

April 22, 2019

BY FAX: 202-343-4011

Dr. James V.M.L. Holzer
Deputy Chief FOIA Officer
The Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655

Re: Freedom of Information Act Request

Dear Dr. Holzer:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and US Department of Homeland Security (“DHS”) regulations.

First, CREW requests copies of all communications between Chad Wolf, then-Vice president at Wexler | Walker, and any official at DHS within the Office of the Secretary, the Office of the Deputy Secretary, or the Office of Operations Coordination between January 20, 2016 and January 20, 2017.

Second, CREW requests copies of all communications between Chad Wolf, an official at DHS, and the following employees at Wexler | Walker and/or Hill+Knowlton, including: Jody Hoffman, Natalie Nehme, George Rogers, Dale Snape, Patrice Stanley, Robert Walker, and Daniel Wexler between June 1, 2017 and present.

Third, CREW requests copies of all communications to or from Chad Wolf, an official at DHS, mentioning or pertaining to the following employees at Wexler | Walker and/or Hill+Knowlton, including: Jody Hoffman, Natalie Nehme, George Rogers, Dale Snape, Patrice Stanley, Robert Walker, and Daniel Wexler between June 1, 2017 and present.

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, as well as those who were 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).

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and TVA 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* 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).

Prior to joining the Trump Administration, Chad Wolf worked as a vice president at the lobbying firm Wexler | Walker. Mr. Wolf left Wexler | Walker in January 2017 and became Chief of Staff at the Transportation Security Administration (“TSA”) shortly thereafter.¹ According to public reports, during his tenure at the firm, Wolf lobbied TSA directly, and tried to persuade the agency to spend millions of dollars on a carry-on luggage screening device on behalf of an industry client.² After a brief stint as TSA Chief of Staff, Wolf was promoted to Deputy Chief of Staff and then Chief of Staff at DHS.³ In February 2019, President Trump announced his intention to nominate Wolf to be the Under Secretary for Strategy, Policy and Plans at DHS.⁴

During his tenure at DHS, several of Wolf’s former lobbying firm colleagues have lobbied the agency.⁵ The requested records will shed light on the extent to which Wolf’s former colleagues have lobbied him during his tenure at DHS and if Wolf responded to any such overtures. This information is also relevant to how DHS monitors compliance with relevant ethical standards including, but not limited to ethics agreements and the Trump Administration ethics pledge, codified in Executive Order 13770. The public is entitled to know whether key

¹ ProPublica, *Trump Town: Homeland Security: Chad Wolf*, available at <https://projects.propublica.org/trump-town/staffers/chad-f-wolf>, accessed Apr. 19, 2019.

² *Id.*

³ LinkedIn, Chad Wolf, available at <https://www.linkedin.com/in/chad-wolf-314a193/>, accessed Apr. 19, 2019.

⁴ U.S. Department of Homeland Security, *Secretary Nielsen Statement on the Nomination of Chad Wolf*, Feb. 15, 2019, available at <https://www.dhs.gov/news/2019/02/15/secretary-nielsen-statement-nomination-chad-wolf>.

⁵ *See, e.g.,* Lobbying Report, Clerk of the House of Representatives, Wexler | Walker, a unit of Hill+Knowlton Strategies, LLC, Q1 2017, available at <http://disclosures.house.gov/ld/ldxmlrelease/2017/Q3/300914701.xml>.

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decisions at DHS are impacted by lobbyists and special interests who gain access through former employees now in government positions.

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, and through www.scribd.com. 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 and systematically disseminates information to the public in several ways. CREW's website receives tens 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. In addition, CREW posts documents it receives under the FOIA on its website, and those documents have been visited hundreds of thousands of times.

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 contact me at (202) 408-5565 or aweismann@citizensforethics.org. Also, if CREW's request for a fee waiver is not granted in full, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to me either at aweismann@citizensforethics.org or at Anne L. Weismann, Citizens for

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Responsibility and Ethics in Washington, 1101 K Street, N.W., Suite 201, Washington, D.C. 20005. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anne L. Weismann', with a long horizontal flourish extending to the right.

Anne L. Weismann
Chief FOIA Counsel