

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

CENTER FOR REPRODUCTIVE RIGHTS,  
1600 K Street NW  
Washington, DC 20006

No. 26-cv-205

Plaintiff,

v.

UNITED STATES DEPARTMENT OF JUSTICE,  
950 Pennsylvania Avenue NW  
Washington, DC 20530

Defendant.

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiff Center for Reproductive Rights (the Center) brings this Complaint against Defendant United States Department of Justice and alleges as follows:

**NATURE OF THE ACTION**

1. The Center brings this action to compel Defendant United States Department of Justice (DOJ) to produce records as required by the Freedom of Information Act (FOIA), 5 U.S.C. § 552.
2. The Center submitted a FOIA request to DOJ on August 29, 2025, seeking records regarding the enforcement of the Freedom of Access to Clinic Entrances Act (FACE Act) (the Enforcement FOIA Request). Ex. A. The Center also sought a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii).

3. DOJ's Civil Division responded to the Center's Enforcement FOIA Request on September 9, 2025. By letter dated January 15, 2026, DOJ's Civil Rights Division acknowledged that it received the request on January 6, 2026. DOJ has not otherwise responded to the request.

4. The Center submitted a second FOIA request to DOJ on November 21, 2025, seeking records regarding pardons issued to individuals convicted of violating the FACE Act (the Pardons FOIA Request). Ex. D. The Center also sought a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii).

5. By letter dated December 8, 2025, DOJ's Office of Information Policy acknowledged that it received the Pardons FOIA Request on November 21, 2025. By letter dated December 30, 2025, DOJ's Civil Rights Division acknowledged that it received the request on December 15, 2025. DOJ requested clarification of the request on January 15, 2026, and the Center responded on January 16, 2026. DOJ has not otherwise responded to the request.

6. DOJ has failed to make a determination as to either of the Center's record requests or fee waiver requests within the statutory timeframe. Because of DOJ's failure to adhere to the statutory requirements, this Court has jurisdiction to adjudicate the dispute now.

7. The Court should declare that DOJ's failure to respond, to search for records, or to produce documents in response to the Center's requests violates FOIA and should grant injunctive relief directing DOJ to conduct a search and to produce responsive documents to the Center immediately. The Court should further declare that the Center is entitled to a fee waiver for both of its requests.

## **PARTIES**

8. Plaintiff, the Center for Reproductive Rights, is a 501(c)(3) non-profit corporation incorporated in the State of New York and headquartered at 199 Water Street, New York, NY 10038. It also maintains an office in Washington, DC. The Center is dedicated to using the power of law to advance reproductive rights as fundamental human rights around the world. It is the only global legal advocacy organization dedicated to reproductive rights, and its litigation and advocacy has played a key role in expanding access to reproductive health care around the world.

9. Defendant, United States Department of Justice, is an agency of the United States government, with its principal office located at 950 Pennsylvania Avenue NW, Washington, DC, 20530. Defendant has possession, custody, and control of the records to which Plaintiff seeks access.

## **JURISDICTION AND VENUE**

10. This action seeks declaratory and injunctive relief under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

11. This Court has subject matter jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B). Subject matter jurisdiction is also proper under 28 U.S.C. § 1331 because the cause of action asserted arises under the laws of the United States.

12. Venue in this court is appropriate pursuant to 5 U.S.C. § 552(a)(4)(B).

13. The Center is not required to further exhaust its administrative remedies because, under FOIA, a requestor of records “shall be deemed to have exhausted his administrative remedies with respect to [a] request if the agency fails to comply with the applicable time limit” for

providing a response to a FOIA request. 5 U.S.C. § 552(a)(6)(C)(i). As detailed below, DOJ did not provide the Center with a response to its FOIA requests within the time period required by the statute.

## BACKGROUND

### A. The FACE Act and Violence Surrounding Reproductive Healthcare

14. In 1993, Congress passed the Freedom of Access to Clinic Entrances Act (FACE Act) with bipartisan support. *See* Pub. L. No. 103-259, 108 Stat. 694 (1994), codified as 18 U.S.C. § 248; Freedom of Access to Clinic Entrances Act of 1993, H.R. 796, 103rd Cong. (1993); Freedom of Access to Clinic Entrances Act of 1994, S. 636, 103rd Cong. (1993).

15. The FACE Act was enacted “in the wake of continuing violence against, and other forcible interference with, abortion clinics, their staffs, and their clientele by radical elements of the anti-abortion movement.” *United States v. Soderna*, 82 F.3d 1370, 1372 (7th Cir. 1996). Specifically, Congress found that there was “growing violence accompanying the debate over the continued legality and availability of abortion and other reproductive health services,” resulting in “death, injury, harassment, fear, and thousands of arrests all across the nation.” H.R. Rep. No. 103-306 (1993), *as reprinted in* 1994 U.S.C.C.A.N. 699, 699, 703.

16. In the two decades following the Supreme Court’s decision in *Roe v. Wade*, 410 U.S. 113 (1973), activists had perpetrated more than 1,000 acts of violence against abortion providers, including at least 42 bombings, 102 arsons or attempted arsons, 84 assaults, two kidnappings, 327 clinic invasions, 9 shootings, 16 burglaries, 4 murders, and numerous death threats and violent confrontations. Arianne K. Tepper, *In Your F.A.C.E.: Federal Enforcement of*

*the Freedom of Access to Clinic Entrances Act of 1993*, 17 Pace L. Rev. 489, 493 (1997); *see* S. Rep. No. 103-117, at 3 (1993). In 1993, anti-abortion activists murdered Dr. David Gunn at the Pensacola Women's Medical Services Clinic in Florida. S. Rep. No. 103-117, at 3-4. An organization had posted "Wanted" posters with his name, address, phone number, and work schedule prior to the murder. *Id.*

17. By 1993, "[a]nti-abortion activists ha[d] made it plain that" the rising tide of violence was "part of a deliberate campaign to eliminate access by closing clinics and intimidating doctors." S. Rep. No. 103-117, at 11. Indeed, a coordinator for the organization whose members murdered Dr. Gunn testified before Congress that "it is justified to destroy the abortion facilities and ... terminate an abortionist." *Id.* at 4.

18. The FACE Act was Congress's response to the rising tide of anti-abortion violence. Congress's stated purpose in enacting the FACE Act was to "promote the public safety and health and activities affecting interstate commerce by establishing Federal criminal penalties and civil remedies for certain violent, threatening, obstructive and destructive conduct that is intended to injure, intimidate or interfere with persons seeking to obtain or provide reproductive health services." Pub. L. No. 103-259 § 2. The FACE Act thus relevantly subjects to criminal and civil penalties whoever: (1) does or attempts to "by force or threat of force or by physical obstruction, intentionally injure[], intimidate[] or interfere[] with ... any person because that person is or has been," or to intimidate such person from, "obtaining or providing reproductive health services;" or (2) "intentionally damages or destroys the property of a facility, or attempts to do so, because such facility provides reproductive health services." 18 U.S.C. § 248(a). The Act creates a private

civil cause of action for injunctive relief and compensatory and punitive damages. *Id.* § 248(c)(1). It also authorizes the Attorney General of the United States and State Attorneys General to bring civil causes of action for injunctive relief, compensatory damages, and civil penalties. *Id.* § 248(c)(2), (c)(3).

**B. Increased Violence Following *Dobbs***

19. The violence that moved Congress to enact the FACE Act not only persists but has intensified following the Supreme Court’s 2022 decision in *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. 215, which overturned *Roe v. Wade*, 410 U.S. 113 (1973).

20. Since *Dobbs*, the number of reports of stalking of abortion clinic staff and patients rose from 4 in 2020 to 37 in 2023 and 2024 combined. *Compare* Nat’l Abortion Fed., *2020 Violence and Disruption Statistics*, [perma.cc/UA98-XX7Q](https://perma.cc/UA98-XX7Q), *with* Nat’l Abortion Fed., *NAF 2024 Violence & Disruption Rep.*, [perma.cc/8QAF-MZXG](https://perma.cc/8QAF-MZXG). In addition to reports of stalking, there were 621 instances of trespassing and 296 death threats or threats of other harms to abortion clinic staff and patients. *NAF 2024 Violence & Disruption Rep.* And in 2023 and 2024, there were also three instances of arson and thirteen abortion clinic invasions. *Id.*

**C. Current Non-Enforcement of the FACE Act**

21. Despite the continued and increased violence against individuals seeking and facilities providing reproductive healthcare that Congress sought to remedy with the FACE Act, the current administration has forthrightly retreated from enforcing the Act.

