

June 23, 2026

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Re: Expedited 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, from January 6, 2025 to the date this request is processed,:

1. All records of communications between the DOJ and any individual who received a pardon or commutation via Presidential Proclamation 10887 of January 20, 2025 (90 Fed. Reg. 8331)¹ (hereinafter “January 6 Defendant”) regarding Federal Tort Claims Act (“FTCA”) administrative claims, including but not limited to:
 - a. Stephanie Baez
 - b. Joshua Black
 - c. Glenn Brooks
 - d. Lloyd Cruz, Jr.
 - e. Treniss Evans, III
 - f. Derek Gunby
 - g. Andrew Millard

¹ Proclamation No. 10887, 90 F.R. 8331 (Jan. 20, 2025), available at <https://perma.cc/K2Y8-PHGV>.

- h. Kenneth Joseph Thomas
 - i. John George Todd, III
 - j. Andrew Quentin Taake
 - k. Patrick Sullivan
 - l. Marie Sullivan
 - m. Alan E. Fischer, III
 - n. Enrique Tarrio
 - o. Zachary Rehl
 - p. Ethan Nordean
 - q. Joseph Biggs
 - r. Dominic Pezzola
 - s. Adam Johnson
2. All records of communications between the DOJ and any attorney representing any January 6 Defendant regarding FTCA administrative claims, including but not limited to:
- a. Peter Ticktin
 - b. Roger Roots
 - c. Stephen Austin Carr
 - d. Mark McCloskey
 - e. Thomas F. Ranieri
 - f. Augustus Invictus
 - g. Nayib Hassan

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, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records.

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 28 C.F.R. § 16.10, 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* 5 U.S.C. § 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 January 6 Defendants were convicted of or charged with offenses related to a violent, coordinated attack on the United States Capitol on January 6, 2021, which left one law enforcement officer dead and approximately 140 injured.² The attack was perpetrated to stop Congress from certifying the results of the 2020 presidential election, thereby preventing the peaceful transition of power by overturning the lawful results of the 2020 presidential election.³ More than 1,500 people were arrested and more than 1,200 were convicted for their participation in the attack⁴ prior to the sentence commutations and blanket pardon of the January 6 Defendants issued by President Trump, who himself was found by at least one court to have incited an insurrection in the form of the attack on the Capitol.⁵

The requested records relate to administrative claims submitted by January 6 Defendants pursuant to the FTCA. The FTCA permits certain claims against the United States and its executive agencies for damages caused by federal employee conduct within the scope of that employee's federal employment.⁶ Standard Form 95 may be used, but is not required, to present an FTCA claim and convey the information necessary to support the claim.⁷ 28 C.F.R. §§ 14.9 and 14.10 establish the process by which an agency may deny or approve a claim, and how a claimant may request reconsideration of a denial.

Hundreds of the January 6 Defendants are reportedly seeking damages from the federal government pursuant to the FTCA for alleged injuries related to their arrest,

² Michael S. Schmidt & Luke Broadwater, *Officers' Injuries, Including Concussions, Show Scope of Violence at Capitol Riot*, N.Y. Times (July 12, 2021), <https://tinyurl.com/4sux3wxu>.

³ Deirdre Walsh & Barbara Sprunt, *Under the Shadow of the Jan. 6, 2021 Riot, Congress Certifies the 2024 Election*, NPR (Jan. 6, 2025), <https://tinyurl.com/yn2kdf94>.

⁴ Roger Parloff, *The High-Water Mark of the Jan. 6 Prosecutions*, Lawfare (Jan. 6, 2025), <https://tinyurl.com/yc52dby9>.

⁵ *Anderson v. Griswold*, 543 P.3d 283, 336 (Colo. 2023) (finding that "President Trump engaged in insurrection" on January 6, 2021), rev'd sub nom. on other grounds, *Trump v. Anderson*, 601 U.S. 100 (2024).

⁶ U.S. Dep't of Just. Civil Division, *Documents and Forms* (last rev. Sept. 30, 2025), <https://perma.cc/UZ6N-JUFS>.

