



April 16, 2026

Roman Jankowski
Chief FOIA Officer/ Chief Privacy Officer
Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW STOP-0655
Washington, DC 20528-0655

Re: Freedom of Information Act Request—Documents Related to DHS Advertising Procurement

Dear FOIA Officer,

Democracy Defenders Fund (“DDF”) respectfully submits the following request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 *et seq.* and Department of Homeland Security (“DHS”) regulations, 6 C.F.R. part 5.

Background

Recent reporting by *ProPublica* identified that the Department of Homeland Security spent approximately \$220,000,000 on advertising contracts in 2025 with the Strategy Group, Safe America Media LLC, and People Who Think LLC.¹ The money was used to record a variety of advertisements, including a minute-long advertisement of Secretary Noem riding a horse in the woods at Mount Rushmore.² *ProPublica* explained that “The company running the Mount Rushmore shoot, called the Strategy Group, does not appear on public documents about the contract.” Instead, the prime contractor was “a mysterious Delaware company, which was created days before the deal was finalized”: Safe America Media. Safe America Media shares its address with the Virginia home of a veteran Republican operative, Michael McElwain, a partner in another Republican marketing firm Designated Market Media. Designated Market Media at one point shared an office address with Strategic Media Services, Inc., which received over \$269 million from President Trump’s campaign in 2024. None of these contracts were subject to open and competitive bidding; each was provided on a sole source basis.³ The total amount of funds DHS provided under these contracts is roughly equivalent to the estimated budget for the 2012 Marvel Studios blockbuster *The Avengers* and exceeds the budget (adjusted for inflation) of *Iron Man*, *The Lion King*, and *The Matrix*.⁴

¹ Justin Elliott, Joshua Kaplan & Alex Mierjeski, *Kristi Noem-Tied Firm Secretly Got Piece of \$220 Million DHS Campaign*, PROPUBLICA (Nov. 14, 2025), <https://www.propublica.org/article/kristi-noem-dhs-ad-campaign-strategy-group>.

² *Id.*

³ Solicitation No. 70RDA225R00000015, Justification and Approval for Other than Full and Open Competition 41 U.S.C. 3304(a)(7)), <https://sam.gov/workspace/contract/opp/73477226ef6b4bd093263512124126e9/view>.

⁴ Kristine Villarroel, *15 Blockbuster Movies Cheaper Than Kristi Noem's \$220M DHS Ads*, BUSINESS INSIDER (Mar. 7, 2026), <https://www.businessinsider.com/movies-cheaper-than-kristi-noem-dhs-ads-2026-3>.

The *ProPublica* expose and subsequent reporting raises troubling questions about the process, amount, and beneficiaries of this astronomical ad buy. Principal among issues: one of the subcontractors was the Strategy Group, a firm run by Benjamin Yoho, the husband of former Assistant Secretary of Homeland Security for Public Affairs Tricia McLaughlin.⁵ Former Secretary Noem and her close associate and senior advisor Corey Lewandowski also have a longstanding relationship with the Strategy Group, including preparing ads for former Secretary Noem's 2022 gubernatorial campaign and ads in 2024 showing then-Governor Noem performing a variety of tasks.⁶

To date, the prime contract, subcontracts, and related documents concerning the contract awards have not been made public. In response to requests from Senators Welch and Blumenthal,⁷ however, the Strategy Group released a modest amount of information concerning its invoices from its subcontract with Safe America Media.⁸ The payments disclosed total \$286,137.⁹ Among the payments was a \$60,000 "signing bonus."¹⁰ This payment raises red flags as the Federal Acquisition Regulation (FAR) only permits bonuses and incentive payments that are "paid or accrued under an agreement entered into in good faith between the contractor and the employees before the services are rendered or pursuant to an established plan or policy followed by the contractor so consistently as to imply, in effect, an agreement to make such payment."¹¹ Given that Safe America Media was established days before it entered the prime contract with DHS, there are serious questions about whether this bonus was an allowable expense or not.

