



March 24, 2020

By EMAIL: FOIA.OIG@oig.dhs.gov

FOIA Public Liaison
DHS-OIG Counsel
STOP 0305
245 Murray Lane, S.W.
Washington, D.C. 20528-0305

Re: Freedom of Information Act Request

Dear FOIA Public Liaison:

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 an unredacted copy of the March 18, 2020 report issued by the DHS Office of Inspector General (“OIG”), “United States Secret Service Expenses Incurred at Trump Turnberry Resort,” OIG-20-18 (hereafter “OIG Report”).

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 right under the FOIA to access the requested documents. Accordingly, because litigation reasonably is foreseeable, the DHS should institute an agency-wide preservation hold on documents potentially responsive to this request.

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).

At the request of Congress, the OIG conducted an audit of the expenses the Secret Service incurred for President Trump's visitor to his Trump Turnberry Resort in Scotland from July 14 -15, 2018.¹ While the March 18, 2020 OIG report of this audit is publicly available, the public version has key redactions including the total costs to the Secret Service for the trip; the total cost of meals and incidentals; certain hotel room rates for Secret Service personnel; and other logistical support costs. *Id.* The cover of the report contains a "law enforcement sensitive warning," suggesting that is the basis for the redactions, but the warning is crossed-out.

The requested records will shed light on the costs to the taxpayers of a trip the President undertook that included a stay at his own resort, a business interest from which the President has refused to divest. The public interest is paramount in the President's use of federal funds to promote his own business interests, conduct that also is at odds with his 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. 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 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 the documents it receives under the 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 on an expedited basis, 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

¹ OIG Report at 1.

records to either the email listed above or 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 black ink, appearing to read 'Anne L. Weismann', written in a cursive style.

Anne L. Weismann Chief FOIA Counsel

³ Jeff Stein & Josh Dawsey, *White House struggles to contain public alarm over coronavirus*, *Washington Post*, Feb. 26, 2020, <https://www.washingtonpost.com/business/2020/02/25/white-house-struggles-contain-public-alarm-over-coronavirus-despite-panic/>.

⁴ Kimberly Leonard, *Alex Azar bats down reports that Trump will appoint a ‘coronavirus czar’ to replace him*, *Washington Examiner*, Feb. 26, 2020, <https://www.washingtonexaminer.com/policy/healthcare/alex-azar-bats-down-reports-that-trump-will-appoint-a-coronavirus-czar-to-replace-him>.