CREW

CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

October 11, 2023

SUBMITTED VIA: pal.gsa.gov

U.S. General Services Administration
FOIA Requester Service Center (LG)
1800 F Street, NW, 7308
Washington, DC 20405-0001

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 General Services Administration ("GSA") regulations.

Specifically, CREW requests:

1. Any and all rental or lease agreements between former President Donald Trump and GSA regarding Trump's post-presidential office on North Flagler Drive in West Palm Beach, FL.
2. Payroll records and any other documents sufficient to identify all staff members at Trump's post-presidential office on North Flagler Drive in West Palm Beach, FL employed from January 20, 2021 to the day this request is processed.
3. All communications between Trump's post-presidency office, Save America political action committee, Donald J. Trump for President 2024, Inc., and Trump Save America Joint Fundraising Committee, from January 20, 2021, to the day this request is processed.
4. Any invoices, receipts, bills, or other records reflecting spending by Trump's post-presidential office at Trump properties, including but not limited to Mar-a-Lago, Trump International Golf Club, West Palm Beach; Trump National Doral Miami, Trump National Golf Club Jupiter, and Trump National Golf Club Bedminster.

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 agency wide 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).

On September 10, 2023, NBC News reported previously unknown details about Trump's post-presidential office on North Flagler Drive in West Palm Beach, FL, including that it is unmarked and located in a building that houses at least two other government offices, with an IRS office across the hall and an outpost for Trump's Secret Service detail a floor below. Since the office opened two years ago, "several" aides on the payroll have also worked at his PAC or presidential campaign.[1]

While in office Trump set a precedent for blurring the lines between personal and official roles. During the 2020 election he "created the conditions for what appeared to be a taxpayer-funded campaign apparatus within the upper echelons of the executive branch" for his failure to discipline a White House employee who repeatedly violated the Hatch Act.[2] Trump also mixed matters of state with the private businesses he retained ownership of and profited from as president.[3] Trump's current unique role as former president, candidate, and

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[1] Jonathan Allen, Katherine Doyle, Lisa Rubin, Ken Dilanian, Jake Traylor and Jon Schuppe, Trump's post-presidential office is hiding in plain sight, *NBC News*, Sept. 10, 2023, https://tinyurl.com/4z9js7mv.

[2] Investigation of Political Activities by Senior Trump Administration Officials During the 2020 Presidential Election, *Office of Special Counsel*, Nov. 9, 2021, https://tinyurl.com/5dwaez3e

[3] Tracking President Trump's unprecedented conflicts of interest, *CREW*, October 21, 2019, https://tinyurl.com/38ehnnxt

defendant in several lawsuits raises questions about separation of work among his likely large staff. While a person can split time between campaign and government work, performing political duties on government time or in a government-occupied space is strictly prohibited.[4] The public has an interest in knowing whether Trump used a taxpayer-funded space or taxpayer-funded staff for campaign activities or to work on personal matters, such as his private legal defense.

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 hundreds 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. 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.

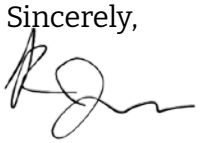
Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at [redacted] and foia@citizensforethics.org. 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 [redacted] and foia@citizensforethics.org or by mail to Rebecca Jacobs, Citizens for Responsibility and Ethics in Washington, [redacted]

[4] Allen, *NBC News*, Sept. 10, 2023,

Sincerely,



Rebecca Jacobs
Senior Researcher