DDF requests the following records that were generated between January 20, 2025 and the present:

1. Any original or recompute versions of any of the following records, relating to the below list of contractors:
 - Justification and Approval (J&A) Documents required by the Federal Acquisition Regulation to justify not using full and open competition¹²
 - Performance Work Statements (PWS)
 - solicitations,
 - statements of work,
 - statements of objectives,
 - market research or studies,
 - pre-award surveys,

⁵ *Supra* note 1.

⁶ *Id.*

⁷ Office of Senator Peter Welch, *Welch, Blumenthal Release Details on DHS Secretary Noem's Mount Rushmore Ads*, Press Release (Mar. 23, 2026), <https://www.welch.senate.gov/welch-blumenthal-release-details-on-dhs-secretary-noems-mount-rushmore-ads/>.

⁸ *Id.*

⁹ Tom Latchem, *The Crazy Bill for ICE Barbie's Cowboy Cosplay Is Revealed*, DAILY BEAST (Mar. 23, 2026), <https://www.thedailybeast.com/the-crazy-bill-for-ice-barbies-cowboy-cosplay-is-revealed/>.

¹⁰ Terry Collins, *Horse rental, makeup for Kristi Noem's DHS ad cost taxpayers thousands*, USA TODAY (Mar. 24, 2026), <https://www.usatoday.com/story/news/politics/2026/03/24/kristi-noem-homeland-security-ad-cost/89301114007/>.

¹¹ 48 C.F.R. § 31.205-6.

¹² See generally Annie Tyler, *What is J&A in Government Contracting?*, EXECUTIVE GOV (June 28, 2024), <https://www.executivegov.com/articles/what-is-ja-in-government-contracting>.

- cost or price evaluations,
- requirements,
- requests for quotations,
- requests for proposals,
- offers,
- proposals,
- Source Selection Decision Memoranda,¹³
- sole source determinations (including documentation supporting such determinations),
- performance bonds,
- contract awards,
- contracts,
- subcontracts,
- task orders,
- delivery orders,
- contract modifications,
- forward pricing rate agreements or recommendations,
- memorandums of agreement,
- invoices,
- vouchers, or
- claims

related to any contract involving one or more of:

1. Strategy Group Company,
2. Safe America Media LLC,
3. People Who Think LLC,
4. Strategic Media Services Inc.,
5. Smart Media Group LLC,
6. Mike McElwain,
7. Benjamin Yoho,

these contracts should include, but are not limited to, the contracts associated with solicitation numbers #70RDA225D00000003, #70RDA225D00000004, and #70RDA225R00000015.

2. Any submitter's rights communications or notifications between DHS and the above named companies, their employees, agents, or legal counsel relating to any FOIA or congressional oversight requests;
3. The Contracting Officer's Representative (COR) files for the above contracts;
4. Any waivers or authorizations issued by the Designated Agency Ethics Officer ("DAEO") for any DHS employee or Special Government Employee relating to the above contracts

¹³ 48 C.F.R. § 15.308 ("The source selection authority's (SSA) decision shall be based on a comparative assessment of proposals against all source selection criteria in the solicitation. While the SSA may use reports and analyses prepared by others, the source selection decision shall represent the SSA's independent judgment. The source selection decision shall be documented, and the documentation shall include the rationale for any business judgments and tradeoffs made or relied on by the SSA, including benefits associated with additional costs.").

5. Any entries to the DHS headquarters visitor registry for the above named individuals and representatives of the above-named contractors

General Search Guidelines

Please search for responsive records regardless of format, medium, or physical characteristics. We request that searches be made of the primary accounts and mobile devices for these officials and any other email addresses, accounts, or devices that they use for official business. We also request that the search include any personal staff reporting to these officials with responsibility for managing, sending, or receiving official correspondence on their behalf.

If it is your position that any portion of the requested records is exempt from disclosure, DDF requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*. If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. Please be advised that DDF intends to pursue all legal remedies to enforce its right under the FOIA to access these documents. Accordingly, because litigation is foreseeable, the agency should institute an agency-wide preservation hold on documents potentially responsive to this request.

