



Gregory George Katsas

Vetting Report

10/16/2017

GREGORY KATSAS

Name: Gregory George Katsas¹
Born: August 1964²
Education: A.B., Princeton University³
J.D., Harvard University⁴
Career: Deputy White House Counsel (January 2017-present)⁵
Justice Department Transition Team⁶
Partner, Jones Day (October 2009-January 2017)⁷
Assistant Attorney General, U.S. Department of Justice (2008-2009)⁸
Acting Associate Attorney General, U.S. Department of Justice (2007-2008)⁹
Principal Deputy Associate Attorney General, U.S. Department of Justice (2006-2008)¹⁰
Deputy Assistant Attorney General, U.S. Department of Justice (2001-2006)¹¹
Associate and Partner, Jones Day (1992-2001)¹²
Law Clerk, United States Supreme Court Justice Clarence Thomas¹³
Elected Office: None
Organizations: The Federalist Society¹⁴
Honors & Awards: Edmund Randolph Award (Department of Justice award for outstanding service)¹⁵
Department of Defense Medal for Exceptional Public Service (2009)¹⁶
Attorney General's Distinguished Service Award (2006)¹⁷

Trump Nominated Katsas For An Open Seat On The D.C. Court Of Appeals

Trump Nominated Gregory Katsas To Replace Janice Rogers Brown On The U.S. Court Of Appeals For The District Of Columbia Circuit. According to the Washington Post, “President Trump tapped one of his White House lawyers Thursday for an open seat on the U.S. Court of Appeals for the District of Columbia Circuit, which often rules on important political cases involving executive power and government regulations. Gregory G. Katsas, whose nomination requires confirmation by the Senate, has served as Trump’s deputy legal counsel since March, held senior posts at the Justice Department during the George W. Bush administration and was a law clerk for Supreme Court Justice Clarence Thomas. If confirmed, Katsas would join a bench referred to as the nation’s second-highest court — because of its decisions on -separation-of-powers issues and because it has been something of a pipeline to the Supreme Court, with three current justices having previously served on the D.C. Circuit. Pending now before the court is President Barack Obama’s signature effort to combat global warming, the constitutionality of a key consumer watchdog agency and gun-control laws in the nation’s capital. Katsas, 53, is considered a conventional conservative and would replace another conservative, retired judge Janice Rogers Brown, whose opinions were often infused with a libertarian streak.” [Washington Post, [9/7/17](#)]

¹ “Gregory George Katsas” – Nexis Comprehensive Person Report, Viewed 10/11/17

² Ibid.

³ Washington Post, [9/7/17](#)

⁴ Ibid.

⁵ BuzzFeed, [9/7/17](#)

⁶ NPR, [7/28/17](#)

⁷ BuzzFeed, [9/7/17](#); Jones Day, [10/09](#)

⁸ National Review, [9/7/17](#)

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ White House, [9/7/17](#)

¹⁴ National Review, [9/7/17](#)

¹⁵ Jones Day, [10/09](#)

¹⁶ National Review, [9/7/17](#)

¹⁷ Ibid.

Katsas Has Played An Important Role In Day-To-Day Management Of The White House's Legal Operation

White House Counsel Donald McGahn—Another Former Jones Day Partner—Has Depended On Katsas For Legal Advice And Day-To-Day Management Of The White House's Legal Operation. According to NPR, “Katsas served on the Justice Department transition team before becoming the right-hand man to White House counsel Donald McGahn after the inauguration this year. The two men had worked together before, as partners at the Jones Day law firm in Washington, D.C. By all accounts, inside the tumultuous Trump White House, McGahn has depended on Katsas for legal advice and day-to-day management of the White House legal operation that includes more than two dozen attorneys.”[NPR, [7/28/17](#)]