⁷ *Id.*

prosecution, and imprisonment following the attack on the U.S. Capitol.⁸ According to Mark McCloskey, an attorney representing many January 6 Defendants, most of his clients are seeking “\$1 million to \$10 million” for their injuries.⁹ Collectively, these claims could yield payments of hundreds of millions or even billions of taxpayer dollars to January 6 Defendants. McCloskey also confirmed that he has met with top DOJ officials to propose a “voluntary nonjudicial resolution committee” to review and compensate individual January 6 Defendants for their alleged injuries,¹⁰ and that the DOJ is considering some of his claims.¹¹

Last month, the DOJ entered into a collusive “settlement agreement” (“Agreement”) that purported to resolve President Trump’s claims in *Trump v. Internal Revenue Service*, No. 26-cv-20609 (S.D. Fla. Jan. 19, 2026).¹² That agreement required the DOJ to create what was widely referred to as a slush fund of \$1.776 billion in taxpayer dollars from the Treasury’s Judgment Fund to purported victims of what the Agreement referred to as “lawfare” and government “weaponization” (“Fund”). The Agreement, and subsequent orders of the Acting Attorney General operationalizing it, offered no transparency or accountability mechanisms, disclaimed the DOJ’s and the federal government’s obligations to ensure that the Fund was administered lawfully, and gave President Trump the authority to remove its leadership at any time for any reason.¹³ Like the FTCA, the Fund identifies the Judgment Fund, 31 U.S.C. § 1304, as the source of the Fund’s corpus. Following the settlement’s announcement, January 6 Defendants and their lawyers confirmed their intent to file claims for awards through the Fund.¹⁴

⁸ Arthur Delaney & Dave Jamieson, *Dropping The 'Anti-Weaponization Fund' Doesn't Mean Trump Admin Won't Pay Rioters*, Huffpost (Jun. 3, 2026), <https://tinyurl.com/45tnjxnt>.

⁹ Zoe Tillman, *Trump Pardoned Them for Jan. 6. Now They Want Millions of Dollars*, Bloomberg (Dec. 10, 2025), <https://tinyurl.com/4xyw9f2b>; Peter Yankowski, *Lawyer Seeking Money for Jan. 6 Capitol Rioters Says Some May Be From CT*, CTPost (Dec. 11, 2025), <https://tinyurl.com/4ew7pkyw>.

¹⁰ Alan Feuer, *Already Pardoned by Trump, Jan. 6 Rioters Push for Compensation*, N.Y. Times (Aug. 31, 2025), <https://tinyurl.com/4cj6btyz>; The Gateway Pundit (@gatewaypundit), X (Aug. 28, 2025), <https://tinyurl.com/yxan7fzp>.

¹¹ See Tillman, *supra* n.9.

¹² Settlement Agreement, *Trump v. International Revenue Service*, No. 26-cv-20609 (S.D. Fla. May 18, 2026), <https://perma.cc/J3MQ-99HY>; Order, Off. of the Att’y Gen. (May 18, 2026), <https://perma.cc/H8PK-QFJA>.

¹³ See *id.*; see Steve Benen, *Trump’s Justice Department Announces \$1.7 Billion Fund Slammed as ‘Slush Fund’*, MS NOW (May 18, 2026), <https://tinyurl.com/nhhp3vfs>.

¹⁴ See Marshall Cohen, Holmes Lybrand & Donie O’Sullivan, *‘This is Long Overdue’: Jan. 6 Rioters and Election Deniers Celebrate Trump’s \$1.8 Billion Compensation Fund*, CNN (May 21, 2026), <https://tinyurl.com/25bp9v2v>; see Gabe Kaminsky, *Trump’s \$1.7+ Billion Fund Sparks Rush to Capitalize: ‘All J6ers Will Apply’*, CBS News (May 19, 2026), <https://tinyurl.com/mhh82eke>.

The announcement of the Agreement and the Fund triggered immediate, enormous, and bipartisan outrage among both the public and members of Congress.¹⁵ And while a federal judge has since issued a preliminary injunction pausing operation of the fund,¹⁶ and the Acting Attorney General has suggested to Congress that the DOJ will not go forward with the Fund, the desire of the DOJ and President Trump to pay taxpayer funds to January 6 Defendants remains unchanged. For example, when President Trump was asked if he had “dropped” the “anti-weaponization fund” he responded: “No. A court ruled against it. But just so you understand, these are people that have been decimated. . . . I’m very proud to have given them pardons. And I think they should be reimbursed for a crooked government.”¹⁷

Even in the absence of the Fund, the DOJ apparently remains committed to paying out January 6 Defendants, as desired by President Trump. Associate Attorney General Stanley Woodward Jr., a former Trump White House official who signed the Agreement that created the Fund, confirmed as much in a now-deleted X post. In response to a post by Senator Lindsey Graham that suggested victims of government “weaponization” during the Biden-era could still be compensated through claims under the FTCA, Woodward responded, “we’re on it.”¹⁸

