



CITIZENS FOR  
RESPONSIBILITY &  
ETHICS IN WASHINGTON

November 25, 2025

Charlotte M. Luckstone  
FOIA Officer  
United States Marshals Service  
Office of the General Counsel  
CG-3, 15th Floor,  
Washington, DC 20530-0001

**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 Justice (“DOJ”) regulations.

Specifically, CREW requests:

1. From January 20, 2025 to the date this request is processed, records sufficient to show the total expenditures, funds, materials, and working hours of personnel of the U.S. Marshals Service (“USMS”) in the course of:
  - a. Preparing for or implementing the January 20, 2025 Executive Order *Protecting the American People Against Invasion*, 90 C.F.R. § 8443 (2025);
  - b. Implementing the directives of Acting Secretary of Homeland Security Benamine Huffman referenced in the January 21, 2025 press release *Statement from DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole*<sup>1</sup> (the “DHS Directives”);
  - c. Guarding, securing, defending, or otherwise servicing Immigration and Customs Enforcement (“ICE”) facilities and personnel pursuant to Attorney General Bondi’s September 29, 2025 memorandum *Ending Political Violence Against ICE*<sup>2</sup>; and

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<sup>1</sup> Available at <https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse>.

<sup>2</sup> Available at <https://www.justice.gov/ag/media/1415691/dl>.

- d. Otherwise enforcing or assisting with another agency's or entity's enforcement of federal immigration laws.
2. Documents sufficient to identify the full text, as provided to USMS, of the DHS Directives.
3. From January 20, 2025 to the date this request is processed, any directive or request from any non-USMS component or personnel of the DOJ to the USMS to enforce or assist with another agency's or entity's enforcement of federal immigration laws.
4. From January 20, 2025 to the date this request is processed, all communications with personnel of the federal courts, including the Judicial Conference of the United States, regarding:
  - i) USMS involvement in enforcing or assisting with another agency's or entity's enforcement of federal immigration laws.
  - ii) Funding, resources, or personnel related to USMS involvement in enforcing or assisting with another agency's or entity's enforcement of federal immigration laws.
  - iii) The use of national guard troops at federal courthouses.<sup>3</sup>
5. From March 28, 2025 to the date this request is processed, all records concerning or referencing:
  - i) Funding, resources, or personnel related to USMS involvement in any domestic deployment<sup>4</sup> or associated task force.<sup>5</sup>
  - ii) The special deputation of any individual or group, including national guard troops, related to any domestic deployment or associated task force, including any exception requested or approved under USMS Policy Directive 17.11.<sup>6</sup>

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<sup>3</sup> This includes, but is not limited to, any records related to or responses to Chief Judge Virginia M. Kendall's statement regarding national guard presence at the Dirksen Courthouse in Chicago. *Statement from Chief Judge Virginia M. Kendall*, JustSecurity (Oct. 9, 2025), <https://www.ilnd.uscourts.gov/assets/news/statementbldgsecurity.pdf>.

<sup>4</sup> In this document, "domestic deployment" includes the actual, attempted, or proposed mobilization or federal deployment of national guard troops to any domestic location, including but not limited to the District of Columbia, Portland (OR), New York, Baltimore, Chicago, St. Louis, Memphis (TN), New Orleans, Oakland, San Francisco, and Los Angeles.

<sup>5</sup> In this document, "associated task force" refers to any task force or similar group designed to address crime, law enforcement, beautification, or similar purposes in a domestic location subject to the federal deployment of national guard troops (actual, attempted, or proposed).

<sup>6</sup> See, e.g., USMS Policy Directive 17.11, Special Deputation Program § A.7 (Sept. 24, 2021) ("Only the Deputy Attorney General (DAG); Director; Deputy Director; Associate Director for Operations; Associate Director for Administration; and Assistant Director (AD) or the Deputy Assistant Director (DAD), TOD, of the USMS can approve exceptions to this directive."), available at <https://www.citizensforethics.org/wp-content/uploads/2025/09/2025-06-13-Responsive-Records.pdf#page=9>.

5. From March 28, 2025 to the date this request is processed, all communications with personnel of the federal courts regarding USMS involvement in domestic deployments or associated task forces.