22. Three days after his inauguration, President Trump issued an executive grant of clemency that directed DOJ to pardon 23 individuals convicted of violating the FACE Act. *See* Dep’t of Justice, *Executive Grant of Clemency* (Jan. 23, 2025), [perma.cc/7TVW-YS5C](https://perma.cc/7TVW-YS5C).<sup>1</sup>

23. The next day, the Acting Associate Attorney General (AAAG), under the direction of President Trump, instructed DOJ’s Civil Rights Division to dismiss, with prejudice, pending abortion-related FACE Act prosecutions. *See* U.S. Dep’t of Justice, *FACE Act Charging Policy* (Jan. 24, 2025), [perma.cc/98UR-626N](https://perma.cc/98UR-626N). The AAAG further instructed that “future abortion-related FACE Act prosecutions and civil actions will be permitted only in extraordinary circumstances,” and that such actions require “authorization from the Assistant Attorney General for the Civil Rights Division.” *Id.*

#### **D. The Center’s FOIA Requests**

24. On August 29, 2025, the Center submitted a FOIA request to DOJ seeking records regarding the enforcement of the FACE Act. The Enforcement FOIA Request included, among other things, “all communications” regarding: “FACE Act enforcement discretion”; “updated and/or new policies and procedures to determine what circumstances rise to a FACE Act violation”; and “active and pending litigation related to FACE Act enforcement and the decision

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<sup>1</sup> The cases cited in the executive grant of clemency make clear that all individuals were being pardoned for FACE Act offenses. *See* Indictment, *United States v. Lauren Handy et al.*, No. 1:22-cr-00096 (D.D.C. Mar. 24, 2022), Dkt. No. 1; Indictment, *United States v. Chester Gallagher et al.*, No. 3:22-cr-00327 (M.D. Tenn. Oct. 3, 2022), Dkt. No. 3; Indictment, *United States v. Calvin Zastrow et al.*, No. 2: 23-cr-20100 (E.D. Mich. Feb. 15, 2023), Dkt. No. 1; Indictment, *United States v. Bevelyn Beatty Williams et al.*, No. 22-cr-00684 (S.D.N.Y. Dec. 13, 2022), Dkt. No. 2; Affidavit and Complaint in Support of an Application for an Arrest Warrant, *United States v. Christopher Moscinski*, No. 2:22-cr-00485 (E.D.N.Y.) (Sept. 28, 2022), Dkt. No. 1.

to dismiss or maintain such litigation.” The Center’s request seeks records between January 20, 2025, and the date DOJ’s search is conducted. Ex. A.

25. The Enforcement FOIA Request also includes a request for a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii) because disclosure of the requested information would “contribut[e] significantly to the public understanding of FACE Act enforcement and whether or not DOJ will continue to ensure that all victims of violence, including abortion clinics, staff, and patients will be protected under the law.” Ex. A.

26. The Enforcement FOIA Request was initially submitted to DOJ’s Civil Division. On September 9, 2025, DOJ’s Civil Division FOIA Office responded to the email transmitting the Center’s FOIA request, asking whether it “mean[t] to submit a request to the Civil Rights Division or Civil Division.” Ex. B. DOJ thus received the Center’s Enforcement FOIA request no later than September 9, 2025.

27. Also on September 9, 2025, the Center confirmed that its “request [wa]s intended for the Civil Rights Division” and asked that its request be routed to that Division. DOJ responded that same day: “Yes. We will do that for you.” Ex. B.

28. By letter dated January 15, 2026, DOJ’s Civil Rights Division FOIA Office acknowledged that it received the Enforcement FOIA Request on January 6, 2026. It “assured” that the request would be handled “as equitably and promptly as possible.” Ex. C.<sup>2</sup>

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<sup>2</sup> Though the Center sent its FOIA request on August 29, 2025, and DOJ’s Civil Division FOIA Office received that request by September 9, 2025, the acknowledgement of receipt from DOJ’s Civil Rights Division’s FOIA Office listed the date of receipt as January 6, 2026. Ex. C.



29. The Enforcement FOIA request was assigned DOJ FOIA Control No 26-00169-F.

30. On November 21, 2025, the Center submitted a second FOIA request to DOJ seeking various records “related to any and all individuals granted clemency by the 2025 FACE Act pardons.” The Pardons FOIA Request seeks records between November 5, 2024, and the date DOJ’s search is conducted. Ex. D.

31. The Pardons FOIA Request also includes a request for a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii) because disclosure of the requested information would “contribut[e] significantly to the public understanding of FACE Act enforcement and whether or not DOJ will continue to ensure that all victims of violence, including abortion clinics, staff, and patients will be protected under the law.” Ex. D.

32. Though the Pardons FOIA Request was addressed to DOJ’s Civil Rights Division, DOJ directed the request to its Office of Information Policy. Ex. E.

33. By letter dated December 8, 2025, DOJ’s Office of Information Policy acknowledged that it received the Center’s request on November 21, 2025. The Office of Information Policy stated that it had forwarded the Center’s request to the Civil Rights Division “for processing and direct response to [the Center].” Ex. F.

34. At that time, the Pardons FOIA Request was assigned DOJ FOIA Control No. 2025-00642.

35. By letter dated December 30, 2025, DOJ’s Civil Rights Division FOIA Office acknowledged that it received the Pardons FOIA Request on December 15, 2025. It “assured” the Center that the request would be handled “as equitably and promptly as possible.” Ex. G.

36. The Pardons FOIA Request was then assigned DOJ FOIA Control No. 26-00141-F.

37. On January 15, 2026, DOJ’s Civil Rights Division FOIA Office emailed the Center asking for clarification regarding the Pardons FOIA request. The Office asked whether the Center was “seeking records related to the Civil Rights Division (CRT) or documents related to clemency.” The Center responded on January 16, 2026, explaining that it “believe[d] [its] FOIA request ... [wa]s sufficiently clear for the agency to conduct the requisite searches” and that it was not limited to records held by any one DOJ component. Ex. H.

### LEGAL ARGUMENT

38. FOIA requires an agency, after receiving a “request for records which (i) reasonably describes such records and (ii) is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed, [to] make the records promptly available” to the requestor. 5 U.S.C. § 552(a)(6)(A)(i).

39. The Center’s FOIA requests include records and segregable material that are not subject to any FOIA Exemption. The records the Center seeks are thus not categorically exempt from disclosure under FOIA. *See Nation Magazine, Wash. Bureau v. U.S. Customs Serv.*, 71 F.3d 885, 893 (D.C. Cir. 1995).

40. The agency must “determine within 20 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any [proper FOIA] request whether to comply with such request and shall immediately notify the person making such request of . . . such determination

and the reasons therefor.” 5 U.S.C. § 552(a)(6)(A)(i). The agency must answer fee waiver requests within that same timeframe. *See Jud. Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1310 (D.C. Cir. 2003).

41. The agency’s 20-day period “shall commence on the date on which the request is first received by the appropriate component of the agency, *but in any event not later than ten days after the request is first received by any component of the agency* that is designated in the agency’s” FOIA regulations to receive FOIA requests. 5 U.S.C. § 552(a)(6)(A)(ii) (emphasis added).

42. DOJ’s Civil Division, Civil Rights Division, and Office of Information Policy are DOJ components authorized to receive FOIA requests. DOJ’s FOIA regulations state that “[a]ll components have the capability to receive requests electronically.” 28 C.F.R. § 16.3(a)(1); *see also id.* (referencing “The [DOJ’s] FOIA Reference Guide”); Off. of Info. Policy, U.S. Dept. of Justice, *DOJ Reference Guide: Attachment B*, [perma.cc/H5WH-23TS](https://perma.cc/H5WH-23TS) (DOJ FOIA Reference Guide including, in the “Listing and Descriptions of Department of Justice Components,” the DOJ Civil Division, DOJ Office of Information Policy, and the DOJ Civil Rights Division).

43. For purposes of FOIA, DOJ received the Enforcement FOIA Request no later than September 23, 2025, which was ten business days after a component of DOJ acknowledged receipt of the request. DOJ did not satisfy the 20-day deadline in 5 U.S.C. § 552(a)(6)(A)(i) with respect to the Enforcement FOIA Request.

44. For purposes of FOIA, DOJ received the Pardons FOIA Request no later than December 5, 2025, which was ten business days after a component of DOJ acknowledged receipt of the request. DOJ did not satisfy the 20-day deadline in 5 U.S.C. § 552(a)(6)(A)(i) with respect to the Pardons FOIA Request.

45. FOIA’s 20-day deadline can be extended, in “unusual circumstances,” by no more than ten additional business days. 5 U.S.C. § 552(a)(6)(B)(i).

46. FOIA thus allows an agency a *maximum* of thirty working days within which to make a determination on a FOIA request. 5 U.S.C. § 552(a)(6)(A)-(B). The agency must then make responsive, nonexempt records “promptly available” to the requestor. *Id.* § 552(a)(3)(A).

47. It has been over four months since DOJ’s maximum statutory thirty-working-day window commenced with respect to the Enforcement FOIA Request. DOJ has not provided any records or otherwise issued a determination as to the Center’s records request and accompanying fee waiver request. Even assuming that “unusual circumstances” existed, DOJ did not meet its deadline to provide a response. In “unusual circumstances,” DOJ would at most have 30 business days from September 23, 2025—nearly three months ago—to make a determination on the Enforcement FOIA Request.

48. It has been almost two months since DOJ’s maximum statutory thirty-working-day window commenced with respect to the Pardons FOIA Request. DOJ has not provided any records or otherwise issued a determination as to the Center’s records request and accompanying fee waiver request. Even assuming that “unusual circumstances” existed, DOJ did not meet its deadline to provide a response. In “unusual circumstances,” DOJ would at most have 30 business days from December 5, 2025, to make a determination on the Enforcement FOIA Request. That time has elapsed without a response.

49. “[I]n order to make a ‘determination’ and thereby trigger the administrative exhaustion requirement, the agency must at least: (i) gather and review the documents; (ii)

determine and communicate the scope of the documents it intends to produce and withhold, and the reasons for withholding any documents; and (iii) inform the requester that it can appeal whatever portion of the ‘determination’ is adverse.” *Citizens for Resp. & Ethics in Wash. v. FEC*, 711 F.3d 180, 188 (D.C. Cir. 2013).

50. On information and belief, DOJ has not satisfied any of these basic requirements for either of the Center’s FOIA requests. It has not conducted a search for responsive documents. It has not determined—and certainly has not communicated—the scope of documents to be withheld and disclosed. And DOJ has not informed the Center of any determination regarding its requests, including concerning the appealability of any adverse portions of the determination.

51. DOJ thus has yet to issue a determination on the requests or produce any responsive documents. It has exceeded the maximum statutory thirty-working-day window for each of the Center’s FOIA requests. *See* 5 U.S.C. § 552(a)(6)(A)-(B). No administrative exhaustion requirement applies to either FOIA request.