The January 6 attack on the Capitol was a publicly broadcast and documented attack on American democracy and the prosecution of those who participated in it was the largest public prosecution in American history.¹⁹ The American public, whose rights the attackers sought to take away, deserve to know whether January 6 Defendants are now seeking taxpayer funds as compensation for the prosecutions against them, the disposition of those claims, and whether the federal government is encouraging such claims. There is a powerful public need for this information in any event, but particularly so given President Trump’s role in inciting the attack, his public defense and then pardon of the attackers, and his pursuit of \$230 billion for himself in response to the government’s investigation into his own potentially criminal activity.

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

¹⁵ See Alexander Bolton, *GOP Sen. Cassidy Calls Out Trump DOJ’s \$1.8 Billion Compensation Fund as ‘Slush Fund,’* The Hill (May 18, 2026), <https://tinyurl.com/bdhvayje>; see *Larson Joins Urgent Court Brief Opposing Multi-Billion Dollar Payout to Donald Trump, Announces New Legislation to Block Taxpayer-Funded MAGA Slush Fund*, John B. Larson (May 18, 2026), <https://tinyurl.com/ykuejcav>; see Max Rego, *Democrats: DOJ’s \$1.776B ‘Anti-Weaponization’ Fund ‘Raises the Specter of Corruption Unparalleled,’* The Hill (May 18, 2026), <https://tinyurl.com/y5xuaakz>; see Jim Kinney, *Rep. Neal Criticizes Trump’s \$1.7B Settlement in IRS Lawsuit as ‘Slush Fund,’* MassLive (May 19, 2026), <https://tinyurl.com/5n8mfnnn>; see Tom Hals & Jonathan Stempel, *Trump’s \$1.776 Billion ‘Weaponization’ Fund Sparks Outrage, but Court Challenges Will be Tough,* Reuters (May 20, 2026), <https://tinyurl.com/yc2nv638>; see Peter Stone, *‘Outright Theft’: Legal Experts Decry \$1.8bn Trump Anti-Weaponization Fund,* The Guardian (Jun. 2, 2026), <https://tinyurl.com/5n7kz3as>.

¹⁶ Order, Dkt. No. 85, *Floyd v. DOJ*, No. 1:26-cv-01399-LMB-IDD (E.D. Va. Jun. 12, 2026).

¹⁷ Pod Force One with Miranda Devine and New York Post, *Donald Trump Unleashed*, at 40:33-41:06 (YouTube June 3, 2026), <https://tinyurl.com/ec3yavy8>.

¹⁸ Sarah Fitzpatrick, *Trump Isn’t Giving Up on His Slush Fund,* The Atlantic (Jun. 11, 2026), <https://tinyurl.com/2bbvp67n>.

¹⁹ Alanna Durkin Richer & Michael Kunzelman, *Here’s Where Jan. 6 Trials Stand on the Fourth Anniversary of the Capitol Riot,* PBS News (Jan. 6, 2025), <https://tinyurl.com/3frat2sc>.

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 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.

Expedited Processing Request

CREW requests expedited processing of this request, pursuant to 5 U.S.C. § 552 and 28 C.F.R. § 16.5(e). CREW is entitled to expedited processing because (1) there is "[a]n urgency to inform the public about an actual or alleged Federal Government activity" and CREW is "primarily engaged in disseminating information," 28 C.F.R. § 16.5(e)(1)(ii), and (2) these same facts raise possible questions, in "[a] matter of widespread and exceptional media interest involving questions about the Government's integrity which affect public confidence." *Id.* at § 16.5(e)(1)(iv).

Expedition is required under 28 C.F.R. § 16.5(e)(ii)

CREW is "primarily engaged in disseminating information" to the public, as most recently confirmed by the Court in *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Justice* ("CREW v. DOJ"), No. 25-4426, 2026 WL 472589, at *10 (D.D.C. Feb. 19, 2026). This "standard 'requires that information dissemination be the main [and not merely an incidental] activity of the requestor,'" but "publishing information 'need not be [the organization's] sole occupation.'" *Protect Democracy Project, Inc. v. U.S. Dep't of Def.*, 263 F. Supp. 3d 293, 298 (D.D.C. 2017). 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. CREW is a credible requestor and disseminator of information often relied on by major media outlets.²⁰

Further, the facts demonstrate that (1) the request concerns a matter of current exigency to the American public; (2) the consequences of delaying a response would compromise a significant recognized interest; and (3) the request concerns federal government activity. See *Al-Fayed v. C.I.A.*, 254 F.3d 300, 310 (D.C. Cir. 2001).

