); Grossman, Jordan
Subject: RE: Point by Point rebuttal

(b) (5)

From: Shlossman, Amy [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 5:05 PM
To: LEMAITRE, RAFAEL; Shlossman, Amy; Smith, Sean; O'CONNELL, MARIA L.
Cc: LOPEZ, MARCO A (HQ); Grossman, Jordan
Subject: RE: Point by Point rebuttal

How much funding have they received through the regular appropriations for port renovations/ improvements?

From: LEMAITRE, RAFAEL [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 4:59 PM
To: Shlossman, Amy; Smith, Sean; O'CONNELL, MARIA L.
Cc: LOPEZ, MARCO A (HQ); Grossman, Jordan
Subject: RE: Point by Point rebuttal

(b) (5)

From: Shlossman, Amy [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 4:20 PM
To: LEMAITRE, RAFAEL; Smith, Sean
Cc: LOPEZ, MARCO A (HQ); Grossman, Jordan
Subject: RE: Point by Point rebuttal

This is helpful. When did they receive funding under general appropriations and for how much?

From: LEMAITRE, RAFAEL [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 4:15 PM
To: Shlossman, Amy; Smith, Sean
Cc: LOPEZ, MARCO A (HQ)
Subject: RE: Point by Point rebuttal

Amy -

(b) (5)

From: Shlossman, Amy [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 2:50 PM
To: LEMAITRE, RAFAEL; Smith, Sean
Cc: LOPEZ, MARCO A (HQ)
Subject: RE: Point by Point rebuttal

(b) (5)

From: LEMAITRE, RAFAEL [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 2:41 PM
To: Shlossman, Amy; Smith, Sean
Cc: LOPEZ, MARCO A (HQ); Shlossman, Amy
Subject: RE: Point by Point rebuttal

Yes.

From: Shlossman, Amy [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 2:38 PM
To: LEMAITRE, RAFAEL; Smith, Sean
Cc: LOPEZ, MARCO A (HQ); Shlossman, Amy
Subject: RE: Point by Point rebuttal

(b) (5)

From: LEMAITRE, RAFAEL [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 2:31 PM
To: Smith, Sean

Cc: LOPEZ, MARCO A (HQ); Shlossman, Amy
Subject: RE: Point by Point rebuttal

(b) (5)

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 2:28 PM
To: LEMAITRE, RAFAEL
Cc: LOPEZ, MARCO A (HQ); Shlossman, Amy
Subject: RE: Point by Point rebuttal

Where is this?

From: LEMAITRE, RAFAEL [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 12:54 PM
To: Smith, Sean
Subject: RE: Point by Point rebuttal

Gimme 15 minutes. Should have something soon.

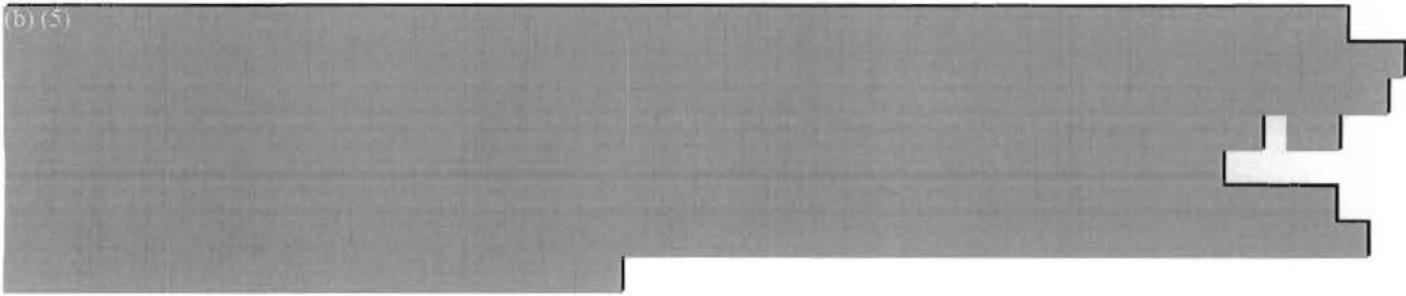
From: Smith, Sean [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 12:49 PM
To: Shlossman, Amy; Chandler, Matthew; LEMAITRE, RAFAEL; LOPEZ, MARCO A (HQ)
Cc: Grossman, Jordan
Subject: RE: Point by Point rebuttal

Raf: You updating this?

From: Shlossman, Amy
Sent: Wednesday, August 26, 2009 11:56 AM
To: Smith, Sean; Chandler, Matthew M; LEMAITRE, RAFAEL; LOPEZ, MARCO A (HQ)
Cc: Grossman, Jordan
Subject: RE: Point by Point rebuttal

Quick thoughts on this as CBP is finalizing. Quote needs another scrub too.

(b) (5)



From: Smith, Sean
Sent: Wednesday, August 26, 2009 11:35 AM
To: Shlossman, Amy
Subject: FW: Point by Point rebuttal

From: LEMAITRE, RAFAEL [mailto: (b) (6)]
Sent: Wednesday, August 26, 2009 11:27 AM
To: Smith, Sean
Cc: Kudwa, Amy
Subject: FW: Point by Point rebuttal

(b) (5)

From: LEMAITRE, RAFAEL
Sent: Wednesday, August 26, 2009 10:20 AM
To: FRAZIER, TRENT; GILCHRIST, CHAD L; O'CONNELL, MARIA L.
Cc: Chandler, Matthew
Subject: Point by Point rebuttal

Trent, Chad -

(b) (5)

Shlossman, Amy

From: Fetcher, Adam
Sent: Wednesday, August 26, 2009 4:54 PM
To: Smith, Sean; Kroloff, Noah; Shlossman, Amy; Kudwa, Amy
Subject: AP LPOE Story Saturation

The Bulletin News clips service was kind enough to track the AP land ports story today. They found more than 100 examples, mostly from local TV station websites across the country. In addition to those, the following websites carried the story:

USA Today
Philadelphia Inquirer
Forbes
Arizona Republic
Houston Chronicle
Dallas Morning News
Newsday
Boston Globe
Boston Herald
Chicago Tribune
Atlanta Journal Constitution
Kansas City Star
San Francisco Examiner
San Francisco Chronicle
Long Beach Press-Telegram
Minneapolis Star Tribune
Rochester (MN) Post-Bulletin
Seattle Times
Seattle Post-Intelligencer
Salon
RealClearPolitics.com
Abilene (TX) Reporter News
Sacramento Bee
Tulsa World
Weatherford (TX) Democrat
Greeley (CO) Tribune
Bryan-College Station (TX) Eagle
Bismarck Tribune
Milwaukee Daily Reporter

--
Adam Fetcher

Office of Public Affairs

U.S. Department of Homeland Security

Desk: (b) (6) Mobile: (b) (6)

Shlossman, Amy

From: LEMAITRE, RAFAEL (b) (6)
Sent: Wednesday, August 26, 2009 12:16 PM
To: Shlossman, Amy; Smith, Sean; Chandler, Matthew; LOPEZ, MARCO A (HQ); O'CONNELL, MARIA L.
Cc: Grossman, Jordan
Subject: RE: Point by Point rebuttal
Attachments: OPA PAO ARRA 073109 final.doc

For whatever it's worth, I'm also attaching to this e-mail some public affairs guidance we put together on the LPOE funding issues. It has been updated to reflect our dealings with AP on this issue in the Q&A section.

From: Shlossman, Amy [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 11:56 AM
To: Smith, Sean; Chandler, Matthew; LEMAITRE, RAFAEL; LOPEZ, MARCO A (HQ)
Cc: Grossman, Jordan
Subject: RE: Point by Point rebuttal

Quick thoughts on this as CBP is finalizing. Quote needs another scrub too.

(b) (5)

From: Smith, Sean
Sent: Wednesday, August 26, 2009 11:35 AM
To: Shlossman, Amy
Subject: FW: Point by Point rebuttal

From: LEMAITRE, RAFAEL [mailto:(b) (6)]
Sent: Wednesday, August 26, 2009 11:27 AM
To: Smith, Sean
Cc: Kudwa, Amy
Subject: FW: Point by Point rebuttal

(b) (5)

(b) (5)

IS

From: LEMAITRE, RAFAEL
Sent: Wednesday, August 26, 2009 10:20 AM
To: FRAZIER, TRENT; GILCHRIST, CHAD L; O'CONNELL, MARIA L.
Cc: Chandler, Matthew
Subject: Point by Point rebuttal

Trent, Chad -

(b) (5)

Shlossman, Amy

From: Shlossman, Amy
Sent: Wednesday, August 26, 2009 9:14 AM
To: LOPEZ, MARCO A (HQ)
Subject: AP IMPACT: \$720 million for border repairs, but for priority jobs? Don't ask. It's a secret

AP IMPACT: \$720 million for border repairs, but for priority jobs? Don't ask. It's a secret

By: EILEEN SULLIVAN and MATT APUZZO
Associated Press
08/26/09 6:40 AM EDT

WASHINGTON — A sleepy Montana checkpoint along the Canadian border that sees about three travelers a day will get \$15 million under President Barack Obama's economic stimulus plan. A government priority list ranked the project as marginal, but two powerful Democratic senators persuaded the administration to make it happen.

Despite Obama's promises that the stimulus plan would be transparent and free of politics, the government is handing out \$720 million for border upgrades under a process that is both secretive and susceptible to political influence. This allowed low-priority projects such as the checkpoint in Whitetail, Mont., to skip ahead of more pressing concerns, according to documents revealed to The Associated Press.

It wasn't supposed to be that way. In 2004, Congress ordered Homeland Security to create a list, updated annually, of the most important repairs at checkpoints nationwide. But the Obama administration continued a Bush administration practice of considering other, more subjective factors when deciding which projects get money.

The results:

_ A border station in Homeland Security Secretary Janet Napolitano's home state of Arizona is getting \$199 million, five times more than any other border station. The busy Nogales checkpoint has required repairs for years but was not rated among the neediest projects on the master list reviewed by the AP. Napolitano credited her lobbying as Arizona governor for getting the project near the front of the line for funding under the Bush administration. All it needed was money, which the stimulus provided.

_ A checkpoint in Laredo, Texas, which serves more than 55,000 travelers and 4,200 trucks a day, is rated among the government's highest priorities but was passed over for stimulus money.

_ The Westhope, N.D., checkpoint, which serves about 73 people a day and is among the lowest-priority projects, is set to get nearly \$15 million for renovations.

The Whitetail project, which involves building a border station the size and cost of a Hollywood mansion, benefited from two key allies, Montana Sens. Max Baucus and Jon Tester. Both pressed Napolitano to finance projects in their state. Tester's office boasted of that effort in an April news release, crediting Baucus and his seat at the head of the "powerful Senate Finance Committee."

Customs officials would not discuss that claim. Asked to explain Whitetail's windfall, they provided a one-page fact sheet that contains no information about Whitetail's needs and is almost identical to the fact sheet for every other Montana project.

It's hardly a recent phenomenon for politicians to use their influence to steer money to their home states. Yet Obama said the stimulus would be different. He banned "earmarks," which lawmakers routinely slip into bills to pay for pet projects, and he told agencies to "develop transparent, merit-based selection criteria" for spending.

Customs and Border Protection, the Homeland Security agency overseeing border projects, allowed the AP to review the list but will not make it public or explain its justifications for deviating from it.

Releasing that information would allow the public to see whether less important projects are getting money. The Transportation Department, for instance, was recently criticized by its internal watchdog for spending \$1.1 billion on airport construction that didn't meet financing standards.

Without the lists, the public and members of Congress don't know when the administration bumps a project ahead of others ranked more important.

Customs officials said they wouldn't release the master list because it was just a starting point and subject to misunderstanding. They acknowledged there's no way for the public to know whether they are cherry-picking projects.

"There's a certain level of trust here," said Robert Jacksta, a deputy customs commissioner.

Some discrepancies between the stimulus plan and the priority list can be attributed to Congress, which set aside separate pools of money for large and small border stations. That guaranteed that a few small, probably lower-rated projects would be chosen ahead of bigger, higher-priority projects. But it doesn't explain all the discrepancies, because even within the two pools, Homeland Security sometimes reached way down on the list when selecting projects.

Many of the nation's 163 border checkpoints, known as land ports, are more than 40 years old and in need of upgrade and repairs. After the Sept. 11, 2001, terrorist attacks, those needs became more pressing and complex as officials beefed up border security. There is far more work to be done than money to complete it.

To prioritize, officials score each project on traffic volume, security vulnerability, construction needs and other factors. The resulting list represents "an objective and fair method for prioritizing projects," officials wrote in a 2005 summary.

That's the process the Obama administration described in a news release announcing \$720 million in stimulus money for borders. But it didn't say that officials can choose projects out of order for many reasons.

Trent Frazier, who oversees the border projects, said the list Congress required is more like a meal plan. The administration can decide when to eat each dish, as long as everything eventually gets eaten.

Explaining why one project might get pushed ahead, Frazier said, "You just really liked pizza and you wanted to accelerate it."

In the case of the stimulus, officials said the Nogales, Ariz., project was construction-ready, a requirement of the recovery law. Officials also consider the economy, which means if the government expects local businesses to close and border traffic to decrease, it can delay paying for that project.

In one instance, officials said they reached deep into the list to provide \$39 million for repairs in Van Buren, Maine, because flooding made the facility a safety hazard. In another, they are spending \$30 million in Blaine, Wash., a lower-rated project that is unusual because it includes covering the costs of a state road project. With the 2010 Olympics coming to nearby Vancouver, Canada, officials worried the border would be strained without the project.

Officials said they could similarly justify every decision they've made. They would not provide those justifications to the AP. Frazier said the department would answer questions on a case-by-case basis, working through Congress to explain decisions to the public.

But even some in Congress say they aren't getting answers. Rep. Henry Cuellar, D-Texas, said he has yet to hear a good explanation about why highly ranked projects such as Laredo were snubbed.

More than \$116 billion in freight passed through Laredo last year, according to the Transportation Department. It is one of the busiest border stations in the country. Unemployment in the metropolitan area is 9.4 percent.

"For the sake of fairness, if you have a list, there's some sort of expectation that you're going to follow that list," Cuellar said.

Tester, who said he pressed the Obama administration to get money for Montana projects, said border crossings in his state had been unfairly ignored.

"The northern border tends to be forgotten, and it shouldn't be," Tester told the Great Falls Tribune after announcing \$77 million for Montana posts in the stimulus.

Whitetail, Mont., an unincorporated town with a population of 71, saw only about \$63,000 in freight cross its border last year. County unemployment is an enviable 4 percent.

"I think, absolutely, it's going to create jobs and build the infrastructure," Tester said.

Shlossman, Amy

From: LEMAITRE, RAFAEL (b) (6)
Sent: Tuesday, August 25, 2009 6:06 PM
To: Oxhorn, Elizabeth A.; Smith, Sean; Gavin, Thomas E.; Klain, Ronald A.; Shlossman, Amy; Chandler, Matthew; Kuban, Sara; Carney, James F.; Shapiro, Nicholas S.; Kroloff, Noah; Alexander, Elizabeth; Deseve, G. Edward; LOPEZ, MARCO A (HQ); O'CONNELL, MARIA L.
Subject: RE: Stimulus story FYI
Attachments: Wild Horse_project fact sheets.pdf; DelBonita_project fact sheet.pdf; Morgan_project fact sheet.pdf; Scobey_project fact sheet.pdf; Whitetail_project fact sheets.pdf; CBP ARRA_MTproject_08242009.doc; CBP_Construction_of_CBP-Owned_Land_Ports_of_Entry_2009-05-15.pdf; All POEs Total Pax FY 2009 (2).xls; SpecificPorts.doc

Thanks Liz -

(b) (5)

Rafael

From: LEMAITRE, RAFAEL
Sent: Friday, July 31, 2009 3:48 PM
To: 'Sullivan, Eileen'
Subject: RE: Response

They are emergent repair projects spread out across every CBP port including things like mold remediation, painting, trip hazards, etc. It is part of the \$720 million.

From: prvs=456c6f301=ESullivan@ap.org [mailto:prvs=456c6f301=ESullivan@ap.org] **On Behalf Of** Sullivan, Eileen
Sent: Friday, July 31, 2009 11:50 AM
To: LEMAITRE, RAFAEL
Subject: RE: Response

What are the other ARRA-funded projects at the remaining 20 CBP ports? Is that part of the \$720 million? And if not, where is it coming from?

From: LEMAITRE, RAFAEL [mailto:(b) (6)]
Sent: Friday, July 31, 2009 11:45 AM
To: Sullivan, Eileen
Subject: Re: Response

Hey Eileen - You can quote me from this:

Beginning in 2003, CBP undertook a thorough assessment of the infrastructural and operational conditions of all 163 GSA and CBP-owned land ports of entry. Through this assessment CBP identified more than \$6 billion in needed investment to modernize the entire LPOE inventory, and prioritized the ports based on more than 60 different factors, including

Pending Consult with Outside Agency

Kroloff, Noah

From: Shlossman, Amy (b) (6)

Sent: Thursday, September 03, 2009 4:45 PM

To: Kroloff, Noah; Smith, Sean

Good news is the ports weren't mentioned in either AP article on Biden's 200-day recovery speech today.

Biden ignores problems with stimulus

Money slow to trickle out and some spending priorities are questionable

"The Recovery Act is doing more, faster and more efficiently and more effectively than most people expected," Biden said.

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By BRETT J. BLACKLEDGE

Associated Press Writer

 Associated Press

updated 45 minutes ago

WASHINGTON - Vice President Joe Biden proclaimed success beyond expectations Thursday for the \$787 billion economic stimulus, but his glowing assessment overlooks many of the program's problems, including delays in releasing money, questionable spending priorities and project picks that are under investigation.

In a speech aimed squarely at Republican criticism and public skepticism over the costly program's effectiveness, Biden said accomplishments over the past 100 days provide proof of promises kept when he and President Barack Obama began rolling out the plan earlier this year.

"The Recovery Act is doing more, faster and more efficiently and more effectively than most people expected," he said.

The stimulus program includes tax cuts, billions for Medicaid and unemployment benefits, and a massive federal investment in education, environmental projects, technology and traditional infrastructure work. The administration has struggled to make the case that the huge spending program has delivered real economic recovery at a time when the nation's unemployment rate threatens to top 10 percent.

Biden, Obama's chief stimulus cheerleader, proudly pointed to more than 2,200 highway projects Thursday funded by the program, but didn't mention the growing frustration among contractors that the transportation money is only trickling out and thus far hasn't delivered the needed boost in jobs.

"It is difficult to understand why more communities aren't moving to put their stimulus funds to work while they are experiencing these kinds of job losses," Stephen E. Sandherr, head of the Associated General Contractors of America, said in a statement this week. "Coping with the red tape required by the stimulus ought to be worth it to help put neighbors and friends back to work."

Biden noted 192 airport jobs targeted with stimulus money, but made no reference to the investigation launched after a federal watchdog raised concerns about how the projects were selected.

Transportation Department Inspector General Calvin Scovel said last month he will examine the Federal Aviation Administration's process for selecting programs for the \$1.1 billion in grant money. His announcement came after his office discovered that the Obama administration used stimulus money to pay for 50 airport projects that didn't meet the grant criteria and approved projects at four airports with a history of mismanaging federal grants.

Lack of competitive bidding

And Biden praised the more than 2,400 military construction projects paid for with stimulus money, but ignored the millions of dollars in savings the Defense Department lost because it hasn't competitively bid many of the jobs.

The Defense Department frequently awards no-bid work to small contractors for repairs at military bases under the stimulus, costing taxpayers millions of dollars more than when businesses compete for the work, an Associated Press analysis of 570 such contracts found.

Biden exercised some restraint in his praise for the stimulus' impact. He took a more cautious approach, for example, when asked if his declaration of stimulus success means Americans can now rethink the common view that government is wasteful and inefficient.

"I think it's too early to make that decision, to be very blunt about it," he said.

And Biden didn't attempt to credit the stimulus alone for signs of broad economic recovery, saying it was one of several government actions that are helping.

"Had we done just this and not done the incredibly unpopular thing of bailing out the banks, had we had done this and tried to deal with stabilizing the housing market, had we done only this we would not be where we are," he said.

But most of Biden's remarks focused on what he argued is evidence of success with the stimulus, even if his examples were questionable.

Unnecessary work?

