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**From:** Weich, Ron (SMO)  
**To:** Colborn, Paul P (SMO); Gaston, Molly (SMO); Burton, Faith (SMO); Axelrod, Matthew (ODAG)  
**Sent:** 4/14/2011 10:32:11 PM  
**Subject:** RE: my conversation with Grassley staff re: "process" --

Molly, what was the Issa's staff's posture with respect to the Grassley staffers? Were they arguing that the Grassley staff were entitled to come in under the Issa umbrella? In any event I agree with Faith's rebuttal to Kolan and Jason's creative argument.

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**From:** Colborn, Paul P (SMO)  
**Sent:** Thursday, April 14, 2011 5:55 PM  
**To:** Weich, Ron (SMO); Gaston, Molly (SMO); Burton, Faith (SMO); Axelrod, Matthew (ODAG)  
**Subject:** RE: my conversation with Grassley staff re: "process" --

Do we have any indication from Issa or his staff that HOCR had "deputized" Grassley's staffers? (I'd be very surprised.)

DP

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**From:** Weich, Ron (SMO)  
**Sent:** Thursday, April 14, 2011 5:45 PM  
**To:** Colborn, Paul P (SMO); Gaston, Molly (SMO); Burton, Faith (SMO); Axelrod, Matthew (ODAG)  
**Subject:** my conversation with Grassley staff re: "process" --

As we discussed earlier, I called Grassley chief counsel Kolan Davis in response to Jason Foster's email last night seeking a discussion about process. Kolan had Jason in his office and he participated in the discussion, but for what it's worth I engaged "at my level" by placing the call to Kolan, not Jason.

It was actually a very short talk because they had only one point to make: they said it was wrong of us to exclude Grassley staff from the opportunity to view documents here because they think it should be up to Chairman Issa to decide who will represent him in such a session. I reviewed the long-standing Department position distinguishing chairmen from RMMs. They noted their disagreement with that position, but argued that even under that view, a chairman is entitled to send staffers from other committees - even from the other chamber - to carry out the activity (i.e., viewing documents) that the chairman is allowed to carry out. In effect, they argued that Issa should be able to deputize Grassley staffers as "special" Issa staffers for this purpose, and for us to question that arrangement is an impermissible intrusion into the operations of the legislative branch. They then echoed Grassley's floor threat that if we block his staff's access to documents he may hold nominees hostage.

Needless to say I think their argument, while creative, lacks merit. And I told them so.

DP

DP

Any other thoughts?