- (1) First, the requested records concern a matter of current exigency to the American public. FTCA claims submitted by January 6 Defendants are “the subject of a currently unfolding story.”²¹ See *Al-Fayed*, 254 F.3d at 310. As of December 10, 2025, nearly 400 January 6 Defendants were reportedly seeking payment from the federal government for alleged injuries related to their arrest, prosecution, and imprisonment following the attack on the U.S. Capitol. According to Mark McCloskey, the attorney representing many January 6 Defendants, most of his clients are seeking “\$1 million to \$10 million” for their injuries, meaning that, collectively, these claims could yield hundreds of millions or even billions in payments of taxpayer dollars to January 6 Defendants.²²

That was not the first report of McCloskey’s efforts to seek compensation for January 6 Defendants or that the DOJ was receptive to their requests. On August 28, 2025, McCloskey announced in a public meeting of January 6 Defendants and supporters that he had met with top DOJ officials to propose a “voluntary nonjudicial resolution committee” to review and compensate individual January 6 Defendants for their alleged injuries.²³ In December 2025, McCloskey told a reporter that, although the DOJ had rejected several January 6-related claims that he had submitted earlier in 2025 for procedural reasons, the DOJ had not rejected his more recently-submitted claims.²⁴

Furthermore, in at least one instance, the DOJ has already reached a multi-million dollar settlement related to the January 6 insurrection. In June 2025, the Trump administration agreed to pay a \$4.975 million settlement to resolve a wrongful death lawsuit brought by the estate and family of Ashli Babbitt, who was killed by a U.S. Capitol Police officer protecting sheltering members of Congress as she attempted to breach a broken window deep inside the Capitol during the January 6 insurrection.²⁵

²⁰ See, e.g., *Citizens for Responsibility and Ethics in Washington*, N.Y. Times, <https://perma.cc/GH8Y-2BZB>, (last visited June 23, 2026) (list of New York Times articles referencing CREW spanning over a decade); Ed Pilkington & Dharna Noor, *Top US Ethics Watchdog Investigating Trump Over Dinner with Oil Bosses*, The Guardian (May 15, 2024), <https://perma.cc/G7T5-T6AV> (referring to CREW as “Top US ethics watchdog”).

²¹ See Tillman, *supra* n.9; see Yankowski, *supra* n.9.

²² See Tillman, *supra* n.9.

²³ See Feuer, *supra* n.10; The Gateway Pundit, *supra* n.10.

²⁴ See Tillman, *supra* n.9.

²⁵ Ali Bianco, *Trump Administration to Pay Nearly \$5M in Wrongful Death Lawsuit of Jan. 6 Rioter Shot by Police*, Politico (June 6, 2025), <https://tinyurl.com/yymby88v4>.

While the FBI classified the January 6 attack on the Capitol as an act of domestic terrorism, President Trump has repeatedly claimed that the January 6 Defendants were mistreated when prosecuted, referring to them as “hostages” who were “wrongfully imprisoned” and characterizing the attack on the Capitol as a “day of love.”²⁶ In March 2025, President Trump said that “a lot of people that are in government now talk about” compensating January 6 Defendants because they “really like that group of people.”²⁷ President Trump also praised McCloskey and his wife after the couple pointed firearms at protestors marching by their St. Louis home during the summer of 2020.²⁸

All of this occurred before the DOJ’s and President Trump’s coordinated and public effort to create the Fund and facilitate, without transparency or any recourse by the federal government, Congress, or the American people, the almost immediate dispersal of nearly \$1.8 billion in federal funds to those the President deems to have been “victims” of “lawfare” and “weaponization of government.”²⁹ That effort, and President Trump’s comments surrounding it, only reemphasized 1) that the pardoned January 6 Defendants are among those that President Trump insists are victims of lawfare and weaponization of the government, 2) that the Trump administration, and particularly President Trump and the DOJ, not only desire to pay large sums of taxpayer funds to January 6 Defendants, but that doing so is a priority, 3) that this is so despite the fact that the January 6 Defendants were arrested and prosecuted for participating in a violent insurrection to prevent President Trump from losing power, culminating in many defendants’ pleas and convictions for acts of violence and terrorism against law enforcement officers and the United States, and 4) that the DOJ will engage in facially collusive and legally dubious behavior to skirt federal laws that might limit its ability to pay January 6 Defendants or its ability to pay them without public scrutiny.