Fee Waiver Request

Pursuant to 5 U.S.C. § 552(a)(4)(A) and DHS regulations, DDF requests a waiver of fees associated with processing this request. Department regulations provide for a waiver of fees when it involves the “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.” Courts have found that a fee waiver is appropriate when the disclosure will “(1) shed light on ‘the operations or activities of the government’; (2) be ‘likely to contribute significantly to public understanding’ of those operations or activities; and (3) not be ‘primarily in the commercial interest of the requester.’” DDF’s request meets all elements.

The requested documents relate to a basic operation of the government: utilizing taxpayer dollars to acquire private services for public works. Unfortunately, though basic, government contracting is also highly vulnerable to corruption and conflicts of interest. Some of the most serious corruption cases in the past century have involved abuse of the contracting process, including Operation Ill Wind and the recent Fat Leonard Scandal. Prosecution surveys produced by the U.S. Office of Government Ethics often point out cases involving financial self-dealing by government employees through the contracting process, not infrequently involving companies owned or run by their own family members.¹⁴ The reported anomalies in the DHS ad buy

¹⁴ See, e.g., U.S. Office of Government Ethics, 2024 Conflict of Interest Prosecution Survey, PA-25-05 (July 29, 2025) (Case 5), [PA-25-05 2024 Conflict of Interest Prosecution Survey.pdf](#); U.S. Office of Government Ethics, 2023 Conflict of Interest Prosecution Survey, PA-24-09 (July 31, 2024) (Cases 3, 4, and 5), [LA-24-09 - 2023](#)

contracting process, the high value of the contracts, the type of work performed, and the close relationship between the contracting parties raises serious questions about whether the arrangements were tainted by corruption and conflicts of interest. Tricia McLaughlin's possible involvement in contracts that her husband stood to gain from raise at least the possibility of potential violations of the financial conflict of interest law (18 U.S.C. § 208), provisions of the Standards of Ethical Conduct for Employees of the Executive Branch prohibiting the use of nonpublic information for personal gain and giving preferential treatment to outside parties (5 C.F.R. §§ 2635.101(b)(3), (7), (8); 2635.502; 2635.702-.704) or the anti-kickback rules (41 U.S.C. ch. 87).¹⁵ Likewise, there are questions about why these contracts were provided on a sole source basis and whether contractors were charging for unallowable costs in violation of the FAR. At the very least, there are serious questions about whether these contracts constitute waste, fraud, or abuse. These are important issues that the public deserves to receive answers on to ensure that the contracting process at DHS is not being used to siphon money away from taxpayers and into the pockets of government officials' friends and family.

In addition, the purpose of the disclosures is not "primarily in the commercial interest of" DDF. DDF is a nonprofit organization established under section 501(c)(3) of the Internal Revenue Code. DDF's core mission is to defend the rule of law, fight corruption, and protect elections using a variety of tools including publication of information concerning ongoing activities of the government. DDF regularly speaks on issues related to government activities through traditional broadcast media, podcasts, and issuance of op-eds.¹⁶ DDF maintains a dedicated website where it provides information related to its activities which can be accessed by the public.¹⁷ The purpose of the disclosure is to inform the public about the activities of the government.

DDF also requests waiver of fees related to processing this request as a "representative of the news media" pursuant to 5 U.S.C. 552(a)(4)(A)(ii)(II). DDF routinely collects information of "potential interest to a segment of the public" and "uses its editorial skills to turn the raw materials into a distinct work and distributes that work to an audience."¹⁸ As noted above, DDF maintains a dedicated webpage for informing the public about activities related to government

Prosecution Survey .pdf; U.S. Office of Government Ethics, 2022 Conflict of Interest Prosecution Survey, PA-23-11 (July 31, 2023) (Cases 3 and 4).