52. The agency is subject to the same maximum statutory thirty-working-day window to answer a fee waiver request accompanying a records request. *See Jud. Watch, Inc.*, 326 F.3d at 1310. “A [fee waiver] requestor is considered to have constructively exhausted administrative remedies and may seek judicial review immediately if ... the agency fails to answer the request” within the statutory timeline. *Id.*

53. DOJ has yet to answer the Center’s fee waiver requests accompanying its records requests. It has exceeded the maximum statutory thirty-working-day window for the fee waiver

requests in each of the Center's FOIA requests. 5 U.S.C. § 552(a)(6)(A)-(B). No administrative exhaustion requirement applies to either fee waiver request.

54. FOIA requires that “[d]ocuments shall be furnished without any charge or at a charge reduced below the fees established [by the agency] if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).

55. Disclosure of the records requested by the Center's FOIA requests is not primarily in the commercial interest of the Center and is likely to contribute to the public interest. Disclosure will contribute significantly to public understanding of the Trump administration's enforcement of the FACE Act.

56. FOIA authorizes a district court to stay proceedings and “allow the agency additional time to complete its review of the records” only if “the Government can show [that] exceptional circumstances exist and that the agency is exercising due diligence in responding to the request.” 5 U.S.C. § 552(a)(6)(C)(i). The burden of demonstrating exceptional circumstances is on the agency. *Id.*

57. A stay is not warranted here because DOJ cannot show either “exceptional circumstances” or that it is responding to the Center's requests with due diligence.

58. In order to show that exceptional circumstances exist, “[a]n agency must show more than a great number of requests” (*Leadership Conf. on Civil Rights v. Gonzales*, 404 F. Supp. 2d 246, 259 n.4 (D.D.C. 2005)); it must also show that “the number of requests received in the relevant

period was truly unforeseen and remarkable” or that it is making progress in reducing its backlog of requests (*Daily Caller News Found. v. FBI*, 387 F. Supp. 3d 112, 116 (D.D.C. 2019)).

59. Here, the available data demonstrate that DOJ’s current load of FOIA requests is neither unforeseen nor remarkable and that DOJ is not making any progress on its backlog.

60. The number of FOIA requests received by DOJ each year has remained relatively stable over the last few years. Indeed, the most recent data on the number of requests received by DOJ shows that it is substantially lower than its peak in 2017.<sup>3</sup>

Year	Number of Requests Received by DOJ
FY2024	414
FY2023	377
FY2022	327
FY2021	312
FY2020	265
FY2019	307
FY2018	421
FY2017	459

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<sup>3</sup> Data taken from the Department of Justice Freedom of Information Annual Reports (<https://www.justice.gov/oip/reports-1#s1>). Data represents FOIA requests received by DOJ’s Civil Rights Division specifically.

61. Given the relative stability of DOJ's inflow of requests, DOJ cannot credibly claim that its current FOIA workload is unforeseeably or unusually high.

62. The data also indicate that DOJ has not been making reasonable progress in reducing its backlog of requests. On the contrary, the data indicate that DOJ's backlog has grown substantially in the most recent fiscal years with reported data.<sup>4</sup>

<b>Fiscal Year</b>	<b>Number of Backlogged Requests at FY End</b>
FY2024	339
FY2023	427
FY2022	381
FY2021	266
FY2020	188
FY2019	147
FY2018	125
FY2017	96

63. Because DOJ is neither dealing with an unforeseen level of FOIA requests nor making progress on its FOIA backlog, it cannot show the "exceptional circumstances" required to warrant a stay.

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<sup>4</sup> Data taken from the Department of Justice Freedom of Information Annual Reports (<https://www.justice.gov/oip/reports-1#s1>). Data represents backlogged FOIA requests with DOJ's Civil Rights Division specifically.



64. Even if “exceptional circumstances” existed, a stay would be unwarranted because DOJ cannot show that it is responding to the Center’s requests with due diligence.

## **CLAIMS**

### **COUNT I**

#### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Conduct Adequate Search Enforcement FOIA Request**

65. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

66. FOIA requires agencies, upon receipt of a request for agency records that reasonably describes the records sought and conforms to applicable to procedural rules, to “make reasonable efforts to search for the records.” 5 U.S.C. § 552(a)(3)(C).

67. The Center’s FOIA request dated August 29, 2025, reasonably describes documents sought and conforms to applicable procedure. FOIA therefore requires DOJ to make a determination on the request and to produce documents without delay.

68. DOJ’s failure to conduct a reasonable search for records responsive to the Center’s FOIA request violates 5 U.S.C. § 552(a)(3)(C).

### **COUNT II**

#### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Respond within Time Required Enforcement FOIA Request**

69. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

70. FOIA requires agencies, upon receipt of a request for agency records that reasonably describes the records sought and conforms to applicable procedural rules, to “determine . . . whether to comply with such request” and “immediately notify the person making such request.” 5 U.S.C. § 552(a)(6)(A)(i). DOJ must make this determination “within 20 days (excepting Saturdays, Sundays, and legal public holidays)” and FOIA permits a ten business-day extension in “exceptional circumstances” for a maximum of 30 business days. *Id.* § 552(a)(6)(A)(i), (B)(i). This maximum thirty-working-day window commences “not later than ten days after the request is first received by any component of the agency that is designated in the agency’s” FOIA regulations to receive FOIA requests. *Id.* § 552(a)(6)(A)(ii). The agency must answer a fee waiver request accompanying a FOIA request within this same maximum thirty-working-day window. *See Jud. Watch, Inc.*, 326 F.3d at 1310.

71. The Center’s FOIA request dated August 25, 2025, reasonably describes documents sought and conforms to applicable procedure. FOIA therefore requires DOJ to make a determination on the records request and accompanying fee waiver request and to produce responsive documents without delay.

72. To date, DOJ has not responded to the Center’s records request or accompanying fee waiver request. DOJ’s 30-business-day deadline has passed. DOJ’s failure to respond to the Center’s request thus violates FOIA.

### **COUNT III**

#### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Provide Responsive Records Enforcement FOIA Request**

73. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

74. FOIA requires agencies, upon receipt of a request for agency records that reasonably describes the records sought and conforms to applicable procedural rules, to “make the records promptly available.” 5 U.S.C. § 552(a)(3)(A).

75. The Center’s FOIA request dated August 29, 2025, reasonably describes documents sought and conforms to applicable procedure. FOIA therefore requires DOJ to produce responsive documents without delay.

76. DOJ’s failure to provide the responsive, nonexempt records thus violates FOIA.

### **COUNT IV**

#### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Grant Fee Waiver Request Enforcement FOIA Request**

77. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

78. FOIA requires that “[d]ocuments shall be furnished without any charge or at a charge reduced below the fees established [by the agency] if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).

79. The Center’s Enforcement FOIA Request includes a request for a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii).

80. Disclosure of the records requested in the Enforcement FOIA Request is not primarily in the commercial interest of the Center.

81. Disclosure of the records requested in the Enforcement FOIA Request is in the public interest. It is likely to contribute significantly to public understanding of the Trump administration’s enforcement of the FACE Act.

82. DOJ’s failure to grant the Center’s Enforcement FOIA Request thus violates FOIA.

## **COUNT V**

### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Conduct Adequate Search Pardons FOIA Request**

83. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

84. FOIA requires agencies, upon receipt of a request for agency records that reasonably describes the records sought and conforms to applicable procedural rules, to “make reasonable efforts to search for the records.” 5 U.S.C. § 552(a)(3)(C).

85. The Center’s FOIA request dated November 21, 2025, reasonably describes documents sought and conforms to applicable procedure. FOIA therefore requires DOJ to make a determination on the request and to produce documents without delay.

86. DOJ’s failure to conduct a reasonable search for records responsive to the Center’s FOIA request violates 5 U.S.C. § 552(a)(3)(C).

## COUNT VI

### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Respond within Time Required Pardons FOIA Request**

87. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

88. FOIA requires agencies, upon receipt of a request for agency records that reasonably describes the records sought and conforms to applicable procedural rules, to “determine . . . whether to comply with such request” and “immediately notify the person making such request.” 5 U.S.C. § 552(a)(6)(A)(i). DOJ must make this determination “within 20 days (excepting Saturdays, Sundays, and legal public holidays)” and FOIA permits a ten business-day extension in “exceptional circumstances” for a maximum of 30 business days. *Id.* § 552(a)(6)(A)(i), (B)(i). This maximum thirty-working-day window commences “not later than ten days after the request is first received by any component of the agency that is designated in the agency’s” FOIA regulations to receive FOIA requests. *Id.* § 552(a)(6)(A)(ii). The agency must answer a fee waiver request accompanying a FOIA request within this same maximum thirty-working-day window. *See Jud. Watch, Inc.*, 326 F.3d at 1310.

89. The Center’s FOIA request dated November 21, 2025, reasonably describes documents sought and conforms to applicable procedure. FOIA therefore requires DOJ to make a determination on the records request and accompanying fee waiver request and to produce responsive documents without delay.

90. To date, DOJ has not responded to the Center’s FOIA request or accompanying fee waiver request. DOJ’s 30-business-day deadline has passed. DOJ’s failure to respond to the Center’s request thus violates FOIA.

## **COUNT VII**

### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Provide Responsive Records Pardons FOIA Request**

91. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

92. FOIA requires agencies, upon receipt of a request for agency records that reasonably describes the records sought and conforms to applicable procedural rules, to “make the records promptly available.” 5 U.S.C. § 552(a)(3)(A).

93. The Center’s FOIA request dated November 21, 2025, reasonably describes documents sought and conforms to applicable procedure. FOIA therefore requires DOJ to produce responsive documents without delay.

