

July 22, 2025

VIA Electronic Delivery

Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528-0525
Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

The catastrophic [flooding](#) in Texas has brought [concerns](#) about the future of emergency response and resilience to the forefront as the Trump-Vance administration has looked to reduce [staffing](#) and [funding](#) for these crucial services, even [speculating](#) about the shuttering the [Federal Emergency Management Administration \(“FEMA”\)](#), when predictions indicate a [growing need](#) for these services. While the Trump-Vance administration has been considering ideas on how to cut these programs, it has [already](#) been [severely delaying](#) its response time and the level of [support](#) it’s providing to current requests for assistance. Although there seems to be a [shift](#) in tone on this issue since the catastrophic events in Central Texas, the future of these agencies are providing critical services to those Americans and communities who are in times of great risk and difficulty remain uncertain, especially regarding how successful these services can be without adequate [funding](#) and [staffing levels](#). This request seeks to shed light on that important matter.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the Department of Homeland Security (“DHS”) produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) between the (a) DHS Officials listed below and (b) FEMA Officials listed below, containing (c) any of the key terms listed below.

DHS Officials:

- I. Secretary Kristi Noem
- II. Chief Advisor to the Secretary Corey Lewandowski
- III. Deputy Secretary Troy Edgar
- IV. Executive Secretary Andrew Whitaker
- V. Acting General Counsel Joseph N. Mazzara
- VI. Anyone serving as liaison between DHS and FEMA

FEMA Officials:

- I. Senior Official Performing Duties of FEMA Administrator David Richardson
- II. Senior Official Performing the Duties of FEMA Deputy Administrator Cynthia Spishak
- III. Anyone serving as Chief of Staff or Senior Advisor to the Administrator
- IV. Anyone serving as Chief of Staff or Senior Advisor to the Deputy Administrator
- V. Acting Deputy Regional Administrator of Region 6 Gerard Stolar
- VI. Anyone else serving in a leadership role in Region 6

Key Terms:

- I. “Hiring freeze”
 - II. Staffing
 - III. “Reduction in capacity”
 - IV. RIF
 - V. Fork
 - VI. Resigned
 - VII. Vacancies
2. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) between the (a) DHS Officials listed below and (b) FEMA Officials listed below, regarding (c) seeking approval from Secretary Noam on any contract and grant over \$100,000 relating to the July 2025 Texas Floods.¹

DHS Officials:

- I. Secretary Kristi Noem
- II. Chief Advisor to the Secretary Corey Lewandowski
- III. Deputy Secretary Troy Edgar
- IV. Executive Secretary Andrew Whitaker
- V. Acting General Counsel Joseph N. Mazzara
- VI. Anyone serving as liaison between DHS and FEMA

¹ Gabe Cohen, *Noem Demands More Control Over FEMA and Homeland Security Funding, Which Could Slow Disaster Response*, CNN (June 18, 2025), <https://www.cnn.com/2025/06/18/politics/kristi-noem-fema-dhs-funding>; Maxine Joselow, *FEMA Didn't Answer Thousands of Calls From Flood Survivors, Documents Show*, The New York Times (July 11, 2025), <https://www.nytimes.com/2025/07/11/climate/fema-missed-calls-texas-floods.html>.

FEMA Officials:

- I. Senior Official Performing Duties of FEMA Administrator David Richardson
- II. Senior Official Performing the Duties of FEMA Deputy Administrator Cynthia Spishak
- III. Anyone serving as Chief of Staff or Senior Advisor to the Administrator
- IV. Anyone serving as Chief of Staff or Senior Advisor to the Deputy Administrator
- V. Acting Deputy Regional Administrator of Region 6 Gerard Stolar
- VI. Anyone else serving in a leadership role in Region 6

This request seeks records from June 1, 2025 until the date of the search.

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “hiring freeze” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of the agency's actions relating to the July 2025 Texas floods.² DFF intends to publicize records DFF receives to contribute significantly to the public's

²Gabriela Aoun Angueira, *Texas Flooding, And Politics Around It, Underscore The Challenges Trump Faces in replacing FEMA*, Federal News Network (Jul. 9, 2025), <https://federalnewsnetwork.com/management/2025/07/texas-flooding-and-politics-around-it-underscore-the-challen>

understanding of how this Administration's policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.³

[ges-trump-faces-in-replacing-fema](#); Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It's a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c40a>; Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as Hurricane Season Begins*, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trumphttps://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump's NOAA nominee: Ongoing hiring freeze 'challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

³ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could*

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

benefit former employers: Documents, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.



