

July 28, 2026

The Freedom of Information and Privacy Office  
Export-Import Bank of the United States  
811 Vermont Ave., NW  
Washington, D.C. 20571

**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 Export-Import Bank of the United States ("EXIM") regulations.<sup>1</sup>

Specifically, CREW requests:

1. All communications between EXIM personnel and Brandon Lutnick, Kyle Lutnick, Donald Trump, Jr., Eric Trump, Paul E. Mann, or Pini Althaus.
2. All records, including board minutes, related to any of the following entities, their subsidiaries, or their representatives:

1789 Capital  
American Ocean Minerals Corp.  
American Resources Corporation  
American Ventures  
ASP Isotopes  
Cantor Fitzgerald  
Cove Capital  
Cove Kaz Capital Group  
Critical Metals Corp.  
Dominari Securities  
Energy Fuels, Inc.  
Guardian Metal Resources  
Kaz Resources  
Less Common Metals Ltd.  
Perpetua Resources  
Quantum Leap Energy LLC  
ReElement  
Severnity Katpar LLP

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<sup>1</sup> See 12 C.F.R. §§ 404.1-404.13.

Skyline Builders  
Tau-Ken Samruk  
The Metals Company  
Tether  
Titan Mining  
Trilogy Metals  
USA Rare Earth  
Vulcan Elements  
Westwater Resources

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 the public's understanding of government activities. 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 requested records will allow the public to assess whether EXIM Board Member and Commerce Secretary Howard Lutnick used his offices to advance mining deals and increase his family's wealth or whether his business interests have otherwise influenced the conduct of EXIM. Last year, Secretary Lutnick negotiated an agreement with the government of Kazakhstan to allow Cove Kaz Capital Group ("Cove Kaz")—an American company in which Secretary Lutnick's and President Trump's adult children have a financial interest—to mine

the country's tungsten reserves.<sup>2</sup> Secretary Lutnick sent a letter to the Kazakh president urging him to accept the deal,<sup>3</sup> and EXIM and the U.S. International Development Finance Corporation, two federal agencies in which Secretary Lutnick sits on the Boards of Directors,<sup>4</sup> both issued letters of interest providing Cove Kaz Capital Group with tentative financing for the project.<sup>5</sup> At the same time that Secretary Lutnick was advocating for Cove Kaz, his and President Trump's sons were acquiring stakes in it. Cantor Fitzgerald, where Brandon Lutnick is now Chairman and Kyle Lutnick is now CEO, raised \$210 million for a company called ASP Isotopes ("ASP").<sup>6</sup> Donald Trump, Jr. and Eric Trump, invested in a subsidiary of ASP Isotopes called Skyline Builders through Dominari Subsidiaries, which they partially own.<sup>7</sup> Skyline, controlled by ASP, invested \$20 million in the project, and will invest an additional \$50 million upon its announced merger with Cove Kaz to form Kaz Resources, Inc.<sup>8</sup> Cove Kaz ultimately won the tungsten mining contract with Kazakhstan, and Secretary Lutnick himself signed the agreement on November 6, 2025.<sup>9</sup> Both Cantor Fitzgerald and Dominari Securities earned fees for their role in raising capital, and stand to profit from their ownership interest in the venture.<sup>10</sup> The New York Times identified at least 14 mining companies working on "critical mining deals with the U.S. government" that have ties to either the Trump or Lutnick families.<sup>11</sup> CREW is seeking records about these 14 companies and others referenced in the New York Times' reporting or linked sources.<sup>12</sup> The requested records will show the extent to which Secretary Lutnick's and his family's mining interests have influenced his or EXIM's conduct, what role Secretary Lutnick's official position may have played in the conduct of such business, and the extent to which EXIM has taken any steps to mitigate the conflicts of interest posed by those ties.

Moreover, CREW seeks the records for non-commercial purposes. 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

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<sup>2</sup> Paul Sonne & Eric Lipton, *Trump Cut a Billion-Dollar Mining Deal. His Sons Stand to Profit.*, N.Y. Times (June 28, 2026),

<https://www.nytimes.com/2026/06/28/world/europe/trump-lutnick-sons-kazakhstan.html>.

<sup>3</sup> *Id.*; see also *Read the Document*, N.Y. Times (June 28, 2026),

<https://www.nytimes.com/interactive/2026/06/28/us/2025lutnick-and-dfc-letters.html>.

<sup>4</sup> *Leadership & Governance*, Exp.-Imp. Bank of the U.S., <https://www.exim.gov/leadership-governance> (last visited July 20, 2026); *Board of Directors*, U.S. Int'l Dev. Fin. Corp., <https://www.dfc.gov/who-we-are/our-people/board-directors> (last visited July 20, 2026).

<sup>5</sup> Sonne & Lipton, *supra* note 2; *Read the Document*, *supra* note 3.

<sup>6</sup> Sonne & Lipton, *supra* note 2.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Sonne & Lipton, *supra* note 2; see also Press Office of the President of Kazakhstan (@aqorda\_press), X (Nov. 6, 2025, at 3:23 P.M. ET), [https://x.com/aqorda\\_press/status/1986454507023438209](https://x.com/aqorda_press/status/1986454507023438209).

<sup>10</sup> Sonne & Lipton, *supra* note 2.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

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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.

### **Conclusion**

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

Sincerely,

Cynthia Brown  
Senior Ethics Counsel