94. DOJ’s failure to provide the responsive, nonexempt records thus violates FOIA.

## **COUNT VIII**

### **Freedom of Information Act, 5 U.S.C. § 552 — Failure to Grant Fee Waiver Request Pardons FOIA Request**

95. The Center hereby incorporates and re-alleges the foregoing paragraphs as though fully set forth herein.

96. FOIA requires that “[d]ocuments shall be furnished without any charge or at a charge reduced below the fees established [by the agency] if disclosure of the information is in the

public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).

97. The Center’s Pardons FOIA Request included a request for a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii).

98. Disclosure of the records requested in the Pardons FOIA Request is not primarily in the commercial interest of the Center.

99. Disclosure of the records requested in the Pardons FOIA Request is in the public interest. It is likely to contribute significantly to public understanding of the Trump administration’s enforcement of the FACE Act.

100. DOJ’s failure to grant the Center’s Pardons FOIA Request thus violates FOIA.

### **PRAYER FOR RELIEF**

WHEREFORE, The Center respectfully requests that this Court enter judgment in its favor and that the Court:

1. Declare that DOJ’s failure to respond, conduct a search, or produce responsive documents for four months after the commencement of the statutory deadline with respect to the Center’s Enforcement FOIA Request violates FOIA.
2. Declare that DOJ’s failure to respond, conduct a search, or produce responsive documents for nearly two months after the commencement of the statutory deadline with respect to the Center’s Pardons FOIA Request violates FOIA.

3. Declare that the Center is entitled to a fee waiver for its Enforcement FOIA Request.
4. Declare that the Center is entitled to a fee waiver for its Pardons FOIA Request.
5. Order that Defendant DOJ expeditiously conduct an adequate search for all records responsive to the Center's Enforcement FOIA request reasonably calculated to lead to discovery of all responsive records.
6. Order that Defendant DOJ expeditiously conduct an adequate search for all records responsive to the Center's Pardons FOIA request reasonably calculated to lead to discovery of all responsive records.
7. Order that Defendant DOJ process and disclose the documents requested in the Center's Enforcement FOIA Request in their entirety and promptly make copies available to the Center by a date certain.
8. Order that Defendant DOJ process and disclose the documents requested in the Center's Pardons FOIA Request in their entirety and promptly make copies available to the Center by a date certain.
9. Order that Defendant DOJ identify and justify by a date certain any responsive records or portions of responsive records it seeks to withhold.
10. Award the Center its costs and reasonable attorney's fees incurred in this action.
11. Award the Center such other and further relief as the Court may deem just and proper.



Dated: January 23, 2026

Respectfully submitted,

/s/ Sarah P. Hogarth  
Sarah P. Hogarth (Bar No. 1033884)  
Charles Seidell (Bar. No. 1670893)  
Aleena Ijaz (Bar. No. 90011116)  
McDERMOTT WILL & SCHULTE LLP  
500 North Capitol Street NW  
Washington, DC 20001  
(202) 756-8000  
shogarth@mwe.com

*Attorneys for Plaintiff*

# EXHIBIT A

August 29, 2025

Brian Flannigan  
Chief, FOIA and Privacy Office  
Civil Division, Department of Justice  
Room 8314  
1100 L Street, NW  
Washington, DC 20530-0001  
Email: [Civil.routing.FOIA@usdoj.gov](mailto:Civil.routing.FOIA@usdoj.gov)

Re: Request under the Freedom of Information Act

Dear Mr. Flannigan:

This letter constitutes a request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and implementing regulations of the United States Department of Justice (DOJ), 28 C.F.R. Part 16.

Since his inauguration, President Trump has prioritized upending<sup>1</sup> the statutory protections of the Freedom of Access to Clinic Entrances Act (FACE Act), which has been in effect since it was passed with bipartisan support in 1993.<sup>2</sup> In fact, as one of his first acts as President, he issued an executive grant of clemency, directing the DOJ to pardon 23 people convicted<sup>3</sup> of violating the FACE Act.<sup>4</sup> Furthermore, acting under the direction of the President, on January 24, 2024, the Acting Associate Attorney General of the DOJ (AAG) instructed DOJ's Civil Rights Division to dismiss, with prejudice, pending abortion-related FACE Act prosecutions.<sup>5</sup>

After the U.S. Supreme Court overturned *Roe v. Wade* in 2022, there has been a sharp increase in violence against abortion clinics, staff, and patients.<sup>6</sup> Since the decision, the number of reports of clinic obstructions rose from 45 in 2021 to 777 in 2023 and 2024 combined.<sup>7</sup> In addition to reports of obstruction, there were 621 instances of trespassing and 296 death threats or threats of other harms.<sup>8</sup> In 2023 and 2024, there were also three instances of arson and thirteen

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<sup>1</sup> *FACE Act Charging Policy*, U.S. DEP'T OF JUSTICE, (Jan. 24, 2025), available at <https://www.justice.gov/media/1386461/dl>.

<sup>2</sup> Freedom of Access to Clinic Entrances Act of 1993, H.R. 796, 103<sup>rd</sup> Cong., (1993); Freedom of Access to Clinic Entrances Act of 1994, S. 636, 103<sup>rd</sup> Cong., (1993).

<sup>3</sup> See Press Release, DOJ, *Seven Defendants Convicted of Federal Civil Rights Conspiracy and Freedom of Access to Clinic Entrances (FACE) Act Offenses for Obstructing Access to Reproductive Health Services in Michigan* (Aug. 20, 2024), available at <https://www.justice.gov/archives/opa/pr/seven-defendants-convicted-federal-civil-rights-conspiracy-and-freedom-access-clinic#:~:text=The%20defendants%20were%20each%20convicted,care%20clinic%20in%20Saginaw%2C%20Michigan.>

<sup>4</sup> *Executive Grant of Clemency*, U.S. DEP'T OF JUSTICE, (Jan. 23, 2025), available at <https://www.justice.gov/pardon/media/1386366/dl>.

<sup>5</sup> *Id.*

<sup>6</sup> *NAF 2024 Violence & Disruption Report*, NAT'L ABORTION FED., available at <https://prochoice.org/our-work/provider-security/2024-naf-violence-disruption/> (last visited Aug. 27, 2025).

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

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

clinic invasions.<sup>9</sup> With the AAG’s directive, DOJ will no longer be authorized to investigate incidents of violence against abortion clinics, staff, and patients.

The Center for Reproductive Rights (“Center”) seeks to better understand the decision to limit FACE Act enforcement, information regarding the January 24, 2025, directive from the AAG, how FACE Act violations have been and will be investigated and enforced since the AAG’s directive, and the factors and process used to decide what is considered “severe enough” to warrant FACE Act enforcement. Releasing this information is vital to the public interest as violence against abortion clinics, staff, and patients is rapidly increasing and peoples’ lives are at serious risk. Limiting FACE Act enforcement will result in egregious harm to people providing and receiving essential health care.

### **Records Requested**

Please provide all responsive records from January 20, 2025, through the date the search is conducted. As used herein, “records” means all records as defined in 5 U.S.C. § 552(f)(2)(A) (2018). Additionally, as used herein, any reference to DOJ encompasses all regional and district offices (both current and past).

We request the following to be produced within twenty business days:

1. All communications, meeting notices, meeting agendas, informational materials, draft legislation, draft rules, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor regarding FACE Act enforcement discretion.
2. All communications, meeting notices, meeting agendas, informational materials, draft legislation, draft rules, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor regarding updated and/or new policies and procedures to determine what circumstances rise to a FACE Act violation.
3. All communications, meeting notices, meeting agendas, informational materials, draft legislation, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor regarding active and pending litigation related to FACE Act enforcement and the decision to dismiss or maintain such litigation.
4. All records, documents, memoranda, and communications related to the review criteria used by DOJ to determine whether a circumstance rises to a FACE Act violation.
5. All records, documents, memoranda, and communications related to the consideration process of FACE Act violations, specifically regarding consideration of whether the harmed party is an abortion clinic, health care provider, or an anti-abortion center, also known as a crisis pregnancy center. If the harmed party does not define itself in those terms, please indicate the closest category of the party’s work.

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<sup>9</sup> *Id.*

6. All electronic communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachment), or messages on messaging platforms (including but not limited to Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, Truth Social messages, WhatsApp, Telegram or Parler) regarding the AAG's directive on FACE Act enforcement, sent or received by any DOJ officials.
7. Records sufficient to identify all persons, whether or not employed directly by DOJ, tasked with conducting reviews of existing and pending FACE Act claims and investigations, including, but not limited to, resumés and records to show the title and classification for each individual.
8. Records sufficient to identify all persons, whether or not employed directly by DOJ, tasked with investigating FACE Act violations, including but not limited to those interviewing involved parties, and reviewing sensitive clinic information. These records include, but are not limited to, resumés and records to show the title and classification for each individual.
9. Any records, documents, memoranda, and communications related to complaints received by DOJ about FACE Act violations since January 1, 2014.

The Center seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In addition to the records requested above, the Center also requests records describing the processing of this request, including records sufficient to identify search terms used, locations and custodians searched, and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

Please search all records regarding agency business. You may not exclude searches of files or emails 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. It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; the Center has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, through negligence or willfulness, failed to meet their obligations.

Please note that in conducting a “reasonable search” as required by law, you must employ the most up-to-date technologies and tools available, in addition to searches by individual custodians likely to have responsive information. Recent technology may have rendered your agency’s prior FOIA practices unreasonable. In light of the government-wide requirements to manage information electronically by the end of 2016, it is no longer reasonable to rely exclusively on custodian-driven searches. Furthermore, many agencies have adopted the National Archives and Records Agency Capstone program, or similar policies, now maintain emails in a form that is reasonably likely to be more complete than individual custodians’ files. For example, a custodian may have deleted a responsive email from his or her email program, but your agency’s archiving tools would capture that email under Capstone.