These various indicia of FTCA claims by January 6 Defendants and the DOJ’s efforts to facilitate payment of federal funds to them despite—and in fact because of—their documented criminal behavior creates “urgency to inform the public about an actual or alleged Federal government activity,” namely how DOJ is handling their FTCA claims and its obligations under the law, all of which will be addressed by the records requested here.

- (2) Second, a delay in processing this request would “compromise a significant recognized interest.” *Al-Fayed*, 254 F.3d at 310. Specifically, CREW and the public would be “precluded . . . from obtaining in a timely fashion information vital to the current and ongoing debate” on the substance of January 6 Defendants’ claims and

²⁶ Megan Lebowitz, *Trump Vows to 'Free' Jan. 6 Defendants as One of His First Acts if Elected*, NBC News (Mar. 11, 2024), <https://tinyurl.com/2nwt4v>; James FitzGerald, *Trump Calls 6 January 'Day of Love' When Asked about Capitol Riot*, BBC News (Oct. 17, 2024), <https://tinyurl.com/yxaejwn9>.

²⁷ Tara Suter, *Trump Suggests 'Compensation' for Pardoned Jan. 6 Rioters*, The Hill (Mar. 26, 2025), <https://tinyurl.com/zrvvhkds>.

²⁸ Washington Post, *Trump Defends St. Louis Couple Who Pointed Firearms at Protesters*, YouTube (July 14, 2020), <https://tinyurl.com/zrem7bd9>.

²⁹ See Settlement Agreement and Order, *supra* n.12.

DOJ's handling of them, particularly in light of the apparent demise of the Fund and DOJ leadership's intention to use the FTCA to make payments that it would have made under the fund.³⁰ *Protect Democracy Project, Inc.*, 263 F. Supp. 3d at 299 (citation omitted). "Being closed off from such a debate is itself a harm in an open democracy." *Id.* This request must be processed urgently so that the American public can review the requested information before any potential settlement money is paid out using taxpayer dollars.

This request concerns claims that raise questions about potential conflicts of interest and DOJ's ability to impartially adjudicate the January 6 Defendants' claims. President Trump has repeatedly expressed support for January 6 insurrectionists, whose violent assault on the U.S. Capitol caused billions of dollars in damages, injured hundreds of police officers, and led to at least seven deaths.³¹ Over 200 January 6 Defendants stated that they were answering President Trump's call to action when they travelled to Washington, supporting the conclusion of the January 6th Select Committee that President Trump was the "central cause" of the attack on the Capitol.³² At least one court found that President Trump incited an insurrection in the form of the attack on the Capitol.³³

President Trump already exercised his authority to pardon or grant clemency to January 6 Defendants. Dozens of DOJ prosecutors have been fired, including career attorneys who worked on President Trump's prosecutions and those of January 6th insurrectionists.³⁴ Ed Martin, a former defense lawyer for several January 6th Defendants, now heads DOJ's "Weaponization Working Group," which is reportedly compiling a report re-examining the Capitol attack.³⁵ Martin and other DOJ officials have reportedly held meetings with several pardoned Capitol insurrectionists who have advocated for charges against prosecutors, law enforcement agents, and judges.³⁶ In addition to fearing retribution, several January 6th prosecutors told reporters that they were concerned Martin's report could be used as a pretext to justify government payouts to January 6th insurrectionists.³⁷

³⁰ See Fitzpatrick, *supra* n.18.

³¹ See Suter, *supra* n.27; U.S. Gov't Accountability Off., GAO-23-106625, *CAPITOL ATTACK: Federal Agencies Identified Some Threats, but Did Not Fully Process and Share Information Prior to January 6, 2021* (Feb. 2023), <https://tinyurl.com/d9ybu8x4>.

³² Citizens for Responsibility and Ethics in Washington, "Trump Has Called All Patriots": 210 Jan. 6th Criminal Defendants Say Trump Incited Them, (Feb. 14, 2024), <https://tinyurl.com/3rck8ufc>; see Final Report, Select Committee to Investigate the January 6th Attack on the United States Capitol, H.R. Rep. No. 117-663 (2022).

