

October 9, 2017

BY FACSIMILE: 202-406-5586

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

Re: Freedom of Information Act Request

Dear Ms. Payne:

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 Department of Homeland Security (DHS”) regulations.

Specifically, CREW requests:

- (1) copies of records of or reflecting the use of government funds to provide security and any other services to Vice President Mike Pence for his travel on Sunday, October 8, 2017, which included a flight from Las Vegas to Indianapolis to attend an NFL football game and then a flight to Los Angeles for a political fundraiser; and
- (2) copies of records of or reflecting when the Secret Service was notified of the Vice President’s travel plans for October 8, 2017.

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, including those who are cc’ed or bcc’ed on any email.

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 DHS 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).

Vice President Pence's trip to Indianapolis to attend an NFL football game has been widely criticized as a political stunt undertaken at the urging of President Donald Trump and likely to increase political giving at the fundraising event the Vice President attended in Los Angeles after a brief appearance at the game. Although the Vice President claimed he left the game in protest after some players knelt during the National Anthem, the press pool accompanying him was told to not disembark from their vans because "there was a chance Pence may depart early."¹ Public attention has focused on the cost of this travel, with CNN estimating the air travel alone cost about \$242,500.² The requested records will round out this picture and shed further light on the nature and purpose of the Vice President's travel. At a time when the administration is proposing massive budget cuts and the Secret Service has been overwhelmed with the costs of providing protection to a president who spends most weekends at one of his private residences rather than the White House, there is great public interest in the cost of and details about the Vice President's trip which appears to have been scheduled for political purposes.

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.

¹ Cindy Boren, [Trump Says He Directed Pence to Walk Out of Game If 49ers Protested During National Anthem](https://www.washingtonpost.com/news/sports/wp/2017/10/08/vice-president-pence-walks-out-of-colts-game-over-49ers-national-anthem-protests/?utm_term=.5edecdc709c8), *Washington Post*, Oct. 8, 2017, available at https://www.washingtonpost.com/news/sports/wp/2017/10/08/vice-president-pence-walks-out-of-colts-game-over-49ers-national-anthem-protests/?utm_term=.5edecdc709c8. *See also* Rene Marsh, [The Price Tag for Pence's Trip to Indianapolis](http://www.cnn.com/2017/10/08/politics/pence-indianapolis-flights-cost/index.html), CNN, Oct. 9, 2017, available at <http://www.cnn.com/2017/10/08/politics/pence-indianapolis-flights-cost/index.html>.

² Marsh, CNN, Oct. 9, 2017.

Latita Payne
October 9, 2017
Page 3

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 all the documents it receives under the FOIA at 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) 408-5565 or aweismann@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 either at aweismann@citizensforethics.org or at Anne L. Weismann, Citizens for Responsibility and Ethics in Washington, 455 Massachusetts Ave., N.W., Washington, D.C. 20001. Thank you for your assistance in this matter.

Sincerely,



Anne L. Weismann
Chief FOIA Counsel