Accordingly, the Center requests that DOJ use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. The Center is available to work with you to craft appropriate search terms. However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.

We request that you produce all responsive materials in their entirety; however, should you determine the materials contain information which falls within the statutory exemptions provided in 5 U.S.C. § 552 or 22 C.F.R. § 171.11, we request the information be reviewed for possible discretionary disclosure. We furthermore request that all reasonably segregable portions of the exempt material be provided. We request that any deleted material be described in detail, and that you specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination.

Under the FOIA Improvement Act of 2016, agencies must adopt a presumption of disclosure, withholding information “only if . . . disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.” If it is your position that any portion of the requested records is exempt from disclosure, the Center requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity “to permit a reasoned judgment as to whether the material is actually exempt under FOIA.”<sup>10</sup> Moreover, the *Vaughn* index “must describe each document or portion thereof withheld, and for each withholding it must discuss the consequences of disclosing the sought-after information.”<sup>11</sup> Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’”<sup>12</sup>

You should institute a preservation hold on information responsive to this request. The Center intends to pursue all legal avenues to enforce its right of access under FOIA, including

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<sup>10</sup> *Founding Church of Scientology v. Bell*, 603 F. 2d 945, 949 (D.C. Cir. 1979).

<sup>11</sup> *King v. U.S. Dep’t of Just.*, 830 F.2d 210, 223-24 (D.C. Cir. 1987).

<sup>12</sup> *Id.* at 224.

litigation if necessary. Accordingly, your agency is on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, the Center welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, the Center and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

### **Waiver or Limitation of Fees**

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), documents are required to be provided to requesters without any charge or at reduced fees “if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” We request a waiver (or, in the alternative, a reduction) of all fees because disclosure of the information would be in the public interest by contributing significantly to the public understanding of FACE Act enforcement and whether or not DOJ will continue to ensure that all victims of violence, including abortion clinics, staff, and patients will be protected under the law.

Founded in 1992, the Center is the only global legal advocacy organization dedicated to reproductive rights, and its litigation and advocacy has played a key role in expanding access to reproductive health care around the world. The Center uses information gathered, and its analysis of information gathered, to educate the public through reports, briefing papers, fact sheets, periodicals, articles, blog posts, and other educational materials. Likewise, the Center also makes the materials gathered available on its public website and promotes their availability on social media platforms, such as Facebook, X (formerly known as Twitter), and Instagram. The Center receives hundreds of thousands of website page views, monthly, and publishes newsletters for public dissemination. Thus, the Center has demonstrated commitment to the public disclosure of documents and creation of editorial content.

The Center does not make this request for commercial use. 45 C.F.R. § 5.54(b)(3). As a 501(c)(3) nonprofit organization, the Center does not have a commercial purpose, and the release of the information requested is not in the organization’s financial interest. Accordingly, the Center qualifies for a fee waiver.

In the event that you determine you are unable to waive the fees, please provide us with prior notice if the total fees authorized will exceed \$200 so that we can discuss arrangements.

### **Conclusion**

The Center looks forward to working with your agency on this request. Thank you for your prompt attention to this matter.

With respect to the form of production, *see* 5 U.S.C. § 552(a)(3)(B), the Center requests that responsive materials be provided electronically by email or in PDF or TIF format on a USB drive. Please send any responsive material being provided and acknowledgement of receipt of this request to:

Manasi Raveendran  
c/o Julia Long  
Center for Reproductive Rights  
1600 K Street, NW, 7<sup>th</sup> Floor  
Washington, DC 20006  
Phone: (202) 524-5536  
Email: MRaveendran@reprorights.org

If it will accelerate release of records responsive to this request, please also provide responses on a rolling basis.

If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Manasi Raveendran at (202) 524-5536 if you have any questions. Thank you for your assistance.

Sincerely,

Manasi Raveendran



# EXHIBIT B



Outlook

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**Automatic reply: Request under the Freedom of Information Act - CRR**

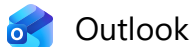
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**From** FOIArequests, CRT (CRT) <CRT.FOIArequests@usdoj.gov>

**Date** Wed 10/8/2025 3:23 PM

**To** Julia Long <JLong@reprorights.org>

At present, the government has not been funded. It is uncertain how many days this office will be closed. The FOI/PA Branch will be unable to respond to email nor to telephone messages until funding has been authorized. Please resubmit your FOIA/PA request upon restoration of government appropriations, thank you.



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**Re: Request under the Freedom of Information Act - CRR**

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**From** Julia Long <JLong@reprorights.org>

**Date** Wed 10/8/2025 3:22 PM

**To** CRT.FOIArequests@usdoj.gov <CRT.FOIArequests@usdoj.gov>

**Cc** FOIA, Civil.routing <civil.routing.foia@usdoj.gov>; Manasi Raveendran <MRaveendran@reprorights.org>

Hello,

On September 9, an officer from the Civil Division FOIA office let us know they forwarded a request I submitted on August 29. Please see the email from the FOIA Civil Division below about the FOIA transfer.

Following up, **has this FOIA been assigned a case number or officer?**

Thanks,  
Julia C. Long

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**From:** FOIA, Civil.routing <Civil.routing.FOIA@usdoj.gov>

**Sent:** Tuesday, September 9, 2025 3:14 PM

**To:** Julia Long <JLong@reprorights.org>

**Subject:** RE: Request under the Freedom of Information Act - CRR

Yes. We will do that for you.

---

**From:** Julia Long <JLong@reprorights.org>

**Sent:** Tuesday, September 9, 2025 11:43 AM

**To:** FOIA, Civil.routing <civfoia@CIV.USDOJ.GOV>

**Cc:** Manasi Raveendran <MRaveendran@reprorights.org>

**Subject:** [EXTERNAL] Re: Request under the Freedom of Information Act - CRR

Hello,

Thank you for clarifying. Yes, our request is intended for the Civil Rights Division. Since it was initially submitted to the Civil Division, would it be possible to have it routed over to Civil Rights Division?

Thank you,  
Julia Long

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**From:** FOIA, Civil.routing <[Civil.routing.FOIA@usdoj.gov](mailto:Civil.routing.FOIA@usdoj.gov)>

**Sent:** Tuesday, September 9, 2025 10:55 AM

**To:** Julia Long <[JLong@reprorights.org](mailto:JLong@reprorights.org)>

**Cc:** Manasi Raveendran <[MRaveendran@reprorights.org](mailto:MRaveendran@reprorights.org)>

**Subject:** RE: Request under the Freedom of Information Act - CRR

Good morning,

You mentioned the Civil Rights Division in your request letter. Did you mean to submit a request to the Civil Rights Division or Civil Division?

Best,

FOIA and Privacy Office  
Civil Division  
United States Department of Justice

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**From:** Julia Long <[JLong@reprorights.org](mailto:JLong@reprorights.org)>  
**Sent:** Friday, August 29, 2025 2:56 PM  
**To:** FOIA, Civil.routing <[civfoia@CIV.USDOJ.GOV](mailto:civfoia@CIV.USDOJ.GOV)>  
**Cc:** Manasi Raveendran <[MRaveendran@reprorights.org](mailto:MRaveendran@reprorights.org)>  
**Subject:** [EXTERNAL] Request under the Freedom of Information Act - CRR

Hello,

Please see the attached request for records pertaining to the enforcement of the FACE Act from January 20th to the date the search is conducted.

Please reach out to me or my colleague Manasi Raveendran if you have any questions.

Best regards,  
Julia C. Long

**CENTER *for***  
**REPRODUCTIVE**  
**RIGHTS**

**JULIA LONG, MPA** (she/her/hers)  
(Ju-lee-ah Lawng)  
*Senior Coordinator, U.S. Federal Policy & Advocacy*  
[jlong@reprorights.org](mailto:jlong@reprorights.org)

1600 K St., NW  
Washington, DC 20006  
**Tel** 202-524-5535  
[Website](#) | [Facebook](#) | [Twitter](#)




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## Request under the Freedom of Information Act - CRR

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**From** Julia Long <JLong@reprorights.org>  
**Date** Fri 8/29/2025 2:56 PM  
**To** Civil.routing.FOIA@usdoj.gov <Civil.routing.FOIA@usdoj.gov>  
**Cc** Manasi Raveendran <MRaveendran@reprorights.org>

 1 attachment (197 KB)  
20250829\_FOIA\_\_DOJ\_FACEAct.pdf;

Hello,

Please see the attached request for records pertaining to the enforcement of the FACE Act from January 20th to the date the search is conducted.

Please reach out to me or my colleague Manasi Raveendran if you have any questions.

Best regards,  
Julia C. Long

**CENTER *for***  
**REPRODUCTIVE**  
**RIGHTS**

**JULIA LONG, MPA** (she/her/hers)  
(Ju-lee-ah Lawng)  
*Senior Coordinator, U.S. Federal Policy & Advocacy*  
[jlong@reprorights.org](mailto:jlong@reprorights.org)

1600 K St., NW  
Washington, DC 20006  
**Tel** 202-524-5535  
[Website](#) | [Facebook](#) | [Twitter](#)

# EXHIBIT C



U.S. Department of Justice  
Civil Rights Division

AP

*Freedom of Information/PA Unit –4CON  
950 Pennsylvania Ave., NW  
Washington, DC 20530*

**Via Electronic Mail**

January 15, 2026

Ms. Julia Long  
Center for Reproductive Rights  
1600 K St., NW  
Washington, DC 20006  
[jlong@reprorights.org](mailto:jlong@reprorights.org)

Date Received: January 6, 2026

FOI/PA No. 26-00169-F

Subject of Request: Request for records pertaining to the enforcement of the FACE Act from January 20th to the date the search is conducted.

