

United States Senate

WASHINGTON, DC 20510

November 21, 2025

Christina Butler
Chief, FOIA/PA Unit
Criminal Division
Department of Justice
950 Constitution Ave, NW
Washington, DC 20530

Dear FOIA Officer:

Implicit in Article I of the Constitution is Congress's power of inquiry, which is an essential component of Congress's legislative and oversight functions. Concurrent with inquiries we have made to the Department of Justice pursuant to our Article I oversight authority, which have not yet received a response, we are submitting a parallel expedited request under the Freedom of Information Act, 5 U.S.C. § 552, and 28 C.F.R. Part 16, for the following records.

Requested Records

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Please produce within twenty business days the following records:

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2. All communications between White House officials and Department of Justice or FBI employees related to closing this investigation. Your office is in the best position to identify where responsive records are likely to reside, but at a minimum, a reasonable search for responsive records should include:
 - a. Office of the Attorney General;
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 - d. Federal Bureau of Investigation, Dallas Field Office;
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 - f. Executive Office for United States Attorneys for the Western District of Texas.
3. All records reflecting, and any, video or audio recordings of Tom Homan interacting with undercover FBI agents, including accepting money from such agents.
4. All records reflecting Department of Justice or FBI approval of the disbursement or use of the confidential funds delivered to Homan as part of this investigation.

5. All records reflecting an audit or accounting of the confidential funds delivered to Homan, including records of wires or audits by the FBI's Commercial Payments and Confidential Services Unit.
6. All records reflecting applications for access to Homan's tax returns pursuant to 26 U.S.C. § 6103(i), section 9-13.900 of the Justice Manual, or any other authority.
7. All court orders granting or denying access to Homan's tax returns.

For all parts of this request, please provide all responsive records from September 1, 2024, through the date the search is conducted. Please note that this request does not seek Homan's tax returns or return information.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 28 C.F.R. § 16.10(k), a waiver of fees associated with processing this request is appropriate. Disclosure of the requested information is in the public interest because it (i) would shed light on the operations or activities of the government; (ii) would contribute significantly to the general public's understanding of government operations and activities; and (iii) is necessary to carry out Congress's Article I oversight functions, as opposed to for a commercial purpose.

First, disclosure of the requested records would shed light on the circumstances surrounding the public corruption investigation of Tom Homan and the decision to close that investigation. Public reporting indicates that Homan, who now serves as White House "Border Czar," accepted a \$50,000 bribe from undercover FBI agents in exchange for offering to secure government contracts in the future should Donald Trump win the 2024 presidential election. *See, e.g., Carol Leonnig and Ken Dilanian, Tom Homan was investigated for accepting \$50,000 from undercover FBI agents. Trump's DOJ shut it down, MSNBC (Sept. 20, 2025), <https://www.msnbc.com/msnbc/news/tom-homan-cash-contracts-trump-doj-investigation-rcna232568>.* Congress and the public have a strong interest in knowing whether this exchange occurred; whether Homan acted unlawfully; and, if so, why the investigation was closed with no action.

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Third, the request is wholly for non-commercial purposes. Our Senate offices operate as part of the federal government. We seek the requested information not for commercial use, but to aid in congressional oversight, good government, and transparency for the American people.

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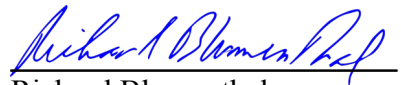
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United States Senator
Ranking Member,
Subcommittee on Federal
Courts, Oversight, Agency
Action, and Federal Rights



Richard Blumenthal
United States Senator



Adam B. Schiff
United States Senator

United States Senate

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Kevin Krebs
Assistant Director
FOIA/Privacy Unit
Executive Office for United States Attorneys
175 N Street, NE, Suite 5.400
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Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Federal Bureau of Investigation
200 Constitution Drive
Winchester, VA 22602

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Andrew Fiorillo
Chief, Initial Request Staff
Office of the Attorney General
Office of the Deputy Attorney General
Office of Information Policy
Department of Justice
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Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 28 C.F.R. § 16.10(k), a waiver of fees associated with processing this request is appropriate. Disclosure of the requested information is in the public interest because it (i) would shed light on the operations or activities of the government; (ii) would contribute significantly to the general public's understanding of government operations and activities; and (iii) is necessary to carry out Congress's Article I oversight functions, as opposed to for a commercial purpose.

First, disclosure of the requested records would shed light on the circumstances surrounding the public corruption investigation of Tom Homan and the decision to close that investigation. Public reporting indicates that Homan, who now serves as White House "Border Czar," accepted a \$50,000 bribe from undercover FBI agents in exchange for offering to secure government contracts in the future should Donald Trump win the 2024 presidential election. *See, e.g.,* Carol Leonnig and Ken Dilanian, *Tom Homan was investigated for accepting \$50,000 from undercover FBI agents. Trump's DOJ shut it down*, MSNBC (Sept. 20, 2025), <https://www.msnbc.com/msnbc/news/tom-homan-cash-contracts-trump-doj-investigation-rcna232568>. Congress and the public have a strong interest in knowing whether this exchange occurred; whether Homan acted unlawfully; and, if so, why the investigation was closed with no action.

