

March 13, 2020

BY EMAIL: FOIA@usss.dhs.gov

Freedom of Information Appeal
Deputy Director
U.S. Secret Service
Communications Center
245 Murray Lane, S.W., Building T-5
Washington, D.C. 20223

Re: Appeal of FOIA/PA File No. 20200297

Dear FOIA Appeals Officer:

Citizens for Responsibility and Ethics in Washington (“CREW”) hereby appeals the initial determination by the U.S. Secret Service concerning CREW’s request under the Freedom of Information Act (“FOIA”) for records pertaining to Donald Trump Jr.’s trip to Mongolia in August 2019. As set forth below, the two pages of records the Secret Service provided CREW in response do not reasonably constitute the sum total of all responsive records.

On December 13, 2019, CREW submitted to the Secret Service by email a request for copies of records of or reflecting the use of government funds to provide security and any other services for Donald Trump Jr.’s trip to Mongolia in August 2019, dating from July 31, 2019 to the present. For your convenience a copy of this request is enclosed. On March 5, 2020, the Secret Service provided CREW with its final response to the request, consisting of two pages of responsive records that included (1) an air/rail detail report noting \$2,248.29 in expenses covering August 11-18, 2019, and (2) a foreign protective travel cost tracking sheet that showed \$15,999.84 paid to Marmara International LLC and \$1,705.12 for Department of State Support Services covering August 16-24, 2019. A copy of the two records the Secret Service produced also is enclosed. The paucity of documents suggests the Secret Service failed to conduct an adequate search reasonably designed to uncover all responsive documents.

First, public reporting indicates that five members of the Secret Service accompanied Donald Trump Jr. on his trip to Ulaanbaatar, Mongolia.¹ At the time of Trump Jr.’s trip the cheapest commercial flights for the period August 11-18 were approximately \$1,000 round trip.² The total of \$2,248.29 provided on the newly disclosed Secret Service documents for travel

¹ Jake Pearson & Anand Tumurtogoo, Donald Trump Jr. Went to Mongolia, Got Special Treatment From the Government and Killed an Endangered Sheep, *Pro Publica*, Dec. 11, 2019, <https://www.propublica.org/article/trump-inc-podcast-donald-trump-jr-went-to-mongolia-got-special-treatment-from-the-government-and-killed-an-endangered-sheep>.

² *See, e.g.*, https://www.faredetective.com/farehistory/flights-from-New_York-JFK-to-Ulaanbaatar-ULN.html.

expenses woefully understates the expected travel expenses for five Secret Service agents who reportedly accompanied Trump Jr.

Second, reporting indicates that Trump Jr. had a private meeting with the Mongolian president in Ulaanbaatar.³ The Secret Service documents, however, do not include any entry for separate lodging in the city (or for any additional transportation or meals) -- only the payment to Marmara International LLC, which is listed as a “camping service” in the documents, for one location: Bayan Olgii, Mongolia. The failure of the documents to even mention this leg of the trip coupled with the differing timelines in the two documents further highlight the incompleteness of the records the Secret Service provided CREW.

In responding to a FOIA request an agency must conduct a search for records that “us[es] methods which can be reasonably expected to produce the information requested.”⁴ Here, CREW requested specific and discrete information: records of or reflecting the use of government funds to provide security and any other services for Donald Trump Jr.’s trip to Mongolia in August 2019, dating from July 31, 2019 to the present. The time period of the request clearly encompassed the entirety of Trump Jr.’s trip, not just the portion spent in Bayan Olgii, Mongolia, and clearly seeks records related to all expenses. Yet, despite this clarity, the Secret Service provided only a few, select records that omit key portions of the request and provide totals that do not match the expected costs of the trip, at least as to airfare.

For all these reasons, the Secret Service failed to conduct an adequate search. Accordingly, we request that you direct the Secret Service to conduct a new search that addresses the omissions outlined herein.

Sincerely,



Anne L. Weismann
Chief FOIA Counsel

Encl.

³ *Id.*

⁴ *Nation Magazine v. U.S. Customs Serv.*, 71 F.3d 885, 890 (D.C. Cir. 1995) (quotation and citation omitted).