



CITIZENS FOR  
RESPONSIBILITY &  
ETHICS IN WASHINGTON

January 27, 2025

United States Marshals Service,  
Office of the General Counsel,  
Freedom of Information Act Unit,  
CG-3, 15th Floor, Washington, DC 20530-0001

**Re: Freedom of Information Act Request**

Dear FOIA Officers:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records, pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and U.S. Department of Justice (“DOJ”) regulations.

Specifically, CREW requests the following records:

- From November 5, 2024 to the date this request is processed:
  1. All records relating to acting U.S. Marshal for the District of Columbia Ron Carter’s visits to judicial chambers in the E. Barrett Prettyman U.S. Courthouse, including but not limited to any contact that mentions, references, or relates to the Presidential Memorandum of January 20, 2025 titled “Granting Pardons and Commutation of Sentences for Certain Offenses Relating to the Events at or Near the United States Capitol on January 6, 2021”<sup>1</sup> or the release of any person who was pardoned or whose sentence was commuted.
  2. All communications between acting U.S. Marshal for the District of Columbia Ron Carter and any other employees of the United States Marshals Service, that mention, reference, or relate to (1) Marshal Carter’s visits to judicial chambers in the E. Barrett Prettyman U.S. Courthouse, (2) the Presidential Memorandum of January 20, 2025 titled “Granting Pardons and Commutation of Sentences for Certain Offenses Relating to the Events at or Near the United States Capitol on January 6, 2021,” and/or (3) the release of any person who was pardoned or whose sentence was commuted.
  3. All communications between any employees of the United States Marshals Service and any employees of the United States DOGE

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<sup>1</sup> Pres. Mem., *Granting Pardons and Commutation of Sentences for Certain Offenses Relating to the Events at or Near the United States Capitol on January 6, 2021*, (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/granting-pardons-and-commutation-of-sentences-for-certain-offenses-relating-to-the-events-at-or-near-the-united-states-capitol-on-january-6-2021/>.

Service, that mention, reference, or relate to (1) the United States District Court for the District of Columbia, (2) the Presidential Memorandum of January 20, 2025 titled “Granting Pardons and Commutation of Sentences for Certain Offenses Relating to the Events at or Near the United States Capitol on January 6, 2021,” and/or (3) the release of any person who was pardoned or whose sentence was commuted.

- From January 20, 2025 to the date this request is processed:
  4. All communications between any employees of the United States Marshals Service and any individual outside of government, that mention, reference, or relate to the Presidential Memorandum of January 20, 2025 titled “Granting Pardons and Commutation of Sentences for Certain Offenses Relating to the Events at or Near the United States Capitol on January 6, 2021” or the release of any person who was pardoned or whose sentence was commuted.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, and anyone who was cc’ed or bcc’ed on any emails. If it is your position any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See *Mead Data Central v. U.S. Dep’t of the Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

Please be advised that CREW intends to pursue all legal remedies to enforce its rights under FOIA. Accordingly, because litigation is reasonably foreseeable, the agency should institute an agency wide preservation hold on all documents potentially responsive to this request.

### **Fee Waiver Request**

In accordance with 5 U.S.C. § 552(a)(4)(A) and agency regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. See *id.* § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. See, e.g., *McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

On January 20, 2025, President Trump issued the executive order entitled *Establishing and Implementing the President's "Department of Government Efficiency"* (the "DOGE Order").<sup>2</sup> It ordered the reorganization and renaming of the United States Department of Digital Service ("Digital Service") that had been within OMB's Office of E-Government and Information Technology to establish the ("DOGE Service") within the Executive Office of the President, so that the DOGE could "implement the President's DOGE Agenda, by modernizing Federal technology and software to maximize governmental efficiency and productivity" and directs the DOGE Service administrator to "commence a Software Modernization Initiative to improve the quality and efficiency of government-wide software, network infrastructure, and information technology (IT) systems" and to "work with Agency Heads to promote inter-operability between agency networks and systems, ensure data integrity, and facilitate responsible data collection and synchronization."<sup>3</sup>

The DOGE Order came after then President-elect Trump's announcement on November 13, 2024 the formation of the "Department of Government Efficiency" ("DOGE").<sup>4</sup> The announcement stated that Elon Musk and Vivek Ramaswamy would lead DOGE and that its mission would be to "pave the way for [Trump's] administration to dismantle Government Bureaucracy, slash excess regulations, cut wasteful expenditures, and restructure Federal Agencies."<sup>5</sup> Musk and Ramaswamy explained their vision for DOGE in a piece that they published in the Wall Street Journal in which they said that DOGE "work[s] in the new administration closely with the White House Office of Management and Budget."<sup>6</sup> Their public statements, as well as social media accounts purporting to belong to DOGE, indicated that they began to undertake work on its behalf before President Trump took office.<sup>7</sup>