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Records Requested

Democracy Forward Foundation (“DFF”) requests that the Department of Homeland Security (“DHS”) produce the following within twenty (20) business days:

Records reflecting every contract, grant, or other funding request sent from FEMA to Secretary Noem related to the July 2025 Central Texas flooding, including the date the request was made and the date that it was approved or denied by Secretary Noem.

This request seeks records from July 4, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

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Request for Fee Waiver

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subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public’s understanding of the agency’s actions relating to the July 2025 Texas floods.¹ DFF intends to publicize records DFF receives to contribute significantly to the public’s understanding of how this Administration’s policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the

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operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.²

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *“Happy to Do It”: Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees’ war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

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We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



July 22, 2025

VIA Electronic Delivery

Federal Emergency Management Agency
FOIA Officer, Disclosure Branch
500 C Street, S.W., Mail Stop 3172
Washington, D.C. 20472-3172
Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

The catastrophic [flooding](#) in Texas has brought [concerns](#) about the future of emergency response and resilience to the forefront as the Trump-Vance administration has looked to reduce [staffing](#) and [funding](#) for these crucial services, even [speculating](#) about the shuttering the [Federal Emergency Management Administration \(“FEMA”\)](#), when predictions indicate a [growing need](#) for these services. While the Trump-Vance administration has been considering ideas on how to cut these programs, it has [already](#) been [severely delaying](#) its response time and the level of [support](#) it’s providing to current requests for assistance. Although there seems to be a [shift](#) in tone on this issue since the catastrophic events in Central Texas, the future of these agencies are providing critical services to those Americans and communities who are in times of great risk and difficulty remain uncertain, especially regarding how successful these services can be without adequate [funding](#) and [staffing levels](#). This request seeks to shed light on that important matter.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the Federal Emergency Management Agency (“FEMA”) produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) between the (a) HQ officials listed below and (b) Regional officials listed below, containing (c) any of the key terms listed below.

HQ Officials:

- I. Senior Official Performing Duties of FEMA Administrator David Richardson
- II. Senior Official Performing the Duties of FEMA Deputy Administrator Cynthia Spishak
- III. Anyone serving as Chief of Staff or Senior Advisor to the Administrator
- IV. Anyone serving as Chief of Staff or Senior Advisor to the Deputy Administrator
- V. Acting Associate Administrator for Response and Recovery Keith Turi

Regional Officials:

- I. Acting Deputy Regional Administrator of Region 6 Gerard Stolar
- II. Anyone else serving in a leadership role in Region 6

Key Terms:

- I. "Central Texas"
- II. "Critical Functions"
- III. DR-4879-TX
- IV. Fork
- V. "Reduction in capacity"
- VI. "High risk"
- VII. "Hiring freeze"
- VIII. Staffing
- IX. "Reduction in capacity"
- X. Resigned
- XI. Resignation
- XII. RIF
- XIII. Vacancies

This request seeks records from March 1, 2025 until the date of the search.

2. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) of the (a) FEMA Officials listed below, containing (b) any of the key terms listed below.

FEMA Officials:

- I. Acting Deputy Regional Administrator of Region 6 Gerard Stolar
- II. Anyone serving in a leadership role in Region 6

Key Terms:

- I. "Central Texas"
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- V. “Reduction in capacity”
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This request seeks records from March 1, 2025 until the date of the search.