Dear Ms. Long:

The Civil Rights Division acknowledges receipt of your Freedom of Information Act request, which was received in this office on the date indicated above. Your request seeks access to the above mentioned records. Please read this letter carefully because it contains important information about your request.

As a result of the large number of FOIA and Privacy Acts requests received by the Civil Rights Division, we may encounter delays in processing your request. To ensure that requesters are treated fairly, the Division processes requests in the approximate order of receipt. Please be assured that your request is being handled as equitably and promptly as possible. If you have any questions regarding the status of your request, you may contact our office at [crt.foiarequests@usdoj.gov](mailto:crt.foiarequests@usdoj.gov). Please reference the FOIA/PA No. above in any communications with the Civil Rights Division about your request.

If you are not satisfied with the Civil Rights Division's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." If possible, please provide a copy of your original request and this response letter with your appeal.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Please reference the FOIA/PA No. above in any correspondence with OGIS.

Thank you for your interest in the Civil Rights Division.

Sincerely,

A handwritten signature in black ink that reads "Angel Parker". The script is cursive and fluid.

Angel Parker, GIS  
Freedom of Information/Privacy Acts Unit  
Civil Rights Division



# EXHIBIT D

November 21, 2025

Kilian B. Kagle, Chief, FOIA and Privacy Office  
c/o April Freeman, FOIA Public Liaison  
FOIA/PA Branch, Civil Rights Division, Department of Justice  
4CON, Room 6.153  
950 Pennsylvania Ave, N.W.  
Washington, DC 20530  
CRT.FOIArequests@usdoj.gov

Re: Request under the Freedom of Information Act

Dear Mr. Kagle:

This letter constitutes a request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and implementing regulations of the United States Department of Justice (DOJ), 28 C.F.R. Part 16.

Since his inauguration, President Trump has prioritized upending the statutory protections of the Freedom of Access to Clinic Entrances Act (FACE Act), which has been in effect since it was passed with bipartisan support in 1993.<sup>1</sup> In fact, as one of his first acts as President, he issued an executive grant of clemency, directing the DOJ to pardon 23 people convicted of violating the FACE Act (hereinafter “2025 FACE Act pardons”).<sup>2</sup>

After the U.S. Supreme Court overturned *Roe v. Wade* in 2022, there has been a sharp increase in violence against abortion clinics, staff, and patients.<sup>3</sup> Since the decision, the number of reports of clinic obstructions rose from 45 in 2021 to 777 in 2023 and 2024 combined.<sup>4</sup> In addition to reports of obstruction, there were 621 instances of trespassing and 296 death threats or threats of other harms.<sup>5</sup> In 2023 and 2024, there were also three instances of arson and thirteen clinic invasions.<sup>6</sup> Pardoning those convicted of FACE Act violations raises alarm for health care providers around the country.

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<sup>1</sup> *FACE Act Charging Policy*, U.S. DEP’T OF JUSTICE, (Jan. 24, 2025), available at <https://www.justice.gov/media/1386461/dl>; Freedom of Access to Clinic Entrances Act of 1993, H.R. 796, 103<sup>rd</sup> Cong., (1993); Freedom of Access to Clinic Entrances Act of 1994, S. 636, 103<sup>rd</sup> Cong., (1993).

<sup>2</sup> See Press Release, DOJ, *Seven Defendants Convicted of Federal Civil Rights Conspiracy and Freedom of Access to Clinic Entrances (FACE) Act Offenses for Obstructing Access to Reproductive Health Services in Michigan* (Aug. 20, 2024), available at <https://www.justice.gov/archives/opa/pr/seven-defendants-convicted-federal-civil-rights-conspiracy-and-freedom-access-clinic#:~:text=The%20defendants%20were%20each%20convicted,care%20clinic%20in%20Saginaw%2C%20Michigan;Executive Grant of Clemency>, U.S. DEP’T OF JUSTICE, (Jan. 23, 2025), available at <https://www.justice.gov/pardon/media/1386366/dl>.

<sup>3</sup> *NAF 2024 Violence & Disruption Report*, NAT’L ABORTION FED., available at <https://prochoice.org/our-work/provider-security/2024-naf-violence-disruption/> (last visited Aug. 27, 2025).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

The Center for Reproductive Rights (“Center”) seeks to better understand the decision to pardon those who were convicted of violating the FACE Act. Releasing this information is vital to the public interest as violence against abortion clinics, staff, and patients is rapidly increasing and people’s lives are at serious risk.

### **Records Requested**

Please provide all responsive records from November 5, 2024, through the date the search is conducted. As used herein, “records” means all records as defined in 5 U.S.C. § 552(f)(2)(A) (2018). Additionally, as used herein, any reference to DOJ encompasses all regional and district offices (both current and past). Please note that “communications” requested include, but are not limited to, e-mails, messaging platforms (including, but not limited to Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, Truth Social messages, WhatsApp, Telegram, or Parler), and communications and relevant materials that may have been distributed via personal phones or devices.

We request the following to be produced within twenty business days:

1. Records reflecting all applications, investigations, reviews, and/or recommendations received, conducted, created, and/or issued by the Office of the Pardon Attorney related to any and all grants of clemency under the 2025 FACE Act pardons.
2. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and any employee or contractor of Donald J. Trump for President 2024, Inc. related to any and all individuals granted clemency by the 2025 FACE Act pardons.
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4. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and any employee or contractor of SBA Pro-Life America related to any and all individuals granted clemency by the 2025 FACE Act pardons.
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The Center seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In addition to the records requested above, the Center also requests records describing the processing of this request, including records sufficient to identify search terms used, locations and custodians searched, and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

Please search all records regarding agency business. You may not exclude searches of files or emails 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. It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; the Center has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, through negligence or willfulness, failed to meet their obligations.

Please note that in conducting a “reasonable search” as required by law, you must employ the most up-to-date technologies and tools available, in addition to searches by individual custodians likely to have responsive information. Recent technology may have rendered your agency’s prior FOIA practices unreasonable. In light of the government-wide requirements to manage information electronically by the end of 2016, it is no longer reasonable to rely exclusively on custodian-driven searches. Furthermore, many agencies have adopted the National Archives and Records Agency Capstone program, or similar policies, now maintain emails in a form that is reasonably likely to be more complete than individual custodians’ files. For example, a custodian may have deleted a responsive email from his or her email program, but your agency’s archiving tools would capture that email under Capstone.

Accordingly, the Center requests that DOJ use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. The Center is available to work with you to craft appropriate search terms. However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.

We request that you produce all responsive materials in their entirety; however, should you determine the materials contain information which falls within the statutory exemptions provided in 5 U.S.C. § 552 or 22 C.F.R. § 171.11, we request the information be reviewed for possible discretionary disclosure. We furthermore request that all reasonably segregable portions of the exempt material be provided. We request that any deleted material be described in detail, and that you specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination.

Under the FOIA Improvement Act of 2016, agencies must adopt a presumption of disclosure, withholding information “only if . . . disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.” If it is your position that any portion of the requested records is exempt from disclosure, the Center requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity “to permit a reasoned judgment as to whether the material is actually exempt under FOIA.”<sup>7</sup> Moreover, the *Vaughn* index “must describe each document or portion thereof withheld, and for each withholding it must discuss the consequences of disclosing the sought-after information.”<sup>8</sup> Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’”<sup>9</sup>

You should institute a preservation hold on information responsive to this request. The Center intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary. Accordingly, your agency is on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, the Center welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, the Center and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

---

<sup>7</sup> *Founding Church of Scientology v. Bell*, 603 F. 2d 945, 949 (D.C. Cir. 1979).

<sup>8</sup> *King v. U.S. Dep’t of Just.*, 830 F.2d 210, 223-24 (D.C. Cir. 1987).

<sup>9</sup> *Id.* at 224.

**Waiver or Limitation of Fees**

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), documents are required to be provided to requesters without any charge or at reduced fees “if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” We request a waiver (or, in the alternative, a reduction) of all fees because disclosure of the information would be in the public interest by contributing significantly to the public understanding of FACE Act enforcement and whether or not DOJ will continue to ensure that all victims of violence, including abortion clinics, staff, and patients will be protected under the law.

Founded in 1992, the Center is the only global legal advocacy organization dedicated to reproductive rights, and its litigation and advocacy has played a key role in expanding access to reproductive health care around the world. The Center uses information gathered, and its analysis of information gathered, to educate the public through reports, briefing papers, fact sheets, periodicals, articles, blog posts, and other educational materials. Likewise, the Center also makes the materials gathered available on its public website and promotes their availability on social media platforms, such as Facebook, X (formerly known as Twitter), and Instagram. The Center receives hundreds of thousands of website page views, monthly, and publishes newsletters for public dissemination. Thus, the Center has demonstrated commitment to the public disclosure of documents and creation of editorial content.

The Center does not make this request for commercial use. 45 C.F.R. § 5.54(b)(3). As a 501(c)(3) nonprofit organization, the Center does not have a commercial purpose, and the release of the information requested is not in the organization’s financial interest. Accordingly, the Center qualifies for a fee waiver.

In the event that you determine you are unable to waive the fees, please provide us with prior notice if the total fees authorized will exceed \$200 so that we can discuss arrangements.

**Conclusion**

The Center looks forward to working with your agency on this request. Thank you for your prompt attention to this matter.

With respect to the form of production, *see* 5 U.S.C. § 552(a)(3)(B), the Center requests that responsive materials be provided electronically by email or in PDF or TIF format on a USB drive. Please send any responsive material being provided and acknowledgement of receipt of this request to:

Manasi Raveendran  
c/o Julia Long  
Center for Reproductive Rights  
1600 K Street, NW, 7<sup>th</sup> Floor  
Washington, DC 20006  
Phone: (202) 524-5536  
Email: [MRaveendran@reprorights.org](mailto:MRaveendran@reprorights.org)

If it will accelerate release of records responsive to this request, please also provide responses on a rolling basis.