The above request excludes agency records consisting solely of news articles, press clippings, and other publicly-available material, so long as the records include no accompanying discussion by agency officials.

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, social media 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).

The public has an interest in understanding the new and expanded responsibilities of the USMS around federal immigration enforcement efforts and domestic deployments, and how these responsibilities impact the USMS's continued ability to serve its "primary role" of providing security for and enforcing all orders of the lower federal courts.<sup>7</sup> Furthermore, the public has an interest in the qualifications and legal authority of individuals recently

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<sup>7</sup> 28 U.S.C. § 566(a).

deputized under the USMS's special deputation authority, particularly those involved in domestic deployments.

Since January 20, 2025, the Trump administration has increased the number of federal law enforcement agents, including USMS agents, tasked with federal immigration enforcement. On the first day of his second term, President Trump signed an executive order directing DHS to prioritize enforcement of federal immigration laws and ensure that unregistered noncitizens in the United States be registered in compliance with section 262 of the Immigration and Nationality Act.<sup>8</sup> On January 21, 2025, Acting DHS Secretary Benamine Huffman issued two directives, one rescinding ICE guidelines that established protected areas and the other restricting humanitarian parole to a case-by-case basis.<sup>9</sup> DHS notably issued a press release regarding the directives, but did not publish them. The following day, DHS authorized law enforcement agencies under the Department of Justice, including the USMS, to act as immigration officers.<sup>10</sup> According to a February 13th memo from the Administrative Office of the U.S. Courts ("Administrative Office"), the Department of Justice "directed the USMS to support the administration's intense focus on immigration and the border."<sup>11</sup> Similarly, in a September 19, 2025 memorandum, Attorney General Pam Bondi directed the USMS Director to allocate "officers and agents to defend ICE facilities and personnel whenever and wherever they come under attack, including in Portland and Chicago."<sup>12</sup>

In addition to these immigration-related responsibilities, the USMS has been involved in domestic national guard deployments. Consistent with presidential orders, including the March 28, 2025 executive order entitled "Making the District of Columbia Safe and Beautiful" and the September 15, 2025 memorandum entitled "Restoring Law and Order in Memphis," the USMS has participated in the federal deployment of national guard troops to domestic locations, including the special deputation of national guard troops and the

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<sup>8</sup> Exec. Order, Protecting the American People Against Invasion (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>; 8 U.S.C. § 1302.

<sup>9</sup> DHS, Press Release: Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole (Jan. 21, 2025), <https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse>.

<sup>10</sup> Reuters, *Trump Administration Expands Deportation Powers to Federal Agencies Including DEA*, WSL Reports (Jan. 22, 2025), <https://www.reuters.com/world/us/trump-administration-expands-deportation-powers-federal-agencies-including-dea-2025-01-23/>.

<sup>11</sup> Josh Kovensky, *Judicial Branch Scrambles to Limit Spillover from Trump's Executive Branch Rampage*, Talking Points Memo (Feb. 13, 2025), <https://talkingpointsmemo.com/muckraker/judicial-branch-scrambles-to-limit-spillover-from-trumps-executive-branch-rampage>.

<sup>12</sup> DOJ, *Attorney General Bondi Issues Memo on Ending Political Violence Against ICE* (Sep. 29, 2025), <https://www.justice.gov/opa/pr/attorney-general-bondi-issues-memo-ending-political-violence-against-ice>.

implementation of task forces intended to reduce crime.<sup>13</sup> The USMS has delegated authority to deputize individuals “to perform the functions of a U.S. Marshal.”<sup>14</sup> In the District of Columbia, the USMS deputized national guard members and directed the Operation Safe and Beautiful D.C. initiative.<sup>15</sup> The USMS will similarly oversee the federal task force in Memphis in a “sustained” effort over multiple weeks.<sup>16</sup> In early October, after a Major General erroneously declared that the Federal Protective Service had “requested federalized national guard personnel to support protection of the Federal District Court” in Chicago, Chief Judge Virginia M. Kendall issued a statement that she did not “authorize or request the national guard’s assistance to secure” the courthouse.<sup>17</sup> Less than a month later, the Pentagon ordered the training of thousands of national guard members as part of “reaction forces,” suggesting an increase in the size and scope of domestic deployments.<sup>18</sup> As federalized

