

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Defendant.

Civil Action No. 20-1400 (CRC)

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

By and through its undersigned counsel, Defendant the United States Department of Homeland Security respectfully moves for summary judgment in its favor pursuant to Federal Rule of Civil Procedure 56(c). In sum, there exists no genuine issue of material fact and Defendant is entitled to judgment as a matter of law in this Freedom of Information Act case. In support of this Motion, Defendant refers the Court to the accompanying memorandum of points and authorities, statement of undisputed material facts, and the attached declarations and exhibits. A proposed order is also enclosed herewith.

* * *

Dated: August 12, 2020.

Respectfully submitted,

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**DEFENDANT’S MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

This dispute arises out of two Freedom of Information Act (“FOIA”) requests that Plaintiff Citizens for Responsibility and Ethics in Washington (“CREW”), submitted to Defendant, United States Department of Homeland Security (“DHS”). *See* Compl. ¶ 1. CREW submitted a FOIA request for costs associated with the United States Secret Service’s (the “Secret Service’s”) protection of President Donald Trump, Jr. on a trip to Mongolia in August 2019, and another FOIA request seeking an unredacted copy of a report entitled “United States Secret Service Expenses Incurred at Trump Turnberry Resort” (“OIG Report”), which had been prepared by the Office of the Inspector General for the Department of Homeland Security (“DHS OIG”) concerning expenses incurred by the Secret Service to provide protection during the President’s trip to Trump Turnberry Resort on July 14-15, 2018. *See id.* ¶¶ 1, 10, 21; Def.’s Ex. 3 (redacted OIG Report). DHS promptly responded to both FOIA requests and CREW administratively appealed both FOIA responses. *See* Compl. ¶¶ 15, 24.

Prior to the release of the OIG Report to the public and as part of its normal process, DHS OIG had consulted with the Secret Service about whether any information in the OIG Report needed to be redacted prior to release. *See* Declaration of Ronald L. Rowe, Jr. (“Rowe Decl.”) ¶ 5 (attached as Def.’s Ex. 1). The Secret Service requested that certain portions of the report be redacted because the information would directly or indirectly reveal information about the number of personnel on a protective detail and certain protective equipment purchases which would compromise the law enforcement techniques for designing protective details and risk circumvention of the laws against doing harm to protectees or interfering with Secret Service personnel performing their duties. *See* Rowe Decl. ¶¶ 6-11; 18 U.S.C. § 1752. Additionally, release of information describing the purchases of certain equipment and about the strength of details assigned to carry out the protective mission for certain government officials and their families would risk the physical safety or potentially the lives of the protectees and the law enforcement personnel assigned to protect them because knowing the strength of the protective detail would enable adversaries or those seeking to do harm to protectees to plan more effective attacks. *See* Rowe Decl. ¶¶ 6-10, 12-14; Declaration of Camille Callender (“Callender Decl.”) ¶¶ 6, 9-11 (attached as Def.’s Ex. 2).

Because the information falls squarely within FOIA Exemptions 7(E) and 7(F) and the Secret Service carefully segregated the minimum exempt information whose public release would cause foreseeable harm, the Court should uphold the assertion of these FOIA exemptions just as another court did for similar cost information at issue in *New York Times Co. v. U.S. Secret Service*, Civ. A. No. 17-1885, 2018 WL 722420, *2 (S.D.N.Y. Feb. 5, 2018), in which its withholdings were upheld under Exemptions 7(E) and 7(F). *Id.* at *4. Although the *New York Times* decision is not binding, its reasoning is persuasive, and this Court should reach the same result.

BACKGROUND

By letter dated December 13, 2019, Plaintiff CREW requested from the Secret Service records from July 31, 2019 to the present regarding agency costs associated with travel by Donald Trump, Jr. to Mongolia in 2019. *See* Compl. ¶¶ 10-11. After the Secret Service provided a final response releasing certain records on March 20, 2020 (Compl. ¶ 14), CREW filed an administrative appeal challenging certain aspects of the agency's response. *See* Compl. ¶¶ 15-18. The Secret Service granted CREW's administrative appeal on May 19, 2020, and released additional records. *See* Answer ¶ 19. This resolved the first FOIA request in its entirety. *See* July 22, 2020 Joint Status Report [ECF No. 8].