If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Manasi Raveendran at (202) 524-5536 if you have any questions. Thank you for your assistance.

Sincerely,

Manasi Raveendran

# EXHIBIT E



**Request**

Case 1:26-cv-00205

Document 1-5

Filed 01/23/26

Page 2 of 13

## Request Information

Request  
Number

FOIA-2026-00642

Request Type

Full Route to DOJ Component

Request Date

11/21/2025

Perfected Date

Due Date

Request is in  
Litigation

Unusual  
Circumstances

Significant

No

Coordination

No

Track

Agency

OIP

Document  
Delivery  
Method

Email

Topic

eDiscovery  
Number

FOIA.gov  
Request ID

Sending  
Agency

Agency Point  
of Contact

Agency  
Tracking  
Number

## Litigation Information

First Name of  
Litigator

Last Name of  
Litigator

Litigator Office

Case Name

Federal  
District Court

Litigation Short  
Description

Litigation  
Reviewer

Case Number

Date of Final  
Adjudication  
by Court

## Requester Information

Salutation

Middle Name

Last NameRaveendran

Email Addressmraveendran@reprorights.org

OrganizationCenter for Reproductive Rights

Register Number

Phone Number

Fax Number

Other Information

Address Type

Country

Address Line 1

Address Line 2

Military Branch

City

State

Province

Zip/Postal Code

Description of Request

Summary of RequestROUTE to CRT

DescriptionNovember 21, 2025

Kilian B. Kagle, Chief, FOIA and Privacy Office c/o April Freeman, FOIA Public Liaison  
FOIA/PA Branch, Civil Rights Division, Department of Justice 4CON, Room 6.153  
950 Pennsylvania Ave, N.W.  
Washington, DC 20530  
CRT.FOIArequests@usdoj.gov

Re: Request under the Freedom of Information Act  
Dear Mr. Kagle:

This letter constitutes a request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and implementing regulations of the United States Department of Justice (DOJ), 28 C.F.R. Part 16.

Since his inauguration, President Trump has prioritized upending the statutory protections of the Freedom of Access to Clinic Entrances Act (FACE Act), which has been in effect since it was passed with bipartisan support in 1993.<sup>1</sup> In fact, as one of his first acts as President, he issued an executive grant of clemency, directing the DOJ to pardon 23 people convicted of violating the FACE Act (hereinafter "2025 FACE Act pardons").<sup>2</sup>

After the U.S. Supreme Court overturned *Roe v. Wade* in 2022, there has been a sharp increase in violence against abortion clinics, staff, and patients.<sup>3</sup> Since the decision, the number of reports of clinic obstructions rose from 45 in 2021 to 777 in 2023 and 2024 combined.<sup>4</sup> In addition to reports of obstruction, there were 621 instances of trespassing and 296 death threats or threats of other harms.<sup>5</sup> In 2023 and 2024, there were also three instances of arson and thirteen clinic invasions.<sup>6</sup> Pardoning those convicted of FACE Act violations raises alarm for health care providers around the country.

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#### Conclusion

The Center looks forward to working with your agency on this request. Thank you for your prompt attention to this matter.

With respect to the form of production, see 5 U.S.C. § 552(a)(3)(B), the Center requests that responsive materials be provided electronically by email or in PDF or TIF format on a USB drive. Please send any responsive material being provided and acknowledgement of receipt of this request to:

Manasi Raveendran

c/o Julia Long

Center for Reproductive Rights

1600 K Street, NW, 7th Floor

Washington, DC 20006

Phone: (202) 524-5536

Email: MRaveendran@reprorights.org

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Sincerely,

Manasi Raveendran

File Type 1	Supplemental Information
File 1	11.21.25DOJ FOIA.FACEActPardons..pdf

File Type 2	
File 2	<i>No Attachment</i>

File Type 3	
File 3	<i>No Attachment</i>

#### Expedited Processing Information

Expedited Processing Requested?	No
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Expedited Processing Request Date	
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Expedited Processing Determination	
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Expedited  
Requested  
Due Date

Standards for  
Expedition

Expedited  
Justification

Fee Information

Will Pay Up To\$200

Fee CategoryAll other requester

Fee Waiver  
Requested?Yes

Fee Waiver  
Granted?

Fee Waiver  
Justification

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Records Management

Disposition  
Date

Marked for  
Disposition

Disposition  
Confirmed

Disposition  
Confirmed By

Workflow StateIn Progress

Workflow  
StatusProcessing



November 21, 2025

Kilian B. Kagle, Chief, FOIA and Privacy Office  
c/o April Freeman, FOIA Public Liaison  
FOIA/PA Branch, Civil Rights Division, Department of Justice  
4CON, Room 6.153  
950 Pennsylvania Ave, N.W.  
Washington, DC 20530  
CRT.FOIArequests@usdoj.gov

Re: Request under the Freedom of Information Act

Dear Mr. Kagle:

This letter constitutes a request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and implementing regulations of the United States Department of Justice (DOJ), 28 C.F.R. Part 16.

Since his inauguration, President Trump has prioritized upending the statutory protections of the Freedom of Access to Clinic Entrances Act (FACE Act), which has been in effect since it was passed with bipartisan support in 1993.<sup>1</sup> In fact, as one of his first acts as President, he issued an executive grant of clemency, directing the DOJ to pardon 23 people convicted of violating the FACE Act (hereinafter “2025 FACE Act pardons”).<sup>2</sup>

After the U.S. Supreme Court overturned *Roe v. Wade* in 2022, there has been a sharp increase in violence against abortion clinics, staff, and patients.<sup>3</sup> Since the decision, the number of reports of clinic obstructions rose from 45 in 2021 to 777 in 2023 and 2024 combined.<sup>4</sup> In addition to reports of obstruction, there were 621 instances of trespassing and 296 death threats or threats of other harms.<sup>5</sup> In 2023 and 2024, there were also three instances of arson and thirteen clinic invasions.<sup>6</sup> Pardoning those convicted of FACE Act violations raises alarm for health care providers around the country.

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<sup>1</sup> *FACE Act Charging Policy*, U.S. DEP’T OF JUSTICE, (Jan. 24, 2025), available at <https://www.justice.gov/media/1386461/dl>; Freedom of Access to Clinic Entrances Act of 1993, H.R. 796, 103<sup>rd</sup> Cong., (1993); Freedom of Access to Clinic Entrances Act of 1994, S. 636, 103<sup>rd</sup> Cong., (1993).

<sup>2</sup> See Press Release, DOJ, *Seven Defendants Convicted of Federal Civil Rights Conspiracy and Freedom of Access to Clinic Entrances (FACE) Act Offenses for Obstructing Access to Reproductive Health Services in Michigan* (Aug. 20, 2024), available at <https://www.justice.gov/archives/opa/pr/seven-defendants-convicted-federal-civil-rights-conspiracy-and-freedom-access-clinic#:~:text=The%20defendants%20were%20each%20convicted,care%20clinic%20in%20Saginaw%2C%20Michigan;ExecutiveGrantofClemency>, U.S. DEP’T OF JUSTICE, (Jan. 23, 2025), available at <https://www.justice.gov/pardon/media/1386366/dl>.

<sup>3</sup> *NAF 2024 Violence & Disruption Report*, NAT’L ABORTION FED., available at <https://prochoice.org/our-work/provider-security/2024-naf-violence-disruption/> (last visited Aug. 27, 2025).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*



The Center for Reproductive Rights (“Center”) seeks to better understand the decision to pardon those who were convicted of violating the FACE Act. Releasing this information is vital to the public interest as violence against abortion clinics, staff, and patients is rapidly increasing and people’s lives are at serious risk.

### **Records Requested**

Please provide all responsive records from November 5, 2024, through the date the search is conducted. As used herein, “records” means all records as defined in 5 U.S.C. § 552(f)(2)(A) (2018). Additionally, as used herein, any reference to DOJ encompasses all regional and district offices (both current and past). Please note that “communications” requested include, but are not limited to, e-mails, messaging platforms (including, but not limited to Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, Truth Social messages, WhatsApp, Telegram, or Parler), and communications and relevant materials that may have been distributed via personal phones or devices.

We request the following to be produced within twenty business days:

1. Records reflecting all applications, investigations, reviews, and/or recommendations received, conducted, created, and/or issued by the Office of the Pardon Attorney related to any and all grants of clemency under the 2025 FACE Act pardons.
2. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and any employee or contractor of Donald J. Trump for President 2024, Inc. related to any and all individuals granted clemency by the 2025 FACE Act pardons.
3. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and any employee or contractor of the Trump Administration presidential transition team related to any and all individuals granted clemency by the 2025 FACE Act pardons.
4. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and any employee or contractor of SBA Pro-Life America related to any and all individuals granted clemency by the 2025 FACE Act pardons.
5. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and any employee or contractor of the Thomas More Society related to any and all individuals granted clemency by the 2025 FACE Act pardons.



6. All communications, meeting notices, meeting agendas, meeting notes, informational materials, talking points, reports, disclosures, or other documents sent to, received by, or exchanged with any DOJ employee (temporary or permanent), official, appointee, or contractor and either Senator Josh Hawley or any employee or contractor of the Senate Office of Josh Hawley related to any and all individuals granted clemency by the 2025 FACE Act pardons.

The Center seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In addition to the records requested above, the Center also requests records describing the processing of this request, including records sufficient to identify search terms used, locations and custodians searched, and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

Please search all records regarding agency business. You may not exclude searches of files or emails 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. It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; the Center has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, through negligence or willfulness, failed to meet their obligations.