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<sup>13</sup> Exec. Order, Making the District of Columbia Safe and Beautiful (Mar. 28, 2025), <https://www.whitehouse.gov/presidential-actions/2025/03/making-the-district-of-columbia-safe-and-beautiful/>; Pres. Mem., Restoring Law and Order in Memphis (Sep. 15, 2025), <https://www.whitehouse.gov/presidential-actions/2025/09/restoring-law-and-order-in-memphis/>; U.S. Marshals Service D.C. District Court (@USMSDCDC), X, *The United States Marshals Service continues to deputize members of the D.C. National Guard* (Aug. 15, 2025, at 13:26 ET), <https://x.com/USMSDDC/status/1956407056497274968>; *infra* note 16.

<sup>14</sup> 28 C.F.R. §§ 0.112, 0.19(a)(3).

<sup>15</sup> Sgt. 1st Class Renee Seruntine, *Mississippi, Louisiana Guard Members Unite for DC Task Force Mission*, National Guard (Sep. 23, 2025), <https://www.nationalguard.mil/News/Article-View/Article/4313111/mississippi-louisiana-guard-members-unite-for-dc-task-force-mission/>; Beatrice Peterson, *DC Attorney General Sues to End Federal National Guard Deployment*, ABC (Sep. 24, 2025), <https://abcnews.go.com/Politics/dc-attorney-general-sues-end-federal-national-guard/story?id=125240857>; USMS, *D.C. Safe and Beautiful Task Force Reaches Milestones* (Oct. 29, 2025), <https://www.usmarshals.gov/news/stories/dc-safe-and-beautiful-task-force-reaches-milestones>.

<sup>16</sup> Emily Cochrane, *Federal Forces Set to Arrive in Memphis Next Week, Governor Says*, N.Y. Times (Sep. 26, 2025), <https://www.nytimes.com/2025/09/26/us/politics/memphis-national-guard-crime.html>.

<sup>17</sup> Jon Seidel (@SeidelContent), X, *From U.S. District Chief Judge Virginia Kendall this morning*: (Oct. 9, 2025, at 10:06 ET), <https://x.com/SeidelContent/status/1976288286642749780>; Seth Stern, *Chicago Chief Judge Says US Troops Should Stay Away From Court*, Bloomberg Law (Oct. 9, 2025), <https://news.bloomberglaw.com/us-law-week/chicago-chief-judge-says-us-troops-should-stay-away-from-court>; Statement from Chief Judge Virginia M. Kendall (Oct. 9, 2025), <https://www.ilnd.uscourts.gov/assets/news/statementbldgsecurity.pdf>; Op. & Order, *Illinois v. Trump*, Civ. No. 1:25-cv-12174, at 11 (Oct. 10, 2025), ECF No. 70.

<sup>18</sup> Alex Horton & David Ovalle, *Pentagon Readying Thousands of Guard ‘Reaction Forces’ as U.S. Mission Widens*, Wash. Post (Oct. 30, 2025), <https://www.washingtonpost.com/national-security/2025/10/30/pentagon-national-guard-quick-reaction-force/>.

national guard troops continue to mobilize and deploy to domestic locations,<sup>19</sup> it is essential that the public have access to records detailing USMS involvement and how it impacts the USMS's judicial security duties.

Moreover, while hundreds of federal judges continue to face threats of violence,<sup>20</sup> the public lacks clarity on how the USMS's increased duties may conflict with or detract from the "USMS's role in providing pretrial-detainee management and judicial security."<sup>21</sup> The USMS's allocation of resources to immigration enforcement, to task forces, and to the federal deployment of national guard troops to domestic locations raises concerns about the USMS's capacity to defend the federal judiciary from escalating attacks.<sup>22</sup>

In February, USMS leadership assured the Administrative Office that judicial security remains the Marshals' "top priority."<sup>23</sup> But since then, the President and the Attorney General have expanded the USMS's duties to cover participation in the federal deployment of national guard troops to domestic locations<sup>24</sup> and the defense of ICE officers.<sup>25</sup> The requested records are needed to provide the public with transparency about the details and cost of the USMS's involvement in immigration enforcement efforts and the domestic deployment of the national guard, both of which may detract and draw resources from the USMS's primary statutory function of providing security for and executing the orders of the