CREW also submitted a second FOIA request on March 24, 2020 for an unredacted version of the OIG Report. *See* Compl. ¶¶ 21-22. DHS OIG provided a final response to the FOIA request on April 2, 2020, and CREW appealed the initial response on April 3, 2020. *See* Callender Decl. ¶ 11; Compl. ¶¶ 23-24. On June 18, 2020, the Secret Service responded to the appeal, granting it in part and denying it in part. *See* Answer ¶¶ 24-25, 28. Thus, the only issue still in dispute between the parties is the withholdings made to the OIG Report as reflected in Defendant's Exhibit 3. *See* July 22, 2020 Joint Status Report.¹

LEGAL STANDARDS

Summary judgment is appropriate when the pleadings and evidence “show[] that there is no genuine issue as to any material fact and that the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). The party seeking summary judgment must demonstrate the absence of a genuine issue of material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986). A genuine

¹ *E.g., Am. Ctr. for Law & Justice v. Dep't of Justice*, 325 F. Supp. 3d 162, 167-68 (D.D.C. 2018) (finding challenge to agency's search waived when plaintiff agreed in status report to narrow case to issues with agency's withholdings).

issue of material fact is one that “might affect the outcome of the suit under the governing law.” *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). Once the moving party has satisfied its burden, the nonmoving party “may not rest upon the mere allegations or denials of his pleadings, but . . . must set forth specific facts showing that there is a genuine issue for trial.” *Id.* at 248.

The “vast majority” of FOIA cases are decided on motions for summary judgment. *Brayton v. Office of U.S. Trade Rep.*, 641 F.3d 521, 527 (D.C. Cir. 2011); *see also Media Research Ctr. v. Dep’t of Justice*, 818 F. Supp. 2d 131, 136 (D.D.C. 2011) (“FOIA cases typically and appropriately are decided on motions for summary judgment”); *Citizens for Responsibility & Ethics in Wash. v. Dep’t of Labor*, 478 F. Supp. 2d 77, 80 (D.D.C. 2007). An agency may be entitled to summary judgment in a FOIA case if it demonstrates that no material facts are in dispute, it has conducted an adequate search for responsive records, and each responsive record that it has located either has been produced to the plaintiff or is exempt from disclosure. *See Weisberg v. Dep’t of Justice*, 627 F.2d 365, 368 (D.C. Cir. 1980). To meet its burden, a defendant may rely on reasonably detailed and non-conclusory declarations. *See McGehee v. CIA*, 697 F.2d 1095, 1102 (D.C. Cir. 1983); *Media Research Ctr.*, 818 F. Supp. 2d at 137. “[T]he Court may award summary judgment solely on the basis of information provided by the department or agency in declarations when the declarations describe ‘the documents and the justifications for nondisclosure with reasonably specific detail, demonstrate that the information withheld logically falls within the claimed exemption, and are not controverted by either contrary evidence in the record nor by evidence of agency bad faith.’” *CREW*, 478 F. Supp. 2d at 80 (quoting *Military Audit Project v. Casey*, 656 F.2d 724, 738 (D.C. Cir. 1981)). “[A]n agency’s justification for invoking a FOIA exemption is sufficient if it appears ‘logical’ or ‘plausible.’” *Media Research Ctr.*, 818 F. Supp. 2d at 137 (quoting *Larson v. Dep’t of State*, 565 F.3d 857, 862 (D.C. Cir. 2009)).

ARGUMENT

I. DHS LOCATED THE SINGLE RESPONSIVE RECORD AND CREW'S ADMINISTRATIVE APPEAL DID NOT CLAIM OTHERWISE

Under FOIA, an agency must establish that it conducted a search that is “reasonably calculated to uncover all relevant documents.” *Weisberg v. Dep’t of Justice*, 705 F.2d 1344, 1351 (D.C. Cir. 1983); *see also Am. Immigr. Council v. DHS*, 21 F. Supp. 3d 60, 70 (D.D.C. 2014) (“[a]n agency fulfills its obligations under FOIA if it can demonstrate beyond material doubt that its search was reasonably calculated to uncover all relevant documents”) (quotation marks omitted) (hereinafter “AIC”). Here, this is easily established because the agency “must show that it made a good faith effort to conduct a search for the requested records, using methods which can be reasonably expected to produce the information requested[.]” *Oglesby v. Dep’t of the Army*, 920 F.2d 57, 68 (D.C. Cir. 1990), and DHS OIG easily located the OIG Report bearing the title of the one identified in the FOIA request. *See Callender Decl.* ¶¶ 6-9.

