



CITIZENS FOR  
RESPONSIBILITY &  
ETHICS IN WASHINGTON

March 15, 2021

**SENT VIA FOIAonline.gov**

General Services Administration  
FOIA Contact, FOIA Requester Service Center (H1C), Room 7308  
1800 F Street, NW  
Washington, DC 20405

Re: Freedom of Information Act Request

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and General Services Administration (“GSA”) regulations at 5 C.F.R. part 2604.

Specifically, CREW requests the following:

1. Any agreements or memoranda of understanding between GSA and former President Donald Trump, the Office of the Former President, or the outgoing presidential transition.
2. Any agreement or memoranda of understanding between GSA and former Vice President Mike Pence.
3. Records sufficient to identify any officials detailed from federal agencies or otherwise appointed to serve former President Trump in the outgoing transition under sections 3(a)(2) and 5 of the Presidential Transition Act of 1963. Please indicate which officials were detailed from federal agencies.
4. Records sufficient to identify any officials detailed from federal agencies or otherwise appointed to serve former Vice President Pence in the outgoing transition under sections 3(a)(2) and 5 of the Presidential Transition Act of 1963. Please indicate which officials were detailed from federal agencies.
5. Records sufficient to identify the locations of any facilities the GSA administrator has provided former President Trump in connection with winding up the affairs of his office in accordance with sections 3(a) and 5 of the Presidential Transition Act of 1963. Please include the street address of the locations.
6. Any GSA contracts for services and facilities provided to former President Trump in connection with winding up the affairs of his office, in accordance with sections 3(a) and 5 of the Presidential Transition Act of 1963, including lease or rental agreements with the Trump Organization for suitable office space located in Palm Beach, Florida.



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7. Records of any invoices or receipts received from or paid to the Trump Organization for services or facilities provided to former President Trump in connection with winding up the affairs of his office, including invoices or receipts received from or paid to Mar-a-Lago, the Trump International Golf Club in West Palm Beach, the Trump International Hotel in Washington, D.C., and any other property owned by former President Trump in Palm Beach County, Florida.
8. Records sufficient to identify which, if any, Trump Organization properties GSA has been contracted with for space.

Please search for records created from November 3, 2020 to the date GSA conducts the search.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records.

If it is your position that any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See *Mead Data Central v. U.S. Dep't of the Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

#### **Fee Waiver Request**

In accordance with 5 U.S.C. § 552(a)(4)(A) and agency regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. See 5 U.S.C. § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. See, e.g., *McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

In January 2021, CBS News reported that former President Donald Trump opened the Office of the Former President in Palm Beach County, Florida.<sup>1</sup> Since leaving office, President Trump moved into Mar-

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<sup>1</sup> Melissa Quinn, [Trump opens "Office of the Former President" in Florida](https://cbsn.ws/3bD5sVx), *CBS News*, Jan. 27, 2021, <https://cbsn.ws/3bD5sVx>.



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a-Lago, a private club that he owns in Palm Beach.<sup>2</sup> The records will reveal if, like during his presidency,<sup>3</sup> President Trump has continued to line his pockets by leasing property to or otherwise charging the government for costs associated with his post-presidency transition. As a result, these records are of significant interest to the public. In addition, several former White House officials disclosed that they were joining President Trump's transition office in Palm Beach upon leaving the White House.<sup>4</sup> One of those officials, Dan Scavino, reportedly participated a meeting in which President Trump decided to launch a new super PAC.<sup>5</sup> The requested records are likely to contribute to greater public understanding of which officials are staffing President Trump and Vice President Pence's outgoing transitions and which may still be subject to the laws and regulations that restrict the political activity of government employees.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, [www.citizensforethics.org](http://www.citizensforethics.org). The release of information obtained through this request is not in CREW's financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. See *Nat'l Sec. Archive v. U.S. Dep't of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a "representative of the news media" and broadly interpreting the term to include "any person or organization which regularly publishes or disseminates information to the public").

CREW routinely and systematically disseminates information to the public in several ways. CREW's website receives tens of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. In

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<sup>2</sup> Tara McKelvy, [Florida town allows Donald Trump to stay at his Mar-a-Lago resort](https://bbc.in/38vsGv4), *BBC News*, Feb. 10, 2021, <https://bbc.in/38vsGv4>.

<sup>3</sup> David A. Fahrenthold et al., [Secret Service has paid rates as high as \\$650 a night for rooms at Trump's properties](https://wapo.st/3evY40g), *Washington Post*, Feb. 7, 2020, <https://wapo.st/3evY40g>; Julia Glum, [The Government is Paying \\$2.4 Million to Rent Space in New York City's Trump Tower](https://bit.ly/38vViUU), *Newsweek*, July 19, 2017, <https://bit.ly/38vViUU>; David A. Fahrenthold et al., [Ballrooms, candles and luxury cottages: During Trump's term, millions of government and GOP dollars have flowed to his properties](https://wapo.st/315XasB), *Washington Post*, Oct. 27, 2020, <https://wapo.st/315XasB>.

<sup>4</sup> Dan Scavino, Termination Financial Disclosure Report, part 3, Jan. 15, 2021, <https://bit.ly/3vbiG3P>; Eliza Thurston, Termination Financial Disclosure Report, part 3, Jan. 12, 2021, <https://bit.ly/2Olylg4>; Molly Michael, Termination Financial Disclosure Report, part 3, Jan. 7, 2021, <https://bit.ly/3l86rQE>; Nicholas Luna, Termination Financial Disclosure Report, part 3, Jan. 18, 2021, <https://bit.ly/3qDJJB6>; Desiree Sayle, Termination Financial Disclosure Report, part 3, Jan. 19, 2021, <https://bit.ly/3l5Y0uh>; Marcia Kelly, Termination Financial Disclosure Report, part 3, Jan. 13, 2021, <https://bit.ly/2PVjrOd>.

<sup>5</sup> Alex Isenstadt, [Trump shares plans for new super PAC in Mar-a-Lago meeting](https://politi.co/3t8kzfG), *Politico*, <https://politi.co/3t8kzfG>.



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addition, CREW posts documents it receives under the FOIA its website, which has been visited hundreds of thousands of times.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

### Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at (202) 897-1845 or [foia@citizensforethics.org](mailto:foia@citizensforethics.org). Also, if CREW's request for a fee waiver is not granted in full, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to [foia@citizensforethics.org](mailto:foia@citizensforethics.org). If GSA is not able to provide the records electronically, please contact me to arrange an alternative method of transmission. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "ML", is centered below the text "Sincerely,".

Meredith Lerner  
Senior Researcher