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<sup>19</sup> Hanna Park, Andy Rose & Chris Boyette, *What to Know About Trump's Latest Federal Deployments in Memphis, Portland and Other US Cities*, CNN (Oct. 2, 2025), <https://www.cnn.com/2025/10/02/us/trump-national-guard-portland-memphis-wwk-hnk>; Adam Harrington, *Hundreds of Illinois National Guard Troops to be Called for Federal Service, Memo Says*, CBS (Oct. 5, 2025), <https://www.cbsnews.com/chicago/news/300-illinois-national-guard-troops-federal-service/>; Christopher Weber & Jack Brook, *Federal Judge Temporarily Blocks Trump Administration from Sending National Guard Troops to Oregon*, AP News (Oct. 6, 2025), <https://apnews.com/article/national-guard-oregon-california-trump-newsom-3b8e12f8d2d39f195dda73dda31f1681>; Erica Green & Katie Rogers, *Trump Says He Is Prepared to Send 'More Than the National Guard' Into U.S. Cities*, N.Y. Times (Oct. 28, 2025), <https://www.nytimes.com/2025/10/28/us/politics/trump-japan-national-guard-us-cities.html>.

<sup>20</sup> USMS, *Protective Investigations–Threat Statistics*, <https://www.usmarshals.gov/what-we-do/judicial-security/protective-investigations-threat-statistics> (last visited Oct. 16, 2025); Mattathias Schwartz, *Marshals' Data Shows Spike in Threats Against Federal Judges*, N.Y. Times (May 27, 2025), <https://www.nytimes.com/2025/05/27/us/politics/federal-judges-threats.html>.

<sup>21</sup> Nate Raymond, *US Judiciary Raises Concerns About Marshals Service's New Immigration Focus*, Reuters (Feb. 27, 2025), <https://www.reuters.com/legal/government/us-judiciary-raises-concerns-about-marshal-services-new-immigration-focus-2025-02-27/>.

<sup>22</sup> ABA, *Attacks on Judiciary have Far-Reaching Effects, Panelists Say* (July 3, 2025), <https://www.americanbar.org/news/abanews/aba-news-archives/2025/07/attacks-on-judiciary-far-reaching/>; USMS, *Protective Investigations–Threat Statistics*, *supra* note 18.

<sup>23</sup> Kovensky, *supra* note 9.

<sup>24</sup> Exec. Order, *Making the District of Columbia Safe and Beautiful*, *supra* note 11; Pres. Mem., *Restoring Law and Order in Memphis*, *supra* note 11.

<sup>25</sup> DOJ, *supra* note 10.



federal courts.<sup>26</sup> These records will help the public understand the new or expanded responsibilities of the USMS that risk the deprioritization of judicial security.

In addition to the USMS's vital judicial security duties, the USMS has delegated authority to deputize individuals "to perform the functions of a U.S. Marshal."<sup>27</sup> The USMS has used this authority to deputize national guard troops in D.C.<sup>28</sup> The public has an interest in understanding the eligibility of these individuals to be deputized under the USMS's standards, and any decision to deputize any individuals pursuant to an *exception* to those standards. This transparency is particularly important in light of a September 2024 DOJ Office of Inspector General ("OIG") report that exposed several vulnerabilities in the USMS's Special Deputation Program.<sup>29</sup>

The USMS's audit, entitled "Audit of the U.S. Marshals Service's Special Deputation Authority," analyzed the USMS's Special Deputation Program—the USMS's procedure for processing requests for special deputation<sup>30</sup>—and identified "significant deficiencies in the USMS's administration and oversight of its special deputation authority."<sup>31</sup> These deficiencies included an increased risk of (1) officials receiving Title 18 law enforcement authority without a justified need, (2) "heighten[ed] opportunities for misuse and abuse of Title 18 law enforcement authority," and (3) "legal and operational liabilities for the USMS and the [DOJ]."<sup>32</sup> CREW submitted a FOIA<sup>33</sup> request on May 2, 2025 requesting information on whether the USMS has implemented the OIG's recommendations to improve the USMS's administration of its special deputation authority. Although the USMS has produced the USMS's Special Deputation policy from 2021 and the Special Deputation Oath of Office form in response to CREW's request,<sup>34</sup> there remains no evidence that any recommendations have been implemented.