More specifically, CREW’s FOIA request dated March 24, 2020 seeks an unredacted (also known as clean) version of a particular DHS OIG Report entitled “United States Secret Service Expenses Incurred at Trump Turnberry Resort.” *Compl.* ¶ 21; *see Callender Decl.* ¶ 6. The OIG Report had been released to the public with redactions on March 18, 2020. *See Rowe Decl.* ¶ 5. When DHS declined to provide CREW with an unredacted copy, CREW’s administrative appeal of its March 24, 2020 FOIA request was limited to the manner by which the document was provided to them (a link) and a challenge to the withholdings. *See Answer* ¶ 24. Accordingly, there is no search issue in this case. *See United States v. L.A. Tucker Truck Lines, Inc.*, 344 U.S. 33, 37 (1952) (reviewing courts generally decline consideration of any argument that was not raised before the agency “at the time appropriate under its practice.”). In any event, CREW has never suggested that the OIG Report provided in response was anything other than the record it

was seeking. *See* July 22, 2020 Joint Status Report.² Accordingly, the Court should either not address the search at all because it is neither properly before the Court nor in dispute, or it should find that the search was adequate because it produced the requested information and only the withholdings are at issue. *Id.*; *Am. Ctr. for Law & Justice*, 325 F. Supp. 3d at 167-68.

Alternatively, should the Court reach the adequacy of the search for the OIG Report, it should find that limiting the search to the DHS OIG's Office of Audits was reasonable because that office was responsible for the creation of the report. *See* Callender Decl. ¶¶ 5, 7-9, 12; Def.'s Ex. 3.

II. DHS PROPERLY WITHHELD PORTIONS OF THE DHS OIG REPORT PURSUANT TO FOIA EXEMPTIONS 7(E) AND 7(F)

FOIA places the burden of justifying that the requested material withheld falls within one of its exemptions on the agencies subject to the FOIA. 5 U.S.C. § 552(a)(4)(B); *see Petroleum Info. Corp. v. Dep't of Interior*, 976 F.2d 1429, 1433 (D.C. Cir. 1992). In most instances, this Court has described that burden as a "substantial" one, *Morley v. CIA*, 508 F.3d 1108, 1114 (D.C. Cir. 2007), but the Supreme Court has also observed that "[w]hen disclosure touches upon certain areas defined in the exemptions . . . [,] the [FOIA] recognizes limitations that compete with the general interest in disclosure, and that, in appropriate cases, can overcome it." *Nat'l Archives & Records Admin.*, 541 U.S. at 172; *see also Food Marketing Inst. v. Argus Leader Media*, 139 S. Ct. 2356, 2366 (2019) ("FOIA expressly recognizes that 'important interests [are] served by [its] exemptions,' [], and "[t]hose exemptions are as much a part of [FOIA's] purpose[s and policies] as the [statute's disclosure] requirement.") (citations omitted).

² *E.g., Am. Ctr. for Law & Justice v. Dep't of Justice*, 325 F. Supp. 3d 162, 167-68 (D.D.C. 2018) (finding challenge to agency's search waived when plaintiff agreed in status report to narrow case to issues with agency's withholdings).

To meet their burden, agencies typically provide courts with declaration(s) and a *Vaughn*³ index describing their application of exemptions available under FOIA. *See Judicial Watch, Inc. v. FDA*, 449 F.3d 141, 146 (D.C. Cir. 2006). To prevail, this evidence must provide a “relatively detailed justification” justifying the agency’s actions. *Mead Data Ctr., Inc. v. Dep’t of Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977); *see Judicial Watch*, 449 F.3d at 146-147; *King v. Dep’t of Justice*, 830 F.2d 210, 219 (D.C. Cir. 1987).