Katsas Sat In On Interviews With Appeals Court Nominees. According to BuzzFeed, “There are two lawyers in the White House counsel's office who are coordinating judicial nominations, James Burnham and Rob Luther. Clusters of courts have been assigned to White House lawyers by geographical region. The White House counsel's office works with the Office of Legal Policy at the US Department of Justice to vet and interview judicial nominee candidates. Burnham, and, to a lesser extent because of their schedules, White House Counsel Don McGahn and White House Deputy Counsel Greg Katsas, sit in on interviews with appeals court nominees, along with the lawyers handling that particular region. McGahn is responsible for making recommendations to Trump.” [Buzzfeed, [7/31/17](#)]

Alliance For Justice: The Senate Should Scrutinize Katsas' Involvement With “Some Of The Most Controversial Decisions That This President Has Made.” According to the Washington Times, “President Trump took the unusual step Thursday of nominating White House lawyer Gregory G. Katsas to a seat on the influential U.S. Circuit Court of Appeals for the District of Columbia, a court that former President Barack Obama fought to turn into an institution dominated by Democratic appointees. Mr. Katsas currently serves as deputy counsel to the president in the White House Counsel's Office. The nomination could set off a contentious confirmation battle in the Senate, with lawmakers likely to question Mr. Katsas about thorny legal issues such as the White House response to Russia-related investigations and the drafting of the president's order on ‘extreme vetting’ of travelers from predominantly Muslim countries. [...] Dan Goldberg, legal director at the progressive Alliance for Justice, said the Senate should scrutinize Mr. Katsas' involvement ‘on some of the most controversial decisions that this president has made.’ ‘This is somebody who is a top adviser to the president — a president who has repeatedly demonstrated his contempt for the rule of law and the courts,’ he said.” [Washington Times, [9/7/17](#)]

The White House Office Of Legal Counsel Came Under Fire For The Botched Rollout Of Trump's So-Called “Muslim Ban”

Several Controversies Have Beset Katsas' Office, Including The Rollout Of The President's Executive Order That Barred People From Seven Majority-Muslim Countries According to NPR, “By all accounts, inside the tumultuous Trump White House, McGahn has depended on Katsas for legal advice and day-to-day management of the White House legal operation that includes more than two dozen attorneys. The administration has had a rough time in the legal arena. Trump had to withdraw his first executive order banning visitors from seven majority-Muslim countries after courts imposed a temporary halt, and signaled it might be unconstitutional. The new, revised version also met with legal challenges, which the Supreme Court will hear in October.” [NPR, [7/28/17](#)]

The Executive Order—Which Is Pending At The Supreme Court—Was Poorly Drafted And Did Not Include Input From Executive Agencies. According to NPR, “The first of these, the travel ban, was an executive order signed by the president a week after taking office. It initially and temporarily barred people from seven predominantly Muslim countries from entering the U.S. The order, written without consulting the relevant agencies, was so poorly drafted that it even barred green-card holders from returning home after visits abroad. After briefly paralyzing a number of airports, both in the U.S. and elsewhere, the order was struck down by five district courts and a federal appeals court. Eventually, the president signed a second executive order, which he later characterized with disdain as ‘watered down.’ But that travel ban, too, has been struck down and is already pending at the Supreme Court.” [NPR, [6/6/17](#)]

McGahn Signed A Memorandum That Purported To Clarify The Order's Application To Green-Card Holders, But It Only Injected More Confusion Into The Ongoing Legal Saga. According to Politico, “Once the concern about green-card holders was identified, Trump could have simply signed a half-page tweak to his executive order, making crystal clear that U.S. permanent residents were exempt from the order. But he didn't do that, apparently because he or his aides did not want to admit any flaws in the drafting or vetting process. A formal change to the order would have amounted to a concession of

such imperfections. Instead, Trump and his advisers settled on having his official lawyer — White House Counsel Don McGahn — sign a memorandum purporting to offer "authoritative guidance" that the order did not apply to green-card holders. The memo did not say that Trump instructed McGahn to tweak the order or even that the president approved the new 'guidance.' [...] Despite the claims by McGahn and Flentje that the counsel's memo was conclusive, the three judges nearly ridiculed that position. 'At this point, however, we cannot rely upon the Government's contention that the Executive Order no longer applies to lawful permanent residents. The Government has offered no authority establishing that the White House counsel is empowered to issue an amended order superseding the Executive Order signed by the President,' the judges wrote, adding curtly: "That proposition seems unlikely." [Politico, [2/9/17](#)]

