

CREW | citizens for responsibility and ethics in washington

February 13, 2019

BY EMAIL: FOIA@usss.dhs.gov

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 copies of records of or reflecting the use of government funds to provide security and any other services for Eric Trump’s trip to Uruguay in January 2019 to visit the construction site of the future Trump Tower Punta del Este.

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, as well as those who were 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).

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).

Eric Trump, as a son of the president, is entitled to Secret Service protection. News reports have highlighted the costs incurred by the Secret Service in providing this protection when the Trump children travel abroad to advance their private business interests (and ultimately the business interests of President Trump). For example, the *Washington Post* reported that Eric Trump's January 2017 trip to Uruguay to promote the interests of the Trump Organization cost U.S. taxpayers "nearly \$100,000 in hotel rooms for Secret Service and embassy staff."¹ Eric Trump recently tweeted about a return trip to Uruguay he took in January 2019 to visit the construction site of the future Trump Tower Punta del Este. Eric Trump@Eric Trump.

The requested records will shed light on the costs to the taxpayers of a trip undertaken to advance the financial interests of the Trump Organization, from which the president has refused to divest. The public interest is paramount in the Trump family's use of federal funds to promote their international holdings. The requested records are a starting point for the public to determine whether the conduct of the Trump Organization is at odds with the president's commitment to "drain the swamp" in Washington.

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, and through www.scribd.com. 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)

¹ Amy Brittain and Drew Harwell, [Eric Trump's Business Trip to Uruguay Cost Taxpayers \\$97,830 in Hotel Bills](https://www.washingtonpost.com/business/economy/eric-trumps-trip-to-uruguay-cost-taxpayers-97830-in-hotel-bills/2017/02/03/ababd64e-e95c-11e6-bf6f-301b6b443624_story.html?utm_term=.071d0d1dcadd), *Washington Post*, Feb. 3, 2017 (available at https://www.washingtonpost.com/business/economy/eric-trumps-trip-to-uruguay-cost-taxpayers-97830-in-hotel-bills/2017/02/03/ababd64e-e95c-11e6-bf6f-301b6b443624_story.html?utm_term=.071d0d1dcadd).

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(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 addition, CREW posts documents it receives under the FOIA on its website, and those documents have 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, 1101 K Street, N.W., Suite 201, Washington, D.C. 20005. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anne L. Weismann', with a long horizontal flourish extending to the right.

Anne L. Weismann
Chief FOIA Counsel