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Hiring Freeze” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we

request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of the agency's actions relating to the July 2025 Texas floods.¹ DFF intends to publicize records DFF receives to contribute significantly to the public's

¹Gabriela Aoun Angueira, *Texas Flooding, And Politics Around It, Underscore The Challenges Trump Faces in replacing FEMA*, Federal News Network (Jul. 9, 2025), <https://federalnewsnetwork.com/management/2025/07/texas-flooding-and-politics-around-it-underscore-the-challenges-trump-faces-in-replacing-fema>; Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It's a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c>

understanding of how this Administration’s policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.²

[40a](#); Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as Hurricane Season Begins*, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trumphttps://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump’s NOAA nominee: Ongoing hiring freeze ‘challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *“Happy to Do It”: Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees’ war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018),

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

<https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

July 22, 2025

VIA Electronic Delivery

Federal Emergency Management Agency
FOIA Officer, Disclosure Branch
500 C Street, S.W., Mail Stop 3172
Washington, D.C. 20472-3172
Via online portal

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FEMA Officials:

- I. Senior Official Performing Duties of FEMA Administrator David Richardson
- II. Senior Official Performing the Duties of FEMA Deputy Administrator Cynthia Spishak
- III. Anyone serving as Chief of Staff or Senior Advisor to the Administrator
- IV. Anyone serving as Chief of Staff or Senior Advisor to the Deputy Administrator
- V. Acting Deputy Regional Administrator of Region 6 Gerard Stolar
- VI. Anyone serving in a leadership role in Region 6

DHS Officials:

- I. Secretary Kristi Noem
- II. Chief Advisor to the Secretary Corey Lewandowski
- III. Deputy Secretary Troy Edgar
- IV. Executive Secretary Andrew Whitaker
- V. Acting General Counsel Joseph N. Mazzara
- VI. Anyone serving as liaison between DHS and FEMA

Key Terms:

- I. “Hiring freeze”
 - II. Staffing
 - III. “Reduction in capacity”
 - IV. RIF
 - V. Fork
 - VI. Resigned
 - VII. Vacancies
2. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) between the (a) FEMA Officials listed below and (b) DHS Officials listed below, regarding (c) approval from Secretary Noam on any contract and grant over \$100,000.¹

FEMA Officials:

- I. Senior Official Performing Duties of FEMA Administrator David Richardson
- II. Senior Official Performing the Duties of FEMA Deputy Administrator Cynthia Spishak
- III. Anyone serving as Chief of Staff or Senior Advisor to the Administrator
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¹ Gabe Cohen, *Noem Demands More Control Over FEMA and Homeland Security Funding, Which Could Slow Disaster Response*, CNN (June 18, 2025), <https://www.cnn.com/2025/06/18/politics/kristi-noem-fema-dhs-funding>; Maxine Joselow, *FEMA Didn't Answer Thousands of Calls From Flood Survivors, Documents Show*, The New York Times (July 11, 2025), <https://www.nytimes.com/2025/07/11/climate/fema-missed-calls-texas-floods.html>.

VI. Anyone serving in a leadership role in Region 6

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This request seeks records from June 1, 2025 until the date of the search.

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Hiring Freeze” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

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Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

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The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of the agency's actions relating to the July 2025 Texas floods.² DFF intends to publicize records DFF receives to contribute significantly to the public's

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understanding of how this Administration's policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.³

[ges-trump-faces-in-replacing-fema](#); Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It's a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c40a>; Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as Hurricane Season Begins*, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trumphttps://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump's NOAA nominee: Ongoing hiring freeze 'challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

³ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could*

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

benefit former employers: Documents, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.



July 22, 2025

VIA Electronic Delivery

Federal Emergency Management Agency
FOIA Officer, Disclosure Branch
500 C Street, S.W., Mail Stop 3172
Washington, D.C. 20472-3172
Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

The catastrophic [flooding](#) in Texas has brought [concerns](#) about the future of emergency response and resilience to the forefront as the Trump-Vance administration has looked to reduce [staffing](#) and [funding](#) for these crucial services, even [speculating](#) about the shuttering the [Federal Emergency Management Administration \(“FEMA”\)](#), when predictions indicate a [growing need](#) for these services. While the Trump-Vance administration has been considering ideas on how to cut these programs, it has [already](#) been [severely delaying](#) its response time and the level of [support](#) it’s providing to current requests for assistance. Although there seems to be a [shift](#) in tone on this issue since the catastrophic events in Central Texas, the future of these agencies are providing critical services to those Americans and communities who are in times of great risk and difficulty remain uncertain, especially regarding how successful these services can be without adequate [funding](#) and [staffing levels](#). This request seeks to shed light on that important matter.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the Federal Emergency Management Agency (“FEMA”) produce the following within twenty (20) business days:

Records reflecting every contract, grant, or other funding request sent from FEMA to Secretary Noem related to the July 2025 Central Texas flooding, including the date the request was made and the date that it was approved or denied by Secretary Noem.

