March 12, 2021

BY EMAIL: FOIA@usss.dhs.gov

FOIA Officer
United States Secret Service
Freedom of Information Act and Privacy Act Branch
245 Murray Lane, SW Building T-5
Washington, D.C. 20223

Re: <u>Freedom of Information Act Request</u>

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 U.S. Department of Homeland Security ("DHS") regulations.

Specifically, CREW requests all records that show or relate to the use of government funds to provide security and any other services during President Trump's March 7-9, 2021 trip to Trump Tower in New York, including but not limited to records of payments to the hotel.

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 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).

Former President Trump traveled to Trump Tower in March to "look under the hood" of his businesses, which are headquartered there.[1] While in office, Trump notoriously used his office to direct spending to the properties that he continued to profit from as President.[2] The requested records will shed light on the financial burden that taxpayers continue to shoulder when Trump stays at his properties.

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. 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 a blog that reports on and analyzes 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 addition, CREW posts the documents it receives under the FOIA on its website, and that site has been visited hundreds of thousands of times.

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

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[1] Chris Sommerfeldt, Trump in NYC to 'look under the hood' of his businesses as prosecutors probing fraud turn up heat: source, *New York Daily News,* March 8, 2021, *available at* https://www.nydailynews.com/news/politics/ ny-trump-visits-nyc-amid-fraud-probe-20210308-z7idypy6a5hddagx3n4luganv4-story.html.
[2] *See* President Trump's legacy of corruption, four years and 3,700 conflicts of interest later, *Citizens for Responsibility and Ethics in Washington*, January 15, 2021, *available at* https://www.citizensforethics.org/ reports-investigations/crew-reports/president-trump-legacy-corruption-3700-conflicts-interest/.

waiver.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at wdavis@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 me at wdavis@citizensforethics.org. Thank you for your assistance.

Sincerely,

Walker Davis
Research Manager