McGahn, Katsas' Boss, Was Reportedly A Target Of Special Counsel Robert Mueller's Probe Into Russian Interference In The 2016 Election

Special Counsel Robert Mueller Was Reportedly Interested In McGahn's Knowledge About Trump's Decision To Fire Former FBI Director James Comey. According to Business Insider, "FBI special counsel Robert Mueller wants to know what President Donald Trump was thinking when he fired James Comey as FBI director and helped craft a misleading statement about his son's meeting with Russians last year at Trump Tower. And he apparently thinks White House counsel Don McGahn has the answers. To charge someone with obstructing justice, prosecutors have to prove that 'the defendant corruptly endeavored to influence, obstruct, or impede' an investigation, according to legal and national-security experts writing for Lawfare." [Business Insider, [9/18/17](#)]

Mueller Was Also Reportedly Interested In McGahn's Knowledge About A Misleading Statement Regarding A 2016 Meeting Donald Trump Jr. Took With Two Russians At Trump Tower. According to Business Insider, "Now it appears that Mueller will look to McGahn for answers as to why Trump crafted a misleading statement about his son's meeting with two Russians — a lawyer and a lobbyist — at Trump Tower last June. That detail, revealed by the Times, appears to be the first indication that Mueller is interested in hearing from McGahn about something other than his alleged role in creating a legal justification for Trump to fire Comey." [Business Insider, [9/18/17](#)]

- **Donald Trump, Jr. Issued A Statement Saying He And A Russian Lawyer "Primarily Discussed A Program About The Adoption Of Russian Children" That Proved To Be Misleading.** According to the Washington Post, "Flying home from Germany on July 8 aboard Air Force One, Trump personally dictated a statement in which Trump Jr. said that he and the Russian lawyer had 'primarily discussed a program about the adoption of Russian children' when they met in June 2016, according to multiple people with knowledge of the deliberations. The statement, issued to the New York Times as it prepared an article, emphasized that the subject of the meeting was 'not a campaign issue at the time. The claims were later shown to be misleading.'" [Washington Post, [7/31/17](#)]
- **Trump Jr. Took The Meeting After Receiving An Email That Promised Damaging Information About Hillary Clinton.** According to the Washington Post, "Over the next three days, multiple accounts of the meeting were provided to the news media as public pressure mounted, with Trump Jr. ultimately acknowledging that he had accepted the meeting after receiving an email promising damaging information about Hillary Clinton as part of a Russian government effort to help his father's campaign." [Washington Post, [7/31/17](#)]

Katsas Is A Former Clerk To Supreme Court Justice Clarence Thomas

Katsas Is One Of Many Former Clerks To Clarence Thomas Working In The Trump White House. According to Slate, "Everywhere you turn in Trumpland, you'll find a slew of Thomas' former clerks in high places. They are serving in the White House counsel's office (Greg Katsas, John Eisenberg, David Morrell); awaiting appointment to the federal judiciary (Allison H. Eid, David Stras); leading the departments of the Treasury (Heath P. Tarbert, Sigal Mandelker) and Transportation (Steven G. Bradbury); defending the travel ban in court (Jeffrey Wall); and heading the White House Office of Information and Regulatory Affairs (Neomi Rao). Thomas clerks are also working with dark money groups to execute Trump's agenda (Carrie Severino) and boosting him in the far-right media (Laura Ingraham)." [Slate, [8/2/17](#)]

In 2016, Katsas Earned Nearly \$4 Million As A Jones Day Partner, Maintained A Client Roster That Included Tobacco Company RJ Reynolds