³³ *Anderson v. Griswold*, 543 P.3d 283, 336 (Colo. 2023) (finding that "President Trump engaged in insurrection" on January 6, 2021), *rev'd sub nom. on other grounds, Trump v. Anderson*, 601 U.S. 100 (2024).

³⁴ Patrick Marley, Jeremy Roebuck & Yvonne Wingett Sanchez, *Trump's DOJ Has Fired Dozens of Prosecutors, Upending Decades-Old Norm*, Wash. Post (July 19, 2025), <https://tinyurl.com/3dy4nyjv>.

³⁵ Mike Spector et al., *They Prosecuted the Capitol Rioters. Now the Rioters and the DOJ Are After Them*, Reuters (Dec. 17, 2025), <https://tinyurl.com/5bhrr552>.

³⁶ *Id.*

³⁷ *Id.*

President Trump has also publicly expressed interest in compensating January 6 Defendants. In March, President Trump confirmed that his administration was discussing a compensation scheme for January 6 Defendants, saying, “A lot of the people that are in government now talk about it because [they] really like that group of people.”³⁸ Then, two months later, President Trump executed a sham “settlement agreement” in *Trump v. IRS* and created his illegal \$1.776 billion “lawfare and weaponization” Fund, igniting partisan backlash in Congress.³⁹ Despite the Fund’s pause, Trump insists that January 6 Defendants “should be reimbursed for a crooked government.”⁴⁰

January 6 Defendants have been, and will continue to, seek money damages from the federal government.⁴¹ Coupled with President Trump’s clear desire to compensate January 6 Defendants as quickly as possible, through the FTCA or otherwise, such claims make CREW’s FOIA request necessary and urgent. Without the requested records, both CREW and the public will not be able to evaluate the integrity of FTCA settlements, a topic of “current and ongoing debate,” before the federal government administers potentially billions of taxpayer dollars to insurrectionists. *Protect Democracy Project, Inc.*, 263 F. Supp. 3d at 299.

Urgent access to records about who is submitting these claims is also critical because there are significant questions about the integrity of the review process for FTCA claims filed by January 6 Defendants. Since retaking office, President Trump has politicized the leadership of the DOJ and appointed individuals who have served his personal and political interests. This includes nominating Deputy Attorney General Todd Blanche, previously Trump’s personal attorney, to serve as Attorney General.

Blanche has repeatedly refused to commit in writing that the DOJ is abandoning its efforts to implement the Fund. In testimony before Congress, Blanche said that the administration is “not moving forward with the Fund.” Yet, he rejected the idea of “sign[ing] and release[ing] documents reversing the DOJ’s positions on the Fund.”⁴² More recently, a federal court proposed to dismiss a Fund-related case against the DOJ if Blanche, among other Trump administration officials, filed a declaration under penalty of perjury “that they will not take any action to create or operate the Anti-Weaponization Fund, and that the Anti-Weaponization Fund will not proceed in any manner, or under any name.”⁴³ In response, the DOJ filed a notice stating that “[s]uch declarations are unnecessary” and invoked “serious separation of powers concerns” as a defense.⁴⁴

³⁸ Suter, *supra* n.27.

³⁹ See Sahil Kapur, Ryan J. Reilly & Frank Thorp V, *Trump Administration Appears to Back Off \$1.8 Billion ‘Anti-Weaponization’ Fund After Rare GOP Backlash*, NBC News (Jun. 1, 2026), <https://tinyurl.com/yf6thcjh>; Sabrina Lam, *Trump Defends ‘Anti-Weaponization Fund’ Amid GOP Blowup*, Politico (May 22, 2026), <https://tinyurl.com/y42hufvu>.

⁴⁰ Pod Force One, *supra* n.17.

⁴¹ Laura Romero & Peter Charalambous, *‘They Should Be Reimbursed’: Jan. 6 Defendants Still Eyeing Payouts, Despite Scrapped \$1.8B Fund*, ABC News (Jun. 3, 2026), <https://tinyurl.com/3ct7xamx>.

⁴² House Appropriations Comm., Oversight Hearing – Dep’t of Just., at 40:30-41:38 (YouTube, June 2, 2026), <https://tinyurl.com/ym67xahs>.

⁴³ Order, *supra* n.16.

⁴⁴ Defendants’ Notice of Filing, *Floyd v. DOJ*, 1:26-cv-01399-LMB-IDD (E.D. Va. Jun. 19, 2026).