¹⁵ Department of Homeland Security General Counsel James Percival previously denied that there was anything "illegal or unethical" with the contracts, noting that "Ms. McLaughlin was not involved in selecting any subcontractors." Preston Mizell, *DHS defends McLaughlin against allegations husband's company profited millions from ad contracts: 'Baseless'*, Fox News (Mar. 4, 2026), <https://www.foxnews.com/politics/dhs-defends-mclaughlin-allegations-husbands-company-profited-millions-ad-contracts>. That explanation, however, does not address whether (1) she participated in other elements of the contract at a time when she was aware her husband's company had, or was seeking, a subcontract (2) she provided nonpublic information to her husband to advance his ability to seek a subcontract or (3) whether there were violations of the anti-kickback rules. Production of the requested records will better allow the public to discern whether these potential violations may have occurred.

¹⁶ See, e.g., Norman Eisen, Virginia Canter, and Richard W. Painter, *A Plane from Qatar? C'Mon, Man*, THE N.Y. TIMES (May 14, 2025), <https://www.nytimes.com/2025/05/14/opinion/trump-plane-qatar-crypto.html>; Jennifer Rubin, Richard Painter, and Virginia Canter, *Trump's Crypto Conflicts of Interest*, THE CONTRARIAN (Apr. 25, 2025), <https://contrarian.substack.com/p/ginny-canter-and-richard-painter>; MSNBC, THE WEEKEND (July 6, 2025), <https://www.msnbc.com/the-weekend/watch/-it-s-a-stench-of-corruption-norm-eisen-warns-of-an-ethics-crisis-with-trump-s-second-term-242759237701>.

¹⁷ See Democracy Defenders Fund, News and Resources (last visited, Sept. 22, 2025), <https://www.democracydefendersfund.org/news-resources>.

¹⁸ *Nat'l Sec. Archive v. Dep't of Def.*, 880 F.2d 1381, 1387 (D.C. Cir. 1989).

activity through a variety of media including press releases, public reports, and op-eds. DDF experts routinely engage with the public and with other members of the news media to publicize important information, including information related to government activities and information related to information sought under the FOIA.¹⁹ Pursuant to existing case law, DDF clearly meets the criteria for a fee waiver under section 552(a)(4)(A)(ii)(II).²⁰

In the event my fees are not waived, we agree to pay reasonable duplication fees in an amount not to exceed \$100, but we request to be notified before processing incurs expenses in excess of that amount.

Expedited Processing

DDF is entitled to expedited processing of this request pursuant to 5 U.S.C. § 552 and 6 C.F.R. § 5.5 because (1) there exists an “urgency to inform the public about an actual or alleged Federal Government activity” and DDF is “primarily engaged in disseminating information” and (2) this is “[a] matter of widespread and exceptional media interest involving questions about the government's integrity which affect public confidence.” 6 C.F.R. § 5.5(e)(1)(ii), (iv).

1. The request involves a matter on which there is an urgency to inform the public about an actual or alleged Federal Government activity, and DDF is primarily engaged in disseminating information concerning that activity.

As the Supreme Court explained in *NLRB v. Robbins Tire & Rubber Co.*, “[t]he basic purpose of [the] FOIA is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed.” Department regulations provide for expedited processing of any request involving an “urgency to inform the public about an actual or alleged Federal government activity, if made by a person who primarily engaged in disseminating information.” 6 C.F.R. § 5.5(e)(1)(ii). This is a case in which there is a compelling need for the disclosure of these documents. In assessing whether there is an established urgency courts look to three factors: “(1) whether the request concerns a matter of current exigency to the American public; (2) whether the consequences of delaying a response would compromise a significant recognized interest; and (3) whether the request concerns federal government activity.”²¹

The actions here clearly involve government activity. They also involve a matter of current exigency to the American public and the consequences of delaying would compromise a significant government interest. Corruption, waste, fraud, and abuse are matters that strike at the very core of American democracy. Taxpayers deserve to know that their taxes are being used for public programs and not for personal largesse. More importantly, if there are fundamental conflicts of interest or corruption tainting the DHS ad buy contracts, it is imperative for those

¹⁹ MSNBC, THE WEEKNIGHT (Aug. 11, 2025), https://www.youtube.com/watch?v=uH_MuwWUvJg&t=10s; PBS FRONTLINE, TRUMP’S POWER & THE RULE OF LAW: NORMAN EISEN (July 23, 2025), https://www.youtube.com/watch?v=h_J_tX_-9IM.