This request seeks records from July 4, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the

subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public’s understanding of the agency’s actions relating to the July 2025 Texas floods.¹ DFF intends to publicize records DFF receives to contribute significantly to the public’s understanding of how this Administration’s policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the

¹Gabriela Aoun Angueira, *Texas Flooding, And Politics Around It, Underscore The Challenges Trump Faces in replacing FEMA*, Federal News Network (Jul. 9, 2025), <https://federalnewsnetwork.com/management/2025/07/texas-flooding-and-politics-around-it-underscore-the-challenges-trump-faces-in-replacing-fema>; Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It’s a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c40a>; Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as Hurricane Season Begins*, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump><https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump’s NOAA nominee: Ongoing hiring freeze ‘challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.²

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



July 22, 2025

VIA Electronic Delivery

Federal Emergency Management Agency
FOIA Officer, Disclosure Branch
500 C Street, S.W., Mail Stop 3172
Washington, D.C. 20472-3172
Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

The catastrophic [flooding](#) in Texas has brought [concerns](#) about the future of emergency response and resilience to the forefront as the Trump-Vance administration has looked to reduce [staffing](#) and [funding](#) for these crucial services, even [speculating](#) about the shuttering the [Federal Emergency Management Administration \(“FEMA”\)](#), when predictions indicate a [growing need](#) for these services. While the Trump-Vance administration has been considering ideas on how to cut these programs, it has [already](#) been [severely delaying](#) its response time and the level of [support](#) it’s providing to current requests for assistance. Although there seems to be a [shift](#) in tone on this issue since the catastrophic events in Central Texas, the future of these agencies are providing critical services to those Americans and communities who are in times of great risk and difficulty remain uncertain, especially regarding how successful these services can be without adequate [funding](#) and [staffing levels](#). This request seeks to shed light on that important matter.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the Federal Emergency Management Agency (“FEMA”) produce the following within twenty (20) business days:

All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) between the (a) FEMA officials listed below and (b) Texas Division of Emergency Management Officials listed below, regarding (c) official business.

Key Officials:

- I. Acting Deputy Regional Administrator of Region 6 Gerard Stolar
- II. Anyone serving in a leadership role in Region 6

Texas Division of Emergency Management Officials:

- I. Chief W. Nim Kidd
- II. Deputy Chief of Field Response Warren Weilder
- III. Assistant Agency Director & Chief of State Operations and Incident Support
Orlando Alanis
- IV. Region 6 Assistant Chief Jay Hall
- V. Region 6 Preparedness & Response Section Chief Darren Brinkkoeter
- VI. Region 6 Recovery & Mitigation Section Chief Judy Lucio
- VII. Region 6, District 18 District Chief Jay De Leon

This request seeks records from July 3, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are

available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of the agency's actions relating to the July 2025 Texas floods.¹ DFF intends to publicize records DFF receives to contribute significantly to the public's

¹Gabriela Aoun Angueira, *Texas Flooding, And Politics Around It, Underscore The Challenges Trump Faces in replacing FEMA*, Federal News Network (Jul. 9, 2025), <https://federalnewsnetwork.com/management/2025/07/texas-flooding-and-politics-around-it-underscore-the-challenges-trump-faces-in-replacing-fema>; Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It's a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c40a>; Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as*

understanding of how this Administration's policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.²

Hurricane Season Begins, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trumphttps://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump's NOAA nominee: Ongoing hiring freeze 'challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen>

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

[pregnancy-n857686](#); Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.