In addition to these efforts to politicize the Department of Justice, the Justice Manual states that, generally, an Assistant Attorney General can “compromise (or settle administratively) a defense claim when the principal amount of the proposed settlement does not exceed \$4 million,” and that the Deputy Attorney General or Associate Attorney General—Todd Blanche or Stanley Woodward, respectively—are “further specifically authorized to exercise the settlement authority of the Attorney General as to all affirmative and defensive civil claims.”⁴⁵ In other words, Deputy Attorney General Todd Blanche and Associate Attorney General Stanley Woodward, each of whom previously served as criminal defense counsel in cases involving President Trump, would be in charge of approving any settlement for a January 6 Defendant that exceeds \$4 million.⁴⁶ That these officials may have the responsibility to review and potentially approve claims made by January 6 Defendants—many of whom named President Trump as their reason for traveling to Washington D.C. to be present on January 6 and who collectively seek hundreds of millions of dollars in taxpayer dollars⁴⁷—raises questions about whether “the[ir] decisions and actions” will be “made in the best interests of the American people.”⁴⁸

- (3) Finally, DOJ’s decision whether to settle President Trump’s administrative claims is a quintessential federal government activity. Expedited processing will allow the American people and policy makers to independently assess the merits of the January 6 Defendants’ claims, evaluate the integrity of public officials sworn to serve the public interest, and make public the DOJ’s position on January 6 Defendants’ administrative claims. The fact that millions, or even billions, of taxpayer dollars could be paid out to January 6 Defendants makes DOJ transparency even more essential in this instance.

This request presents a “matter of widespread and exceptional media interest in which there exist possible questions about the government’s integrity that affect public confidence” (28 C.F.R. § 16.5(e)(1)(iv))

Separately, the Trump administration’s efforts to pay taxpayer funds to January 6 Defendants and others involved in efforts to overturn the 2020 Presidential election have been, and continue to generate “widespread and exceptional media interest in which there exist possible questions about the government’s integrity that affect public confidence.” 28 C.F.R. § 16.5(e)(1)(iv). There was significant media attention paid to the Trump administration’s agreement to pay Ashli Babbitt’s family nearly \$5 million, as well as a separate Proud Boys lawsuit to recover \$100 million from the federal government based on

⁴⁵ U.S. Dep’t of Just., Just. Manual §4-3.110.

⁴⁶ See Alanna Durkin Richer & the Associated Press, *Senate Confirms Former Trump Defense Attorney Todd Blanche as Deputy Attorney General*, KGNS News (Mar. 5, 2025), <https://tinyurl.com/34ndfzx9>; Kyle Cheney, *Trump Taps Go-To Lawyer for His MAGA Allies to Fill Out Justice Department’s Upper Ranks*, Politico (Apr. 4, 2025), <https://tinyurl.com/3h29mfvf>; Ben Penn, *Senate Approves Justice Department No. 3, Backlog of Nominees*, Bloomberg Law (Oct. 8, 2025), <https://tinyurl.com/46u3srze>.

⁴⁷ See Citizens for Responsibility and Ethics in Washington, *supra* n.32; see Feuer, *supra* n.10.

⁴⁸ U.S. Dep’t of Just., Just. Manual § 4-3.110; *id.* § 4-5.240 (explaining that the “Judgment Fund pays most FTCA settlements and judgments”); *id.* § 1-4.010.

their prosecution related to the January 6 insurrection.⁴⁹ Speculation of whether January 6 Defendants could recover compensation from the federal government has generated media interest for months, and McCloskey's filing of nearly 400 administrative claims on behalf of his January 6 defendant clients—and the possibility that his clients could collectively recover up to \$4 billion from taxpayer funds—has brought the issue back to the headlines.⁵⁰ Most recently, the creation of the Fund and attendant possibility that the DOJ will funnel money to January 6 Defendants and perceived allies of President Trump have created even more public interest.⁵¹

Potential settlements with January 6 Defendants pose important “questions about the government’s integrity that [could] affect public confidence,” 28 C.F.R. § 16.5(e)(1)(iv), regardless of whether one thinks the January 6 Defendants’ claims are meritorious and settlements of them align with the public interest. If they are not, any admission by the government of wrongdoing or apology or payment to January 6 Defendants raises grave concerns regarding the motivations and actions of the DOJ and why it is not acting in the public interest. Underscoring that concern, Ranking Member of the Senate Committee on Rules and Administration Alex Padilla, Ranking Member of the Senate Judiciary Committee Dick Durbin, and other Senators have sent two letters to Attorney General Pam Bondi to object to the payment of any financial reward to January 6 Defendants.⁵² In the letter dated September 29, 2025, the Senators describe the notion of the DOJ even entertaining a “‘victims’ fund” for January 6 Defendants as “insulting,” suggest that payments of taxpayer funds to January 6 Defendants would be “unthinkable” and a “misus[e],” and state that, in the absence of congressional approval, such payments would “violate federal law.”⁵³ Conversely, if FTCA claims submitted by the January 6 Defendants are meritorious, then the public has a powerful interest in understanding how the DOJ has disposed of legal claims against it and its employees for their course of conduct in pursuing these investigations and prosecutions.