Please note that in conducting a “reasonable search” as required by law, you must employ the most up-to-date technologies and tools available, in addition to searches by individual custodians likely to have responsive information. Recent technology may have rendered your agency’s prior FOIA practices unreasonable. In light of the government-wide requirements to manage information electronically by the end of 2016, it is no longer reasonable to rely exclusively on custodian-driven searches. Furthermore, many agencies have adopted the National Archives and Records Agency Capstone program, or similar policies, now maintain emails in a form that is reasonably likely to be more complete than individual custodians’ files. For example, a custodian may have deleted a responsive email from his or her email program, but your agency’s archiving tools would capture that email under Capstone.

Accordingly, the Center requests that DOJ use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. The Center is available to work with you to craft appropriate search terms. However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.

We request that you produce all responsive materials in their entirety; however, should you determine the materials contain information which falls within the statutory exemptions provided in 5 U.S.C. § 552 or 22 C.F.R. § 171.11, we request the information be reviewed for possible discretionary disclosure. We furthermore request that all reasonably segregable portions of the exempt material be provided. We request that any deleted material be described in detail, and that you specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination.

Under the FOIA Improvement Act of 2016, agencies must adopt a presumption of disclosure, withholding information “only if . . . disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.” If it is your position that any portion of the requested records is exempt from disclosure, the Center requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity “to permit a reasoned judgment as to whether the material is actually exempt under FOIA.”<sup>7</sup> Moreover, the *Vaughn* index “must describe each document or portion thereof withheld, and for each withholding it must discuss the consequences of disclosing the sought-after information.”<sup>8</sup> Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’”<sup>9</sup>

You should institute a preservation hold on information responsive to this request. The Center intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary. Accordingly, your agency is on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, the Center welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, the Center and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

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<sup>7</sup> *Founding Church of Scientology v. Bell*, 603 F. 2d 945, 949 (D.C. Cir. 1979).

<sup>8</sup> *King v. U.S. Dep’t of Just.*, 830 F.2d 210, 223-24 (D.C. Cir. 1987).

<sup>9</sup> *Id.* at 224.

### **Waiver or Limitation of Fees**

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), documents are required to be provided to requesters without any charge or at reduced fees “if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” We request a waiver (or, in the alternative, a reduction) of all fees because disclosure of the information would be in the public interest by contributing significantly to the public understanding of FACE Act enforcement and whether or not DOJ will continue to ensure that all victims of violence, including abortion clinics, staff, and patients will be protected under the law.

Founded in 1992, the Center is the only global legal advocacy organization dedicated to reproductive rights, and its litigation and advocacy has played a key role in expanding access to reproductive health care around the world. The Center uses information gathered, and its analysis of information gathered, to educate the public through reports, briefing papers, fact sheets, periodicals, articles, blog posts, and other educational materials. Likewise, the Center also makes the materials gathered available on its public website and promotes their availability on social media platforms, such as Facebook, X (formerly known as Twitter), and Instagram. The Center receives hundreds of thousands of website page views, monthly, and publishes newsletters for public dissemination. Thus, the Center has demonstrated commitment to the public disclosure of documents and creation of editorial content.

The Center does not make this request for commercial use. 45 C.F.R. § 5.54(b)(3). As a 501(c)(3) nonprofit organization, the Center does not have a commercial purpose, and the release of the information requested is not in the organization’s financial interest. Accordingly, the Center qualifies for a fee waiver.

In the event that you determine you are unable to waive the fees, please provide us with prior notice if the total fees authorized will exceed \$200 so that we can discuss arrangements.

### **Conclusion**

The Center looks forward to working with your agency on this request. Thank you for your prompt attention to this matter.

With respect to the form of production, *see* 5 U.S.C. § 552(a)(3)(B), the Center requests that responsive materials be provided electronically by email or in PDF or TIF format on a USB drive. Please send any responsive material being provided and acknowledgement of receipt of this request to:

Manasi Raveendran  
c/o Julia Long  
Center for Reproductive Rights  
1600 K Street, NW, 7<sup>th</sup> Floor  
Washington, DC 20006  
Phone: (202) 524-5536  
Email: [MRaveendran@reprorights.org](mailto:MRaveendran@reprorights.org)

If it will accelerate release of records responsive to this request, please also provide responses on a rolling basis.

If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Manasi Raveendran at (202) 524-5536 if you have any questions. Thank you for your assistance.

Sincerely,

Manasi Raveendran

# EXHIBIT F



U.S. Department of Justice  
Office of Information Policy  
Sixth Floor  
441 G Street, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

December 8, 2025

Manasi Raveendran  
[mraveendran@reprorights.org](mailto:mraveendran@reprorights.org)

Re: FOIA-2025-00642 / TATJ

Dear Manasi Raveendran:

This responds to your Freedom of Information Act request received in this Office on November 21, 2025, in which you requested records from the Civil Rights Division. **Please note that this Office was closed due to a lapse in funding appropriations from October 1, 2025 through November 12, 2025, which has resulted in a delay in responding to your request.**

Please be advised that the Office of Information Policy (OIP) of the United States Department of Justice processes Freedom of Information Act (FOIA) and Privacy Act (PA) requests for records it maintains as well as records maintained by the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Public Affairs, Legislative Affairs, and Legal Policy and adjudicates administrative appeals of denials of FOIA/PA requests made to the Department. This Office maintains the case files for the initial requests and administrative appeals it processes.

Additionally, for your information, the Department has a decentralized system for processing FOIA requests, and each component of the Department maintains its own records. Accordingly, FOIA requesters need to direct their requests to the Department component(s) they believe have records pertaining to the subjects of their requests. In this instance, as you are clearly seeking records maintained by the Civil Rights Division (CRT), we have forwarded your request to CRT for processing and direct response to you. Contact information for CRT may be found in the *Department of Justice Freedom of Information Act Reference Guide*, located on the Department's website at: <https://www.justice.gov/oip/departments-justice-freedom-information-act-reference-guide>.

Lastly, please be advised that because we have routed your request to the CRT, your request to OIP will be closed. You will need to contact the CRT to obtain information regarding the processing status of your request.

Initial Request Staff  
Office of Information Policy  
U.S. Department of Justice

# EXHIBIT G



U.S. Department of Justice  
Civil Rights Division

AP

*Freedom of Information/PA Unit –4CON  
950 Pennsylvania Ave., NW  
Washington, DC 20530*

**Via Electronic Mail**

December 30, 2025

Ms. Manasi Raveendran  
Center for Reproductive Rights  
1600 K Street, NW,  
7th Floor  
Washington, DC 20006  
[MRaveendran@reprorights.org](mailto:MRaveendran@reprorights.org)

Date Received: December 15, 2025

FOI/PA No. 26-00141-F

**Subject of Request:** All responsive records from November 5, 2024, through the date the search is conducted. As used herein, "records" means all records as defined in 5 U.S.C. § 552(f)(2)(A) (2018). Additionally, as used herein, any reference to DOJ encompasses all regional and district offices (both current and past). Please note that "communications" requested include, but are not limited to, e-mails, messaging platforms (including, but not limited to Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, Truth Social messages, WhatsApp, Telegram, or Parler), and communications and relevant materials that may have been distributed via personal phones or devices.

Dear Ms. Raveendran:

The Civil Rights Division acknowledges receipt of your Freedom of Information Act request, which was received in this office on the date indicated above. Your request seeks access to the above mentioned records. Please read this letter carefully because it contains important information about your request.

As a result of the large number of FOIA and Privacy Acts requests received by the Civil Rights Division, we may encounter delays in processing your request. To ensure that requesters are treated fairly, the Division processes requests in the approximate order of receipt. Please be assured that your request is being handled as equitably and promptly as possible. If you have any questions regarding the status of your request, you may contact our office at [crt.foiarequests@usdoj.gov](mailto:crt.foiarequests@usdoj.gov). Please reference the FOIA/PA No. above in any communications with the Civil Rights Division about your request.



# EXHIBIT H

## Manasi Raveendran

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**From:** Manasi Raveendran  
**Sent:** Friday, January 16, 2026 11:08 AM  
**To:** 'FOIAcomms, CRT (CRT)'  
**Subject:** RE: 26-00141-F - FOIA Request

Thanks for reaching out. We believe our FOIA request submitted on November 21, 2025, is sufficiently clear for the agency to conduct the requisite searches; our request is not limited to records held by any specific component of DOJ. For records responsive to Request 1, the records are most likely related to clemency. To the extent the Civil Rights Division (CRT) possesses records related to any request, including Request 1 (for example, but not limited to, those prior to any clemency determination), those records would also be responsive to our request.

Thanks,  
Manasi

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**MANASI RAVEENDRAN\*** (she/her/hers)  
*Federal Policy Counsel*

Name Pronunciation: mAh-nah-see ra-vEEEn-dhrun  
\*Admitted in New York

This message may contain confidential or privileged information. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.

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**From:** FOIAcomms, CRT (CRT) <CRT.FOIAcomms@usdoj.gov>  
**Sent:** Thursday, January 15, 2026 2:49 PM  
**To:** Manasi Raveendran <MRaveendran@reporights.org>  
**Subject:** 26-00141-F - FOIA Request

You don't often get email from [crt.foiacomms@usdoj.gov](mailto:crt.foiacomms@usdoj.gov). [Learn why this is important](#)

Dear Manasi Raveendran,

This email is to request clarification regarding your Freedom of Information Act (FOIA) request. Specifically, please let us know whether you are seeking records related to the Civil Rights Division (CRT) or documents related to clemency.

Upon receipt of your response, we will proceed with the appropriate processing of your request.

Thank you,

*FOI/PA Unit*  
*U.S. Department of Justice*  
*Civil Rights Division*  
[CRT.FOIArequests@usdoj.gov](mailto:CRT.FOIArequests@usdoj.gov)