



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

March 6, 2025

National Archives and Records Administration
8601 Adelphi Road, Room 5500
College Park, MD 20740-6001
FOIA@nara.gov

Re: Freedom of Information Act Request

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington (“CREW”) submits this request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and National Archives and Records Administration (“NARA”) regulations.

Specifically, CREW requests the following from January 19, 2025 to the date this request is processed:

1. All records¹ related to the monitoring, recording, preservation, retention, removal, alteration, corruption, deletion, erasure, or destruction of federal records created on social media platforms, including but not limited to Truth Social and X, by:
 - a. Elon Musk (@elonmusk on X);
 - b. The United States DOGE Service (“DOGE”),² the DOGE Temporary Organization; or any of their components (for example, @DOGE on X);
or
 - c. Any agency DOGE representative, including “DOGE Team”³ members at any agency.⁴

¹ “All records” sought in this FOIA request and its subparts include communications with the listed entities sent or received by NARA officials regarding the subject matter described in that subpart. *Cf. U.S. Dep’t of Just. v. Tax Analysts*, 492 U.S. 136, 144-145 (1989) (defining “agency record” under FOIA).

² The United States Digital Service was renamed and reorganized as the United States DOGE Service by executive order on January 20, 2025. *See Establishing and Implementing the President’s “Department of Government Efficiency,”* Exec. Order 14158, 90 Fed. Reg. 8441 (Jan. 20, 2025).

³ Exec. Order 14158 requires the establishment of “DOGE Teams” within each agency “in consultation with the USDS Administrator.” 90 Fed. Reg. at 8441.

⁴ To date, CREW has identified at least 31 DOGE affiliate X accounts, including: @DOGE_GSA, @DOGE_STATE, @DOGE_SBA, @DOGE_DOI, @DOGE_HUD, @DOGE_NPS, @DOGE_SSA, @DOGE_OMB, @DOGE_ED, @DOGE_OPM, @DOGE_DOJ, @DOGE_NASA, @DOGE_VA, @DOGE_USDA, @DOGE_FAA, @DOGE_DOT, @DOGE_EPA, @DOGE_DOD, @DOGE_FDA, @DOGE_HHS, @DOGE_DHS, @DOGE_FEMA, @DOGE_SEC,

2. All communications between NARA officials, including the Office of General Counsel, Office of the Inspector General, Office of the Chief Operating Officer or their components, with the social media platforms X or Truth Social regarding potential federal records.

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 agencywide 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).

Social media has become an increasingly popular way for U.S. government officials to communicate and convey information to the public. President Trump continues to use his Truth Social account to share official information. For example, on February 17, 2025, the president posted "US forces conducted a precision airstrike against a member of al-Qaeda in Syria this weekend. The terrorist leader was working with al-Qaeda across the region..."⁵

@DOGE_FCC, @DOGE_FTC, @DOGE_DOE, @DOGE_DOL, @DOGE_DOC, @DOGE_TREAS, @DOGE_IRS, and @DOGE_NSF.

⁵ Donald J. Trump (@realDonaldTrump), Truth Social (Feb. 17, 2025, 10:27 PM), <https://truthsocial.com/@realDonaldTrump/posts/114022760519424165>.

Beyond President Trump, other government employees also use social media in their official capacity. Elon Musk, a special government employee, has accepted correspondence in his official capacity at DOGE via his preexisting X account.⁶

Further, DOGE and its agency-specific affiliates use X accounts to publish information and to seek public input.⁷ For instance, the General Services Administration's DOGE affiliate account solicited and replied to ideas from the public on X.⁸ The DOGE X account itself has open direct messages, meaning that the account administrator can receive direct messages from anyone with an X account. On November 14, 2024, DOGE posted on X instructing applicants to send their CVs to DOGE via direct message on X.⁹ Since the account was created prior to the beginning of the Trump administration, it is unclear whether the administrator of the account is a current government employee or what mechanisms the account administrator is taking to preserve government records created or received by the account.

Because it appears that official government business is being conducted on social media by government officials, failure to preserve social media posts, direct messages, and other content could violate the FRA or the Presidential Records Act. The public has a strong interest in understanding what steps are being taken to ensure that all presidential and federal records created via social media are preserved in compliance with the law.

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. 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

⁶ Elon Musk (@elonmusk), X (Feb. 3, 2025, 11:49 AM), <https://x.com/elonmusk/status/1886457064438030687>; see Joe Hernandez, *Trump hired Musk as a 'special government employee.' Here's what that means*, NPR (Feb. 13, 2025), <https://www.npr.org/2025/02/13/nx-s1-5293124/special-government-employee-trump-musk-doge>.

⁷ See, e.g., Department of Government Efficiency (@DOGE), X, <https://x.com/doge?lang=en> (last visited Feb. 24, 2025); Department of Government Efficiency (@DOGE), X (Feb. 21, 2025, 1:36 AM), <https://x.com/DOGE/status/1892825640727929077>; DOGE GSA (DOGE_GSA), X (Feb. 21, 2025, 8:16 PM), https://x.com/DOGE_GSA/status/1893107567905099846; Department of Government Efficiency (@DOGE), X (Feb. 20, 2025, 10:51 PM), <https://x.com/DOGE/status/1892784138840596714>. See generally Brent D. Griffiths, *Elon Musk said DOGE would provide 'maximum transparency.' It may be years before its records are public.*, Business Insider (Feb. 7, 2025), <https://www.businessinsider.com/musk-doge-records-public-information-foia-presidential-records-act-2025-2>.

⁸ DOGE GSA (@DOGE_GSA), X (Feb. 22, 2025, 11:52 PM), https://x.com/DOGE_GSA/status/1893524309382959571.

⁹ Department of Government Efficiency (@DOGE), X (Nov. 14, 2024, 10:03 AM), <https://x.com/DOGE/status/1857076831104434289>.

March 4, 2025

Page 4

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 over 150,000 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.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at ghonig@citizensforethics.org and 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 ghonig@citizensforethics.org and foia@citizensforethics.org or by mail to Grace Honig, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20044.

Sincerely,

A handwritten signature in black ink that reads "Grace Honig". The signature is written in a cursive, flowing style.

Grace Honig
Paralegal