

April 16, 2020

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 Ivanka Trump and Jared Kushner’s trip to Trump National Golf Club Bedminster in April 2020, dating from April 1, 2020 to the present.

Second, CREW requests copies of records of or reflecting the number of Secret Service agents involved in the detail for Ivanka Trump and Jared Kushner’s trip to Trump National Golf Club Bedminster in April 2020, dating from April 1, 2020 to the present.

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).

As the daughter of President Trump, Ivanka Trump is entitled to Secret Service protection. On April 16, 2020 *The New York Times* reported that Ivanka Trump and her husband Jared Kushner traveled to Trump National Golf Club Bedminster in New Jersey, a golf club owned by the Trump Organization, for the first night of Passover.¹ The article also pointed out that the family's travel contradicted the health guidance put out by the government to combat the spread of coronavirus. Trump and Kushner's decision to travel meant that government resources would need to be used to transport them and protect them. While there is nothing wrong with the daughter or son of a president receiving protection from the Secret Service, it is fair for taxpayers to have questions about the cost for certain activities, especially ones that put government employees at heightened risk in the midst of a pandemic.

This administration has a history of undertaking travel and recreation that ends up costing the American people hundreds of thousands of dollars--from the security costs for President Trump's family to go on international business trips, to the cost of golf cart rentals for the Secret Service to protect the president when he is golfing.^{2 3} If the American people are footing the bill for President Trump's adult daughter to be protected during an ill-advised trip that contravenes state restrictions on travel during a pandemic, they deserve to know the full cost, and how many agents were put at higher risk as a result of the travel.

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

¹ Karni, Annie. "Ivanka Trump, Disregarding Federal Guidelines, Travels to N.J. for Passover." *New York Times*. April 16, 2020. Available at:

<https://www.nytimes.com/2020/04/15/us/politics/coronavirus-ivanka-trump.html?smid=nytcore-ios-share>

² Libowitz, Jordan, *CREW Gets Trump Family Secret Service Spending Documents*. Available at:

<https://www.citizensforethics.org/crew-gets-trump-family-business-secret-service-spending-documents/>

³ Rohrlich, Justin, Trump's golf cart rental expenses set to surpass \$500,000, Quartz, May 29, 2019 available at: <https://qz.com/1629811/trumps-golf-cart-rental-expenses-set-to-surpass-500000/>

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 blog posts 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 lhonl-stuenkel@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 lhonl-stuenkel@citizensforethics.org, or Linnaea Honl-Stuenkel, 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,

Linnaea Honl-Stuenkel

Digital Strategist