2016: Katsas Earned \$3.9 Million As A Jones Day Partner And Maintained A 10-Client Roster That Included RJ Reynolds And The U.S. House Of Representatives. According to Legal Week, “Gregory Katsas, deputy counsel to the president, raked in nearly \$3.9m (£3.1m) last year as a Jones Day partner, buoyed by a 10-client roster including RJ Reynolds, Chevron, Procter & Gamble, the US House of Representatives and United Parcel Service. Katsas said he received the money in his Jones Day capital account when he left the firm for the administration, while he also received a departure bonus that was determined by managing partner Steve Brogan. Katsas' filing also noted that Jones Day's retirement benefits will leave him \$28,000 (£22,500) a year until one month before he dies.” [Legal Week, 4/4/17]

KATSAS REPRESENTED RJ REYNOLDS IN SEVERAL CASES AS A JONES DAY PARTNER

Katsas Represented RJ Reynolds In A Dispute With A Widow Whose Husband Smoked Three Packs Of Cigarettes A Day. According to the Daily Business Review, “The Schlesinger firm secured a landmark verdict for the family of Johnnie Calloway, a Lauderdale man who started smoking at 15 and moved up to three packs per day. Mr. Calloway's widow, Marvine, sued four cigarette makers: R.J. Reynolds Tobacco Co., Philip Morris USA, Lorillard Tobacco Co. and Liggett Group LLC. The trial grabbed headlines in 2012 when it ended with the big award, including \$20.5 million in compensatory damages and \$54.85 million in punitive damages. The panel ordered some counts to be reconsidered and reversed the punitive award, setting up a retrial. [...] Benjamine Reid -- breid@carltonfields.com -- and Cristina Alonso of Carlton Fields Jordan Burt in Miami worked with Gregory Katsas and Charles Morse -- cramorse@jonesday.com -- of Jones Day in Washington to represent R.J. Reynolds.” [Daily Business Review, 2/29/16]

Katsas Represented RJ Reynolds In The Engle Case, A Prolonged, Class-Action Lawsuit Against Big Tobacco Companies. According to the Class Action Reporter, “The story of the Engle litigation is a story of wins and losses for both sides, spread out over decades, with no ready conclusion in sight. When Howard Engle filed his lawsuit, along with six other lead plaintiffs, in May 1994, he sought \$200 billion in damages from the marquee tobacco companies of the day. (Engle had been a pediatrician to the Rosenblatts' nine children; the Rosenblatts had already taken on Big Tobacco previously, having sued the cigarette companies on behalf of flight attendants over secondhand smoke exposure.) Later that year, a judge in Dade County circuit court certified the case as a nationwide class action; it was later whittled down to a class of Florida smokers, about 700,000 plaintiffs. [...] Represented by former U.S. Solicitor General Paul Clement of the Bancroft firm, Gregory Katsas of Jones Day and Miguel Estrada of Gibson Dunn, Liggett, Philip Morris and Reynolds petitioned the U.S. Supreme Court to review the Florida Supreme Court's decision, calling the Engle progeny structure established by the Florida courts “unprecedented and fundamentally unfair.” In October 2013 the high court declined to take the case, effectively legitimizing the proceedings in Florida.” [The American Lawyer, 7/21/15]

Katsas Represented RJ Reynolds In A RICO Case Brought Against The Company By The European Union That Reached The Supreme Court. According to Law.com, “By an 8-5 vote, the U.S. Court of Appeals for the Second Circuit denied a request by Jones Day's Gregory Katsas --ggkatsas@jonesday.com -- for an en banc rehearing in European Community v. RJR Nabisco, which has been meandering through the courts since 2000. The European plaintiffs accuse RJR Nabisco's R.J. Reynolds Tobacco subsidiaries of engineering a complex, global money laundering operation. The alleged scheme involved criminal organizations from Russia and Colombia smuggling drugs into Europe and laundering the money they made through currency brokers, who then worked with importers to use the proceeds to purchase R.J. Reynolds cigarettes.” [Law.com 6/3/15]