July 22, 2025

VIA Electronic Delivery

National Oceanic and Atmospheric Administration
Attn: Mark Graff, NOAA FOIA Officer
Public Reference Facility (SOU1000)
1315 East-West Highway (SSMC3), Room 9713
Silver Spring, Maryland 20910
Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

The catastrophic [flooding](#) in Texas has brought [concerns](#) about the future of emergency response and resilience to the forefront as the Trump-Vance administration has looked to reduce [staffing](#) and [funding](#) for these crucial services, even [speculating](#) about the shuttering the [Federal Emergency Management Administration \(“FEMA”\)](#), when predictions indicate a [growing need](#) for these services. While the Trump-Vance administration has been considering ideas on how to cut these programs, it has [already](#) been [severely delaying](#) its response time and the level of [support](#) it’s providing to current requests for assistance. Although there seems to be a [shift](#) in tone on this issue since the catastrophic events in Central Texas, the future of these agencies are providing critical services to those Americans and communities who are in times of great risk and difficulty remain uncertain, especially regarding how successful these services can be without adequate [funding](#) and [staffing levels](#). This request seeks to shed light on that important matter.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the National Oceanic and Atmospheric Administration (“NOAA”) produce the following within twenty (20) business days:

All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) between the (a) NOAA officials listed below, containing (b) any of the key terms listed

below.

Key Officials:

- I. Chief of Staff and performing duties of Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator Laura Grimm
- II. Acting Assistant Secretary Eugenio Piñeiro Soler
- III. Acting Assistant Secretary of Commerce for Environmental Observation and Prediction
- IV. Deputy Under Secretary for Operations Vice Admiral Nancy Hann
- V. Deputy Assistant Administrator for Recovery Paul Judson
- VI. Anyone serving as Chief of Staff to Acting Administrator Laura Grimm
- VII. Senior Advisor Bryton Shang

Key Terms:

- I. Capacity
- II. “Central Texas”
- III. “Critical Functions”
- IV. DR-4879-TX
- V. “High risk”
- VI. “Hiring freeze”
- VII. “Reduction in capacity”
- VIII. Staff
- IX. Vacancies

This request seeks records from January 20, 2025 until the date of the search.

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Hiring Freeze” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include

both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843

F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of the agency's actions relating to the July 2025 Texas floods.¹ DFF intends to publicize records DFF receives to contribute significantly to the public's understanding of how this Administration's policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.²

¹Gabriela Aoun Angueira, *Texas Flooding, And Politics Around It, Underscore The Challenges Trump Faces in replacing FEMA*, Federal News Network (Jul. 9, 2025), <https://federalnewsnetwork.com/management/2025/07/texas-flooding-and-politics-around-it-underscore-the-challenges-trump-faces-in-replacing-fema>; Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It's a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c40a>; Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as Hurricane Season Begins*, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump><https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump's NOAA nominee: Ongoing hiring freeze 'challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018),

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043



July 22, 2025

VIA Electronic Delivery

National Weather Service
National Oceanic and Atmospheric Administration
Attn: Mark Graff, NOAA FOIA Officer
Public Reference Facility (SOU1000)
1315 East-West Highway (SSMC3), Room 9713
Silver Spring, Maryland 20910
Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

The catastrophic [flooding](#) in Texas has brought [concerns](#) about the future of emergency response and resilience to the forefront as the Trump-Vance administration has looked to reduce [staffing](#) and [funding](#) for these crucial services, even [speculating](#) about the shuttering the [Federal Emergency Management Administration \(“FEMA”\)](#), when predictions indicate a [growing need](#) for these services. While the Trump-Vance administration has been considering ideas on how to cut these programs, it has [already](#) been [severely delaying](#) its response time and the level of [support](#) it’s providing to current requests for assistance. Although there seems to be a [shift](#) in tone on this issue since the catastrophic events in Central Texas, the future of these agencies are providing critical services to those Americans and communities who are in times of great risk and difficulty remain uncertain, especially regarding how successful these services can be without adequate [funding](#) and [staffing levels](#). This request seeks to shed light on that important matter.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the National Weather Service (“NWS”) produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat)

between the (a) NWS HQ Officials listed below and (b) NWS Regional Officials listed below, containing (c) any of the key terms listed below.