In making the case that the recovery program was not just economically sound but also good policy, Biden noted that transportation money was replacing unsafe bridges.

"It is worthwhile to take some of those 5,000 bridges out there that are ready to collapse, follow what happened in the upper Midwest, and fix them," he said.

But most states are spending stimulus money on bridges that are already in good shape, another AP analysis found. Of the 2,476 bridges scheduled to receive stimulus money so far, nearly half have passed inspections with high marks, according to federal data. Those 1,123 sound bridges received such high inspection ratings that they normally would not qualify for federal bridge money, yet they will share in more than \$1.2 billion in stimulus money, the AP analysis published in July found.

The vice president's speech is part of a concerted White House push in advance of the 200th day of the stimulus act on Saturday. Five top administration officials also were speaking about the law's benefits on Thursday in appearances in Arkansas, Virginia, Illinois, California and Minnesota.

Biden: Stimulus plan is working faster than hoped

Email this Story

Sep 3, 10:57 AM (ET)

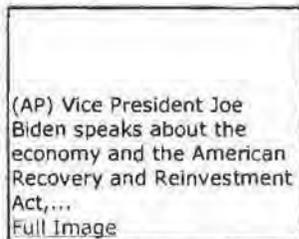
By BEN FELLER

WASHINGTON (AP) - Defending a costly plan to revitalize the economy, Vice President Joe Biden on Thursday said the government's sweeping stimulus effort "is in fact working" despite steady Republican criticism and public skepticism.

"The recovery act has played a significant role in changing the trajectory of our economy, and changing the conversation in this country," Biden said. "Instead of talking about the beginning of a depression, we are talking about the end of a recession."

Nearly 200 days into the effort, Biden delivered an upbeat report card about the \$787 billion rescue effort that President Barack Obama pushed through Congress. He quoted estimates by private analysts that the plan has created or saved 500,000 to 750,000 jobs so far. But many million people remain out of work.

The effectiveness of the two-year program is a matter of sharp political debate, and Biden sought to counter critics with a listing of tangible results.



(AP) Vice President Joe Biden speaks about the economy and the American Recovery and Reinvestment Act,...

"One of the criticisms is that it is simply a grab bag of different programs," Biden said in a speech at The Brookings Institution. "But the fact that the recovery act is multifaceted doesn't reflect a lack of design, it is the design."

The stimulus package is a mix of tax cuts, increased spending on Medicaid and huge investments in infrastructure, education, energy projects and more.

The White House is eager to promote signs of progress as the economy lumbers out of recession. Many economists warn that the unemployment rate will keep rising until at least next summer, and it is that measure - the loss or creation of jobs - by which many Americans decide whether economic life is getting better.

Obama's Council of Economic Advisers on Sept. 10 will report an updated projection of the number of jobs created or saved because of the stimulus plan. Biden said he expected it will back up his predictions of 150,000 jobs in the first 100 days and another 600,000 formed or saved over the second 100 days of the act.

Biden warned that the recovery will be uneven. But he said so far, the law is "doing more, faster,



(AP) Vice President Joe Biden speaks about the economy and the American Recovery and Reinvestment Act,...

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<http://games.myway.com>

more efficiently, and more effectively than most expected."

The White House, though, has also admitted that its initial economic forecasts to sell the stimulus were too rosy. Many Republican leaders say the stimulus is not working nearly as well as the White House promotes, and at huge cost of debt to the nation.

With Obama on vacation at the Camp David presidential retreat in Maryland, the White House hopes Biden's message will break through.

A Gallup poll last month found 51 percent of Americans wished the government would have spent less to stimulate the economy. The same poll found 41 percent thought the stimulus package was helping the economy in the short term; 33 percent saw no effect, and 24 said it was making the economy worse.

The vice president's appearance is part of a concerted White House push in advance of the 200th day of the stimulus act on Saturday. Five top administration officials plan to speak about the law's benefits on Thursday in appearances in Arkansas, Virginia, Illinois, California and Minnesota.

Public approval of Obama's performance and of his handling of the economy have slipped. Polls now put both figures slightly above 50 percent.

Kroloff, Noah

From: Smith, Sean (b) (6)
Sent: Sunday, August 30, 2009 11:20 PM
To: Kuban, Sara; Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: RE: Baucus, Tester defend border money

(b) (5)

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

From: Kuban, Sara (b) (6)
Sent: Sun 8/30/2009 10:25 PM
To: Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: Fw: Baucus, Tester defend border money

Here is the other story - this posted yesterday mid-afternoon and ran in most of the papers in Montana.

Sent using BlackBerry

From: Sara Kuban
To: Kuban, Sara A
Sent: Sun Aug 30 22:19:14 2009
Subject: Baucus, Tester defend border money

Baucus, Tester defend border money

JENNIFER McKEE Gazette State Bureau | Posted: Friday, August 28, 2009 11:05 pm

HELENA - Montana's two senators stressed Friday that it was preparation - not pork - that brought millions of dollars to the state to improve crossing stations along Montana's long border with Canada.

"Post-9/11 is a whole lot different arena than pre-9/11," said Sen. Jon Tester, D-Mont. "We're not building Hollywood mansions along the northern border, I can tell you that."

Tester was responding to an Associated Press report that questioned why Montana received \$15 million for border crossings that receive little traffic. One article described border crossing in Whitetail as costing as much as a "Hollywood mansion."

Tester and Baucus have taken credit for the Homeland Security money flowing to the northern border. The AP report questioned whether that and other crossing stations in rural states leapfrogged ahead of busier crossings in terms of getting money.

Janet Napolitano, director of Homeland Security and former governor of Arizona, which has a busy border with Mexico, said the AP reports were "wrong."

Tester said Friday that one of his first tasks as a senator was to ask for a report on the safety of nation's northern border, which in many places is known for its rural quality and sparse traffic. The report "came back that you've got a vast border, an expansive border that is open to terrorism and smuggling," Tester said.

9/30/2009

The nation cannot ignore its border with Canada just because it doesn't see a lot of traffic, he said. Terrorism doesn't necessarily show up at the busiest ports of entry.

"We've pushed to make sure that border is as secure as possible," Tester said. "We are only as secure as our weakest point. It only takes one terrorist."

Baucus also said the northern border is important, if not as busy.

It "cannot be a back door for terrorism and other illegal activity," he said. "I have long fought to make sure our border with Canada is secure and these funds are a wise investment for our national security."

The Whitetail port, for example, was built 45 years ago and has never seen any improvements. The federal priority list for border improvements also considered the condition of the building and the working conditions of border agents.

Kroloff, Noah

From: Kuban, Sara (b) (6)
Sent: Sunday, August 30, 2009 10:26 PM
To: Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: Fw: Baucus, Tester defend border money

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Kroloff, Noah

From: Kroloff, Noah
Sent: Saturday, August 29, 2009 10:55 AM
To: Pressman, David
Subject: Re: The Associated Press: DHS: Senators did not influence stimulus decisions

Been dealing with it for the last 24. Think we have it contained. My email was down all am. So just got this

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

From: Pressman, David
To: Kroloff, Noah
Sent: Sat Aug 29 09:02:45 2009
Subject: The Associated Press: DHS: Senators did not influence stimulus decisions

(b) (5)

<http://www.google.com/hostednews/ap/article/ALeqM5iNTUFCbZuSHnUl9FT7SeuzXlZrLwD9AC7AAG0>

Kroloff, Noah

From: Shlossman, Amy

Sent: Saturday, August 29, 2009 9:15 AM

To: Kroloff, Noah

Here's the version on the AP web site as of 8:30 pm last night

Aug 28, 8:24 PM EDT

DHS: Senators did not influence stimulus decisions

By EILEEN SULLIVAN and MATT APUZZO

Associated Press Writers

WASHINGTON (AP) -- The Obama administration said Friday that two Democratic senators falsely took credit for steering millions of dollars to projects in their home state, even as officials acknowledged that the Homeland Security secretary met with the lawmakers and discussed financing the projects.

Homeland Security Secretary Janet Napolitano denies politics played any role in distributing stimulus money. The Associated Press reported this week that her department did not follow its own priority list when selecting projects.

Montana Sens. Max Baucus and Jon Tester have taken credit for helping secure \$77 million in stimulus money for repairs at border stations in their state. That includes \$15 million for a Whitetail, Mont., checkpoint that sees three travelers a day.

"Politicians take credit for things that go on in their state whether they deserve it or not," Homeland Security spokesman Sean Smith said Friday. "These guys are politicians. I don't think anyone should be surprised if they decided to jump in front of that and take some credit for that."

It was an unusually pointed criticism directed at two Democrats. Baucus is chairman of the Senate Finance Committee and a key ally in the Obama administration's push for a health care overhaul.

At first, Smith and Napolitano's chief of staff, Noah Kroloff, denied that Napolitano even met with Tester and Baucus. After the AP contacted the two lawmakers, Smith acknowledged two meetings during the presidential transition, when Napolitano had been nominated but not confirmed.

A reference to the senators' meetings was included in an AP story this week that raised questions about the funding process.

During the Jan. 16 meeting, Baucus told Napolitano it was important to spend money on checkpoints along the Canadian border, citing concerns about illegal activity there, said Tyler Matsdorf, a spokesman for Baucus. He said they did not discuss specific projects.

Tester similarly met with Napolitano Jan. 14 and "discussed in general the importance of strengthening security along Montana's northern border," his spokesman Aaron Murphy said. After Montana projects received \$77 million under the stimulus, Tester issued a press release crediting those meetings with Napolitano.

It's not unusual or improper for senators to fight for hometown projects. But President Barack Obama banned Congress from choosing projects as part of the \$787 economic stimulus bill, promising his agencies would be objective and transparent.

Smith said Friday that the secretary did not intervene in the selection process.

Napolitano herself acknowledged in April that politicians can influence how money gets spent. She said that as Arizona governor, she pushed the Bush administration to put a project in Nogales, Ariz., at the front of the line for money. It was ranked No. 34 on the internal priority list.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

California Rep. Darrell Issa, the senior Republican on a House oversight committee investigating stimulus spending, is asking Homeland Security to release its records about the selection process.

"All Secretary Napolitano has to do to support her assertion that politics played no role in the awarding of stimulus funds is comply with our letter and disclose the criteria DHS used to determine who got what and why," Issa's spokesman, Kurt Bardella said.

Kroloff, Noah

From: Pressman, David
Sent: Saturday, August 29, 2009 9:03 AM
To: Kroloff, Noah
Subject: The Associated Press: DHS: Senators did not influence stimulus decisions

(b) (5)

Kroloff, Noah

From: Smith, Sean (b) (6)
Sent: Friday, August 28, 2009 11:13 PM
To: Kroloff, Noah; Shlossman, Amy
Subject: Re: Jon

Sara getting it to them.

From: Kroloff, Noah
To: Shlossman, Amy ; Smith, Sean ; Kroloff, Noah
Sent: Fri Aug 28 22:49:22 2009
Subject: Re: Jon

(b) (5)

From: Shlossman, Amy
To: Smith, Sean ; Kroloff, Noah ; Shlossman, Amy
Sent: Fri Aug 28 22:47:41 2009
Subject: RE: Jon

Noah's changes:

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Friday, August 28, 2009 10:33 PM
To: Kroloff, Noah; Shlossman, Amy
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Smith, Sean ; Shlossman, Amy ; Kroloff, Noah
Sent: Fri Aug 28 22:29:50 2009
Subject: Re: Jon

(b) (5)

From: Smith, Sean
To: Shlossman, Amy ; Kroloff, Noah ; Smith, Sean
Sent: Fri Aug 28 22:22:29 2009
Subject: Re: Jon

(b) (5)

From: Shlossman, Amy
To: Kroloff, Noah ; Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 22:14:37 2009
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Kroloff, Noah ; Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 22:10:49 2009
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Smith, Sean ; Kroloff, Noah ; Shlossman, Amy
Sent: Fri Aug 28 22:09:54 2009
Subject: Re: Jon

(b) (5)

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 22:02:43 2009
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Smith, Sean
Sent: Fri Aug 28 21:37:30 2009
Subject: Re: Jon

(b) (5)

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 21:35:01 2009
Subject: Re: Jon

(b) (5)

From: Kroloff, Noah
To: Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 21:08:45 2009
Subject: Fw: Jon

From: (b) (6) (Baucus)

To: (b) (6)

Cc: (b) (6)

Sent: Fri Aug 28 21:06:32 2009

Subject: Re: Jon

Bunce will be calling you. We need a 180 retraction anything less isn't helpful. Happy to work w you guys to soften your blow in doing so.

From: Kuban, Sara (b) (6)
To: Kroloff, Noah <(b) (6)> (Baucus)
Cc: Wiggins, Chani Winn (b) (6)
Sent: Fri Aug 28 20:21:53 2009
Subject: RE: Jon

Sure thing Noah, I'll be happy to do so.

Jon, I'll be happy to work with Baucus and Tester press shops. My cell is (b) (6)

From: Kroloff, Noah
Sent: Friday, August 28, 2009 8:18 PM
To: (b) (6)
Cc: Kuban, Sara; (b) (6)
Subject: Re: Jon

(b) (5)

From: (b) (6) (Baucus)
To: (b) (6)
Sent: Fri Aug 28 19:46:02 2009
Subject: Re: Jon
Got it

From: Kroloff, Noah (b) (6)
To: (b) (6) (Baucus)
Sent: Fri Aug 28 19:33:37 2009
Subject: Jon

Noah Kroloff, (cos from dhs) here. I'd like to catch you if I can about this ap story that looks like it is going to move on the wire.

Kroloff, Noah

From: (b) (6) (b) (6)
Sent: Friday, August 28, 2009 9:33 PM
To: Kroloff, Noah
Subject: Re: AP: DHS: Senators wrongly took credit for money

Biting comments by Sean.

From: Kroloff, Noah
To: (b) (6) (b) (6)
Sent: Fri Aug 28 21:28:37 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

My night. This was an off the record

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 18:33:52 2009
Subject: FW: AP: DHS: Senators wrongly took credit for money

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

DHS: Senators wrongly took credit for money

By EILEEN SULLIVAN and MATT APUZZO
The Associated Press
Friday, August 28, 2009, 6:12 PM

WASHINGTON -- The Obama administration said Friday that two Democratic senators falsely took credit for steering millions of dollars to projects in their home state, even as officials acknowledged that the Homeland Security secretary met with the lawmakers and discussed financing the projects.

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###

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From: Kroloff, Noah
To: Shlossman, Amy
Sent: Fri Aug 28 18:41:34 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 18:33:52 2009
Subject: FW: AP: DHS: Senators wrongly took credit for money

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

DHS: Senators wrongly took credit for money

By EILEEN SULLIVAN and MATT APUZZO
The Associated Press
Friday, August 28, 2009; 6:12 PM

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###

Kroloff, Noah

From: Kroloff, Noah
Sent: Friday, August 28, 2009 9:03 PM
To: (b) (6)
Subject: Fw: Not again

Perkins Consult With Outside Agency



From: prvs=484a5f168=RFournier@ap.org
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted ; Dan Pfeifer
Sent: Fri Aug 28 10:36:43 2009
Subject: Not again

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There is an old saying, Noah: Fool me once, shame on you. Fool me twice, shame on me.

It won't happen again.

Ron

Sent from my GoodLink Wireless Handheld (www.good.com)

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[IP_US_DISC]
msk dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: Kroloff, Noah
Sent: Friday, August 28, 2009 9:03 PM
To: (b) (6)
Subject: Fw: AP: DHS: Senators wrongly took credit for money

Attending Council Will Discuss Agency

From: Kroloff, Noah
To: Messina, Jim
Sent: Fri Aug 28 19:17:32 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 18:33:52 2009
Subject: FW: AP: DHS: Senators wrongly took credit for money

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

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Kroloff, Noah

From: Kroloff, Noah
Sent: Friday, August 28, 2009 8:53 PM
To: (b) (6)
Subject: Fw: Not again

(b) (5)

From: Kroloff, Noah
To: Fournier, Ron ; Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted ; Dan Pfeifer
Sent: Fri Aug 28 12:34:38 2009
Subject: RE: Not again

R—

Thanks for your email. You're right, we did have what I thought was a productive conversation last night. I appreciated it and appreciated that you agreed to take a second look at the story about ports and ARRA. As you know, I expressed serious concern about today's follow-on story and had reached out to you before it was written. We have now absorbed two stories that we believe are inaccurate and not based in fact. Because the facts were not reported accurately, we believed it important for us to inform the public about them.

I very much enjoyed our conversation with your deputies. It was productive and I appreciate that they too are going to go back and take another look at this.

As for apologies, I certainly accept that both Eileen's and Matt's were genuine when they expressed regret for their behavior with respect to Jay Ahearn. You have no reason to question Sean's or my apology.

I agree on trends. We seem to be having a troubling time with the AP on the factual basis for stories about DHS that we are not having with other media outlets. We should continue to discuss at your convenience.

From: prvs=484a5f168=RFournier@ap.org [mailto:prvs=484a5f168=RFournier@ap.org] **On Behalf Of** Fournier, Ron
Sent: Friday, August 28, 2009 10:37 AM
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted; Dan Pfeifer
Subject: Not again

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[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

Pending Consult With Cruise Agency

From: Kroloff, Noah
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Sent: Fri Aug 28 19:17:32 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean
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###

Kroloff, Noah

From: Kroloff, Noah (b) (6)
Sent: Friday, August 28, 2009 8:10 PM
To: Kuban, Sara A; Kroloff, Noah; Wiggins, Chani Winn; Smith, Sean
Cc: Shlossman, Amy
Subject: Re: AP: DHS: Senators wrongly took credit for money

Conf call now

From: Kuban, Sara
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean
Cc: Shlossman, Amy
Sent: Fri Aug 28 19:49:05 2009
Subject: RE: AP: DHS: Senators wrongly took credit for money

yup

From: Kroloff, Noah [mailto:(b) (6)]
Sent: Friday, August 28, 2009 7:46 PM
To: Kuban, Sara A; Kroloff, Noah; Wiggins, Chani Winn; Smith, Sean
Cc: Shlossman, Amy
Subject: Re: AP: DHS: Senators wrongly took credit for money

Its urs. Will it work?

From: Kuban, Sara
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean
Cc: Shlossman, Amy
Sent: Fri Aug 28 19:45:47 2009
Subject: RE: AP: DHS: Senators wrongly took credit for money
Same #?

From: Kroloff, Noah [mailto:(b) (6)]
Sent: Friday, August 28, 2009 7:45 PM
To: Wiggins, Chani Winn; Kroloff, Noah; Smith, Sean; Kuban, Sara A
Cc: Shlossman, Amy
Subject: Re: AP: DHS: Senators wrongly took credit for money

Conf now

From: Wiggins, Chani
To: Kroloff, Noah ; Smith, Sean ; Kuban, Sara A ; Wiggins, Chani Winn
Cc: Shlossman, Amy
Sent: Fri Aug 28 19:09:45 2009
Subject: Re: AP: DHS: Senators wrongly took credit for money

9/30/2009

Secretary may need to call them.
Chani Wiggins
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
202-447-5890

From: Kroloff, Noah
To: Smith, Sean ; Kuban, Sara A ; Wiggins, Chani Winn
Cc: Shlossman, Amy
Sent: Fri Aug 28 18:58:29 2009
Subject: Re: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean
To: Kroloff, Noah; (b) (6) ; (b) (6)
Cc: Shlossman, Amy
Sent: Fri Aug 28 18:54:39 2009
Subject: Re: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Kroloff, Noah
To: Smith, Sean; (b) (6) ; (b) (6)
Cc: Shlossman, Amy
Sent: Fri Aug 28 18:53:43 2009
Subject: Re: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean
To: Kuban, Sara ; Wiggins, Chani Winn
Cc: Kroloff, Noah; Shlossman, Amy
Sent: Fri Aug 28 18:39:20 2009
Subject: FW: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

DHS: Senators wrongly took credit for money

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Kroloff, Noah

Posting Content With Custom Agency

From: Smith, Sean
To: Kroloff, Noah
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From: Kuban, Sara (b) (6)
Sent: Friday, August 28, 2009 6:57 PM
To: Smith, Sean; Kroloff, Noah; Wiggins, Chani Winn
Cc: Shlossman, Amy
Subject: RE: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Friday, August 28, 2009 6:55 PM
To: Kroloff, Noah; Kuban, Sara A; Wiggins, Chani Winn
Cc: Shlossman, Amy
Subject: Re: AP: DHS: Senators wrongly took credit for money

(b) (5)

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Sent: Friday, August 28, 2009 4:23 PM
To: Komarow, Steven
Cc: Kroloff, Noah; Shlossman, Amy
Subject: RE: clarification

Hi Steve:

Not denying. If you all end up writing on this, I'd like to give you something more succinct, but I suspect they did indeed talk about northern border crossing, highly dubious though that they would have talked about the recovery act, since I'm not sure it existed yet.