- **The Supreme Court Sided With RJ Reynolds, Saying RICO Did Not Apply To Misconduct That Took Place Abroad.** According to the New York Times, “The Supreme Court on Monday sided with the R.J. Reynolds Tobacco Company in a lawsuit filed by European countries accusing it of complicity in an international money laundering scheme. The court, by a 4-to-3 vote, found that the company could not be sued under the federal Racketeer Influenced and Corrupt Organizations Act, or RICO, over its conduct abroad. The case, RJR Nabisco Inc. v. The European Community, No. 15-138, was brought by the European Union and 26 of its member states. They accused RJR Nabisco and several associated companies of being part of a sprawling cigarette smuggling enterprise that deprived them of billions of dollars in customs and tax revenues.” [New York Times, [6/20/16](#)]

Katsas Defended A Ban On “Partial-Birth” Abortions That President Bush Signed Into Law

As Deputy Assistant Attorney General, Katsas Defended A Partial-Birth Abortion Law Before A 9th Circuit Appeals Panel. According to the Sacramento Bee, “A congressional ban on a second-trimester abortion procedure - called ‘partial-birth’ by its critics - met with skepticism during oral arguments Thursday before a federal appellate court here. The 9th U.S. Circuit Court of Appeals panel acknowledged the importance of deferring to Congress in some situations. But the judges also questioned whether the federal lawmakers, when they adopted the ban in 2003, had the authority to declare that the disputed abortion procedure never is needed to preserve a woman's health. Gregory Katsas, a deputy assistant attorney general, responded that the medical evidence was divided. In that situation, he said, Congress had authority to make the call. But Judge Stephen Reinhardt of Los Angeles questioned whether deference is required when Congress contradicts substantial medical authority.” [Sacramento Bee, 10/21/05]

Katsas Said “There Are Medical Arguments On Both Sides” As To Whether Or Not Partial Birth Abortions Are Ever Medically Necessary. According to the Associated Press, “Abortion rights advocates say the law is vague and could halt almost all second-trimester abortions. The government argued that Congress determined the procedure is never medically necessary, and therefore a woman's options for an abortion are not limited. Judge Sidney R. Thomas wondered whether Congress's findings ‘matter at all,’ given the conflicting testimony of doctors in lower courts. Judge William A. Fletcher said a doctor may end up performing the banned method during an abortion ‘in order to do it properly’ and ‘for the health of the woman.’ Assistant U.S. Attorney Gregory Katsas said that ‘there are medical arguments on both sides,’ but the court should defer to Congress's findings.” [Washington Post, 10/21/05]

- **The Supreme Court Upheld The Law In *Gonzales v. Carhart*.** According to the New York Times, “The Supreme Court reversed course on abortion on Wednesday, upholding the federal Partial-Birth Abortion Ban Act in a 5-to-4 decision that promises to reframe the abortion debate and define the young Roberts court. The most important vote was that of the newest justice, Samuel A. Alito Jr. In another 5-to-4 decision seven years ago, his predecessor, Justice Sandra Day O’Connor, voted to strike down a similar state law. Justice Alito’s vote to uphold the federal law made the difference in the outcome announced Wednesday.” [New York Times, [4/19/07](#)]

Katsas Defended The Defense Of Marriage Act (DOMA) In Court

In 2012, Katsas Suggested That The Supreme Court Would Not Overturn The Defense Of Marriage Act (DOMA). According to the New York Times, “The court did not address -- nor was it asked to -- whether states without same-sex marriage could be forced to recognize couples who were married in states where it is legal. The First Circuit covers Maine, Massachusetts, New Hampshire, Rhode Island and Puerto Rico. Supporters of the marriage law also seemed to believe that the Massachusetts case was better for their cause than the one from California, in which the Ninth Circuit earlier this year struck down a ban on same-sex marriage. ‘This is a good development for defenders of the law,’ said Gregory Katsas, a former Justice Department official who has defended the Defense of Marriage Act. For the Supreme Court to overturn it, he said, the justices would have to take the drastic step of striking down ‘a federal statute passed by overwhelming margins and signed by Bill Clinton.’” [New York Times, 6/1/2012]

