

January 13, 2026

Melissa Golden  
Lead Paralegal and FOIA Specialist  
Department of Justice  
Room 5517  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Re: Freedom of Information Act Request

Dear Ms. Golden,

The Center for Ethics and the Rule of Law (CERL) at the University of Pennsylvania submits this request to the Office of Legal Counsel (OLC), a component of the Department of Justice (DOJ), pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and DOJ implementing regulations, 28 C.F.R. § 16.1 et seq.

### **Background**

CERL is a non-partisan interdisciplinary institute dedicated to preserving and promoting ethics and the rule of law in national security, warfare, and democratic governance. Among other topics, it is interested in legal issues surrounding the Trump Administration’s use of the United States military.

In an article from January 6, 2026, the New York Times reported that OLC “produced a signed memo declaring it lawful for President Trump to order the military operation that seized President Nicolás Maduro of Venezuela.”<sup>1</sup> As an organization dedicated to defending and upholding the rule of law in domestic and international relations, CERL seeks to obtain the memo to better understand the Trump Administration’s legal rationale and purported justification for the lawfulness of Operation Absolute Resolve.<sup>2</sup>

### **Requested Records**

CERL requests that DOJ produce the following records:

1. Any signed OLC memo relating to President Trump’s legal authority to use the United States military to capture President Nicolás Maduro from Venezuela and bring him to the United States.
2. Any signed OLC memo regarding a use of force authorization to conduct Operation Absolute Resolve.

<sup>1</sup> Charlie Savage, *Justice Dept. Memo Approved Military Incursion Into Venezuela as Lawful*, N.Y. TIMES (Jan. 6, 2026), <https://www.nytimes.com/2026/01/06/us/politics/justice-dept-memo-venezuela.html>.

<sup>2</sup> See Julian E. Barnes et al., *Inside ‘Operation Absolute Resolve,’ the U.S. Effort to Capture Maduro*, N.Y. TIMES (Jan. 3, 2026), <https://www.nytimes.com/2026/01/03/us/politics/trump-capture-maduro-venezuela.html>.

3. Any signed OLC memo relating to the legal authority of the United States military to conduct strikes against alleged drug-traffickers in the Caribbean and eastern Pacific.

This request covers the period from January 20, 2025, to the present.

**Fee Waiver Request**

CERL requests that DOJ waive any fees associated with this FOIA request pursuant to 5 U.S.C. § 552(a)(4)(iii) and 28 C.F.R. § 16.10(k). Disclosure of the requested OLC memo to CERL “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)(iii); 28 C.F.R. § 16.10(k). Releasing the memo would greatly enable the public to understand the Trump Administration’s purported legal justification for a recent military action which has garnered significant press coverage and attention. Additionally, as part of the University of Pennsylvania, CERL is a 501(c)(3) non-profit and has no commercial interest.

\* \* \*

If you have any questions regarding this request, please email Marcos Soler at [marcos.soler@global.upenn.edu](mailto:marcos.soler@global.upenn.edu). Thank you for your attention to this matter.

Sincerely,

/s/ Marcos Soler

Marcos Soler  
Executive Director  
Center for Ethics and the Rule of Law