On the other, the list that was shared with Eileen and Matt includes the outstanding infrastructural "needs" of all CBP and GSA ports throughout the country. When funding becomes available, however, ports are evaluated based on current needs in addition to requirements of the given enacting legislation- be it regular appropriations or in this case, ARRA. Under ARRA, port projects were evaluated based on need as well as the feasibility of implementing major construction within the timelines and accountability requirements prescribed by the legislation, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues.

Accordingly, the list your reporters saw does not accurately reflect the "priority" order of ARRA projects, but simply the outstanding needs of all ports- GSA and CBP owned- across the country. The ARRA "priority list," which takes into account all of the requirements of the legislation as well as the actual funding distribution - \$420 million to CBP and \$300 million to GSA- was released publicly last spring and is available at recovery.gov.

Thanks,
 Sean

From: prvs=48404d2c8=SKomarow@ap.org [mailto:prvs=48404d2c8=SKomarow@ap.org] **On Behalf Of** Komarow, Steven
Sent: Friday, August 28, 2009 2:34 PM
To: Smith, Sean
Cc: Kroloff, Noah; Shlossman, Amy
Subject: RE: clarification

Hi Sean,

We're still checking with the Senate offices. Clarifying question, from your email: does DHS deny that the issue of these northern border crossings came up in the transition meeting with Baucus and Tester?

I also would like to request again that DHS make available the priority list that our folks were able to view but couldn't make

9/30/2009

public. Seems to me that's the best way for us to go forward effectively on examining the funding or not funding of the ports under the stimulus program.

Much thanks,
Steve

From: Smith, Sean [mailto:(b) (6)]
Sent: Friday, August 28, 2009 2:07 PM
To: Komarow, Steven
Cc: Kroloff, Noah; Shlossman, Amy
Subject: clarification

Hi Steve: Thanks again for the call today. I want to make a clarifying point. I believe I said Secretary Napolitano has not met with Sens. Baucus and Tester. That is true, but apparently she met with them both during the transition, after she was nominated but prior to her confirmation. Additionally, she spoke with Tester on May 6 and with Baucus on August 5, both after the CBP port project list was made public.

Also, off the record, you might ask Matt to go through Tester's website and see how many other projects for which he takes credit. Will there be a thorough investigation into if he has surreptitiously influenced the process in these cases?

http://tester.senate.gov/Newsroom/pr_071309_housing.cfm

Baucus, Tester announce \$15.5 million for Montana housing

Money will create jobs by building low-income housing

Monday, July 13, 2009

(WASHINGTON, D.C.) –More money is heading to Montana to create jobs, thanks to \$15.5 million from the Jobs-Stimulus Bill announced today by Senators Max Baucus and Jon Tester.

The Montana Board of Housing will receive \$15,510,979 to finance projects to build and upgrade housing for low-income families. The board will use the money to replace a loss in bond sales due to the downturn in the economy.

“With Montana’s rural nature, it is impossible for smaller projects to attract investors for our tax credits,” said Bruce Brendsal, Administrator for the Montana Board of Housing. “This important program will allow our small projects to move forward employing many folks in the construction industry as well as providing housing that is a critical need in our communities across the great State of Montana.”

“Affordable housing is key to maintaining a strong community,” Baucus said. “This is a win-win because construction workers will have jobs building housing for the families and individuals who need that housing the most.”

“This is good news for working folks all over Montana,” Tester said. “This money will put people to work today and make our infrastructure stronger in the long run. With smart investments like this, we can keep Montana a great place to live and work.”

The Jobs-Stimulus Bill is bringing more than \$1 billion in new funding to Montana in addition to more than \$500 million in middle-class tax relief.

http://tester.senate.gov/Newsroom/pr_081409_vetscenters.cfm

Tester announces new Veterans Centers for Great Falls, Kalispell

Senator's request for new centers approved by VA

Friday, August 14, 2009

(BELGRADE, Mont.) – The U.S. Veterans Administration has approved two requests by Senator Jon Tester to open new Vet Centers in Great Falls and Kalispell, Tester announced today.

Tester made the requests, along with Montana's Lieutenant Governor John Bohlinger, in a face-to-face meeting with Secretary of Veterans Affairs Eric Shinseki.

"This is great news for Montana's veterans," said Tester, Montana's only member of the Veterans' Affairs Committee. "These new Vet Centers will help veterans in Great Falls, Kalispell and surrounding communities access valuable and vital services closer to home."

Vet Centers provide readjustment counseling, mental health screening, assistance with disability claims, and other services to combat veterans. Centers also conduct community outreach on family and employment issues and provide bereavement counseling for families of service members killed on active duty.

Tester is the author of the Rural Veterans Health Care Improvement Act, which would improve care for the more than 100,000 veterans living in Montana. Tester's bill would improve mental health services for veterans, provide grants for innovative programs that improve health care for rural veterans, and lock in the current travel reimbursement for disabled veterans, secured by Tester. The bill has cleared the Veterans' Affairs Committee and is awaiting a vote by the full Senate.

Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)

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msk dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: Shlossman, Amy (b) (6)
Sent: Friday, August 28, 2009 4:05 PM
To: Smith, Sean
Cc: Kroloff, Noah
Subject: RE: clarification

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Friday, August 28, 2009 3:02 PM
To: Shlossman, Amy; Smith, Sean
Cc: Kroloff, Noah
Subject: RE: clarification

(b) (5)

From: Shlossman, Amy [mailto:(b) (6)]
Sent: Friday, August 28, 2009 2:59 PM
To: Smith, Sean
Cc: Kroloff, Noah
Subject: RE: clarification

1

(b) (5)

From: Smith, Sean [mailto:(b) (6)]
Sent: Friday, August 28, 2009 2:47 PM

To: Shlossman, Amy
Cc: Kroloff, Noah
Subject: Fw: clarification

(b) (5)

From: prvs=48404d2c8=SKomarow@ap.org
To: Smith, Sean
Cc: Kroloff, Noah ; Shlossman, Amy
Sent: Fri Aug 28 14:33:45 2009
Subject: RE: clarification
Hi Sean,

We're still checking with the Senate offices. Clarifying question, from your email: does DHS deny that the issue of these northern border crossings came up in the transition meeting with Baucus and Tester?

I also would like to request again that DHS make available the priority list that our folks were able to view but couldn't make public. Seems to me that's the best way for us to go forward effectively on examining the funding or not funding of the ports under the stimulus program.

Much thanks,
Steve

From: Smith, Sean [mailto:(b) (6)]
Sent: Friday, August 28, 2009 2:07 PM
To: Komarow, Steven
Cc: Kroloff, Noah; Shlossman, Amy
Subject: clarification

Hi Steve: Thanks again for the call today. I want to make a clarifying point. I believe I said Secretary Napolitano has not met with Sens. Baucus and Tester. That is true, but apparently she met with them both during the transition, after she was nominated but prior to her confirmation. Additionally, she spoke with Tester on May 6 and with Baucus on August 5, both after the CBP port project list was made public.

Also, off the record, you might ask Matt to go through Tester's website and see how many other projects for which he takes credit. Will there be a thorough investigation into if he has surreptitiously influenced the process in these cases?

http://tester.senate.gov/Newsroom/pr_071309_housing.cfm

Baucus, Tester announce \$15.5 million for Montana housing

Money will create jobs by building low-income housing

Monday, July 13, 2009

(WASHINGTON, D.C.)—More money is heading to Montana to create jobs, thanks to \$15.5 million

9/30/2009

from the Jobs-Stimulus Bill announced today by Senators Max Baucus and Jon Tester.

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“With Montana’s rural nature, it is impossible for smaller projects to attract investors for our tax credits,” said Bruce Brendsal, Administrator for the Montana Board of Housing. “This important program will allow our small projects to move forward employing many folks in the construction industry as well as providing housing that is a critical need in our communities across the great State of Montana.”

“Affordable housing is key to maintaining a strong community,” Baucus said. “This is a win-win because construction workers will have jobs building housing for the families and individuals who need that housing the most.”

“This is good news for working folks all over Montana,” Tester said. “This money will put people to work today and make our infrastructure stronger in the long run. With smart investments like this, we can keep Montana a great place to live and work.”

The Jobs-Stimulus Bill is bringing more than \$1 billion in new funding to Montana in addition to more than \$500 million in middle-class tax relief.

http://tester.senate.gov/Newsroom/pr_081409_vetscenters.cfm

Tester announces new Veterans Centers for Great Falls, Kalispell

Senator’s request for new centers approved by VA

Friday, August 14, 2009

(BELGRADE, Mont.) – The U.S. Veterans Administration has approved two requests by Senator Jon Tester to open new Vet Centers in Great Falls and Kalispell, Tester announced today.

Tester made the requests, along with Montana’s Lieutenant Governor John Bohlinger, in a face-to-face meeting with Secretary of Veterans Affairs Eric Shinseki.

“This is great news for Montana’s veterans,” said Tester, Montana’s only member of the Veterans’ Affairs Committee. “These new Vet Centers will help veterans in Great Falls, Kalispell and surrounding communities access valuable and vital services closer to home.”

Vet Centers provide readjustment counseling, mental health screening, assistance with disability claims, and other services to combat veterans. Centers also conduct community outreach on family and employment issues and provide bereavement counseling for families of service members killed on active duty.

Tester is the author of the Rural Veterans Health Care Improvement Act, which would improve care for

the more than 100,000 veterans living in Montana. Tester's bill would improve mental health services for veterans, provide grants for innovative programs that improve health care for rural veterans, and lock in the current travel reimbursement for disabled veterans, secured by Tester. The bill has cleared the Veterans' Affairs Committee and is awaiting a vote by the full Senate.

Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security

(b) (6)

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Kroloff, Noah

From: Kroloff, Noah (b) (6)]
Sent: Friday, August 28, 2009 12:35 PM
To: Fournier, Ron; Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted; Dan Pfeifer
Subject: RE: Not again

R—

Thanks for your email. You're right, we did have what I thought was a productive conversation last night. I appreciated it and appreciated that you agreed to take a second look at the story about ports and ARRA. As you know, I expressed serious concern about today's follow-on story and had reached out to you before it was written. We have now absorbed two stories that we believe are inaccurate and not based in fact. Because the facts were not reported accurately, we believed it important for us to inform the public about them.

I very much enjoyed our conversation with your deputies. It was productive and I appreciate that they too are going to go back and take another look at this.

As for apologies, I certainly accept that both Eileen's and Matt's were genuine when they expressed regret for their behavior with respect to Jay Ahearn. You have no reason to question Sean's or my apology.

I agree on trends. We seem to be having a troubling time with the AP on the factual basis for stories about DHS that we are not having with other media outlets. We should continue to discuss at your convenience.

From: prvs=484a5f168=RFournier@ap.org [mailto:prvs=484a5f168=RFournier@ap.org] **On Behalf Of** Fournier, Ron
Sent: Friday, August 28, 2009 10:37 AM
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted; Dan Pfeifer
Subject: Not again

Noah,

I heard you out for 30 minutes last night, defending our story point-by-every point raised in your initial email and agreeing to have our deputies discuss new claims you raised on the call and details you and I were not versed in.

And now I hear you posted the dubious AP attack before allowing that follow-up conversation to occur today? The one we agreed to have?

To say I feel betrayed and played would be an understatement.

I now must take with a grain of salt the apologies you gave me for your staff's rude and threatening treatment of my beat reporter earlier this year. There is a distinct and troubling trend here, one I've not come across in any other corner of the Obama administration

There is an old saying, Noah: Fool me once, shame on you. Fool me twice, shame on me.

It won't happen again.

Ron

Sent from my GoodLink Wireless Handheld (www.good.com)

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Kroloff, Noah

From: Smith, Sean (b) (6)
Sent: Friday, August 28, 2009 10:41 AM
To: Kroloff, Noah; Shlossman, Amy
Subject: Re: Not again

The LJ post by Aguliar.

From: Kroloff, Noah
To: Smith, Sean ; Shlossman, Amy
Sent: Fri Aug 28 10:38:58 2009
Subject: Fw: Not again

What is he talking about

From: prvs=484a5f168=RFournier@ap.org
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted ; Dan Pfeifer
Sent: Fri Aug 28 10:36:43 2009
Subject: Not again

Noah,

I heard you out for 30 minutes last night, defending our story point-by-every point raised in your initial email and agreeing to have our deputies discuss new claims you raised on the call and details you and I were not versed in.

And now I hear you posted the dubious AP attack before allowing that follow-up conversation to occur today? The one we agreed to have?

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Kroloff, Noah

From: Kroloff, Noah
Sent: Thursday, August 27, 2009 8:29 PM
To: (b) (6)
Subject: Fw: Re: Let's talk. Free now?

From: prvs=484a5f168=RFournier@ap.org
To: Kroloff, Noah
Sent: Thu Aug 27 20:23:51 2009
Subject: RE: Re: Let's talk. Free now?

Ah. Yes.

Sent from my GoodLink Wireless Handheld (www.good.com)

-----Original Message-----
From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 08:19 PM Eastern Standard Time
To: Fournier, Ron
Subject: Re: Let's talk. Free now?

Thanks. I'm hoping you/he will give it consideration tonight before it runs in papers tomorrow.

----- Original Message -----
From: prvs=48300002f=RFournier@ap.org <prvs=48300002f=RFournier@ap.org>
To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 19:55:14 2009
Subject: RE: Let's talk. Free now?

Steve will, sure.

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

-----Original Message-----
From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 7:47 PM
To: Fournier, Ron
Subject: Re: Let's talk. Free now?

Also meant to add that if today's piece, as currently written says, "The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs," how can it also be claiming that, "Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list." That very contradiction--on the one hand claiming that we wouldn't share a priority list while on the other saying that the ap reviewed the priority list--really would give anyone some pause as to factual accuracy in my opinion, to say nothing of the fact that I think we are witnessing some serious confusion about gsa vs cbp vs arra vs approps funding/ports.

Would you taking a look at this, Ron?

9/30/2009

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

From: Kroloff, Noah
To: 'RFournier@ap.org' <RFournier@ap.org>
Sent: Thu Aug 27 18:35:40 2009
Subject: Re: Let's talk. Free now?

Hey. Thanks for talking. The quote below gets to the point of where we have a serious miscommunication that calls for a correction:

"The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs." "But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list." "A busy border station in her home state, for instance, was ranked No. 34 on the master priority list."

This isn't factually accurate and blends the confusion between what is a gsa port and cbp port, what is shovel ready under arra and what got funded thru the approps.

I appreciate you agreeing to remove the line saying we aren't asking for a correction, because we are, but I strongly believe printing the above misrepresents the facts as they are and as they were presented to your reporters.

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

From: prvs=48300002f=RFournier@ap.org <prvs=48300002f=RFournier@ap.org>
To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 17:02:19 2009
Subject: Let's talk. Free now?

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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Kroloff, Noah

From: Kroloff, Noah
Sent: Thursday, August 27, 2009 6:40 PM
To: Kudwa, Amy; Smith, Sean; Shlossman, Amy; Beers, Rand
Subject: Re: Napolitano: Politics didn't push stimulus projects

(b) (5)

From: Kudwa, Amy
To: Smith, Sean; Kroloff, Noah; Shlossman, Amy; Beers, Rand
Sent: Thu Aug 27 18:37:26 2009
Subject: Re: Napolitano: Politics didn't push stimulus projects

Whenever we do it, we can use the OPA conference line:

(b) (6)

From: Smith, Sean
To: Kroloff, Noah; Shlossman, Amy; Kudwa, Amy; Beers, Rand
Sent: Thu Aug 27 18:35:18 2009
Subject: RE: Napolitano: Politics didn't push stimulus projects

7:30 or 7:45 would be easier for me, but I can do whatever

From: Kroloff, Noah
Sent: Thursday, August 27, 2009 6:31 PM
To: Shlossman, Amy; Kudwa, Amy; Smith, Sean; Beers, Rand
Subject: Re: Napolitano: Politics didn't push stimulus projects

Guys--i talked to ron. Cn we do a call at 8. Putting max down. We have a call with them tomorrow.

From: Shlossman, Amy
To: Kudwa, Amy; Kroloff, Noah; Smith, Sean; Beers, Rand
Sent: Thu Aug 27 18:08:42 2009
Subject: RE: Napolitano: Politics didn't push stimulus projects
Among the many factual errors in this article, I think the back to back contradiction here puts it best:

"The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs."

"But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list."

"A busy border station in her home state, for instance, was ranked No. 34 on the master priority list."

From: Kudwa, Amy
Sent: Thursday, August 27, 2009 5:46 PM
To: Kroloff, Noah; Smith, Sean; Shlossman, Amy; Beers, Rand
Subject: AP: Napolitano: Politics didn't push stimulus projects

AP ran a story on her comments this morning. I don't see how the chief of staff reaching out to the bureau chief with a point by point rebuttal isn't asking for a correction.

Napolitano: Politics didn't push stimulus projects

By EILEEN SULLIVAN and ANABELLE GARAY (AP) – 1 hour ago

DALLAS — Homeland Security Secretary Janet Napolitano said Thursday that politics did not influence the decision to spend millions of dollars in stimulus money on little-used border checkpoints while passing over higher-priority projects.

Members of Congress have asked for answers after The Associated Press showed that the Obama administration did not follow its internal priority list when handing out money to repair border stations nationwide.

Two Montana senators have taken credit for securing money for projects in their state, including \$15 million for a border crossing that sees about three travelers a day. Democratic Sen. John Tester said he and colleague Max Baucus personally appealed to Napolitano to make that and other Montana projects happen.

At a Dallas news conference Thursday, Napolitano said the AP story "was just wrong and I'll say that because there was no kind of political issues involved there."

Napolitano did not say what was incorrect about the story and the department has not asked for a correction.

The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs. On Thursday, the AP renewed its request for the department to release its justification for deviating from the list, which Congress requires to be updated annually.

A House oversight committee has added the checkpoint projects to its investigation into how the stimulus money is being spent. The top Republican on that committee, California Rep. Darrell Issa, sent Napolitano a letter Wednesday, questioning why some projects leapfrogged others.

In promoting the stimulus, President Barack Obama banned "earmarks," which lawmakers routinely slip into bills to pay for pet projects, and he told agencies to "develop transparent, merit-based selection criteria" for spending.

But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list. Officials said the list was just a starting point and would be too easily misunderstood. Officials said they could select projects out of order for any number of reasons.

Napolitano has acknowledged that politicians can influence an administration's spending plans. A busy border station in her home state, for instance, was ranked No. 34 on the master priority list. But as governor of Arizona, she lobbied hard to get it at the top of the Bush administration's spending plan.

Under the stimulus, the Nogales, Ariz., checkpoint will receive \$199 million, five times more than any other project.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

CBP officials provided justifications for some but not all of the projects that were funded out of order. They would not address what role Tester and Baucus played in securing \$15 million for a border station in the sleepy town of Whitetail, Mont., the size and cost of a Hollywood mansion.

Nor have they addressed another why the Westhope, N.D., checkpoint, which serves about 73 people a day and

is among the lowest-priority projects, is set to get nearly \$15 million for renovations. Sullivan reported from Washington. Associated Press writer Matt Apuzzo in Washington contributed to this report.

From: 36-yWShQKCbknfkdZkdqsr-mnqdokxfnnfkd.bn19lx.JtcvZcgr.fnu@alerts.bounces.google.com
<36-yWShQKCbknfkdZkdqsr-mnqdokxfnnfkd.bn19lx.JtcvZcgr.fnu@alerts.bounces.google.com>**To:** Kudwa, Amy
Sent: Thu Aug 27 16:30:35 2009
Subject: Google Alert - Janet Napolitano

Google News Alert for: **Janet Napolitano**



The Associated
Press

Napolitano: Politics didn't push stimulus projects

The Associated Press

DALLAS — Homeland Security Secretary **Janet Napolitano** said Thursday that politics did not influence the decision to spend millions of dollars in stimulus ...