²⁰ See, e.g., *Cause of Action v. FTC*, 799 F.3d 1108, 1120 (D.C. Cir. 2015); *Nat’l Sec. Archive v. Dep’t of Def.*, 880 F.2d 1381, 1387 (D.C. Cir. 1989).

²¹ *Al-Fayed v. C.I.A.*, 254 F.3d 300, 310 (D.C. Cir. 2001) (citing H.R. Rep. No. 104–795, at 26 (1996)).

issues to be identified as soon as possible to prevent the potential for additional improper outlays and to ensure that the government can successfully claw back any improper funds as soon as possible. In addition, the sooner that there can be an assessment of any potential impropriety, the sooner the Government would be able to seek to void the contracts under 18 U.S.C. § 218 and *United States v. Mississippi Valley Generating Co.*²² or to determine whether to place the subject companies on the suspension/debarment list to protect other agencies from malfeasance.

DDF is also an entity that is “primarily engaged in disseminating information” to the public.²³ DDF’s communications infrastructure is robust and designed to maximize reach and engagements. With a significant presence across social media platforms, and targeted outreach initiatives, DDF has built a network capable of rapidly disseminating accurate and detailed information regarding government activities. DDF’s public dissemination and media outreach are extensive, allowing it to connect with a vast and diverse audience across various platforms, making it uniquely positioned to effectively inform the public about the findings of this request.²⁴ DDF management and staff frequently publish reports, op-ed, and articles in traditional and new media, including in the *Contrarian* which is owned by DDF’s sister organization, Democracy Defenders Action.²⁵ By utilizing a variety of news media sources, DDF is able to make its investigative findings relatable and understandable. As a result, DDF not only informs but empowers the public to participate meaningfully in conversations about governance and accountability. The necessity of expediting the production of responsive records is underscored by DDF’s proven capacity to reach a wide audience and spark meaningful public dialogue.

2. The request involves a matter of widespread and exceptional media interest involving questions about the President’s integrity which affect public confidence.

²² 364 U.S. 520 (1961).

²³ See, e.g. *Protect Democracy Project, Inc. v. United States Dep’t of Just.*, 498 F. Supp. 3d 132, 139 (D.D.C. 2020).

²⁴ See e.g., *Trump’s Power & The Rule of Law*: Norman Eisen, PBS FRONTLINE (Mar. 24, 2025)

<https://www.pbs.org/wgbh/frontline/interview/norman-eisen/>; Virginia Canter, et al., *Why we 'Democracy Defenders' are demanding information about DOGE*, MS NOW (Dec. 27, 2024),

<https://www.msnbc.com/opinion/msnbc-opinion/group-launched-inquiry-musk-ramaswamys-doge-rcna185248>; see

also David A. Fahrenthold, *Two Watchdogs Were Rebuffed From Joining Trump’s Cost-Cutting Effort*, THE NEW YORK TIMES (Jan. 16, 2025), <https://www.nytimes.com/2025/01/16/us/doge-trump-watchdogs.html>; Stephen M.

Lepore, *DOGE’S brutal response to former Obama and Clinton aides attempting to join Elon Musk’s cost cutting machine*, DAILY MAIL (Jan. 17, 2025), <https://www.dailymail.co.uk/news/article-14295275/DOGE-brutal-response-former-Obama-Clinton-aides-Elon-Musk.html>; Travis Gettys, *'Too many to enumerate': Watchdogs open probe into Musk’s alleged 'conflicts of interest'*, RAWSTORY (Dec. 27, 2024), <https://www.rawstory.com/musk-doge-ethics/>.