During His Time At The Bush Justice Department, Katsas Defended DOMA In Court. According to The Guardian, “Gregory Katsas, a former US Justice Department official who has defended Doma in court, said that with the cases being held one after the other it will be difficult for the supreme court justices not to see a contradiction in the position of those who support gay marriage - on the one hand arguing for states' rights in New York while against them in California. ‘Having both cases together, the challengers of Doma making the states rights' argument I think is going to ring a little bit hollow when one day earlier all of the same people on that side of the issue were making all of the same arguments for why states can not have a more traditional definition of marriage than the federal government,’ he said.” [The Guardian, 3/25/13]

Katsas Represented The NFIB In Litigation Against The Affordable Care Act

Katsas Represented The National Federation Of Independent Businesses (NFIB) In The Business Group's Litigation Against The Affordable Care Act. According to Jones Day, "On March 26, 2012, Greg Katsas, an Issues & Appeals partner in Jones Day's Washington Office, argued before the U.S. Supreme Court on behalf of the National Federation of Independent Business (NFIB) that the Anti-Injunction Act does not bar the Court from hearing a challenge to the Patient Protection and Affordable Care Act's individual mandate requiring the purchase of health insurance. The transcript and audio file of the argument are available on the Supreme Court web site. Mr. Katsas handles complex litigation in areas including administrative law, antitrust, constitutional law, employment discrimination, international law and arbitration, and product liability. He has argued more than 40 appeals, has won more than 30 appeals, and has argued in every federal appellate court including the U.S. Supreme Court." [Jones Day, [3/26/12](#)]

The NFIB Challenged The Individual Mandate Under The Affordable Care Act. According to Congressional Quarterly, "Lawyers for the National Federation of Independent Business told the U.S. Supreme Court on Monday that the health care law's requirement that all Americans have health insurance would compel the uninsured to engage in economic activity that harms them but benefits insurance companies. In their brief, the lawyers for the law's opponents said that the 'harmful' activity is making healthy people buy something they don't believe they need: health insurance from a commercial firm. 'Never before has Congress enacted such a regulatory mandate,' says the brief. [...] Gregory Katsas, a lawyer for the NFIB, said in a conference call with reporters that there is nothing 'hugely new' in the brief but that it lays out opponents' objections in a 'far more detailed and more rigorous' way than in previous briefs as the lawsuit has made its way through the lower courts. Katsas said the brief makes it clear that Americans' individual liberty is 'profoundly threatened' by the law (PL 111-148, PL 111-152). The law would 'force consumers to buy a product they don't want,' he said, which has 'literally never been done before in history.'" [Congressional Quarterly, 2/6/12]

JONES DAY, KATSAS' FIRM, CHALLENGED THE ACA'S CONTRACEPTIVE MANDATE

Katsas Called The Legal Challenge To The ACA's Contraceptive Mandate "Really Strong"

Katsas Suggested The Religious Freedom And Restoration Act Conflicts With The Affordable Care Act's Contraceptive Mandate And That His Law Firm Was Handling Challenges To The Mandate. According to Congressional Quarterly, "Barnett is not directly involved in the fresh round of litigation but sponsored a Federalist Society discussion at Georgetown on Wednesday night with two leading constitutional lawyers, Catherine E. Stetson and Gregory G. Katsas. [...] Stetson, partner and director of the appellate practice group at firm Hogan Lovells, said the fate of closely held businesses owned by Catholics with religious objections to the rule will be interesting to watch. One issue will be whether the rule 'substantially' burdens those Catholics' religious rights, she said. 'One of the other interesting issues surrounding this contraception mandate is whose exercise of religion are we talking about?' she asked. 'Can a corporation exercise religion?' Katsas, who represented the law's opponents in the health care suit at the high court, said his firm, Jones Day, is handling some of the birth control suits. 'I think these are fascinating cases,' he said. 'It seems to me the challengers' cases are really strong there. The Religious Freedom Restoration Act is a very pro-religion statute.'" [Congressional Quarterly, 11/30/12]