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Homeland security chief predicts bipartisan progress on ...

Dallas Morning News

The Dallas Morning News Homeland Security Secretary **Janet Napolitano** said today she was optimistic that bipartisan immigration reform would, at some point, ...

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Kroloff, Noah

From: Kroloff, Noah
Sent: Thursday, August 27, 2009 6:36 PM
To: 'RFournier@ap.org'
Subject: Re: Let's talk. Free now?

Hey. Thanks for talking. The quote below gets to the point of where we have a serious miscommunication that calls for a correction:

"The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs." "But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list." "A busy border station in her home state, for instance, was ranked No. 34 on the master priority list."

This isn't factually accurate and blends the confusion between what is a gsa port and cbp port, what is shovel ready under arra and what got funded thru the approps.

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From: prvs=48300002f=RFournier@ap.org <prvs=48300002f=RFournier@ap.org>
To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 17:02:19 2009
Subject: Let's talk. Free now?

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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Kroloff, Noah

From: prvs=48300002f=RFournier@ap.org on behalf of Fournier, Ron [RFournier@ap.org]
Sent: Thursday, August 27, 2009 2:56 PM
To: Kroloff, Noah
Subject: RE:

My job. And my pleasure. Will read up after a couple more meetings (ugh)

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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

From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 2:13 PM
To: Fournier, Ron
Subject: Re:

Thanks. Heading to the airport. Appreciate you taking a look at this.

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

From: prvs=48300002f=RFournier@ap.org <prvs=48300002f=RFournier@ap.org>
To: Kroloff, Noah (b) (6)
Sent: Thu Aug 27 13:53:16 2009
Subject: RE:

Hi Noah,

Just returned from the road. Let me dig into this note and the story.

I will get back to you.

Hope you're well.

Ron

Ron Fournier
The Associated Press
office: 202-641-9402
cell: 202-262-1750

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

From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 11:59 AM
To: Fournier, Ron
Subject:

Ron--

How are you? I'm traveling with the secretary right now, which is why I didn't reach out to you yesterday, as per our agreement to come to each other on serious issues that arise between dhs and the ap, but Eileen and Matt's story on ports yesterday was one. So, a couple things I'd like to catch you on later today/tomorrow:

1) Can you take a look at below? It basically walks through the allegations made in the

story and provides context on what I believe is reality related to the claims.

2) I was personally involved in trying to brief Matt and Eileen. I have to say that that process was alarming at best. Matt later called to apologize and it is my understanding that Eileen also sent an apology email to Jay Ahearn (cbp commissioner), but the gist of it was that they had a number of erroneous assumptions about port funding that were not supported by the facts. We provided them with those facts through unprecedented access and a 3 hour meeting at cbp literally walking them through the analysis done to prioritize port funding. This occurred even though Matt was accusing us of lying to him and hiding information from the ap. Worth also noting that we did this the Monday following the murder of one of our border patrol agents.

3) While I thought we had arrived at a point where the facts spoke for themselves, it appears that your writers simply chose to ignore them.

I'd like to discuss all of this with you further. Is there a time we can speak?

AP claim: Political considerations determined which port of entry projects received ARRA money.

FACT: CBP and GSA used a thorough, objective and transparent process of analysis and prioritization based on the merits of each project to select the ports of entry that will be modernized with ARRA funds. Beginning in 2003, CBP started an assessment to rank the conditions and needs of all 163 U.S. land ports of entry. CBP incorporated over 60 distinct factors across four categories—mission and operation requirements, health and life safety concerns, personnel and workload growth, and space and site deficiencies. In order to satisfy additional ARRA requirements for accountability, timeliness and transparency, CBP incorporated an additional layer of analysis into this assessment methodology. Specifically, CBP identified risk factors that could impact the feasibility of implementing major construction at any CBP-owned location within the timelines prescribed under the ARRA, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues. Through this comprehensive and objective process, the land ports of entry modernization list was determined and made public on Recovery.gov

AP claim: Sens. Baucus and Tester "pressed Napolitano to finance projects in their state."

FACT: The AP gives no evidence whatsoever of this claim, probably because none exists. Secretary Napolitano had no influence on the funding decisions and these Senators did not communicate to the Secretary their desire to see these projects financed.

AP claim: CBP's process for selecting land port of entry projects for ARRA funding is secretive and the agency refused to provide justifications for its decisions. FACT: Prior to the AP's story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov. While some information used to rank projects cannot be made public because it contains law enforcement sensitive information, DHS provided the AP with unprecedented access to a wide array of additional information CBP used to support final project selections, including written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues. They were given a nearly 3 hour briefing and access to all of the supporting documents. Additionally, DHS repeatedly made DHS Chief of Staff Noah Kroloff, Acting Commissioner of CBP Jay Ahern, CBP Chief of Staff Marco Lopez, and DHS Assistant Secretary for Public Affairs Sean Smith available to the AP for on-the-record interviews on this topic.

AP claim: Projects in DHS Secretary Janet Napolitano's home state of Arizona received preferential treatment.

FACT: The Nogales, AZ Land Port of Entry referenced in the AP story is owned by GSA, not DHS as the AP implies. This was made clear to the reporters before the story ran. Planning for this port project began in 2006 with a feasibility study and Congress authorized the GSA to initiate the design for the new port of entry in 2007, more than two years before Napolitano became Secretary of DHS. The design was completed in early 2009, and the

passage of ARRA put the project on course to initiate construction in late 2009. This was also made clear to the reporters before the story ran.

AP claim: DHS is choosing to use ARRA funding for small, low-traffic Northern border ports that are lower on the priority list than several busier ports along the Southwest border, such as the port in Laredo, TX that are not receiving ARRA funding.

FACT: Though the priority list of all 163 U.S. land ports of entry includes both CBP-owned and GSA-owned ports, DHS received ARRA funding for CBP-owned ports only. Currently, CBP owns 39 land ports of entry along the Northern border and four along the Southwest border. By contrast, GSA currently owns or leases 38 land ports of entry along the Southwest border. CBP-owned ports are characteristically small, rural, four-decades-old, low-traffic ports along the Northern border. Most are not equipped to meet security standards in the modern, post-September 11th era, and possess critical deficiencies such as a lack of holding cells, secured areas, or violator processing areas; outdated surveillance systems; health hazards such as mold and other air quality issues; and insufficient utilities including electrical and plumbing. The "port" of Laredo encompasses four distinct inspection facilities, which are all owned or leased by GSA, not DHS. When evaluated for ARRA funding, potential projects for each of the four inspection facilities within the Laredo metropolitan area could not meet ARRA requirements because of project scoping issues and historic preservation requirements. As noted above, at the AP's request, CBP provided written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues, but the AP chose not to include this information in their reporting.

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[IP_US_DISC]

msk_dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: Kroloff, Noah (b) (6)
Sent: Thursday, August 27, 2009 2:06 PM
To: Shlossman, Amy; Smith, Sean; Kroloff, Noah
Subject: Re: LJ Post

Si

From: Shlossman, Amy
To: Smith, Sean ; Kroloff, Noah
Sent: Thu Aug 27 13:23:18 2009
Subject: RE: LJ Post

Edits attached/ revised version below so Noah can read on BB.

(b) (5)

(b) (5)

Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

Jay Ahern
Acting Commissioner, U.S. Customs and Border Protection

The American Recovery and Reinvestment Act (ARRA) provided critical funding to improve security along our borders at our land ports of entry. Customs and Border Protection, part of the Department of Homeland Security, is utilizing \$420 million in Recovery Act funding to replace aging infrastructure and enhance safety at 43 ports of entry across the country—through an objective, thorough, and transparent process.

On August 26, the Associated Press ran a misleading story that portrayed this process as biased and secretive. Nothing can be further from the truth. Indeed, information that CBP provided to the AP, but which the AP chose not to include in its story, clearly shows our Recovery dollars are being put to work quickly and transparently.

The AP claimed that political considerations helped determine which ports received ARRA funding. In reality, CBP and the General Services Administration used a thorough, objective, and transparent process based on the merits of each project to select the ports of entry that will be modernized with ARRA funds.

This process was long in the making. The assessment to rank the conditions and needs of all 163 U.S. land ports of entry started in 2003. CBP incorporated over 60 factors across four categories, ranging from health and life safety concerns to workload growth and space and site deficiencies. For ARRA funds, which were tied to construction timelines, CBP also identified and analyzed a range of factors that could impact the feasibility of meeting these timelines. This list is public on Recovery.gov.

9/30/2009

The AP also accuses DHS of choosing to use ARRA funding for small, low-traffic northern border ports rather than for busier ports along the southwest border, such as the port in Laredo, Texas.

But the AP story doesn't reflect an understanding of who actually owns the ports and how the funding process works. DHS received ARRA funding only for ports owned by CBP, which include 39 ports of entry along the northern border and four along the southwest border, none of which are in Laredo. GSA owns or leases all the Laredo port facilities, part of the 38 southwest border land ports that GSA controls.

Most of the ports CBP owns are small, rural, low-traffic ports along the northern border. Most are four decades old and unequipped to meet the security needs of a modern, post-9/11 world.

Finally, the AP wrote that CBP had a secretive process for determining port funding and refused to provide justifications for its decisions. This is patently false. Prior to the AP's story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov.

DHS provided the AP with unprecedented access to a wide array of additional information about final project selections, including a nearly three-hour briefing and access to all supporting documents. CBP also provided written, on-the-record justifications for why specific ports were not eligible for ARRA funds due to feasibility and project readiness issues. DHS also made available to the AP numerous high-level policymakers for interviews on this topic.

In every instance, we provided the AP with information, which – if reported fully and accurately – would have addressed their questions. Americans should have confidence in the objectivity and openness with which ARRA funds have been dedicated to port projects and both CBP and DHS are committed to upholding this responsibility. To find out more about how ARRA funds are being used in your community and across the country, visit Recovery.gov.

From: Smith, Sean
Sent: Thursday, August 27, 2009 12:30 PM
To: Shlossman, Amy
Subject: RE: LJ Post

Fact vs. Fiction: Correcting the AP on Port Infrastructure Funding

Jay Ahern
Acting Commissioner, U.S. Customs and Border Protection

The American Recovery and Reinvestment Act (ARRA) provided important funding to update antiquated port infrastructure on our borders. Customs and Border Protection, part of the Department of Homeland Security, has dedicated our portion of that funding to port projects using an objective, thorough, and transparent process.

On August 26, the Associated Press ran a misleading story that portrayed this process as

biased and secretive. Nothing can be further from the truth. Indeed, information that CBP provided to the AP, but which the AP did not include in its story, clearly shows each of the AP's assertions to be false.

The AP claimed that political considerations helped determine which ports received ARRA funding. In reality, CBP and the General Services Administration used a thorough, objective, and transparent process based on the merits of each project to select the ports of entry that will be modernized with ARRA funds.

This process was long in the making. The assessment to rank the conditions and needs of all 163 U.S. land ports of entry started in 2003. CBP incorporated over 60 factors across four categories, ranging from health and life safety concerns to workload growth and space and site deficiencies. For ARRA funds, which were tied to construction timelines, CBP also identified and analyzed a range of factors that could impact the feasibility of meeting these timelines. This list is public on Recovery.gov.

Despite the reality, the AP makes the baseless claim that projects in Montana received funding because the two senators from Montana pressured Secretary Janet Napolitano to fund them. The AP gives no evidence whatsoever to back up this claim. In reality, Secretary Napolitano had no influence on these funding decisions, and those two senators never communicated to her a desire to have these projects financed.

The AP also claims that Secretary Napolitano's home state of Arizona received preferential treatment because the busy port of entry at Nogales, Arizona, received a large amount of funding. But this port of entry isn't even owned by Customs and Border Protection – it's owned by GSA. Congress authorized GSA to initiate the design for the new port of entry in 2007, two years before Napolitano became DHS Secretary. The design was completed in early 2009, so it was prioritized under ARRA as a "shovel-ready" project.

The AP also accuses DHS of choosing to use ARRA funding for small, low-traffic northern border ports rather than for busier ports along the southwest border, such as the port in Laredo, Texas.

But the AP story doesn't reflect an understanding of who actually owns the ports and how the funding process works. DHS received ARRA funding only for ports owned by CBP, including 39 ports of entry along the northern border and four along the southwest border, and not including any port facilities in Laredo. GSA owns or leases all the Laredo port facilities, part of the 38 southwest border land ports that GSA controls.

Most of the ports CBP owns are small, rural, low-traffic ports on the northern border. Most are four decades old, are unequipped to meet the security needs in the post-9/11 world.

Finally, the AP wrote that CBP had a secretive process for determining port funding and refused to provide justifications for its decisions. This is patently false. Prior to the AP's story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov.

DHS provided the AP with unprecedented access to a wide array of additional information about final project selections, including a nearly three-hour briefing and access to all supporting documents. CBP also provided written, on-the-record justifications for why 24

locations were not eligible for ARRA funds due to feasibility and project readiness issues. DHS also made available to the AP numerous high-level policymakers for interviews on this topic.

In every instance, we provided the AP with information, which – if reported fully and accurately – would have addressed their questions. Americans should have confidence in the objectivity and openness with which ARRA funds have been dedicated to port projects. Anyone who is curious about how these funds are being used can learn more at Recovery.gov.

From: Shlossman, Amy
Sent: Thursday, August 27, 2009 12:29 PM
To: Smith, Sean
Subject: RE: LJ Post

(b) (5)

From: Smith, Sean
Sent: Thursday, August 27, 2009 12:27 PM
To: Shlossman, Amy
Subject: FW: LJ Post

(b) (5)

From: O'CONNELL, MARIA L. (b) (6)
Sent: Thursday, August 27, 2009 11:05 AM
To: Smith, Sean
Cc: LEMAITRE, RAFAEL; LOPEZ, MARCO A (HQ)
Subject: LJ Post

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

Maria Luisa O'Connell
Assistant Commissioner
Office of Public Affairs
U.S. Customs and Border Protection
Department of Homeland Security
(202) 344-1700

Kroloff, Noah

From: Smith, Sean
Sent: Thursday, August 27, 2009 11:55 AM
To: Kroloff, Noah; Kudwa, Amy
Subject: FW: Border Crossing story

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

From: prvs=48341556b=ESullivan@ap.org [mailto:prvs=48341556b=ESullivan@ap.org] On Behalf Of Sullivan, Eileen
Sent: Thursday, August 27, 2009 11:51 AM
To: Smith, Sean; Kudwa, Amy; LEMAITRE, RAFAEL
Cc: Apuzzo, Matt
Subject: Border Crossing story

Can one of you please let me know what is factually wrong in the border crossing story? Secretary Napolitano just stated that the story was wrong, but AP did not hear from anyone in the past 24 hours seeking a correction or a clarification.

We remain interested in hearing a justification for Whitetail funding as well as the other Montana ports.

Thanks.

Eileen

Eileen Sullivan
Homeland Security Reporter
Associated Press
w 202.641.9595
c 202-997-7624
f 801-795-5325
e-mail esullivan@ap.org
AIM esap77
1100 13th St. NW
Suite 700
Washington, DC 20005

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[IP_US_DISC]

msk_dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: LEMAITRE, RAFAEL (b) (6)
Sent: Tuesday, August 25, 2009 6:06 PM
To: Oxhorn, Elizabeth A.; Smith, Sean; Gavin, Thomas E.; Klain, Ronald A.; Shlossman, Amy; Chandler, Matthew; Kuban, Sara; Carney, James F.; Shapiro, Nicholas S.; Kroloff, Noah; Alexander, Elizabeth; Deseve, G. Edward; LOPEZ, MARCO A (HQ); O'CONNELL, MARIA L.
Subject: RE: Stimulus story FYI
Attachments: Wild Horse_project fact sheets.pdf; DelBonita_project fact sheet.pdf; Morgan_project fact sheet.pdf; Scobey_project fact sheet.pdf; Whitetail_project fact sheets.pdf; CBP ARRA_MTproject_08242009.doc; CBP_Construction_of_CBP-Owned_Land_Ports_of_Entry_2009-05-15.pdf; All POEs Total Pax FY 2009 (2).xls; SpecificPorts.doc

Thanks Liz -

As you noted, there's been a substantial amount of information and access we provided to AP. Attached is the material we provided to her along with two word documents that responded to some of her questions regarding funding for specific ports. I'm also including fact sheets for some of the smaller CBP-owned ports that include justification for funding (including Whitetail). We have provided those to Eileen as well. Finally, I'm attaching an e-mail chain below that includes context along with some on-the-record comments I offered to her.

I'll work with our team here to come up with additional bullets by tomorrow am.

Rafael

From: LEMAITRE, RAFAEL
Sent: Friday, July 31, 2009 3:48 PM
To: 'Sullivan, Eileen'
Subject: RE: Response

They are emergent repair projects spread out across every CBP port including things like mold remediation, painting, trip hazards, etc. It is part of the \$720 million.

From: prvs=456c6f301=ESullivan@ap.org [mailto:prvs=456c6f301=ESullivan@ap.org] **On Behalf Of** Sullivan, Eileen
Sent: Friday, July 31, 2009 11:50 AM
To: LEMAITRE, RAFAEL
Subject: RE: Response

What are the other ARRA-funded projects at the remaining 20 CBP ports? Is that part of the \$720 million? And if not, where is it coming from?

From: LEMAITRE, RAFAEL (b) (6)
Sent: Friday, July 31, 2009 11:45 AM
To: Sullivan, Eileen
Subject: Re: Response

Hey Eileen - You can quote me from this:

9/30/2009

Beginning in 2003, CBP undertook a thorough assessment of the infrastructural and operational conditions of all 163 GSA and CBP-owned land ports of entry. Through this assessment CBP identified more than \$6 billion in needed investment to modernize the entire LPOE inventory, and prioritized the ports based on more than 60 different factors, including operational requirements, health and life safety concerns, workload growth and existing site deficiencies. When ARRA appropriated \$720 million to modernize land ports of entry at our northern and southern borders, 23 CBP-owned ports and 7 GSA-owned ports were selected for large-scale projects based on the existing priority list and implementation timelines prescribed under ARRA. ARRA also funded smaller projects at 20 CBP-owned ports, enabling all 43 CBP-owned ports to receive improvements under ARRA.

From: prvs=455610b65=ESullivan@ap.org <prvs=455610b65=ESullivan@ap.org>

To: LEMAITRE, RAFAEL

Sent: Thu Jul 30 10:17:33 2009

Subject: RE: Response

Good morning, Rafael.

We've decided to write a story. Can you please give me similar explanations for all 163 ports that states why Port A is getting ARRA money and why Port B is not getting money. Please also include why these spending decisions deviate from the stated methodology that produced the master list of 163 ranked ports.

I need the answers by noon Friday.

Thanks!

Best,

Eileen

[Posting Unreadable Content](#)

Pending Counsel With Outside Agency



From: Smith, Sean (b) (6)

Sent: Thursday, July 23, 2009 7:27 PM

To: Gavin, Thomas E.; Smith, Sean; Klain, Ronald A.; Shlossman, Amy; Chandler, Matthew M; Kuban, Sara A; Oxhorn, Elizabeth A.; Carney, James F.; Shapiro, Nicholas S.; Kroloff, Noah

Subject: RE: Stimulus story FYI

AP not writing today. Will keep you posted.

