



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

November 24, 2025

Charlotte Luckstone
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 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 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 concerning or referencing any use, request to use, or direction to use 18 U.S.C. § 4282 to provide transportation or subsistence for any person who received a pardon or sentence commutation via 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” (“January 6 Defendants”),¹ including:
 - a. All communications between any U.S. Marshals Service (“USMS”) and DOJ personnel regarding the actual or planned provision of transportation or subsistence for any January 6 Defendant; and
 - b. Any actual or planned requisition, commitment, obligation, or disbursement for this purpose, including any USMS request and supporting documentation for funding for this purpose, as referenced in a December 19, 2024 USMS Internal Discussion Meeting (“December 19 Meeting”), and including “a request for Ground Transportation

¹ 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/>.

funding in the amount of \$5000 for the purchase of bus tickets” submitted December 19, 2024, at approximately 12:30pm.²

2. All records concerning or referencing transportation or subsistence provided to any January 6 Defendant by the USMS on or after their release from federal custody.
 3. All communications concerning or referencing any Defendant indicted or convicted for their role in the January 6, 2021 attack on the United States Capitol between any USMS employee or official and any of the following individuals:
 - a. Elon Musk;
 - b. Vivek Ramaswamy;
 - c. Brad Smith;
 - d. Amy Gleason;
 - e. Derek Lyons;
 - f. James Burnham;
 - g. Steve Davis;
 - h. Katie Miller;
 - i. Pam Bondi;
 - j. Chad Mizelle;
 - k. Aaron Reitz;
 - l. Howard Lutnick
 - m. Linda McMahon;
 - n. Susie Wiles;
 - o. Kash Patel; or
 - p. Ed Martin.
- From January 1, 2022 to the date this request is processed:
 4. All records concerning or referencing any use, request to use, or direction to use 18 U.S.C. § 4282 to provide transportation or subsistence, including but not limited to the source of funding for all transportation or subsistence, the name of any person furnished with such transportation or subsistence, and the cost and type of transportation or subsistence furnished, including any request under 18 U.S.C. § 4282 that ultimately was not fulfilled.
 5. All records concerning or referencing how the USMS executes or ensures compliance with 18 U.S.C. § 4282—including determining eligibility, cost of transportation or subsistence to place of arrest, cost of transportation or subsistence to place of bona fide residence, determination of place of arrest, and determination of place of bona fide residence—and any directive, guidance, or other communication from DOJ personnel concerning the same.

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

² FOIA Request Records Production for the U.S. Marshals Service, CREW, at 10–11, <https://www.citizensforethics.org/wp-content/uploads/2025/09/2025-7-31-First-Release.pdf> (last updated Sept. 24, 2025).

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).

Under 18 U.S.C. § 4282,

[o]n the release from custody of a person arrested on a charge of violating any law of the United States or of the Territory of Alaska, but not indicted nor informed against, or indicted or informed against but not convicted, and detained pursuant to chapter 207, or a person held as a material witness, the court in its discretion may direct the United States marshal for the district wherein he is released, pursuant to regulations promulgated by the Attorney General, to furnish the person so released with transportation and subsistence to the place of his arrest, or, at his election, to the place of his bona fide residence if such cost is not greater than to the place of arrest.

Pursuant to this statute, the court may order the USMS to furnish a person arrested but not convicted of a crime with transportation and subsistence upon their release. However, the transportation must be to the place of arrest or to the arrestee's bona fide residence if they so choose and the cost is not greater.

The DOJ has produced to CREW records indicating that the USMS considered furnishing, and may have furnished, transportation or subsistence for the January 6 Defendants, purportedly seeking to rely on 18 U.S.C. § 4282.³ According to these records, the USMS “D.C. District” would be responsible for “the purchase of all bus tickets” funded through “POD [Prisoner Operations Division] Ground Transportation.”⁴ This included, at minimum, “a request for Ground Transportation funding in the amount of \$5,000 for the purchase of bus tickets.”⁵ In addition, the records provided that airline and train tickets would be coordinated through the Justice Prisoner and Alien Transportation System (“JPATS”), a USMS program, including having “personnel on standby to assist with airline and train purchases.”⁶

These records also indicate that the request for funding may have originated from the USMS. According to the documents, at a USMS internal discussion meeting on December 19, 2024, USMS officials reiterated that “[u]nder 18 USC 4282, the Court should include the language the USMS will provide release gratuities on the release order.”⁷ In fact, on January 21, 2025, the acting U.S. Marshal for D.C. Ron Carter asked federal judges, on behalf of January 6 Defendants who had been indicted and convicted in participating on the January 6 attack on the Capitol, to include in their orders language specifying that the government could pay for January 6 Defendants’ transportation home, including specific language on 18 U.S.C. § 4282.⁸ Mr. Carter’s advocacy for the January 6 Defendants was, according to a retired federal judge, “highly unusual,”⁹ as the statute is typically invoked by counsel on behalf of indigent clients, and it is rare—if not unheard of—for marshals to make such a request at all.¹⁰

This unusual request came to light after public reporting that the USMS had already pressured federal judges to speed up the release of the January 6 Defendants at the urging of the United States DOGE Service (“DOGE”), including by physically appearing at their chambers.¹¹ 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 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.”¹²

³ *Id.* at 10-11, 118.

⁴ *Id.* at 10.

⁵ *Id.*

⁶ *Id.* at 11.

⁷ *Id.*

⁸ Samantha Michaels, *US Marshals’ Efforts Around Trump’s January 6 Pardons Were “Highly Unusual”*, Mother Jones (Sept. 24, 2025), <https://www.motherjones.com/politics/2025/09/us-marshals-service-trump-january-6-pardons/>; see also CREW, *supra* note 2, at 118.

⁹ Michaels, *supra* note 8.

¹⁰ *Id.*

¹¹ Ruth Marcus, *Pardon me: What were the folks at DOGE thinking?*, Wash. Post (Jan. 23, 2025), <https://www.washingtonpost.com/opinions/2025/01/23/doge-jan-6-marshals-federal-judges/>.

¹² *Id.*

The public has an interest in understanding whether and to what extent the USMS has been involved in furnishing, or attempting to furnish, transportation or subsistence for January 6 Defendants, including under 18 U.S.C. § 4282, the amount of time, money, and resources spent on such furnishing, and the source of funding for such action. This would be true in any circumstance, but particularly so when the USMS's apparent intervention was to advocate for the provision of taxpayer funds to criminal defendants and convicts charged in connection with a deadly attack on the United States Capitol. Further, the public has an interest in understanding whether and to what extent the USMS has attempted to interfere with the independence of the judiciary by pressuring judges to include language relating to 18 U.S.C. § 4282 in their orders, USMS's policies for and historical practices concerning this statute, and whether any use of this statute to furnish transportation or subsistence complied with the statute and USMS policy.

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").

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 us at cwentworth@citizensforethics.org and foia@citizensforethics.org or call our office 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.

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Where possible, please produce records in electronic format. Please send the requested records to cwentworth@citizensforethics.org and 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

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

Matthew Steelberg
Policy Fellow