Public reporting indicates that the US DOGE Service has allegedly attempted to exert pressure on federal judges, through the United States Marshals Service, to speed up the release of pardoned criminals and criminal defendants who were convicted or arrested for their roles in the January 6, 2021 attack on the Capitol.<sup>8</sup> The Washington Post reported that "the acting D.C. marshal, Ron Carter, was contacted by officials at Marshals Service headquarters, who said they had been in touch with someone from DOGE expressing

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<sup>2</sup> Exec. Order, *Establishing and Implementing the President's "Department of Government Efficiency"*, (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/establishing-and-implementing-the-presidents-department-of-government-efficiency/>.

<sup>3</sup> *Id.*

<sup>4</sup> @realDonaldTrump, X (Nov. 13, 2024), <https://x.com/realDonaldTrump/status/1856658569124262092>.

<sup>5</sup> *Id.*

<sup>6</sup> Elon Musk & Vivek Ramaswamy, *Elon Musk and Vivek Ramaswamy: The DOGE Plan to Reform Government*, WSJ (Nov. 20, 2024), [https://www.wsj.com/opinion/musk-and-ramaswamy-the-doge-plan-to-reform-government-supreme-court-guidance-end-executive-power-grab-fa51c020?mod=hp\\_opin\\_pos\\_0](https://www.wsj.com/opinion/musk-and-ramaswamy-the-doge-plan-to-reform-government-supreme-court-guidance-end-executive-power-grab-fa51c020?mod=hp_opin_pos_0).

<sup>7</sup> See generally Elizabeth Dwoskin, Jeff Stein, Jacob Bogage and Faiz Siddiqui, *Musk and Ramaswamy race to build a 'DOGE' team for war with Washington*, Wash. Post (Dec. 4, 2024), <https://www.washingtonpost.com/business/2024/11/24/musk-ramaswamy-doge-trump/>.

<sup>8</sup> Ruth Marcus, *Pardon me: What were the folks at DOGE thinking?*, Wash. Post (Jan. 23, 2025), <https://www.nextgov.com/people/2025/01/us-digital-service-employees-are-being-re-interviewed-under-doge-transition/402423/>; <https://www.washingtonpost.com/opinions/2025/01/23/doge-jan-6-marshals-federal-judges/>.

unhappiness with seeming delays in releasing Jan. 6 defendants,” and that thereafter “[t]he acting marshal . . . visited the chambers of at least four judges Wednesday to check on the status of the cases and relay concerns about potential protests.”<sup>9</sup> The public has an interest in understanding whether and to what extent the U.S. Marshal Service had interfered with the independence of the judiciary by pressuring judges to decide a case as promptly as the executive branch desired, and whether this took place at the request of the President’s newly created entity.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public’s right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, [www.citizensforethics.org](http://www.citizensforethics.org). The release of information obtained through this request is not in CREW’s financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. *See Nat’l Sec. Archive v. U.S. Dep’t of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a “representative of the news media” and broadly interpreting the term to include “any person or organization which regularly publishes or disseminates information to the public”).

CREW routinely disseminates information obtained through FOIA to the public in several ways. For example, CREW’s website receives hundreds of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. These reports frequently rely on government records obtained through FOIA. CREW also posts the documents it obtains through FOIA on its website. Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

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<sup>9</sup> *Id.*

**Conclusion**

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at [jtsoi@citizensforethics.org](mailto:jtsoi@citizensforethics.org) and [foia@citizensforethics.org](mailto:foia@citizensforethics.org) or call me at (202) 408-5565. Also, if CREW's request for a fee waiver is denied, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to [jtsoi@citizensforethics.org](mailto:jtsoi@citizensforethics.org) and [foia@citizensforethics.org](mailto:foia@citizensforethics.org) or by mail to Chun Hin Jeffrey Tsoi, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington DC 20044. Thank you for your assistance in the matter.

Sincerely,

A handwritten signature in black ink that reads "CHJ Tsoi". The initials "CHJ" are written in a stylized, cursive font, followed by the name "Tsoi" in a similar cursive style.

Chun Hin Jeffrey Tsoi  
Senior Legal Fellow