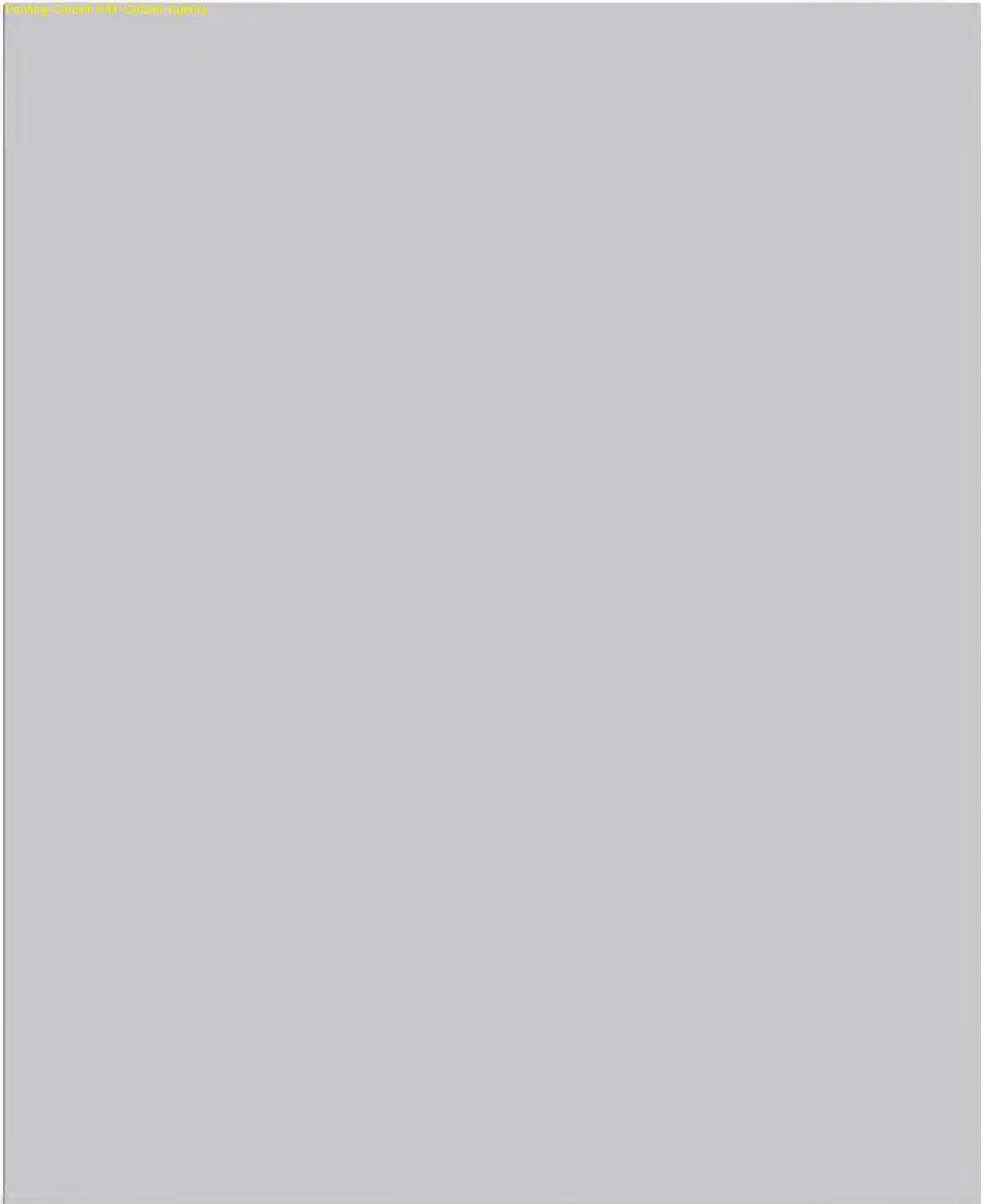
Pending Counsel With Outside Agency



Planning Consult With Outside Agency



Pending Consent With Outside Agency



Pending Counsel With Outside Agency



Reading Consent With Customs Agency

From: Apuzzo, Matt [mailto:mapuzzo@ap.org]
Sent: Thursday, July 23, 2009 1:26 PM
To: Oxhorn, Elizabeth A.; Carney, James F.
Subject: Stimulus story FYI

I'm out of the office but wanted to give you a headsup on what my colleague is working on...

A story is going to go out today. And it will basically say that Nogales, Ariz. is getting \$199 million out of \$720 in port money. Napolitano pushed hard for this as gov and it's a ton of money compared to others.. And while officials say Nogales deserves this, CBP has not completed their list of priority repairs _ a list that was ordered in 2003.

We have asked CBP and DHS for explanation of what's going on and how this decision was made without the priority list. So far heard nothing. If you guys have anything to add please let me know.

9/30/2009

Thanks,
Matt

Matt Apuzzo
The Associated Press
202-641-9439 office
202-365-2265 cell

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[IP_US_DISC]
msk dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: LOPEZ, MARCO A (HQ) (b) (6)
Sent: Friday, September 04, 2009 5:21 PM
To: Kroloff, Noah; Shlossman, Amy; Smith, Sean; LOPEZ, MARCO A (HQ); de Vallance, Brian
Cc: CAINE, JEFFREY; STACEY, ANNE-MARIE
Subject: FW: Ed DeSeve
Importance: High
Attachments: Funds available for additional LPOE projectsv5.doc

Hello all. Here is the analysis that we have put together regarding the savings questions.

Thanks and have a great weekend!

Marco

(b) (5)

||

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

From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (6)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

>; LOPEZ, MARCO A (HQ)

Uh, bs

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

From: de Vallance, Brian
To: Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

(b) (5)

Sent using BlackBerry

9/30/2009

Kroloff, Noah

From: Smith, Sean (b) (6)
Sent: Sunday, August 30, 2009 11:05 PM
To: Kroloff, Noah; Kuban, Sara; Wiggins, Chani
Cc: Smith, Sean; Shlossman, Amy
Subject: RE: Tester

(b) (5)

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

From: Kroloff, Noah (b) (6)
Sent: Sun 8/30/2009 10:29 PM
To: Kuban, Sara; Wiggins, Chani
Cc: Smith, Sean; Shlossman, Amy
Subject: Re: Tester

(b) (5)

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

From: Kuban, Sara
To: Kroloff, Noah; Wiggins, Chani
Cc: (b) (6); Shlossman, Amy
Sent: Sun Aug 30 22:26:59 2009
Subject: Re: Tester

(b) (5)

Sent using BlackBerry

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

From: Kroloff, Noah
To: Kuban, Sara; Wiggins, Chani
Cc: (b) (6); Shlossman, Amy
Sent: Sun Aug 30 22:25:41 2009
Subject: Re: Tester

(b) (5)

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

From: Kuban, Sara
To: Kroloff, Noah; Wiggins, Chani
Cc: (b) (6); Shlossman, Amy
Sent: Sun Aug 30 22:24:47 2009
Subject: Re: Tester

I just looked through all of the Montana daily newspapers online. From what I could tell most, if not all, of the newspapers either yesterday or today ran the AP story w/ the headline - Napolitano: Senators Wrongly Took Credit. But many also ran another story in which Baucus and Tester explain the situation a bit - that article will come in a separate e-mail.

I'm going to call over to the offices in the morning to see if there was anything that ran in the hard clips that wasn't posted online so I'll give an update if I find anything else.

Sent using BlackBerry

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

From: Kroloff, Noah
To: Wiggins, Chani
Cc: (b) (6)
Sent: Sun Aug 30 19:50:30 2009
Subject: Re: Tester

Shlossman, Amy; Kuban, Sara

(b) (5)

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

From: Kroloff, Noah
To: Wiggins, Chani
Cc: (b) (6)
Sent: Sun Aug 30 19:28:14 2009
Subject: Re: Tester

Shlossman, Amy

(b) (5)

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

From: Wiggins, Chani
To: Kroloff, Noah
Cc: (b) (6)
Sent: Sun Aug 30 17:35:16 2009
Subject: Tester

Shlossman, Amy

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

Chani Wiggins
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
202-447-5890

Kroloff, Noah

From: Kuban, Sara (b) (6)
Sent: Sunday, August 30, 2009 10:26 PM
To: Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: Fw: Baucus, Tester defend border money

Here is the other story - this posted yesterday mid-afternoon and ran in most of the papers in Montana.

Sent using BlackBerry

From: Sara Kuban
To: Kuban, Sara A
Sent: Sun Aug 30 22:19:14 2009
Subject: Baucus, Tester defend border money

Baucus, Tester defend border money

JENNIFER McKEE Gazette State Bureau | Posted: Friday, August 28, 2009 11:05 pm

HELENA - Montana's two senators stressed Friday that it was preparation - not pork - that brought millions of dollars to the state to improve crossing stations along Montana's long border with Canada.

"Post-9/11 is a whole lot different arena than pre-9/11," said Sen. Jon Tester, D-Mont. "We're not building Hollywood mansions along the northern border, I can tell you that."

Tester was responding to an Associated Press report that questioned why Montana received \$15 million for border crossings that receive little traffic. One article described border crossing in Whitetail as costing as much as a "Hollywood mansion."

Tester and Baucus have taken credit for the Homeland Security money flowing to the northern border. The AP report questioned whether that and other crossing stations in rural states leapfrogged ahead of busier crossings in terms of getting money.

Janet Napolitano, director of Homeland Security and former governor of Arizona, which has a busy border with Mexico, said the AP reports were "wrong."

Tester said Friday that one of his first tasks as a senator was to ask for a report on the safety of nation's northern border, which in many places is known for its rural quality and sparse traffic. The report "came back that you've got a vast border, an expansive border that is open to terrorism and smuggling," Tester said.

The nation cannot ignore its border with Canada just because it doesn't see a lot of traffic, he said. Terrorism doesn't necessarily show up at the busiest ports of entry.

"We've pushed to make sure that border is as secure as possible," Tester said. "We are only as secure as our weakest point. It only takes one terrorist."

Baucus also said the northern border is important, if not as busy.

It "cannot be a back door for terrorism and other illegal activity," he said. "I have long fought to make sure our border with Canada is secure and these funds are a wise investment for our national security."

The Whitetail port, for example, was built 45 years ago and has never seen any improvements. The federal priority list for border improvements also considered the condition of the building and the working conditions of border agents.

Kroloff, Noah

From: Kroloff, Noah (b) (6)
Sent: Sunday, August 30, 2009 10:21 AM
To: Kuban, Sara A; Kroloff, Noah; Wiggins, Chani Winn; Smith, Sean; Shlossman, Amy
Subject: Re: Tester/baucus

(b) (5)

From: Kuban, Sara
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy
Sent: Sun Aug 30 09:59:57 2009
Subject: Re: Tester/baucus

(b) (5)

Sent using BlackBerry

From: Kroloff, Noah
To: Kroloff, Noah ; Kuban, Sara A ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy
Sent: Sun Aug 30 08:52:48 2009
Subject: Re: Tester/baucus

All-

(b) (5)

From: Kroloff, Noah
To: Kuban, Sara A ; Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy
Sent: Sat Aug 29 22:46:03 2009
Subject: Re: Tester/baucus

Yep

From: Kuban, Sara
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy
Sent: Sat Aug 29 22:45:35 2009
Subject: Re: Tester/baucus

(b) (5)

Sent using BlackBerry

From: Kroloff, Noah
To: Kuban, Sara A ; Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy
Sent: Sat Aug 29 22:40:32 2009
Subject: Re: Tester/baucus

(b) (5)

From: Kuban, Sara
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy
Sent: Sat Aug 29 22:37:34 2009
Subject: Re: Tester/baucus

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

Sent using BlackBerry

From: Kroloff, Noah
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy ; Kuban, Sara A
Sent: Sat Aug 29 21:53:44 2009
Subject: Re: Tester/baucus

(b) (5)

From: Kroloff, Noah
To: Wiggins, Chani Winn ; Kroloff, Noah ; Smith, Sean ; Shlossman, Amy ; Kuban, Sara A
Sent: Sat Aug 29 15:44:41 2009
Subject: Re: Tester/baucus

(b) (5)

From: Wiggins, Chani
To: Kroloff, Noah ; Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy ; Kuban, Sara A
Sent: Sat Aug 29 15:37:31 2009
Subject: Re: Tester/baucus

(b) (5)

(b) (5)

(b) (5)

Chani Wiggins
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
202-447-5890

From: Kroloff, Noah
To: Wiggins, Chani Winn ; Smith, Sean ; Shlossman, Amy ; Kuban, Sara
Sent: Sat Aug 29 14:51:18 2009
Subject: Tester/baucus

(b) (5)

Kroloff, Noah

From: Wiggins, Chani (b) (6)
Sent: Saturday, August 29, 2009 9:55 PM
To: Kroloff, Noah; Kuban, Sara A; Wiggins, Chani Winn; Smith, Sean; Shlossman, Amy
Subject: Re: Dhs statement for ap

(b) (5)

Chani Wiggins
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
202-447-5890

From: Kroloff, Noah
To: Kuban, Sara A ; Wiggins, Chani Winn ; Kroloff, Noah ; Smith, Sean ; Shlossman, Amy
Sent: Sat Aug 29 21:53:05 2009
Subject: Re: Dhs statement for ap

(b) (5)

From: Kuban, Sara
To: Wiggins, Chani Winn ; Kroloff, Noah ; Smith, Sean
Sent: Sat Aug 29 16:00:41 2009
Subject: Re: Dhs statement for ap

(b) (5)

Sent using BlackBerry

From: Wiggins, Chani
To: Kroloff, Noah ; Smith, Sean ; Kuban, Sara A
Sent: Sat Aug 29 15:49:36 2009
Subject: Fw: Dhs statement for ap

Chani Wiggins
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
202-447-5890

From: (b) (6)
To: (b) (6)
Sent: Sat Aug 29 15:48:21 2009
Subject: Re: Dhs statement for ap

(b) (5)

(b) (6)

From: Wiggins, Chani (b) (6)

To: (b) (6)

Sent: Sat Aug 29 11:57:48 2009

Subject: Dhs statement for ap

(b) (5)

(b) (5)

"Contrary to the AP story, politics played no role in the port projects funded by the Recovery Act. We applaud Sens. Baucus and Tester for their leadership in strengthening security in Montana and at our Northern ports of entry. Sens. Baucus and Tester's efforts to spearhead the passage of the Recovery Act resulted in \$720 million in port projects on both the northern and southern borders, making America and Montana more secure."

Chani Wiggins

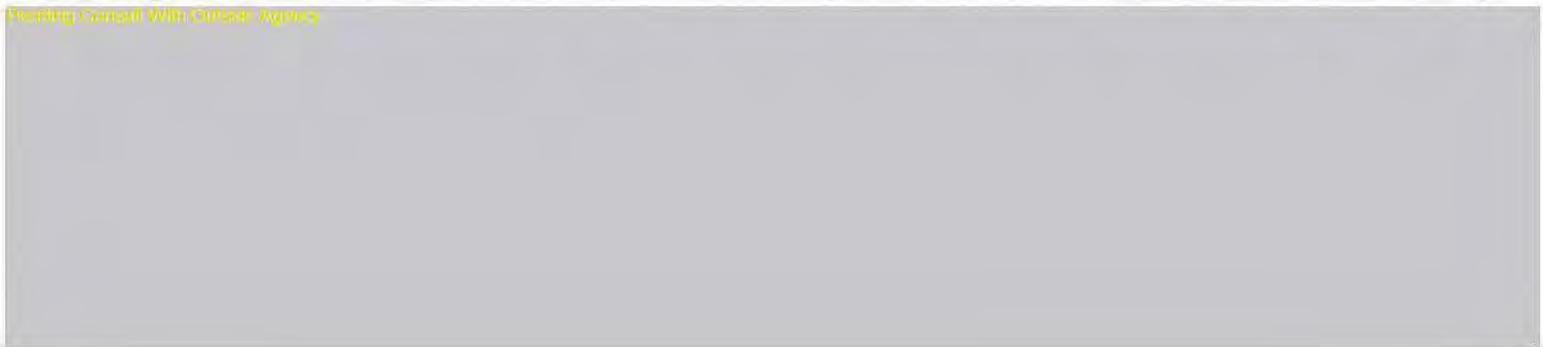
Assistant Secretary for Legislative Affairs

U.S. Department of Homeland Security

202-447-5890

Kroloff, Noah

Review Consent With Outside Agency



Kroloff, Noah

From: Kroloff, Noah (b) (6)
Sent: Saturday, August 29, 2009 11:03 AM
To: Wiggins, Chani Winn; Smith, Sean; Kroloff, Noah; Kuban, Sara A
Cc: Shlossman, Amy
Subject: Re: Day 2

Looks like baucus was

From: Wiggins, Chani
To: Smith, Sean ; Kroloff, Noah ; Wiggins, Chani Winn ; Kuban, Sara A
Cc: Shlossman, Amy
Sent: Sat Aug 29 10:10:37 2009
Subject: Re: Day 2

Not a peep from here.

Were they ok with this prepared stmt (which sounds fine to me)?
Chani Wiggins
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
202-447-5890

From: Smith, Sean
To: Kroloff, Noah ; Chani Wiggins ; Kuban, Sara A
Cc: Shlossman, Amy
Sent: Sat Aug 29 10:08:44 2009
Subject: Day 2

Anything more to report today?

The story didn't even appear in our clips this morning. It's on the Wash Post website, but not the print edition. It's not in any other "national" news outlet site that I can find and I quickly scanned the MT papers and TV sites and I only saw it twice, and in both places it wasn't prominently featured.

Here is the quote we worked up last night to use if asked.

"Contrary to the AP story, politics played no role in the port projects funded by the Recovery Act. We applaud Sens. Baucus and Tester for their leadership in strengthening security in Montana and at our Northern ports of entry. Sens. Baucus and Tester's efforts to spearhead the passage of the Recovery Act resulted in \$720 million in port projects on both the northern and southern borders, making America and Montana more secure."

Anything to report from their offices today? If so, perhaps we do by conf call.

Kroloff, Noah

From: Shlossman, Amy

Sent: Saturday, August 29, 2009 9:15 AM

To: Kroloff, Noah

Here's the version on the AP web site as of 8:30 pm last night

Aug 28, 8:24 PM EDT

DHS: Senators did not influence stimulus decisions

By EILEEN SULLIVAN and MATT APUZZO

Associated Press Writers

WASHINGTON (AP) -- The Obama administration said Friday that two Democratic senators falsely took credit for steering millions of dollars to projects in their home state, even as officials acknowledged that the Homeland Security secretary met with the lawmakers and discussed financing the projects.

Homeland Security Secretary Janet Napolitano denies politics played any role in distributing stimulus money. The Associated Press reported this week that her department did not follow its own priority list when selecting projects.

Montana Sens. Max Baucus and Jon Tester have taken credit for helping secure \$77 million in stimulus money for repairs at border stations in their state. That includes \$15 million for a Whitetail, Mont., checkpoint that sees three travelers a day.

"Politicians take credit for things that go on in their state whether they deserve it or not," Homeland Security spokesman Sean Smith said Friday. "These guys are politicians. I don't think anyone should be surprised if they decided to jump in front of that and take some credit for that."

It was an unusually pointed criticism directed at two Democrats. Baucus is chairman of the Senate Finance Committee and a key ally in the Obama administration's push for a health care overhaul.

At first, Smith and Napolitano's chief of staff, Noah Kroloff, denied that Napolitano even met with Tester and Baucus. After the AP contacted the two lawmakers, Smith acknowledged two meetings during the presidential transition, when Napolitano had been nominated but not confirmed.

A reference to the senators' meetings was included in an AP story this week that raised questions about the funding process.

During the Jan. 16 meeting, Baucus told Napolitano it was important to spend money on checkpoints along the Canadian border, citing concerns about illegal activity there, said Tyler Matsdorf, a spokesman for Baucus. He said they did not discuss specific projects.

Tester similarly met with Napolitano Jan. 14 and "discussed in general the importance of strengthening security along Montana's northern border," his spokesman Aaron Murphy said. After Montana projects received \$77 million under the stimulus, Tester issued a press release crediting those meetings with Napolitano.

It's not unusual or improper for senators to fight for hometown projects. But President Barack Obama banned Congress from choosing projects as part of the \$787 economic stimulus bill, promising his agencies would be objective and transparent.

Smith said Friday that the secretary did not intervene in the selection process.

Napolitano herself acknowledged in April that politicians can influence how money gets spent. She said that as Arizona governor, she pushed the Bush administration to put a project in Nogales, Ariz., at the front of the line for money. It was ranked No. 34 on the internal priority list.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

California Rep. Darrell Issa, the senior Republican on a House oversight committee investigating stimulus spending, is asking Homeland Security to release its records about the selection process.

"All Secretary Napolitano has to do to support her assertion that politics played no role in the awarding of stimulus funds is comply with our letter and disclose the criteria DHS used to determine who got what and why," Issa's spokesman, Kurt Bardella said.

Kroloff, Noah

From: Shlossman, Amy
Sent: Thursday, August 27, 2009 6:09 PM
To: Smith, Sean; Kudwa, Amy; Kroloff, Noah; Beers, Rand
Subject: RE: Napolitano: Politics didn't push stimulus projects

Noah's calling ron now.