Katsas Defended The Bush Administration's Guantanamo Bay Policies

Katsas Defended The Bush Administration's Guantanamo Bay Detainment Policies During A House Judiciary Hearing On The Matter. In his testimony during a House Judiciary Committee hearing, Katsas said, "Mr. Chairman, members of the subcommittee, I appreciate this opportunity to discuss the writ of habeas corpus and the judicial review procedures that Congress has provided to the aliens captured abroad and detained as enemy combatants at Guantanamo Bay, Cuba. [...] In one day, they destroyed the World Trade Center, severely damaged the Pentagon and inflicted greater casualties than did the Japanese at Pearl Harbor. They are actively plotting further attacks. To prevent such attacks, the United States is detaining some members of Al Qaida and the Taliban at a military base leased by the United States at Guantanamo Bay. The majority of the Guantanamo detainees already have been released or transferred to other countries, but the U.S. continues to hold others either because they remain a threat or because no other country will take them. Each detainee receives a hearing before a combatant status review tribunal, or CSRT. These CSRTs afford detainees more rights than ever before provided for wartime status determinations. They also afford more rights than those deemed by the Supreme Court to be appropriate for United States citizens detained as enemy combatants on American soil, and they afford more rights than those given for status determinations under the Geneva Convention." [United States House Committee on the Judiciary, 6/27/07]

Katsas Defended The Administration's Guantanamo Policies Before An Unsympathetic Federal Appeals Court Panel. According to the Associated Press, "A federal appeals court questioned the Bush administration's handling of detainees at Guantanamo Bay, suggesting the judiciary might have authority to delve into the conduct of military tribunals that have categorized almost all inmates as enemy combatants. The arguments were in sharp contrast to those of several years ago when the appeals court suggested detainees at the Guantanamo Naval base were not entitled to have access to the U.S. courts, and then ruled against them. The U.S. Supreme Court reversed that decision a year ago. On Thursday, a panel of three appeals court judges - two appointed by Republican presidents and one by a Democratic president - aggressively questioned Justice Department attorney Gregory Katsas about the possibility of court scrutiny over the detainee review process." [Associated Press, 9/8/2005]

Katsas Argued Against Oregon's Assisted Suicide Law In Federal Court

Katsas Was The Federal Government Lead Attorney In A Case Against Oregon's Groundbreaking Assisted Suicide Law. According to the Register-Guard, "Federal appeals judges sharply questioned lawyers Wednesday about Oregon's ground-breaking doctor-assisted suicide law in a case expected to eventually reach the U.S. Supreme Court. Gregory Katsas, the federal government's lead attorney, asked the three-judge panel from the 9th U.S. Circuit Court of Appeals to consider whether assisted suicide is proper medical practice. He compared 2,000 years of medical tradition that compels doctors to 'first do no harm' to Oregon's '10-year innovation.' Oregon became the first and only state to authorize doctors to prescribe fatal doses of medicine to terminally ill patients, voting in 1994 and again in 1997 to approve the practice. Since the law took effect in 1998, 129 Oregonians have taken their own lives with the help of a doctor." [Register-Guard, 5/8/03]

While At Jones Day, Katsas Said He Represented Florida In Its Attempts To Remove Alleged Non-Citizens From Voting Rolls

Katsas Said He And His Former Jones Day Colleague Michael Carvin Were Involved With "Representing Florida In Its Attempts To Remove Fraudulently Registered Non-Citizens." Katsas said in a 2012 interview, "Mike and I have had several big and interesting cases together. Of course, our most noteworthy one was the healthcare case in the Supreme Court. We are currently representing Florida in its attempts to remove fraudulently registered non-citizens from its voter rolls, to which the Justice Department has objected. We have another great case involving a constitutional challenge to the President's recent recess appointments to the NLRB." [Metropolitan Corporate Counsel, 9/14/12]

- **Carvin Was Listed As A Lead Attorney In The Case (Mi Familia Vota Education Fund v. Detzner) But Katsas Was Not.** Michael Carvin of Jones day was listed a lead attorney for the State of Florida but Katsas was not. [United States District Court for the Middle District of Florida, 9/18/12]

