



February 18, 2025

Kevin Tyrrell
FOIA Officer
United States Secret Service
Department of Homeland Security
Communications Center (FOIA/PA)
245 Murray Drive, Building T-5
Washington, DC 20223

Re: Freedom of Information Act Request

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington ("CREW") submits this request for records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and Department of Homeland Security ("DHS") regulations.

Specifically, from January 1, 2018 to the date this request is processed, CREW requests:

1. All documents and communications related to formal or informal policies employed by the Secret Service or other federal entities to determine whether a current or former government official warrants a personal protective detail ("PPD"); and
2. Documents sufficient to identify the factors taken into account by the Secret Service or other federal entities during this period to determine whether any current or former government official warrants a PPD.

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, and anyone who was cc'ed or bcc'ed on any emails.

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).

Please be advised that CREW intends to pursue all legal remedies to enforce its rights under FOIA. Accordingly, because litigation is reasonably foreseeable, the agency should institute an agencywide preservation hold on all documents potentially responsive to this request.

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 id.* § 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).

During President Trump's first days back at the White House, the protective security details for several former federal officials were revoked,¹ despite recent reports suggesting that credible threats against them remained.² The public has an interest in knowing whether and to what extent these decisions were made by taking into account intelligence and a risk assessment of specific threats as opposed to other factors.³

Numerous recent congressional hearings, including those related to the January 6th attack on the U.S. Capitol, have focused on threats to federal officials and PPD's. However, without insight into the standards that warrant the allocation of federal tax dollars to providing individuals with security details, the public has not been able to exercise an informed role in influencing its representatives. A 2024 Congressional Research Service report stated that "there are numerous federal PPD factors that Congress may be currently unaware of[,] . . . includ[ing]. . . [w]hat process is used by federal entities in determining who receives PPD[.]"⁴ Congress, and the people it represents, must have insight into the PPD

¹ Sheryl Gay Stolberg, *Trump terminates Fauci's government security protection*, N.Y. Times, (Jan. 24, 2025), https://www.nytimes.com/2025/01/24/us/politics/fauci-security-protection.html?campaign_id=190&emc=edit_ufn_20250124&instance_id=145721&nl=from-the-times®i_id=202459426&segment_id=189217&user_id=2dc180498f86147914c4bc9de2d97fc2; Maggie Haberman, *Trump revokes security detail for Pompeo and others, despite threats from Iran*, N.Y. Times (Jan. 23, 2025), <https://www.nytimes.com/2025/01/23/us/politics/trump-pompeo-security-iran.html>.

² The Associated Press, *Trump ends Fauci's security detail, says he'd feel no responsibility if he was harmed*, NPR (Jan. 24, 2025 4:39 ET), <https://www.npr.org/2025/01/24/nx-s1-5273805/donald-trump-anthony-fauci-security-detail-federal>; Associated Press, *Trump should rethink revoking former officials' security details, Tom Cotton says*, U.S. News & World Report (Jan. 26, 2025), <https://www.usnews.com/news/politics/articles/2025-01-26/trump-should-rethink-revoking-former-officials-security-details-tom-cotton-says>.

³ Shawn Reese, Cong. Rsch. Serv., R47731, *Who protects whom? Federal officials and judicial security and personal protective details* (Sept. 27, 2023), <https://crsreports.congress.gov/product/pdf/R/R47731/2>.

⁴ Shawn Reese, Cong. Rsch. Serv., R47731, *Who protects whom? Federal officials and judicial security and personal protective details* (updated July 16, 2024), <https://sgp.fas.org/crs/misc/R47731.pdf>.

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process to ensure executive branch accountability. Transparency around whether there is a consistent approach to determining credible threats to federal elected and appointed officials is critical to the public interest.

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 disseminates information obtained through FOIA to the public in several ways. For example, CREW's website receives over 150,000 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. These reports frequently rely on government records obtained through FOIA. CREW also posts the documents it obtains through FOIA on its website.

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 email me at kmm@citizensforethics.org and foia@citizensforethics.org or call me at (202) 408-5565. Also, if CREW's request for a fee waiver is denied, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to kmm@citizensforethics.org and foia@citizensforethics.org or by mail to Kalyn Mizelle McDaniel, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20044.

Sincerely,

Kalyn Mizelle McDaniel
Legal Fellow