From: Smith, Sean
Sent: Thursday, August 27, 2009 6:07 PM
To: Kudwa, Amy; Kroloff, Noah; Shlossman, Amy; Beers, Rand
Subject: RE: Napolitano: Politics didn't push stimulus projects

(b) (5)

From: Kudwa, Amy
Sent: Thursday, August 27, 2009 5:46 PM
To: Kroloff, Noah; Smith, Sean; Shlossman, Amy; Beers, Rand
Subject: AP: Napolitano: Politics didn't push stimulus projects

AP ran a story on her comments this morning. I don't see how the chief of staff reaching out to the bureau chief with a point by point rebuttal isn't asking for a correction.

Napolitano: Politics didn't push stimulus projects

By EILEEN SULLIVAN and ANABELLE GARAY (AP) – 1 hour ago

DALLAS — Homeland Security Secretary Janet Napolitano said Thursday that politics did not influence the decision to spend millions of dollars in stimulus money on little-used border checkpoints while passing over higher-priority projects.

Members of Congress have asked for answers after The Associated Press showed that the Obama administration did not follow its internal priority list when handing out money to repair border stations nationwide.

Two Montana senators have taken credit for securing money for projects in their state, including \$15 million for a border crossing that sees about three travelers a day. Democratic Sen. John Tester said he and colleague Max Baucus personally appealed to Napolitano to make that and other Montana projects happen.

At a Dallas news conference Thursday, Napolitano said the AP story "was just wrong and I'll say that because there was no kind of political issues involved there."

Napolitano did not say what was incorrect about the story and the department has not asked for a correction.

The AP reviewed the department's priority list, which showed that some low-priority projects were being funded ahead of more pressing needs. On Thursday, the AP renewed its request for the department to release its justification for deviating from the list, which Congress requires to be updated annually.

A House oversight committee has added the checkpoint projects to its investigation into how the stimulus money is being spent. The top Republican on that committee, California Rep. Darrell Issa, sent Napolitano a letter

Wednesday, questioning why some projects leapfrogged others.

In promoting the stimulus, President Barack Obama banned "earmarks," which lawmakers routinely slip into bills to pay for pet projects, and he told agencies to "develop transparent, merit-based selection criteria" for spending.

But Customs and Border Protection, which sets the priorities for all border station projects nationwide, said it would not provide the priority list. Officials said the list was just a starting point and would be too easily misunderstood. Officials said they could select projects out of order for any number of reasons.

Napolitano has acknowledged that politicians can influence an administration's spending plans. A busy border station in her home state, for instance, was ranked No. 34 on the master priority list. But as governor of Arizona, she lobbied hard to get it at the top of the Bush administration's spending plan.

Under the stimulus, the Nogales, Ariz., checkpoint will receive \$199 million, five times more than any other project.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

CBP officials provided justifications for some but not all of the projects that were funded out of order. They would not address what role Tester and Baucus played in securing \$15 million for a border station in the sleepy town of Whitetail, Mont., the size and cost of a Hollywood mansion.

Nor have they addressed another why the Westhope, N.D., checkpoint, which serves about 73 people a day and is among the lowest-priority projects, is set to get nearly \$15 million for renovations. Sullivan reported from Washington. Associated Press writer Matt Apuzzo in Washington contributed to this report.

From: 36-yWShQKCbKfnnfkdZkdqsr-mnqdokxfnnfkd.bn19lx.JtcvZcgr.fnu@alerts.bounces.google.com
<36-yWShQKCbKfnnfkdZkdqsr-mnqdokxfnnfkd.bn19lx.JtcvZcgr.fnu@alerts.bounces.google.com>
To: Kudwa, Amy
Sent: Thu Aug 27 16:30:35 2009
Subject: Google Alert - Janet Napolitano

Google News Alert for: **Janet Napolitano**



Napolitano: Politics didn't push stimulus projects

The Associated Press

DALLAS — Homeland Security Secretary **Janet Napolitano** said Thursday that politics did not influence the decision to spend millions of dollars in stimulus ...

[See all stories on this topic](#)

Homeland security chief predicts bipartisan progress on ...

Dallas Morning News

The Dallas Morning News Homeland Security Secretary **Janet Napolitano** said today she was optimistic that bipartisan immigration reform would, at some point, ...

[See all stories on this topic](#)

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Kroloff, Noah

From: Shlossman, Amy (b) (6)
Sent: Wednesday, August 26, 2009 6:43 PM
To: Kroloff, Noah; Smith, Sean
Subject: RE: AP- fact vs. fiction

At this point, just sent to WH comms, per their request this am. We'll use this for Friday's mtg as well.

From: Kroloff, Noah (b) (6)
Sent: Wednesday, August 26, 2009 6:40 PM
To: Shlossman, Amy; LEMAITRE, RAFAEL; Smith, Sean; Grossman, Jordan; Kroloff, Noah; LOPEZ, MARCO A (HQ); Chandler, Matthew M; O'CONNELL, MARIA L.
Subject: Re: AP- fact vs. fiction

This is good. What are we doing with it

From: Shlossman, Amy
To: LEMAITRE, RAFAEL; Smith, Sean ; (b) (6) ; Kroloff, Noah ; LOPEZ, MARCO A (HQ); (b) (6) ;

Sent: Wed Aug 26 18:29:35 2009
Subject: RE: AP- fact vs. fiction
 Here's the latest with a few gems from Sean and the Laredo funding issue clarified.

Misleading AP Claim: Political considerations determined which port of entry projects received ARRA money.

FACT: CBP and GSA used a thorough, objective and transparent process of analysis and prioritization based on the merits of each project to select the ports of entry that will be modernized with ARRA funds. Beginning in 2003, CBP started an assessment to rank the conditions and needs of all 163 U.S. land ports of entry. CBP incorporated over 60 distinct factors across four categories—mission and operation requirements, health and life safety concerns, personnel and workload growth, and space and site deficiencies. In order to satisfy additional ARRA requirements for accountability, timeliness and transparency, CBP incorporated an additional layer of analysis into this assessment methodology. Specifically, CBP identified risk factors that could impact the feasibility of implementing major construction at any CBP-owned location within the timelines prescribed under the ARRA, including the presence of potential environmental conditions, historic structures or cultural artifacts that would require extensive planning and mitigation; significant land acquisition requirements; and project engineering or design issues. Through this comprehensive and objective process, the land ports of entry modernization list was determined and made public on Recovery.gov.

Misleading AP claim: Sens. Baucus and Tester “pressed Napolitano to finance projects in their state.”

FACT: The AP gives no evidence whatsoever of this claim, probably because none exists. Secretary Napolitano had no influence on the funding decisions and these Senators did not communicate to the Secretary their desire to see these projects financed.

Misleading AP claim: CBP's process for selecting land port of entry projects for ARRA funding is

secretive and the agency refused to provide justifications for its decisions.

FACT: Prior to the *AP*'s story, CBP had published the prioritized list of ARRA port projects, along with detailed information describing the review process, on Recovery.gov. While some information used to rank projects cannot be made public because it contains law enforcement sensitive information, DHS provided the *AP* with unprecedented access to a wide array of additional information CBP used to support final project selections, including written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues. They were given a nearly 3 hour briefing and access to all of the supporting documents. Additionally, DHS repeatedly made DHS Chief of Staff Noah Kroloff, Acting Commissioner of CBP Jay Ahern, CBP Chief of Staff Marco Lopez, and DHS Assistant Secretary for Public Affairs Sean Smith available to the *AP* for on-the-record interviews on this topic.

Misleading *AP* claim: Projects in DHS Secretary Janet Napolitano's home state of Arizona received preferential treatment.

FACT: The Nogales, AZ Land Port of Entry referenced in the *AP* story is owned by GSA, not DHS as the *AP* implies. *This was made clear to the reporters before the story ran.* Planning for this port project began in 2006 with a feasibility study and Congress authorized the GSA to initiate the design for the new port of entry in 2007, more than two years before Napolitano became Secretary of DHS. The design was completed in early 2009, and the passage of ARRA put the project on course to initiate construction in late 2009. *This was also made clear to the reporters before the story ran.*

Misleading *AP* claim: DHS is choosing to use ARRA funding for small, low-traffic Northern border ports that are lower on the priority list than several busier ports along the Southwest border, such as the port in Laredo, TX that are not receiving ARRA funding.

FACT: Though the priority list of all 163 U.S. land ports of entry includes both CBP-owned and GSA-owned ports, DHS received ARRA funding for CBP-owned ports only. Currently, CBP owns 39 land ports of entry along the Northern border and four along the Southwest border. By contrast, GSA currently owns or leases 38 land ports of entry along the Southwest border. CBP-owned ports are characteristically small, rural, four-decades-old, low-traffic ports along the Northern border. Most are not equipped to meet security standards in the modern, post-September 11th era, and possess critical deficiencies such as a lack of holding cells, secured areas, or violator processing areas; outdated surveillance systems; health hazards such as mold and other air quality issues; and insufficient utilities including electrical and plumbing.

The "port" of Laredo encompasses four distinct inspection facilities, which are all owned or leased by GSA, not DHS. When evaluated for ARRA funding, potential projects for each of the four inspection facilities within the Laredo metropolitan area could not meet ARRA requirements because of project scoping issues and historic preservation requirements. As noted above, at the *AP*'s request, CBP provided written, on-the-record justifications for why 24 locations were not eligible for ARRA funds due to feasibility and project readiness issues, but the *AP* chose not to include this information in their reporting.

From: LEMAITRE, RAFAEL (b) (6)

Sent: Wednesday, August 26, 2009 6:25 PM

To: Shlossman, Amy; Smith, Sean; Grossman, Jordan; Kroloff, Noah; LOPEZ, MARCO A (HQ); Chandler, Matthew; O'CONNELL, MARIA L.
Subject: RE: AP- fact vs. fiction

(b) (5)

From: Shlossman, Amy (b) (6)
Sent: Wednesday, August 26, 2009 5:03 PM
To: Smith, Sean; Grossman, Jordan; Kroloff, Noah; LOPEZ, MARCO A (HQ); LEMAITRE, RAFAEL; Chandler, Matthew
Subject: AP- fact vs. fiction

(b) (5)

Kroloff, Noah

From: Kroloff, Noah
Sent: Wednesday, August 26, 2009 6:30 PM
To: Fetcher, Adam; Smith, Sean; Shlossman, Amy; Kudwa, Amy
Subject: Re: AP LPOE Story Saturation

Jesus

From: Fetcher, Adam
To: Smith, Sean; Kroloff, Noah; Shlossman, Amy; Kudwa, Amy
Sent: Wed Aug 26 16:54:27 2009
Subject: AP LPOE Story Saturation

The Bulletin News clips service was kind enough to track the AP land ports story today. They found more than 100 examples, mostly from local TV station websites across the country. In addition to those, the following websites carried the story:

USA Today
Philadelphia Inquirer
Forbes
Arizona Republic
Houston Chronicle
Dallas Morning News
Newsday
Boston Globe
Boston Herald
Chicago Tribune
Atlanta Journal Constitution
Kansas City Star
San Francisco Examiner
San Francisco Chronicle
Long Beach Press-Telegram
Minneapolis Star Tribune
Rochester (MN) Post-Bulletin
Seattle Times
Seattle Post-Intelligencer
Salon
RealClearPolitics.com
Abilene (TX) Reporter News
Sacramento Bee
Tulsa World
Weatherford (TX) Democrat
Greeley (CO) Tribune
Bryan-College Station (TX) Eagle
Bismarck Tribune
Milwaukee Daily Reporter

Adam Fetcher
Office of Public Affairs
U.S. Department of Homeland Security
Desk: (b) (6) | Mobile: (b) (6)

de Vallance, Brian

From: Shlossman, Amy (b) (6)
Sent: Wednesday, August 26, 2009 5:56 PM
To: Heller, Jacob; Cummings, Erin; Mason, Thomas; de Vallance, Brian; Fox, Julia; Grossman, Jordan
Subject: FW: AP story rebuttal
Attachments: ARRA - Fact vs AP Fiction.doc

Here's where we ended up with this.

From: Smith, Sean
Sent: Wednesday, August 26, 2009 5:45 PM
To: 'Oxhorn, Elizabeth A.'; Shapiro, Nicholas S.
Cc: Shlossman, Amy
Subject: AP story rebuttal

Sorry for the delay on this. We got no press inquiries today...

Sean Smith
Assistant Secretary for Public Affairs
Department of Homeland Security
(b) (6)

de Vallance, Brian

From: Heller, Jacob
Sent: Thursday, August 27, 2009 8:58 AM
To: de Vallance, Brian
Subject: RE: Tomorrow's Cabinet Meeting Agenda
Attachments: ARRA - Fact vs AP Fiction.doc

Not sure if you are up to date on the Recovery issues this week but it probably makes sense for me to bring you up to speed at some point today. I have copied the article below (b) (5)
 I have also attached our rebuttal talking points in case you are interested. (b) (5)

AP IMPACT: \$720 million for border repairs, but for priority jobs? Don't ask. It's a secret

By: EILEEN SULLIVAN and MATT APUZZO
 Associated Press
 08/26/09 6:40 AM EDT

WASHINGTON — A sleepy Montana checkpoint along the Canadian border that sees about three travelers a day will get \$15 million under President Barack Obama's economic stimulus plan. A government priority list ranked the project as marginal, but two powerful Democratic senators persuaded the administration to make it happen.

Despite Obama's promises that the stimulus plan would be transparent and free of politics, the government is handing out \$720 million for border upgrades under a process that is both secretive and susceptible to political influence. This allowed low-priority projects such as the checkpoint in Whitetail, Mont., to skip ahead of more pressing concerns, according to documents revealed to The Associated Press.

It wasn't supposed to be that way. In 2004, Congress ordered Homeland Security to create a list, updated annually, of the most important repairs at checkpoints nationwide. But the Obama administration continued a Bush administration practice of considering other, more subjective factors when deciding which projects get money.

The results:

— A border station in Homeland Security Secretary Janet Napolitano's home state of Arizona is getting \$199 million, five times more than any other border station. The busy Nogales checkpoint has required repairs for years but was not rated among the neediest projects on the master list reviewed by the AP. Napolitano credited her lobbying as Arizona governor for getting the project near the front of the line for funding under the Bush administration. All it needed was money, which the stimulus provided.

— A checkpoint in Laredo, Texas, which serves more than 55,000 travelers and 4,200 trucks a day, is rated among the government's highest priorities but was passed over for stimulus money.

9/30/2009

_ The Westhope, N.D., checkpoint, which serves about 73 people a day and is among the lowest-priority projects, is set to get nearly \$15 million for renovations.

The Whitetail project, which involves building a border station the size and cost of a Hollywood mansion, benefited from two key allies, Montana Sens. Max Baucus and Jon Tester. Both pressed Napolitano to finance projects in their state. Tester's office boasted of that effort in an April news release, crediting Baucus and his seat at the head of the "powerful Senate Finance Committee."

Customs officials would not discuss that claim. Asked to explain Whitetail's windfall, they provided a one-page fact sheet that contains no information about Whitetail's needs and is almost identical to the fact sheet for every other Montana project.

It's hardly a recent phenomenon for politicians to use their influence to steer money to their home states. Yet Obama said the stimulus would be different. He banned "earmarks," which lawmakers routinely slip into bills to pay for pet projects, and he told agencies to "develop transparent, merit-based selection criteria" for spending.

Customs and Border Protection, the Homeland Security agency overseeing border projects, allowed the AP to review the list but will not make it public or explain its justifications for deviating from it.

Releasing that information would allow the public to see whether less important projects are getting money. The Transportation Department, for instance, was recently criticized by its internal watchdog for spending \$1.1 billion on airport construction that didn't meet financing standards.

Without the lists, the public and members of Congress don't know when the administration bumps a project ahead of others ranked more important.

Customs officials said they wouldn't release the master list because it was just a starting point and subject to misunderstanding. They acknowledged there's no way for the public to know whether they are cherry-picking projects.

"There's a certain level of trust here," said Robert Jacksta, a deputy customs commissioner.

Some discrepancies between the stimulus plan and the priority list can be attributed to Congress, which set aside separate pools of money for large and small border stations. That guaranteed that a few small, probably lower-rated projects would be chosen ahead of bigger, higher-priority projects. But it doesn't explain all the discrepancies, because even within the two pools, Homeland Security sometimes reached way down on the list when selecting projects.

Many of the nation's 163 border checkpoints, known as land ports, are more than 40 years old and in need of upgrade and repairs. After the Sept. 11, 2001, terrorist attacks, those needs became more pressing and complex as officials beefed up border security. There is far more

work to be done than money to complete it.

To prioritize, officials score each project on traffic volume, security vulnerability, construction needs and other factors. The resulting list represents "an objective and fair method for prioritizing projects," officials wrote in a 2005 summary.

That's the process the Obama administration described in a news release announcing \$720 million in stimulus money for borders. But it didn't say that officials can choose projects out of order for many reasons.

Trent Frazier, who oversees the border projects, said the list Congress required is more like a meal plan. The administration can decide when to eat each dish, as long as everything eventually gets eaten.

Explaining why one project might get pushed ahead, Frazier said, "You just really liked pizza and you wanted to accelerate it."

In the case of the stimulus, officials said the Nogales, Ariz., project was construction-ready, a requirement of the recovery law. Officials also consider the economy, which means if the government expects local businesses to close and border traffic to decrease, it can delay paying for that project.

In one instance, officials said they reached deep into the list to provide \$39 million for repairs in Van Buren, Maine, because flooding made the facility a safety hazard. In another, they are spending \$30 million in Blaine, Wash., a lower-rated project that is unusual because it includes covering the costs of a state road project. With the 2010 Olympics coming to nearby Vancouver, Canada, officials worried the border would be strained without the project.

Officials said they could similarly justify every decision they've made. They would not provide those justifications to the AP. Frazier said the department would answer questions on a case-by-case basis, working through Congress to explain decisions to the public.

But even some in Congress say they aren't getting answers. Rep. Henry Cuellar, D-Texas, said he has yet to hear a good explanation about why highly ranked projects such as Laredo were snubbed.

More than \$116 billion in freight passed through Laredo last year, according to the Transportation Department. It is one of the busiest border stations in the country. Unemployment in the metropolitan area is 9.4 percent.

"For the sake of fairness, if you have a list, there's some sort of expectation that you're going to follow that list," Cuellar said.

Tester, who said he pressed the Obama administration to get money for Montana projects, said border crossings in his state had been unfairly ignored.

"The northern border tends to be forgotten, and it shouldn't be," Tester told the Great Falls

Tribune after announcing \$77 million for Montana posts in the stimulus.

Whitetail, Mont., an unincorporated town with a population of 71, saw only about \$63,000 in freight cross its border last year. County unemployment is an enviable 4 percent.

"I think, absolutely, it's going to create jobs and build the infrastructure," Tester said.

From: de Vallance, Brian
Sent: Thursday, August 27, 2009 12:32 AM
To: Shlossman, Amy
Cc: Grossman, Jordan; Heller, Jacob
Subject: Fw: Tomorrow's Cabinet Meeting Agenda

Amy, FYI.

New BB is working today. Lemme know if I can help w anything.

Sent using BlackBerry

Pending Consult with Outside Agency

Pending Consult with Outside Agency

de Vallance, Brian

From: Shlossman, Amy (b) (6)
Sent: Monday, August 31, 2009 8:22 AM
To: De Vallance, Brian
Subject: FW: Baucus, Tester defend border money

From: Smith, Sean (b) (6)
Sent: Sunday, August 30, 2009 11:20 PM
To: Kuban, Sara; Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: RE: Baucus, Tester defend border money

(b) (5)

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

From: Kuban, Sara (b) (6)
Sent: Sun 8/30/2009 10:25 PM
To: Kroloff, Noah; Smith, Sean; Wiggins, Chani Winn; Shlossman, Amy
Subject: Fw: Baucus, Tester defend border money

Here is the other story - this posted yesterday mid-afternoon and ran in most of the papers in Montana.

Sent using BlackBerry

From: Sara Kuban
To: Kuban, Sara A
Sent: Sun Aug 30 22:19:14 2009
Subject: Baucus, Tester defend border money

Baucus, Tester defend border money

JENNIFER McKEE Gazette State Bureau | Posted: Friday, August 28, 2009 11:05 pm

HELENA - Montana's two senators stressed Friday that it was preparation - not pork - that brought millions of dollars to the state to improve crossing stations along Montana's long border with Canada.

"Post-9/11 is a whole lot different arena than pre-9/11," said Sen. Jon Tester, D-Mont. "We're not building Hollywood mansions along the northern border, I can tell you that."