Leadership Officials:

- I. Director Ken Graham
- II. Anyone serving as Chief of Staff or Senior Advisor to the Director
- III. Deputy Director Michelle Mainelli
- IV. Anyone serving as Chief of Staff or Senior Advisor to the Deputy Administrator
- V. National Warning Coordination Meteorologist Chris Maier

Regional Officials:

- I. Anyone serving as Director of the Southern Region, including Michael Coyne
- II. Anyone serving as Deputy Regional Director, including Jennifer McNatt
- III. Regional Warning Coordination Meteorologist Program Manager Chris McKinney
- IV. Regional Operations Center Meteorologist in Charge Melissa Huffman
- V. Austin/San Antonio Weather Forecast Office Meteorologist In Charge Pat Vesper
- VI. San Angelo Warning Coordination Meteorologist Michael Castillo
- VII. San Angelo Science and Operations Officer Stephen Harrison

Key Terms:

- I. Capacity
- II. "Central Texas"
- III. "Critical Functions"
- IV. DR-4879-TX
- V. "High risk"
- VI. "Hiring freeze"
- VII. "Reduction in capacity"
- VIII. Staff
- IX. Vacancies

2. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, WhatsApp, Signal, or GChat) of the (a) NWS officials listed below, containing (b) any of the key terms listed below.

Key Officials:

- I. Anyone serving as Director of the Southern Region, including Michael Coyne
- II. Anyone serving as Deputy Regional Director, including Jennifer McNatt
- III. Regional Warning Coordination Meteorologist Program Manager Chris McKinney
- IV. Regional Operations Center Meteorologist in Charge Melissa Huffman
- V. Austin/San Antonio Weather Forecast Office Meteorologist In Charge Pat Vesper
- VI. San Angelo Warning Coordination Meteorologist Michael Castillo

VII. San Angelo Science and Operations Officer Stephen Harrison

Key Terms:

- I. Capacity
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- IV. DR-4879-TX
- V. “High risk”
- VI. “Hiring freeze”
- VII. “Reduction in capacity”
- VIII. Staff
- IX. Vacancies

This request seeks records from January 20, 2025 until the date of the search.

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Hiring Freeze” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we

are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agencies' regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or 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." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of the agency's actions relating to the July 2025 Texas

floods.¹ DFF intends to publicize records DFF receives to contribute significantly to the public's understanding of how this Administration's policies are impacting agencies ability to respond to crises across this country and support everyday Americans during their times of need.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.²

¹Gabriela Aoun Angueira, *Texas Flooding, And Politics Around It, Underscore The Challenges Trump Faces in replacing FEMA*, Federal News Network (Jul. 9, 2025), <https://federalnewsnetwork.com/management/2025/07/texas-flooding-and-politics-around-it-underscore-the-challenges-trump-faces-in-replacing-fema>; Seth Borenstein, *Nearly half of National Weather Service Offices Have 20% Vacancy Rates, and Experts Say It's a Risk*, Associated Press (Apr. 4, 2025), <https://apnews.com/article/doge-weather-cuts-tornado-dangerous-staff-warnings-aa7db3e0d0009d99c143742ab722c40a>; Seth Borenstein and Gabriela Aoun Angueira, *Turmoil, Worry Swirl Over Cuts to Key Federal Agencies as Hurricane Season Begins*, Associated Press (May 31, 2025), <https://apnews.com/article/hurricane-season-disaster-weather-doge-fema-noaa-cd215947480de9099a53fe20669bb923>; Andrew Freedman, *US Weather Forecasting Is More Crippled Than Previously Known As Hurricane Season nears*, CNN (May 2, 2025), <https://edition.cnn.com/2025/05/02/weather/nws-forecasting-layoffs-trump>; Lisa Friedman, Maxine Joselow, Coral Davenport, and Megan Mineiro, *Trump Is Gutting Weather Science and Reducing Disaster Response*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/climate/floods-trump-cuts-disaster-preparedness-fema.html>; Jory Heckman, *Trump's NOAA nominee: Ongoing hiring freeze 'challenging for its mission*, Federal News Network (July 9, 2025), <https://federalnewsnetwork.com/workforce/2025/07/trumps-noaa-nominee-ongoing-hiring-freeze-challenging-for-its-mission/>; Alyce McFadden, *Noem Defends FEMA Response to Texas Floods*, The New York Times (July 13, 2025), <https://www.nytimes.com/2025/07/13/us/politics/kristi-noem-trump-texas-floods-fema.html>.

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump>

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

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[equal-pay-complicit-obama-1093833](#); Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.