²⁵ John Danforth, et al., *Trump’s War on Iran is Illegal*, THE CONTRARIAN (Mar. 2, 2026),

<https://contrarian.substack.com/p/trumps-war-on-iran-is-illegal>; Norman Eisen, et al., *The Coming Legal and Congressional Action to Fight ‘The Donroe Doctrine’*, THE CONTRARIAN (Jan. 7, 2026),

<https://www.contrariannews.org/p/the-coming-legal-and-congressional>; Christopher Swartz & Virginia Canter,

Congress is abandoning centuries-old ethics lessons in its crypto push, THE HILL (Oct. 9, 2025),

<https://thehill.com/opinion/finance/5545644-crypto-regulation-conflict-interest/>; Gabe Lezra, et al., *15 Ways You Can Fight for Democracy*, THE CONTRARIAN (Mar. 18, 2025), <https://contrarian.substack.com/p/15-ways-you-can-fight-for-democracy>; Jennifer Rubin & Craig Becker, *Craig Becker on the power of unions & Trump’s attacks against civil institutions at large*, THE CONTRARIAN (Aug. 29, 2025) <https://contrarian.substack.com/p/craig-becker-on-the-power-of-unions>; Jennifer Rubin & Virginia Canter, *Musk Turned a Government Role into a Profit Machine: Ginny Canter on Musk’s Conflicts of Interest*, THE CONTRARIAN (Jun. 6, 2025),

<https://contrarian.substack.com/p/musk-turned-a-government-role-into>.

DDF requests expedited processing as well under 6 C.F.R. § 5.5(e)(iv) which provides that the Department will process requests on an expedited basis if it involves “[a] matter of widespread and exceptional media interest in which there exist possible questions about the government’s integrity that affect public confidence.”

There is both widespread and exceptional media interest in the DHS ad buy. Media companies including CNN,²⁶ NBC News,²⁷ PBS,²⁸ USAToday,²⁹ the Hill,³⁰ Reuters,³¹ the Independent,³² People,³³ NOTUS,³⁴ and Business Insider³⁵ have written about the controversy involving DHS’s advertisement purchases. Secretary Noem was also asked questions concerning the DHS ad buy during the U.S. Senate Judiciary Committee hearing held on March 3, 2026, days before she was fired³⁶ and several members of Congress have issued letters to Secretary Noem and to DHS concerning potential improprieties in the DHS ad buy process.³⁷ This sustained interest in the DHS ad buy—and the serious questions raised concerning potential corruption—are the type of “widespread and exceptional media interest in which there exist possible questions about the government’s integrity that affect public confidence” that warrant expedited processing of this request.

²⁶ Micheal Williams, *Thousands in taxpayer funds spent on horse, hair and makeup expenses for Kristi Noem’s Mount Rushmore ad*, CNN (Mar. 23, 2026), <https://www.cnn.com/2026/03/23/politics/kristi-noem-horse-mount-rushmore-ad>.

²⁷ Julia Ainsley, Matt Dixon & Jonathan Allen, *Trump has questioned aides about Corey Lewandowski’s role in DHS ad campaign, sources say*, NBC NEWS (Mar. 10, 2026), <https://www.nbcnews.com/politics/white-house/trump-questioned-aides-corey-lewandowskis-role-dhs-ad-campaign-sources-rcna262631>.

²⁸ Joshua Brajas, *Watch: Kennedy Questions Noem about using taxpayer money for ad campaign featuring her prominently*, PBS NEWS (Mar. 3, 2026), <https://www.pbs.org/newshour/politics/watch-kennedy-questions-noem-about-using-taxpayer-money-for-ad-campaign-featuring-her-prominently>.

²⁹ Terry Collins, *Taxpayers spent thousands on hair, makeup and horses for Noem’s DHS ad*, USA TODAY (Mar. 24, 2026), <https://www.usatoday.com/story/news/politics/2026/03/24/kristi-noem-homeland-security-ad-cost/89301114007/>.

³⁰ Rebecca Beitsch, *Democrats release details behind spending on Noem’s \$220M ad campaign*, THE HILL (Mar. 23, 2026), <https://thehill.com/homenews/senate/5796885-kristi-noem-homeland-security-ad-democrats-investigation/>.