Tester was responding to an Associated Press report that questioned why Montana received \$15 million for border crossings that receive little traffic. One article described border crossing in Whitetail as costing as much as a "Hollywood mansion."

9/30/2009

Tester and Baucus have taken credit for the Homeland Security money flowing to the northern border. The AP report questioned whether that and other crossing stations in rural states leapfrogged ahead of busier crossings in terms of getting money.

Janet Napolitano, director of Homeland Security and former governor of Arizona, which has a busy border with Mexico, said the AP reports were "wrong."

Tester said Friday that one of his first tasks as a senator was to ask for a report on the safety of nation's northern border, which in many places is known for its rural quality and sparse traffic. The report "came back that you've got a vast border, an expansive border that is open to terrorism and smuggling," Tester said.

The nation cannot ignore its border with Canada just because it doesn't see a lot of traffic, he said. Terrorism doesn't necessarily show up at the busiest ports of entry.

"We've pushed to make sure that border is as secure as possible," Tester said. "We are only as secure as our weakest point. It only takes one terrorist."

Baucus also said the northern border is important, if not as busy.

It "cannot be a back door for terrorism and other illegal activity," he said. "I have long fought to make sure our border with Canada is secure and these funds are a wise investment for our national security."

The Whitetail port, for example, was built 45 years ago and has never seen any improvements. The federal priority list for border improvements also considered the condition of the building and the working conditions of border agents.

de Vallance, Brian

From: Ramanathan, Sue (b) (6)
Sent: Monday, August 31, 2009 12:20 PM
To: LOPEZ, MARCO A (HQ)
Cc: de Vallance, Brian
Subject: FW: Heads Up -- DHS: Senators wrongly took credit for money

Hello -- am certain you saw this. Chani said they would put together talking points and get that out.

From: Wiggins, Chani
Sent: Friday, August 28, 2009 7:46 PM
To: Ramanathan, Sue; Peacock, Nelson; Baronof, Kim; Lovett, Edward; Dietch, Sarah; Finan, Tom; YEAGER, MICHAEL; Howe, James
Subject: FW: Heads Up -- DHS: Senators wrongly took credit for money

Heads up. See story below.

What we're doing: Noah Kroloff, Secretary's Chief, is on the phone right now with Tester and Baucus' chiefs. Will keep you posted on next steps.

DHS: Senators wrongly took credit for money

By EILEEN SULLIVAN and MATT APUZZO
The Associated Press
Friday, August 28, 2009; 6:12 PM

WASHINGTON -- The Obama administration said Friday that two Democratic senators falsely took credit for steering millions of dollars to projects in their home state, even as officials acknowledged that the Homeland Security secretary met with the lawmakers and discussed financing the projects.

Homeland Security Secretary Janet Napolitano denies politics played any role in distributing stimulus money. The Associated Press reported this week that her department did not follow its own priority list when selecting projects.

Montana Sens. Max Baucus and Jon Tester have taken credit for helping secure \$77 million in stimulus money for repairs at border stations in their state. That includes \$15 million for a Whitetail, Mont., checkpoint that sees three travelers a day.

"Politicians take credit for things that go on in their state whether they deserve it or not," Homeland Security spokesman Sean Smith said Friday. "These guys are politicians. I don't think anyone should be surprised if they decided to jump in front of that and take some credit for that."

It was an unusually pointed criticism directed at two Democrats. Baucus is chairman of the Senate Finance Committee and a key ally in the Obama administration's push for a health care overhaul.

At first, Smith and Napolitano's chief of staff, Noah Kroloff, denied that Napolitano even met with Tester and Baucus. After the AP contacted the two lawmakers, Smith acknowledged two meetings

during the presidential transition, when Napolitano had been nominated but not confirmed.

A reference to the senators' meetings was included in an AP story this week that raised questions about the funding process.

During the Jan. 16 meeting, Baucus told Napolitano it was important to spend money on checkpoints along the Canadian border, citing concerns about illegal activity there, said Tyler Matsdorf, a spokesman for Baucus. He said they did not discuss specific projects.

Tester similarly met with Napolitano Jan. 14 and "discussed in general the importance of strengthening security along Montana's northern border," his spokesman Aaron Murphy said.

After Montana projects received \$77 million under the stimulus, Tester issued a press release crediting those meetings with Napolitano.

It's not unusual or improper for senators to fight for hometown projects. But President Barack Obama banned Congress from choosing projects as part of the \$787 economic stimulus bill, promising his agencies would be objective and transparent.

Smith said Friday that the secretary did not intervene in the selection process.

Napolitano herself acknowledged in April that politicians can influence how money gets spent. She said that as Arizona governor, she pushed the Bush administration to put a project in Nogales, Ariz., at the front of the line for money. It was ranked No. 34 on the internal priority list.

"I cannot claim credit totally for the \$200 million for Nogales," Napolitano said in April, adding, "The governor of Arizona may have had something to do with it, but the secretary did not."

California Rep. Darrell Issa, the senior Republican on a House oversight committee investigating stimulus spending, is asking Homeland Security to release its records about the selection process.

"All Secretary Napolitano has to do to support her assertion that politics played no role in the awarding of stimulus funds is comply with our letter and disclose the criteria DHS used to determine who got what and why," Issa's spokesman, Kurt Bardella said.

###

Chani Wiggins
Assistant Secretary of Legislative Affairs
U.S. Department of Homeland Security

202 (b) (6)

(b) (6)

de Vallance, Brian

From: Shlossman, Amy
Sent: Tuesday, September 01, 2009 6:30 AM
To: Kroloff, Noah; de Vallance, Brian; (b) (5) LOPEZ, MARCO A (HQ)
Subject: Re: Ed DeSeve

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

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

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

From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (5); (b) (5); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

(b) (5)

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

From: de Vallance, Brian
To: Kroloff, Noah; Shlossman, Amy; (b) (5); (b) (5); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

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

(b) (5)

(b) (5)

Sent using BlackBerry

de Vallance, Brian

From: Kroloff, Noah (b) (6)
Sent: Tuesday, September 01, 2009 8:14 AM
To: Smith, Sean; LOPEZ, MARCO A (HQ); De Vallance, Brian; Kroloff, Noah; Shlossman, Amy
Subject: RE: Ed DeSeve

9

From: Smith, Sean (b) (6)
Sent: Tuesday, September 01, 2009 8:12 AM
To: LOPEZ, MARCO A (HQ); De Vallance, Brian; Kroloff, Noah; Shlossman, Amy; Smith, Sean
Subject: Re: Ed DeSeve

Where'd we land here?

From: LOPEZ, MARCO A (HQ)
To: de Vallance, Brian ; Kroloff, Noah ; Shlossman, Amy ; Smith, Sean
Sent: Tue Sep 01 07:48:30 2009
Subject: Re: Ed DeSeve

3:30

----- Original Message -----
From: de Vallance, Brian (b) (6)
To: Kroloff, Noah; Shlossman, Amy; Smith, Sean; LOPEZ, MARCO A (HQ)
Sent: Tue Sep 01 07:31:07 2009
Subject: RE: Ed DeSeve

10am.
2pm
330pm on
all work for me.

-----Original Message-----
From: Kroloff, Noah
Sent: Tuesday, September 01, 2009 6:34 AM
To: Shlossman, Amy; de Vallance, Brian; (b) (6); LOPEZ, MARCO A (HQ)
Subject: Re: Ed DeSeve

(b) (5)

----- Original Message -----
From: Shlossman, Amy
To: Kroloff, Noah; de Vallance, Brian; (b) (6); (b) (6); LOPEZ, MARCO A (HQ)
Sent: Tue Sep 01 06:29:44 2009
Subject: Re: Ed DeSeve

(b) (5)

(b) (5)

(b) (5)

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

From: Kroloff, Noah

To: de Vallance, Brian; Shlossman, Amy; (b) (6)
<Sean.Smith@dhs.gov>; LOPEZ, MARCO A (HQ)

Sent: Mon Aug 31 23:47:42 2009

Subject: Re: Ed DeSeve

(b) (5)

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

From: de Vallance, Brian

To: Kroloff, Noah; Shlossman, Amy; (b) (6)
(b) (6); LOPEZ, MARCO A (HQ)

Sent: Mon Aug 31 19:32:47 2009

Subject: Ed DeSeve

(b) (5)

Sent using BlackBerry

de Vallance, Brian

From: LOPEZ, MARCO A (HQ) (b) (6)
Sent: Tuesday, September 01, 2009 9:12 AM
To: Shlossman, Amy; Kroloff, Noah; de Vallance, Brian; Smith, Sean
Subject: Re: Ed DeSeve

This is getting worked for you, S3.

From: Shlossman, Amy (b) (6)
To: Kroloff, Noah; de Vallance, Brian; Smith, Sean; LOPEZ, MARCO A (HQ)
Sent: Tue Sep 01 06:29:44 2009
Subject: Re: Ed DeSeve

(b) (5)

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

From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (6); (b) (6); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

(b) (5)

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From: de Vallance, Brian
To: Kroloff, Noah; Shlossman, Amy; (b) (6); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

(b) (5)

Sent using BlackBerry

9/30/2009

de Vallance, Brian

From: LOPEZ, MARCO A (HQ) (b) (5)
Sent: Friday, September 04, 2009 5:21 PM
To: Kroloff, Noah; Shlossman, Amy; Smith, Sean; LOPEZ, MARCO A (HQ); de Vallance, Brian
Cc: CAINE, JEFFREY; STACEY, ANNE-MARIE
Subject: FW: Ed DeSeve
Importance: High
Attachments: Funds available for additional LPOE projectsv5.doc

(b) (5)

Marco

(b) (5)

(b) (5)

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

From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (5); (b) (5); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

(b) (5)

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

From: de Vallance, Brian
To: Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

(b)(5)

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(b)(5)

(b)(5)

(b)(5)

(b)(5)

(b)(5)

(b)(5)

Sent using BlackBerry

Kroloff, Noah

From: Shlossman, Amy (b) (6)
Sent: Friday, August 28, 2009 9:13 PM
To: Kroloff, Noah
Subject: Fw: AP: DHS: Senators wrongly took credit for money

From: Shlossman, Amy
To: 'Astri_B._Kimbal(b)(2)(low), (b)(6)
Sent: Fri Aug 28 21:12:00 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

Hey- sorry to send this while you're at your sister's wedding, but wanted to make sure you were aware. This is the third story AP has run in the past 3 days slamming DHS on the ARRA ports- the stories have been consistently inaccurate and each time we've pushed back asking for a correction, they've run another story. (b) (5)

Will keep you up to date on any new developments.

From: Kroloff, Noah
To: Shlossman, Amy
Sent: Fri Aug 28 18:41:34 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

From: Smith, Sean
To: Kroloff, Noah
Sent: Fri Aug 28 18:33:52 2009
Subject: FW: AP: DHS: Senators wrongly took credit for money

From: Kudwa, Amy
Sent: Friday, August 28, 2009 6:31 PM
To: Smith, Sean
Subject: AP: DHS: Senators wrongly took credit for money

DHS: Senators wrongly took credit for money

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The Associated Press
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what and why," Issa's spokesman, Kurt Bardella said.

###

Kroloff, Noah

From: Kroloff, Noah
Sent: Friday, August 28, 2009 9:03 PM
To: (b) (6)
Subject: Fw: Not again

From: Kroloff, Noah
To: 'James_A._Messina(b)(2)(low), (b)(6)
Sent: Fri Aug 28 20:38:26 2009
Subject: Fw: Not again

This will give you an idea of what we are dealing with with the ap right now. (b) (5)

From: prvs=484a5f168=RFournier@ap.org
To: Noah Kroloff
Cc: Komarow, Steven ; Bridis, Ted ; Dan Pfeifer
Sent: Fri Aug 28 10:36:43 2009
Subject: Not again

Noah,

I heard you out for 30 minutes last night, defending our story point-by-every point raised in your initial email and agreeing to have our deputies discuss new claims you raised on the call and details you and I were not versed in.

And now I hear you posted the dubious AP attack before allowing that follow-up conversation to occur today? The one we agreed to have?

To say I feel betrayed and played would be an understatement.

I now must take with a grain of salt the apologies you gave me for your staff's rude and threatening treatment of my beat reporter earlier this year. There is a distinct and troubling trend here, one I've not come across in any other corner of the Obama administration.

There is an old saying, Noah: Fool me once, shame on you. Fool me twice, shame on me.

It won't happen again.

Ron

Sent from my GoodLink Wireless Handheld (www.good.com)

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[IP_US_DISC]
msk dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: Kroloff, Noah
Sent: Friday, August 28, 2009 9:03 PM
To: (b) (6)
Subject: Fw: AP: DHS: Senators wrongly took credit for money

From: Kroloff, Noah
To: 'Jim_Messina(b)(2)(low), (b)(6)
Sent: Fri Aug 28 20:30:45 2009
Subject: Re: AP: DHS: Senators wrongly took credit for money

Ap has a serious ax that they are grinding. (b) (5)

Not gonna

be able to get the ap wire fixed. (b) (5)

From: prvs=485ea23cf=Jim_Messina(b)(2)(low), (b)(6)
To: Kroloff, Noah
Sent: Fri Aug 28 20:19:53 2009
Subject: Re: AP: DHS: Senators wrongly took credit for money

(b) (5) : What happened

From: Kroloff, Noah
To: Messina, Jim
Sent: Fri Aug 28 19:17:32 2009
Subject: Fw: AP: DHS: Senators wrongly took credit for money

(b) (5)

From: Smith, Sean
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Sent: Fri Aug 28 20:19:53 2009
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From: Kroloff, Noah
Sent: Friday, August 28, 2009 7:18 PM
To: 'James_A._Messina(b)(2)(low), (b)(6)
Subject: Fw: AP: DHS: Senators wrongly took credit for money

(b) (5)

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###

Kroloff, Noah

From: LEMAITRE, RAFAEL (b) (6)
Sent: Tuesday, August 25, 2009 6:06 PM
To: Oxhorn, Elizabeth A.; Smith, Sean; Gavin, Thomas E.; Klain, Ronald A.; Shlossman, Amy; Chandler, Matthew; Kuban, Sara; Carney, James F.; Shapiro, Nicholas S.; Kroloff, Noah; Alexander, Elizabeth; Deseve, G. Edward; LOPEZ, MARCO A (HQ); O'CONNELL, MARIA L.
Subject: RE: Stimulus story FYI
Attachments: Wild Horse_project fact sheets.pdf; DelBonita_project fact sheet.pdf; Morgan_project fact sheet.pdf; Scobey_project fact sheet.pdf; Whitetail_project fact sheets.pdf; CBP ARRA_MTproject_08242009.doc; CBP_Construction_of_CBP-Owned_Land_Ports_of_Entry_2009-05-15.pdf; All POEs Total Pax FY 2009 (2).xls; SpecificPorts.doc

Thanks Liz -

As you noted, there's been a substantial amount of information and access we provided to AP. Attached is the material we provided to her along with two word documents that responded to some of her questions regarding funding for specific ports. I'm also including fact sheets for some of the smaller CBP-owned ports that include justification for funding (including Whitetail). We have provided those to Eileen as well. Finally, I'm attaching an e-mail chain below that includes context along with some on-the-record comments I offered to her.

I'll work with our team here to come up with additional bullets by tomorrow am.

Rafael

From: LEMAITRE, RAFAEL
Sent: Friday, July 31, 2009 3:48 PM
To: 'Sullivan, Eileen'
Subject: RE: Response

They are emergent repair projects spread out across every CBP port including things like mold remediation, painting, trip hazards, etc. It is part of the \$720 million.

From: prvs=456c6f301=ESullivan@ap.org [mailto:prvs=456c6f301=ESullivan@ap.org] **On Behalf Of** Sullivan, Eileen
Sent: Friday, July 31, 2009 11:50 AM
To: LEMAITRE, RAFAEL
Subject: RE: Response

What are the other ARRA-funded projects at the remaining 20 CBP ports? Is that part of the \$720 million? And if not, where is it coming from?

From: LEMAITRE, RAFAEL (b) (6)
Sent: Friday, July 31, 2009 11:45 AM
To: Sullivan, Eileen
Subject: Re: Response

Hey Eileen - You can quote me from this:

9/30/2009

Beginning in 2003, CBP undertook a thorough assessment of the infrastructural and operational conditions of all 163 GSA and CBP-owned land ports of entry. Through this assessment CBP identified more than \$6 billion in needed investment to modernize the entire LPOE inventory, and prioritized the ports based on more than 60 different factors, including operational requirements, health and life safety concerns, workload growth and existing site deficiencies. When ARRA appropriated \$720 million to modernize land ports of entry at our northern and southern borders, 23 CBP-owned ports and 7 GSA-owned ports were selected for large-scale projects based on the existing priority list and implementation timelines prescribed under ARRA. ARRA also funded smaller projects at 20 CBP-owned ports, enabling all 43 CBP-owned ports to receive improvements under ARRA.

From: prvs=455610b65=ESullivan@ap.org <prvs=455610b65=ESullivan@ap.org>
To: LEMAITRE, RAFAEL
Sent: Thu Jul 30 10:17:33 2009
Subject: RE: Response

Good morning, Rafael.

We've decided to write a story. Can you please give me similar explanations for all 163 ports that states why Port A is getting ARRA money and why Port B is not getting money. Please also include why these spending decisions deviate from the stated methodology that produced the master list of 163 ranked ports.

I need the answers by noon Friday.

Thanks!

Best,

Eileen

From: (b)(2)(low), (b)(6)

] **On Behalf Of** Oxhorn, Elizabeth A.

Sent: Tuesday, August 25, 2009 5:31 PM

To: Smith, Sean; (b) (6) Klain, Ronald A.; Shlossman, Amy; (b) (6) ; Kuban, Sara; (b) (6),
(b) (6) Kroloff, Noah; (b) (6)

Subject: RE: Stimulus story FYI

Sara, Rafael and I just chatted and it looks like this story is back and running tomorrow – an Apuzzo/Sullivan special.

(b) (5)

(b) (5)

From: Smith, Sean (b) (6)
Sent: Thursday, July 23, 2009 7:27 PM
To: Gavin, Thomas E.; Smith, Sean; Klain, Ronald A.; Shlossman, Amy; Chandler, Matthew M; Kuban, Sara A; Oxhorn, Elizabeth A.; Carney, James F.; Shapiro, Nicholas S.; Kroloff, Noah
Subject: RE: Stimulus story FYI

AP not writing today. Will keep you posted.

From: (b)(2)(low), (b)(6) **On Behalf Of** Gavin, Thomas E.
Sent: Thursday, July 23, 2009 5:42 PM
To: Smith, Sean; Klain, Ronald A.; Shlossman, Amy; (b) (6) M; Kuban, Sara A; Oxhorn, Elizabeth A.; (b) (6); Kroloff, Noah
Subject: RE: Stimulus story FYI

Sean,

(b) (5) -

FYI.

From: Smith, Sean (b) (6)
Sent: Thursday, July 23, 2009 5:40 PM
To: Klain, Ronald A.; Shlossman, Amy; (b) (6) M; Kuban, Sara A; Oxhorn, Elizabeth A.; (b) (6)
(b) (6) Kroloff, Noah; Smith, Sean
Subject: Re: Stimulus story FYI

I am engaging this reporter personally now. Stand by for update.