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<sup>26</sup> 28 U.S.C. § 566(a); USMS Policy Directive 10.1, *Judicial Security*, at 1–2 (effective Jan. 11, 2022), <https://www.citizensforethics.org/wp-content/uploads/2025/10/2025-08-21-Responsive-Records.pdf>.

<sup>27</sup> 28 C.F.R. §§ 0.112, 0.19(a)(3); see Zach Montague, *D.C. Seeks to Block National Guard Deployment in Court*, N.Y. Times (Oct. 24, 2025), <https://www.nytimes.com/2025/10/24/us/politics/national-guard-dc-lawsuit.html>.

<sup>28</sup> Chris Boccia & Beatrice Peterson, *National Guard could stay in Washington, DC, through summer 2026: Lawsuit*, ABCNews (Oct. 22, 2025), <https://abcnews.go.com/US/national-guard-stay-washington-dc-summer-2026-lawsuit/story?id=126739403>.

<sup>29</sup> See Dep't of Justice Office of the Inspector General, No. 24-116, *Audit of the U.S. Marshals Service's Special Deputation Authority* i (2024), <https://oig.justice.gov/sites/default/files/reports/24-116.pdf>, <https://perma.cc/RQ6Q-GRMH>.

<sup>30</sup> *Id.* at 1.

<sup>31</sup> *Id.* at i.

<sup>32</sup> *Id.*

<sup>33</sup> CREW, *Freedom of Information Act Request* (May 2, 2025), <https://www.citizensforethics.org/wp-content/uploads/2025/05/2025-5-2-Request.pdf>.

<sup>34</sup> See USMS Policy Directive 17.11, *Special Deputation Program* (Sept. 24, 2021), available at <https://www.citizensforethics.org/wp-content/uploads/2025/09/2025-06-13-Responsive-Records.pdf>; Form USM-004, *Oath of Office, Special Deputation*, United States Marshals Service (May 2024), available at <https://www.citizensforethics.org/wp-content/uploads/2025/10/2025-06-26-Second-Interim-Response-001234-Responsive-records.pdf>.

The OIG recommended, for example, that the USMS “update policies and procedures to reduce the risks of providing special deputation authority to ineligible or inappropriate applicants.”<sup>35</sup> But there is no public evidence showing that the USMS has implemented this recommendation, and in an ongoing lawsuit in D.C., an exhibit showed that the USMS broadly waived a number of ordinary requirements for deputation.<sup>36</sup> This waiver allowed, for example, national guard troops who had not completed the basic law enforcement training program to be deputized.<sup>37</sup> There is significant public interest in the eligibility, authority, and risk of liability of individuals who recently have been deputized under the USMS’s special deputation authority. It is imperative that the USMS release the requested records regarding any waivers of requirements for the special deputation of national guard troops in other domestic locations so the public can evaluate the USMS’s process for considering the qualifications of deputized law enforcement on their streets.

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 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.

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<sup>35</sup> See *Audit*, *supra* note 27, at 17.

<sup>36</sup> Supplemental Memorandum Attachment at 131-33, *District of Columbia v. Trump* (Oct. 17, 2025) (D.D.C. No. 1:25-cv-03005), <https://storage.courtlistener.com/recap/gov.uscourts.dcd.284495/gov.uscourts.dcd.284495.701.pdf>.

<sup>37</sup> *Id.*



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### **Conclusion**

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at [cwentworth@citizensforethics.org](mailto:cwentworth@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 [cwentworth@citizensforethics.org](mailto:cwentworth@citizensforethics.org) and [foia@citizensforethics.org](mailto:foia@citizensforethics.org) or by mail to Christie Wentworth, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20044.

Sincerely,

A handwritten signature in black ink, appearing to read "Christie Wentworth", with a stylized flourish at the end.

Christie Wentworth  
Senior Policy Counsel