



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

July 25 , 2025

Roman Jankowski
Chief FOIA Officer
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. AVE SE
Washington, DC 20528-065

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 Department of Homeland Security ("DHS") regulations.

Specifically, CREW requests:

1. From March 14, 2025 to the date this request is processed, all communications sent or received by Acting General Counsel (Acting GC) Joseph Mazzara regarding DHS's compliance with court orders.
2. From March 14, 2025 to the date this request is processed, all communications sent or received by Acting GC Mazzara regarding flights operated or arranged by the United States government to remove alleged noncitizens or immigrants from the United States.
3. From March 14, 2025 to the date this request is processed, all communications sent or received by Acting GC Mazzara regarding Erez Reuveni, former Acting Deputy Director for the Office of Immigration Litigation.
4. Calendars of Acting GC Mazzara and Senior Counselor to the Secretary of Homeland Security James Percival for March 14 through March 16, 2025 and between March 28 through March 31, 2025, inclusive.
5. All communications sent or received by Acting GC Mazzara or Counselor Percival from March 15, 2025 and March 16, 2025 and from March 28, 2025 through March 31, 2025, inclusive.
6. All records of incoming and outgoing phone calls of Acting GC Mazzara and Counselor Percival from March 15, 2025 and March 16, 2025 and from March

28, 2025, through March 31, 2025, inclusive, including incoming and outgoing phone calls on any DHS-issued device.

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).

On June 24, 2025, former Acting Deputy Director for the Office of Immigration Litigation of the Department of Justice, Erez Reuveni, submitted a protected whistleblower disclosure to the Department of Justice Office of the Inspector General, the Office of Special Counsel, and the Senate and House Committees on the Judiciary.¹ The whistleblower disclosure alleged misconduct by high-ranking officials across several executive branch agencies between March 14 and April 5, 2025.² Mr. Reuveni alleges that officials at DOJ and

¹ Government Accountability Project, *Protected Whistleblower Disclosure of Erez Reuveni Regarding Violation of Laws, Rules & Regulations, Abuse of Authority, and Substantial and Specific Danger to Health and Safety at the Department of Justice* (June 24, 2025) at 1, https://www.judiciary.senate.gov/imo/media/doc/06-24-2025_-_Protected_Whistleblower_Disclosure_of_Erez_Reuveni_Redacted.pdf ("Reuveni Disclosure").

² Reuveni Disclosure at 1.

the Department of Homeland Security (DHS) may have attempted to intentionally defy court orders by conducting unlawful removal operations.³ This FOIA request seeks records that will enable the public to verify the accuracy of Mr. Reuveni's disclosure and determine whether senior government officials deliberately and unlawfully violated their legal responsibilities. The requested records are needed to substantiate the ongoing legal and oversight processes connected to Mr. Reuveni's whistleblower disclosure.

According to Mr. Reuveni's disclosure, DHS staff may have deliberately withheld information from the Department of Defense and failed to issue internal guidance on an injunction, possibly at the direction of an unknown White House official, leading to the execution of an unlawful removal flight operation.⁴ The purpose of this request is to help the public more fully understand whether DHS has complied with, or deliberately defied, court orders.

The public has an urgent and substantial interest in understanding whether high-ranking officials entrusted with enforcing the law have instead chosen to disregard it. The disclosure of the records requested here can help build that understanding. Mr. Reuveni's disclosure alleges that senior officials abused their authority and undermined the rule of law by intentionally misleading courts, defying judicial orders, and improperly restricting employee communications. Such misconduct, if true, may have violated federal law and would severely breach the public's trust in its government. The public has a compelling interest in learning whether senior DOJ and DHS officials have complied with the law and with court orders, especially when the due process rights of noncitizens are at stake. Timely access to these records is necessary to allow Congress to conduct necessary oversight. Furthermore, informed public scrutiny is essential for elected officials to remain accountable to the people they serve.

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 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").

³ Reuveni Disclosure at 1.

⁴ Reuveni Disclosure at 16.

July 25, 2025

Page 4

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 sheymann@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 sheymann@citizensforethics.org and foia@citizensforethics.org or by mail to Sacha Heymann, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20044.

Sincerely,

Sacha Heymann
Policy Fellow