From: prvs=44843e2d6=Ronald_A._Klair(b)(2)(low), (b)(6)
To: Shlossman, Amy ; (b) (6) ; Kuban, Sara ; Oxhorn, Elizabeth A. ; (b) (6)
(b) (6) ; Kroloff, Noah ; Smith, Sean
Sent: Thu Jul 23 16:56:24 2009
Subject: RE: Stimulus story FYI
(b) (5)

From: Shlossman, Amy (b) (6)]
Sent: Thursday, July 23, 2009 4:55 PM
To: Klain, Ronald A.; (b) (6) ; Kuban, Sara; Oxhorn, Elizabeth A.; (b) (6)
(b) (6) Kroloff, Noah; Smith, Sean
Subject: RE: Stimulus story FYI

Thoughts on this? Would come from CBP-

(b) (5)

(b) (5)

From: (b)(2)(low), (b)(6)**On Behalf Of** Klain, Ronald A.**Sent:** Thursday, July 23, 2009 2:02 PM**To:** Shlossman, Amy; Chandler, Matthew; Kuban, Sara; Oxhorn, Elizabeth A.; Carney, James F.; Gavin, Thomas E.; Shapiro, Nicholas S.; Kroloff, Noah; Smith, Sean**Subject:** RE: Stimulus story FYI

(b) (5)

From: Shlossman, Amy (b) (6)**Sent:** Thursday, July 23, 2009 2:00 PM**To:** Klain, Ronald A.; (b) (6) ; Kuban, Sara; Oxhorn, Elizabeth A.; (b) (6)

(b) (6) Kroloff, Noah; Smith, Sean

Subject: RE: Stimulus story FYI

(b) (5)

Recovery page: http://www.dhs.gov/xopnbiz/gc_1242667947526.shtm

Estimated Cost Breakout: Budget Plan		Amount (\$ Millions)	
ARRA LPOE Construction (land and structures)		\$374.0	
ARRA LPOE R&A (contract services)		\$25.0	
PMRS (contracts and equipment)		\$21.0	
Total, LPOE Initiative		\$420.0	
Project Cos Estimate:			
Location	Design/Build	Contract Award	Project Completion
Antelope Wells, New Mexico	\$15,169,565	FY 2010 Q 1	FY 2012 Q 1
Frontier, Washington	\$24,669,565	FY 2010 Q 2	FY 2012 Q 2
Scobey, Montana	\$14,969,565	FY 2009 Q 4	FY 2011 Q 4
Boundary, Washington	\$14,369,565	FY 2009 Q 4	FY 2011 Q 4
Los Ebanos, Texas	\$14,469,565	FY 2010 Q 2	FY 2012 Q 2
Walhalla, North Dakota	\$17,569,565	FY 2009 Q 4	FY 2011 Q 4
Neche, North Dakota	\$21,269,565	FY 2010 Q 2	FY 2012 Q 2
Morses Line, Vermont	\$15,669,565	FY 2010 Q 1	FY 2012 Q 1
Hamlin, Maine	\$18,669,565	FY 2010 Q 2	FY 2012 Q 2
Noonan, North Dakota	\$15,369,565	FY 2009 Q 4	FY 2011 Q 4
Antler, North Dakota	\$13,869,565	FY 2009 Q 4	FY 2011 Q 4
Wild Horse, Montana	\$15,869,565	FY 2009 Q 4	FY 2011 Q 4

Del Bonita, Montana	\$16,469,565	FY 2010 Q 1	FY 2012 Q 1
Cannons Corner, New York	\$17,369,565	FY 2010 Q 1	FY 2012 Q 1
Churubusco, New York	\$15,469,565	FY 2010 Q 1	FY 2012 Q 1
Hansboro, North Dakota	\$15,369,565	FY 2009 Q 4	FY 2011 Q 4
Pinnacle Road, Vermont	\$17,669,565	FY 2010 Q 1	FY 2012 Q 1
Pittsburgh, New Hampshire	\$14,869,565	FY 2009 Q 4	FY 2011 Q 4
Carbury, North Dakota	\$15,169,565	FY 2010 Q 2	FY 2012 Q 2
Westhope, North Dakota	\$14,969,565	FY 2009 Q 4	FY 2011 Q 4
Morgan, Montana	\$14,469,565	FY 2009 Q 4	FY 2011 Q 4
Sherwood, North Dakota	\$15,469,565	FY 2009 Q 4	FY 2011 Q 4
Whitetail, Montana	\$14,769,565	FY 2009 Q 4	FY 2011 Q 4
Total		\$374,000,000	

From: (b)(2)(low), (b)(6)

] **On Behalf Of** Klain, Ronald A.

Sent: Thursday, July 23, 2009 1:52 PM

To: Chandler, Matthew; Kuban, Sara; Oxhorn, Elizabeth A.; Carney, James F.; Gavin, Thomas E.; Shapiro, Nicholas S.; Kroloff, Noah; Shlossman, Amy

Subject: RE: Stimulus story FYI

(b) (5)

From: (b) (6) (b) (6)

Sent: Thursday, July 23, 2009 1:47 PM

To: Klain, Ronald A.; Kuban, Sara; Oxhorn, Elizabeth A.; (b) (6) S.; (b) (6)

Subject: RE: Stimulus story FYI

Hi all –

(b) (5)

From: (b)(2)(low), (b)(6)

] **On Behalf Of** Klain, Ronald A.

Sent: Thursday, July 23, 2009 1:40 PM

9/30/2009

To: Kuban, Sara; Oxhorn, Elizabeth A.; Carney, James F.; Gavin, Thomas E.; Shapiro, Nicholas S.; Chandler, Matthew M
Subject: RE: Stimulus story FYI

(b) (5)

From: Kuban, Sara (b) (6)
Sent: Thursday, July 23, 2009 1:38 PM
To: Oxhorn, Elizabeth A.; Carney, James F.; (b) (6)
Subject: Re: Stimulus story FYI

CBP said she had to FOIA list. This is the e-mail she sent me:

Hi, Sara
The ports story is going to go out today. And it will basically say that Nogales is getting \$199 million out of \$720. And while officials say Nogales deserves this, CBP has not completed their list of priority repairs _ a list that was ordered in 2003.
I know you advised me to FOIA this list, and I have. But could someone please tell me how this decision was made and who made it?

Sent using BlackBerry

From: prvs=448045f57=Elizabeth_A._Oxhorn(b)(2)(low), (b)(6)
To: Carney, James F. ; Gavin, Thomas E. ; Kuban, Sara A ; Klain, Ronald A. ; Shapiro, Nicholas S.
Sent: Thu Jul 23 13:30:19 2009
Subject: FW: Stimulus story FYI
Deleting Apuzzo and adding Ron, Tom, Nick and Sarah

(b) (5)

From: Apuzzo, Matt [mailto:mapuzzo@ap.org]
Sent: Thursday, July 23, 2009 1:26 PM
To: Oxhorn, Elizabeth A.; Carney, James F.
Subject: Stimulus story FYI

I'm out of the office but wanted to give you a heads up on what my colleague is working on...

A story is going to go out today. And it will basically say that Nogales, Ariz. is getting \$199 million out of \$720 in port money. Napolitano pushed hard for this as gov and it's a ton of money compared to others.. And while officials say Nogales deserves this, CBP has not completed their list of priority repairs _ a list that was ordered in 2003.

We have asked CBP and DHS for explanation of what's going on and how this decision was made without the priority list. So far heard nothing. If you guys have anything to add please let me know.

Thanks,
Matt

Matt Apuzzo
The Associated Press
202-641-9439 office
202-365-2265 cell

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[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Kroloff, Noah

From: Kroloff, Noah
Sent: Saturday, August 29, 2009 3:21 PM
To: 'James_A._Messin;(b)(2)(low), (b)(6)
Subject: Ap thing

Seems to have died down a lot. Made the billings paper and on mt local news story. (b)(5)

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

We are still working

de Vallance, Brian

From: Heller, Jacob
Sent: Thursday, August 27, 2009 8:58 AM
To: de Vallance, Brian
Subject: RE: Tomorrow's Cabinet Meeting Agenda
Attachments: ARRA - Fact vs AP Fiction.doc

Not sure if you are up to date on the Recovery issues this week but it probably makes sense for me to bring you up to speed at some point today. I have copied the article below (b) (3)
 I have also attached our rebuttal talking points in case you are interested. (b) (3)

AP IMPACT: \$720 million for border repairs, but for priority jobs? Don't ask. It's a secret

By: EILEEN SULLIVAN and MATT APUZZO
 Associated Press
 08/26/09 6:40 AM EDT

WASHINGTON — A sleepy Montana checkpoint along the Canadian border that sees about three travelers a day will get \$15 million under President Barack Obama's economic stimulus plan. A government priority list ranked the project as marginal, but two powerful Democratic senators persuaded the administration to make it happen.

Despite Obama's promises that the stimulus plan would be transparent and free of politics, the government is handing out \$720 million for border upgrades under a process that is both secretive and susceptible to political influence. This allowed low-priority projects such as the checkpoint in Whitetail, Mont., to skip ahead of more pressing concerns, according to documents revealed to The Associated Press.

It wasn't supposed to be that way. In 2004, Congress ordered Homeland Security to create a list, updated annually, of the most important repairs at checkpoints nationwide. But the Obama administration continued a Bush administration practice of considering other, more subjective factors when deciding which projects get money.

The results:

— A border station in Homeland Security Secretary Janet Napolitano's home state of Arizona is getting \$199 million, five times more than any other border station. The busy Nogales checkpoint has required repairs for years but was not rated among the neediest projects on the master list reviewed by the AP. Napolitano credited her lobbying as Arizona governor for getting the project near the front of the line for funding under the Bush administration. All it needed was money, which the stimulus provided.

— A checkpoint in Laredo, Texas, which serves more than 55,000 travelers and 4,200 trucks a day, is rated among the government's highest priorities but was passed over for stimulus money.

9/30/2009

_ The Westhope, N.D., checkpoint, which serves about 73 people a day and is among the lowest-priority projects, is set to get nearly \$15 million for renovations.

The Whitetail project, which involves building a border station the size and cost of a Hollywood mansion, benefited from two key allies, Montana Sens. Max Baucus and Jon Tester. Both pressed Napolitano to finance projects in their state. Tester's office boasted of that effort in an April news release, crediting Baucus and his seat at the head of the "powerful Senate Finance Committee."

Customs officials would not discuss that claim. Asked to explain Whitetail's windfall, they provided a one-page fact sheet that contains no information about Whitetail's needs and is almost identical to the fact sheet for every other Montana project.

It's hardly a recent phenomenon for politicians to use their influence to steer money to their home states. Yet Obama said the stimulus would be different. He banned "earmarks," which lawmakers routinely slip into bills to pay for pet projects, and he told agencies to "develop transparent, merit-based selection criteria" for spending.

Customs and Border Protection, the Homeland Security agency overseeing border projects, allowed the AP to review the list but will not make it public or explain its justifications for deviating from it.

Releasing that information would allow the public to see whether less important projects are getting money. The Transportation Department, for instance, was recently criticized by its internal watchdog for spending \$1.1 billion on airport construction that didn't meet financing standards.

Without the lists, the public and members of Congress don't know when the administration bumps a project ahead of others ranked more important.

Customs officials said they wouldn't release the master list because it was just a starting point and subject to misunderstanding. They acknowledged there's no way for the public to know whether they are cherry-picking projects.

"There's a certain level of trust here," said Robert Jacksta, a deputy customs commissioner.

Some discrepancies between the stimulus plan and the priority list can be attributed to Congress, which set aside separate pools of money for large and small border stations. That guaranteed that a few small, probably lower-rated projects would be chosen ahead of bigger, higher-priority projects. But it doesn't explain all the discrepancies, because even within the two pools, Homeland Security sometimes reached way down on the list when selecting projects.

Many of the nation's 163 border checkpoints, known as land ports, are more than 40 years old and in need of upgrade and repairs. After the Sept. 11, 2001, terrorist attacks, those needs became more pressing and complex as officials beefed up border security. There is far more

work to be done than money to complete it.

To prioritize, officials score each project on traffic volume, security vulnerability, construction needs and other factors. The resulting list represents "an objective and fair method for prioritizing projects," officials wrote in a 2005 summary.

That's the process the Obama administration described in a news release announcing \$720 million in stimulus money for borders. But it didn't say that officials can choose projects out of order for many reasons.

Trent Frazier, who oversees the border projects, said the list Congress required is more like a meal plan. The administration can decide when to eat each dish, as long as everything eventually gets eaten.

Explaining why one project might get pushed ahead, Frazier said, "You just really liked pizza and you wanted to accelerate it."

In the case of the stimulus, officials said the Nogales, Ariz., project was construction-ready, a requirement of the recovery law. Officials also consider the economy, which means if the government expects local businesses to close and border traffic to decrease, it can delay paying for that project.

In one instance, officials said they reached deep into the list to provide \$39 million for repairs in Van Buren, Maine, because flooding made the facility a safety hazard. In another, they are spending \$30 million in Blaine, Wash., a lower-rated project that is unusual because it includes covering the costs of a state road project. With the 2010 Olympics coming to nearby Vancouver, Canada, officials worried the border would be strained without the project.

Officials said they could similarly justify every decision they've made. They would not provide those justifications to the AP. Frazier said the department would answer questions on a case-by-case basis, working through Congress to explain decisions to the public.

But even some in Congress say they aren't getting answers. Rep. Henry Cuellar, D-Texas, said he has yet to hear a good explanation about why highly ranked projects such as Laredo were snubbed.

More than \$116 billion in freight passed through Laredo last year, according to the Transportation Department. It is one of the busiest border stations in the country. Unemployment in the metropolitan area is 9.4 percent.

"For the sake of fairness, if you have a list, there's some sort of expectation that you're going to follow that list," Cuellar said.

Tester, who said he pressed the Obama administration to get money for Montana projects, said border crossings in his state had been unfairly ignored.

"The northern border tends to be forgotten, and it shouldn't be," Tester told the Great Falls

Tribune after announcing \$77 million for Montana posts in the stimulus.

Whitetail, Mont., an unincorporated town with a population of 71, saw only about \$63,000 in freight cross its border last year. County unemployment is an enviable 4 percent.

"I think, absolutely, it's going to create jobs and build the infrastructure," Tester said.

From: de Vallance, Brian
Sent: Thursday, August 27, 2009 12:32 AM
To: Shlossman, Amy
Cc: Grossman, Jordan; Heller, Jacob
Subject: Fw: Tomorrow's Cabinet Meeting Agenda

Amy, FYI.

New BB is working today. Lemme know if I can help w anything.

Sent using BlackBerry

From: prvs=4826dd404=(b) (6)
To: Alberta Manley ; Amy Shlossman ; Ana Ma ; Andrea Mead ; Andrew Williams ; Becky Koepnick ; Bill Adams ; Brian de Vallance ; Bruce Katz ; (b) (6) Cathy Solomon ; Chris Henderson ; Claudia Tornblom ; Craig Hooks ; Dan Tangherlini ; Danielle Germain ; Deborah Bittinger ; Dennis Williams ; Ed Hugler ; Ed Montgomery ; Elizabeth Willmott ; Ellen Herbst ; Erin Cummings ; Geoff Morrell ; Hannah August ; Helaine Greenfeld ; Jill McCabe ; Jill Zuckman ; Jim Brownlee ; Jim McMullen ; Joel Szabat ; John Manahan ; John Porcari ; (b) (6) Karen Cowles-Pullen ; Karen Mills ; Kristin Ward ; Lana Hurdle ; lindsay daschle ; Lisa Schlosser ; Louis Mauney ; Marguerite Coffey ; Marty Melone ; Mary Pletcher ; Matt Lee-Ashley ; Matt Rogers ; Melanie Roussel ; Mike McCord ; Mike Thiem ; Patrick Kennedy ; Paul Craven ; Paul Prouty ; Peter Grace ; Rachel Arndt ; Richard French ; Richard Turman ; Sandra Richardson ; Sean Smith ; Sharon Parrott ; Stephanie Speirs ; Susan Hazen ; Perrelli, Thomas J. (SMO) ; Tom Krieder ; Tom Mason ; Tony Miller ; Yvette Meftah ; yvonne Prettyman ; Zach Russell
Cc: chris chan ; Debra Perry ; Judy Larsen ; Maureen Tracey-Mooney ; Pam McBride ; Patrick Philips ; Ronetta Norris ; Trish Flock ; Vinn White
Sent: Wed Aug 26 18:10:18 2009
Subject: Tomorrow's Cabinet Meeting Agenda
Good evening,

(b) (5)

Thanks,
Alyssa

de Vallance, Brian

From: Shlossman, Amy
Sent: Tuesday, September 01, 2009 6:30 AM
To: Kroloff, Noah; de Vallance, Brian; (b) (5) LOPEZ, MARCO A (HQ)
Subject: Re: Ed DeSeve

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(b) (5)

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

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

From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (5); (b) (5); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

(b) (5)

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

From: de Vallance, Brian
To: Kroloff, Noah; Shlossman, Amy; (b) (5); (b) (5); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

Ed DeSeve called me today to follow up on the events of last week. Here are the highlights:

(b) (5)

I have several comments about this that we should discuss on Tuesday and prepare a response.

Sent using BlackBerry

de Vallance, Brian

From: Kroloff, Noah (b) (6)
Sent: Tuesday, September 01, 2009 8:14 AM
To: Smith, Sean; LOPEZ, MARCO A (HQ); De Vallance, Brian; Kroloff, Noah; Shlossman, Amy
Subject: RE: Ed DeSeve

9

From: Smith, Sean (b) (6)
Sent: Tuesday, September 01, 2009 8:12 AM
To: LOPEZ, MARCO A (HQ); De Vallance, Brian; Kroloff, Noah; Shlossman, Amy; Smith, Sean
Subject: Re: Ed DeSeve

Where'd we land here?

From: LOPEZ, MARCO A (HQ)
To: de Vallance, Brian ; Kroloff, Noah ; Shlossman, Amy ; Smith, Sean
Sent: Tue Sep 01 07:48:30 2009
Subject: Re: Ed DeSeve

3:30

----- Original Message -----
From: de Vallance, Brian (b) (6)
To: Kroloff, Noah; Shlossman, Amy; Smith, Sean; LOPEZ, MARCO A (HQ)
Sent: Tue Sep 01 07:31:07 2009
Subject: RE: Ed DeSeve

10am.
2pm
330pm on
all work for me.

-----Original Message-----
From: Kroloff, Noah
Sent: Tuesday, September 01, 2009 6:34 AM
To: Shlossman, Amy; de Vallance, Brian; (b) (6); LOPEZ, MARCO A (HQ)
Subject: Re: Ed DeSeve

(b) (5)

----- Original Message -----
From: Shlossman, Amy
To: Kroloff, Noah; de Vallance, Brian; (b) (6); (b) (6); LOPEZ, MARCO A (HQ)
Sent: Tue Sep 01 06:29:44 2009
Subject: Re: Ed DeSeve

(b) (5)

(b) (5)

(b) (5)

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

From: Kroloff, Noah

To: de Vallance, Brian; Shlossman, Amy; (b) (6)
<Sean.Smith@dhs.gov>; LOPEZ, MARCO A (HQ)

Sent: Mon Aug 31 23:47:42 2009

Subject: Re: Ed DeSeve

(b) (5)

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

From: de Vallance, Brian

To: Kroloff, Noah; Shlossman, Amy; (b) (6)
(b) (6); LOPEZ, MARCO A (HQ)

Sent: Mon Aug 31 19:32:47 2009

Subject: Ed DeSeve

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(b) (5)

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Sent using BlackBerry

de Vallance, Brian

From: LOPEZ, MARCO A (HQ) (b) (6)
Sent: Tuesday, September 01, 2009 9:12 AM
To: Shlossman, Amy; Kroloff, Noah; de Vallance, Brian; Smith, Sean
Subject: Re: Ed DeSeve

This is getting worked for you, S3.

From: Shlossman, Amy (b) (6)
To: Kroloff, Noah; de Vallance, Brian; Smith, Sean; LOPEZ, MARCO A (HQ)
Sent: Tue Sep 01 06:29:44 2009
Subject: Re: Ed DeSeve

(b) (5)

(b) (5)

----- Original Message -----
From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (6); (b) (6); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

(b) (5)

----- Original Message -----
From: de Vallance, Brian
To: Kroloff, Noah; Shlossman, Amy; (b) (6); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

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(b) (5)

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Sent using BlackBerry

9/30/2009

de Vallance, Brian

From: LOPEZ, MARCO A (HQ) (b) (6)
Sent: Friday, September 04, 2009 5:21 PM
To: Kroloff, Noah; Shlossman, Amy; Smith, Sean; LOPEZ, MARCO A (HQ); de Vallance, Brian
Cc: CAINE, JEFFREY; STACEY, ANNE-MARIE
Subject: FW: Ed DeSeve
Importance: High
Attachments: Funds available for additional LPOE projectsv5.doc

(b) (5)

Marco

(b) (5)

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

From: Kroloff, Noah
To: de Vallance, Brian; Shlossman, Amy; (b) (6); (b) (6); LOPEZ, MARCO A (HQ)
Sent: Mon Aug 31 23:47:42 2009
Subject: Re: Ed DeSeve

(b) (5)

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

From: de Vallance, Brian
To: Sent: Mon Aug 31 19:32:47 2009
Subject: Ed DeSeve

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(b) (5)

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Sent using BlackBerry