

August 28, 2019

BY EMAIL: FOIA@uss.s.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 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 communications between January 1, 2019 and the present that relate to or support President Trump’s assertion that the Secret Service preferred the Trump National Doral resort as a site for the G-7 summit in 2020.

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).

On August 26th Trump suggested to reporters that after scouting out locations for the 2020 G7 summit, to be hosted by the United States, the Secret Service has favored Trump's Doral resort. As this year's meeting was coming to a close, a reporter questioned Trump on the ethical quandaries of using one of his properties to host foreign dignitaries, to which he assured the audience that Doral was simply the most logical choice. According to the President, the choice was supported by the Secret Service:¹

"When my people came back-- they took tours, they went to different places. I won't mention places but you'll have a list because they're going to give a presentation on it fairly soon. They went to places all over the country. And they came back and they said, 'This is where we would like to be.' Now we had military people doing it. We had Secret Service people doing it. We had people who really understand what it's about. It's not about me. It's about getting the right location."

Since Trump suggested in June that the summit be held at one of his properties, Trump National Doral resort has become a top contender for the event, despite several complications about having it there.² The resort neighbors one of the busiest intersections in Doral, and is located in southern Florida which could be uncomfortably hot and prone to storms during the summer.

Trump and members of his administration have notoriously used the executive office to advertise his properties, which he continues to profit from as president.³ Given previous evidence that Trump has used his presidency to promote his business interests, the public has a compelling interest in learning about the Secret Service's assessment of the resort as a possible venue.

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

¹ Trump shares his justification for holding next G7 at Trump National Doral Miami, *MSNBC*, August 26, 2019, available at <https://www.msnbc.com/msnbc/watch/trump-shares-his-justification-for-holding-next-g7-at-trump-national-doral-miami-67460677657>.

² Josh Dawsey, David A. Fahrenthold, Jonathan O'Connell, and Michelle Ye Hee Lee, When Trump visits his clubs, government agencies and Republicans pay to be where he is, *Washington Post*, June 20, 2019, available at https://www.washingtonpost.com/politics/when-trump-visits-his-clubs-government-agencies-and-republicans-pay-to-be-where-he-is/2019/06/20/a4c13c36-8ed0-11e9-adf3-f70f78c156e8_story.html; Jonathan Swan, Scoop: Trump resort in mix to host G7, *Axios*, July 22, 2019, available at https://www.axios.com/trump-national-doral-g7-site-2020-252ae9ee-aafc-444a-a8e7-fa041a30f0aa.html?utm_source=twitter&utm_medium=twsocialshare&utm_campaign=organic

³ PRESIDENTIAL PROFITEERING: TRUMP'S CONFLICTS GOT WORSE IN YEAR TWO, *Citizens for Responsibility and Ethics in Washington*, available at <https://www.citizensforethics.org/presidential-profiteering-trumps-conflicts-got-worse/>.

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 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 rjacobs@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 either rjacobs@citizensforethics.org or Rebecca Jacobs, Citizens for Responsibility and Ethics in Washington, 1101 K St., N.W., Suite 201, Washington, D.C. 20005. Thank you for your assistance.

Sincerely,



Rebecca Jacobs
Research Associate