Second, disclosure of the requested records would contribute significantly to the general public's understanding of the circumstances surrounding the bribery investigation and Homan's actions, what happened to the money after Homan accepted it, and why the investigation was closed. This information is not already in the public domain, despite several congressional oversight requests, and Homan and administration officials have given conflicting accounts. Upon receipt of these records, we intend to disseminate pertinent information along with our analysis through publication on our offices' various platforms, which will enhance the public's understanding of the government's activities.

Third, the request is wholly for non-commercial purposes. Our Senate offices operate as part of the federal government. We seek the requested information not for commercial use, but to aid in congressional oversight, good government, and transparency for the American people.

Expedited Processing Request

Pursuant to 5 U.S.C. 552(a)(6)(E) and 28 C.F.R. § 16.5(e)(1)(ii) and (iv), expedited processing is warranted. Expedition is required when there is a compelling need for the requested information, including where requests involve urgency to inform the public concerning actual or alleged federal government activity or a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence. We certify to be true and correct to the best of our knowledge that circumstances warranting expedited processing exist here.

First, Congress has the constitutional authority to legislate and conduct oversight and is entitled to the expeditious disclosure of information to facilitate those processes. The requested information relates to potential public corruption, and timely provision of this information is vital for Congress to perform its constitutionally mandated legislative and oversight functions.

Second, it is urgent that the public understand whether a high-ranking government official engaged in illicit activity, as well as why the investigation was suddenly closed. Upon receipt of these records, we intend to disseminate pertinent information along with our analysis through publication on our offices' various platforms.

Third, there is widespread and exceptional media interest in this matter, which, as explained above, raises questions about the government's integrity that affect public confidence. *See e.g.*, Jacob Wendler, *Border czar Tom Homan denies he took \$50K from undercover agents*, Politico (Oct. 16, 2025), <https://www.politico.com/news/2025/10/16/tom-homan-50k-sting-operation-00611219>; Alexander Mallin et al., *Bondi rips Democratic senators, dodges questions on 'weaponization' and Homan during fiery hearing*, ABC News (Oct. 7, 2025), <https://abcnews.go.com/Politics/democrats-highlight-doj-weaponization-epstein-files-bondis-senate/story?id=126260560>; Sarah Lynch, *Trump aide Homan accepted \$50,000 in bribery sting operation, sources say*, Reuters (Sept. 22, 2025), <https://www.reuters.com/world/us/trump-aide-homan-accepted-50000-bribery-sting-operation-sources-say-2025-09-21/>.

Guidance Regarding the Search & Processing of Requested Records

Please search for responsive records regardless of format, medium, or physical characteristics. In conducting the search, please construe the terms “record,” “document,” and “information” in their broadest sense, including any written, typed, recorded, graphic, printed, or audio or video material of any kind. Any request for “records” includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. Any request for “communications” includes, but is not limited to, emails, letters, memoranda, calendar invitations, text messages, direct messages, and attachments thereto. To the extent that an email is responsive to a request, the request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA.

FOIA requires agencies to disclose records to Congress that may otherwise be withheld from the public. 5 U.S.C. § 552(d). If it is your position that any of the requested documents are nonetheless exempted from disclosure requirements, please provide a *Vaughn* index as required by *Vaughn v. Rosen*, 484 F. 2d 820 (D.C. Cir. 1973); *see also Roth v. U.S. Dept. of Justice*, 642 F. 3d 1161, 1185 (D.C. Cir. 2011)

("Under our case law, agencies invoking a FOIA exemption must provide a specific, detailed explanation of why the exemption applies to the withheld materials."). FOIA also requires agencies to release "any reasonably segregable portions" of documents that may be partially exempt and to prepare "an index relating any withheld portions to specific FOIA exemptions." *Lykins v. U.S. Dept. of Justice*, 725 F.2d 1455, 1466 (D.C. Cir. 1984).

Where possible, please provide responsive material in an electronic format by email. Please send any responsive material being sent by email to Annie_Owens@judiciary-dem.senate.gov. Please send any material being mailed to Sheldon Whitehouse, 530 Hart Senate Office Building, Washington, D.C. 20510. If it will accelerate release of responsive records, please provide responsive material on a rolling basis.

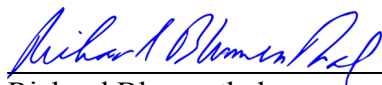
Conclusion

We look forward to working with the Department of Justice to ensure the timely and exhaustive disclosure of all non-exempt records responsive to this request. If you have any questions regarding how to construe this request or believe that further discussions regarding search and processing would facilitate a more efficient production, please do not hesitate to contact us. If the request for a fee waiver is denied in part or in full, please contact our offices immediately. Thank you for your consideration.

Sincerely,



Sheldon Whitehouse
United States Senator
Ranking Member,
Subcommittee on Federal
Courts, Oversight, Agency
Action, and Federal Rights



Richard Blumenthal
United States Senator



Adam B. Schiff
United States Senator