⁴⁹ See, e.g., Bianco, *supra* n.25; Michael Dorgan, *Trump Administration Agrees to Pay Ashli Babbitt’s Family \$5 Million*, Fox News (May 20, 2025), <https://tinyurl.com/4fupmzm2>; Nadine Yousef, *Proud Boys Sue US Government for \$100m Over Jan 6 Prosecutions*, BBC (June 6, 2025), <https://tinyurl.com/5d35e5hj>.

⁵⁰ See, e.g., Tillman, *supra* n.9; see, e.g., Yankowski, *supra* n.9; see, e.g., Feuer, *supra* n.10.

⁵¹ See, e.g., *Congress Demands List of People Who Have Applied for Trump Slush Fund*, Brittany Petterson (June 12, 2026), <https://tinyurl.com/462vfaar>; see Alex Miller, *Republicans Recoil as Trump’s Billion-Dollar DOJ ‘Slush Fund’ for Allies Threatens ICE, Border Patrol Plan*, Fox News (May 21, 2026), <https://tinyurl.com/33cbzxcd>; see Elaine Mallon, *Clinton Judge Indefinitely Blocks Trump’s \$1.776B Anti-Weaponization Fund*, Fox News (June 12, 2026), <https://tinyurl.com/4zrnzvv7>; see Sam Levine, *January 6 Defendants Pursue Millions in Claims Through Obscure Federal Process*, The Guardian (June 17, 2026), <https://tinyurl.com/mr3zr3rs>; see Fitzpatrick, *supra* n.18; see Delaney & Jamieson, *supra* n.8; see Cohen et al., *supra* n.14; see Romero & Charalambous, *supra* n.41; see Rebecca Beitsch, *DOJ Has Other Routes to Payouts Beyond Trump ‘Anti-Weaponization’ Fund*, The Hill (June 7, 2026), <https://tinyurl.com/4ybf78w3>; see Dan Mangan, *Judge Blocks DOJ ‘Anti-Weaponization’ Fund for Longer, Wants Guarantee It’s Dead*, CNBC (June 12, 2026), <https://tinyurl.com/yskc3hz5>.

⁵² Letter from Alex Padilla, Ranking Member, Senate Committee on Rules and Administration, et al., to Pam Bondi, United States Attorney General (May 2, 2025), available at <https://tinyurl.com/yxx7zw46>; Letter from Alex Padilla, Ranking Member, Senate Committee on Rules and Administration, et al., to Pam Bondi, United States Attorney General (Sept. 29, 2025), available at <https://tinyurl.com/bdfkkrx> (hereinafter “September 29 letter”).

⁵³ September 29 letter, *supra* n.52.

The January 6 attack on the Capitol was a publicly broadcast and documented attack on American democracy, and the prosecution of those who participated in it was the largest prosecution in American history.⁵⁴ The American public deserves to know whether and on what basis January 6 Defendants are now seeking taxpayer funds as compensation for the prosecutions against them, and the disposition of those claims.

The American people have an interest in understanding the January 6 Defendants' claims and any determination on those claims so that the public can evaluate how effectively the DOJ is adhering to its commitment to "following the facts and the law wherever they may lead, without prejudice or improper influence."⁵⁵

The undersigned certifies that the representations in this expedited processing request are true and correct to the best of his/her knowledge and belief.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at lbingham@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 lbingham@citizensforethics.org and foia@citizensforethics.org or by mail to Lauren Bingham, Citizens for Responsibility and Ethics in Washington, PO Box 14596, Washington, D.C. 20004.

Sincerely,

/s/ Lauren Bingham

⁵⁴ Durkin Richer & Kunzelman, *supra* n.19.

⁵⁵ U.S. Dep't of Just., *About DOJ*, <https://tinyurl.com/k9rt9py4>.