³¹ Steve Holland and Ted Hesson, *Exclusive: Trump tells Reuters he did not sign off on ad campaign featuring homeland security secretary*, REUTERS (Mar. 5, 2026), <https://www.reuters.com/world/us/trump-says-he-didnt-sign-off-200-million-border-security-ad-campaign-2026-03-05/>.

³² Brendan Rascius, *DHS officials say Trump Knew of Noem’s controversial ad campaign*, THE INDEPENDENT (Mar. 22, 2026), <https://www.the-independent.com/bulletin/news/kristi-noem-ad-campaign-trump-dhs-b2943370.html>.

³³ Michael Nied, *Kristin Noem’s \$220 Million Ad Campaign for DHS Included \$20,000 in Horse Rentals*, PEOPLE (Mar. 25, 2026), <https://people.com/kristi-noem-spent-usd20-000-on-horses-homeland-security-ad-11933992>.

³⁴ Torrie Herrington, *DHS Ad Investigation Reveals Thousands Spent on Horse, Hair, Makeup*, NOTUS (Mar. 23, 2026), <https://www.notus.org/trump-white-house/dhs-ad-investigation-reveals-thousands-spent-on-horse-hair-makeup>.

³⁵ Kristine Villarroel, *15 Blockbuster Movies Cheaper Than Kristi Noem’s \$220M DHS Ads*, BUSINESS INSIDER (Mar. 7, 2026), <https://www.businessinsider.com/movies-cheaper-than-kristi-noem-dhs-ads-2026-3>.

³⁶ U.S. Senate Committee on the Judiciary, *Hearing on the Oversight of the Department of Homeland Security* (Mar. 3, 2026), <https://www.judiciary.senate.gov/committee-activity/hearings/oversight-of-the-department-of-homeland-security-03-03-2026>.

³⁷ Letter from Representatives Thompson and Garcia to Kristi Noem, Secretary of Homeland Security (Nov. 24, 2025), https://democrats-homeland.house.gov/imo/media/doc/2025-11-24_t_noem-letter_re_misuse_of_taxpayer_funds_on_advertisements.pdf.

As noted, DDF has a proven ability to reach broad and diverse audiences, which positions this organization as a key disseminator of this missing information. Moreover, DDF has extensive knowledge of the rules and regulations that protect against government corruption and malfeasance and is uniquely situated to understand and convey information received through this FOIA concerning potential corruption to the public.

Immediate compliance with this FOIA request is necessary not only to uphold legal obligations under FOIA but also to address the growing demand for transparency on an issue of national importance that has captured significant national attention. The government's credibility depends on its willingness to timely meet this demand and to allow the public to scrutinize its actions through the lens of complete and accurate information.

If you have any questions about this clarification or foresee any problems in fully releasing the requested records, please contact us at [REDACTED]@democracydefenders.org. Please send the requested records to [REDACTED]@democracydefenders.org or Democracy Defenders Fund, 600 Pennsylvania Ave., S.E., Washington, D.C. 20003. Thank you for your assistance in this matter.

The undersigned hereby certify that these statements submitted supporting DDF's request for expedited processing are true and correct to the best of our knowledge and belief.

Sincerely,

/s/

Ambassador Norman Eisen (ret.)
Executive Chair and Co-founder
Democracy Defenders Fund

/s/

Virginia Canter
Ethics and Anticorruption Chief Counsel and Director
Democracy Defenders Fund

/s/

Chris Swartz
Senior Ethics Counsel
Democracy Defenders Fund

Guidance Regarding the Search and Processing of Requested Records:

- In connection with its request for records, DDF provides the following guidance regarding the scope of records sought and the search and processing of records:
- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA.³⁸ 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; DDF has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, by intent or through negligence, failed to meet their obligations.³⁹
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.
- If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

³⁸ See *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145, 149–50 (D.C. Cir. 2016); cf. *Judicial Watch, Inc. v. Kerry*, 844 F.3d 952, 955–56 (D.C. Cir. 2016).

³⁹ See *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, No. 14-cv-765, slip op. at 8 (D.D.C. Dec. 12, 2016).