The ACLU Represented The Plaintiffs In The Case, Arguing That Florida Did Not Obtain Required Preclearance Under Section 5 Of The Voting Rights Act Before Purging The Voter Rolls. According to the Lawyers' Committee for Civil Rights Under Law, "Mi Familia Vota v. Ken Detzner (Florida) On June 8, 2012, the Lawyers' Committee along with the ACLU and the law firm of Weil, Gotshal & Manges LLP filed suit in federal court in Florida against the Florida Secretary of State, Ken Detzner, regarding Florida's implementation of new voter registration procedures without obtaining the required preclearance under Section 5 of the Voting Rights Act. The plaintiffs included Mi Familia Vota Education Fund, a non-profit organization dedicated to working with the Latino community to increase civic participation, and two individuals who are naturalized U.S. citizens and who registered to vote in Florida, Murat Limage and Pamela Gomez. In April 2012, Secretary Detzner instituted a new procedure for purging the voter registration rolls by distributing to county election officials a list of over 2,600 registered voters who he said are 'potential non-citizens' with instructions that election officials should institute proceedings to remove these individuals from the registration rolls." [Lawyers' Committee for Civil Rights Under Law, accessed [10/12/17](#)]

- **The Case Was Dismissed After The Supreme Court Ruled In Shelby County v. Holder.** According to the Tampa Bay Times, "A federal court in Tampa dismissed the claim by civil rights activists Wednesday challenging the controversial 2012 voter purge enacted by Gov. Rick Scott and the state's Division of Elections to rid the rolls of what they believed were scores of fraudulent voter registrations. The action was challenged by the the American Civil Liberties Union of Florida and the Lawyers Committee for Civil Rights Under Law on behalf of Mi Familia Vota and

two U.S. citizens and alleged it unconstitutionally targeted minority voters. The court on Wednesday cited the U.S. Supreme Court's decision on *Shelby County v. Holder*, which dismantled the part of the federal Voting Rights Act that required that state actions receive federal approval or preclearance.” [Tampa Bay Times, [7/24/13](#)]

Katsas Opposed Legislation That Would Give Federal Recognition To Native Hawaiians

During The Bush Administration, Katsas Opposed The “Akaka Bill,” Which Would Have Given Federal Recognition To Native Hawaiians. According to the Honolulu Advertiser, “Gov. Linda Lingle said yesterday she will continue to lobby support from Republican lawmakers and talk with the White House about the hard line it has taken against the Akaka bill. ‘That’s my role and I’m going to continue to play it because I believe so strongly in the importance of passing this legislation,’ she said. The Senate Indian Affairs Committee is expected to vote today on the bill, which would create a process for a Native Hawaiian governing entity to be formed and gain federal recognition. Lingle, in Washington for the Pacific Islands Conference of Leaders, said she would be attending the session. [...] At the hearing, Gregory Katsas, a Justice Department attorney, said the administration opposed the bill because, ‘We think it’s wrong to balkanize the governing institutions of this country along racial and ancestral lines.’ But Lingle said she would continue to lobby Republican lawmakers and to talk with the White House about not taking such a hard position on the bill.” [Honolulu Advertiser, 5/10/07]

Republican Donor

Committee	Amount	Date
Grassley, Charles via Grassley Committee Inc.	\$1,000	5/18/16
Ted Cruz via Cruz for President	\$300	5/3/16
Ted Cruz via Cruz for President	\$1,500	5/5/15
Thomas Moll via Moll for Congress	\$500	4/25/14
Jobs, Freedom, And Security PAC	\$2,000	3/31/14
Kenneth Cuccinelli Campaign Committee	\$1,000	8/28/13
Mark Obenshain Campaign Committee	\$250	6/26/13
Romney Victory Inc.	\$750	6/18/12
Mitt Romney/Paul Ryan via Romney for President Inc.	\$750	6/18/12
Constitutional Conservative Fund	\$250	2/27/12
Prosperity Action Inc.	\$500	7/1/11
Ted Cruz via Cruz for Senate	\$500	6/30/11
NRCC	\$500	6/30/11
Jon Bruning via Bruning for Senate	\$500	5/2/11
Matthew Berry via Matthew Berry for Congress	\$250	3/22/10
Frank Scaturro via Frank Scaturro for Congress	\$250	10/13/09
Total:	\$10,800	