A. Exemption 7 Threshold

FOIA Exemption 7 protects from disclosure “records or information compiled for law enforcement purposes” to the extent that public release would implicate one of the interests identified in six sub-parts in the statute. 5 U.S.C. § 552(b)(7). To satisfy the threshold that the “records or information be compiled for law enforcement purposes,” it is clear that “[t]he term ‘law enforcement’ in Exemption 7 refers to the act of enforcing the law, both civil and criminal.” *Pub. Emps. for Envtl. Responsibility (“PEER”) v. U.S. Section, Int’l Boundary & Water Comm’n, U.S.-Mex.*, 740 F.3d 195, 203 (D.C. Cir. 2014) (citing *Tax Analysts v. IRS*, 294 F.3d 71, 77 (D.C. Cir. 2002)).⁴ This extends equally to statutes authorizing administrative proceedings. *Rural Hous. Alliance v. USDA*, 498 F.2d 73, 81 & n.46 (D.C. Cir. 1974); *see Jefferson v. Dep’t of Justice*, 284 F.3d 172, 178 (D.C. Cir. 2002). Additionally, the term encompasses “the enforcement of national security laws,” *Strang v. U.S. Arms Control & Disarmament Agency*, 864 F.2d 859, 862 (D.C. Cir. 1989), and homeland security activities. *Ctr. for Nat’l Sec. Studies v. Dep’t of Justice*, 331 F.3d

³ *Vaughn v. Rosen*, 523 F.2d 1136 (D.C. Cir. 1975).

⁴ *North v. Walsh*, 881 F.2d 1088, 1098 (D. C. Cir. 1989) (stating that the 1986 amendment of FOIA “changed the threshold requirement for withholding information under exemption 7” so that “it now applies more broadly”); *Tax Analysts*, 294 F.3d at 79 (explaining that the legislative history of the 1986 amendment shows that it was intended “to protect investigatory and non-investigatory materials”); *Mittleman v. OPM*, 76 F.3d 1240, 1243 (D.C. Cir. 1996).

918, 926, 929 (D.C. Cir. 2003) (holding that names of post-9/11 detainees could be withheld based on the needs of homeland security even though the Government would ordinarily make such information publicly available).

“According to the Supreme Court, the term ‘compiled’ in Exemption 7 requires that a document be created, gathered, or used by an agency for law enforcement purposes at some time before the agency invokes the exemption.” *PEER*, 740 F.3d at 203 (citing *John Doe Agency v. John Doe Corp.*, 493 U.S. 146, 155 (1989)). Consistent with the Supreme Court’s rejection of extra-statutory elements and plain language adherence to the test of Exemption 4 of the FOIA in *Argus Leader*, it may no longer be appropriate for this Court to apply the test the D.C. Circuit articulated for the Exemption 7 threshold from, among other cases, *Center for National Security Studies*, 331 F.3d at 926. *See Argus Leader*, 139 S. Ct. at 2364-66 (rejecting line of cases adding a gloss to Exemption 4 of FOIA and instructing courts to construe FOIA according to the ordinary meaning of its terms). Because part of an Inspector General’s Office compiled the information in the OIG Report in the performance of its duties to identify possible fraud or misconduct by government employees or others either in the submission of requests for payment or payment of costs by the government, the OIG report was created and used by DHS OIG for law enforcement purposes. *See PEER*, 740 F.3d at 203-04 (holding that certain records of a governmental commission satisfied Exemption 7 threshold); *see, e.g., Blackwell v. FBI*, 646 F.3d 37, 40 (D.C. Cir. 2011) (records “generated in the course of investigating and prosecuting [plaintiff] on insider trading charges were quite obviously related to the [agency]’s law enforcement duties” and “easily qualif[ied]” for the Exemption 7 threshold); *Pike v. Dep’t of Justice*, 306 F. Supp. 3d 400, 407-08 (D.D.C. 2016) (holding that audio recording and written transcript of interview done in connection

with FBI investigation of health care fraud were compiled for law enforcement purposes), *aff'd*, No. 16-5303, 2017 WL 2859559, *1 (D.C. Cir. June 23, 2017).

But even if the Court continues to apply the test in *Center for National Security Studies*, it should find that the OIG Report satisfies the threshold requirement for Exemption 7 because the OIG Report itself demonstrates “(1) a rational nexus between the investigation and one of the agency’s law enforcement duties; and (2) a connection between an individual or incident and a possible security risk or violation of federal law.” *Ctr. for Nat’l Sec. Studies*, 331 F.3d at 926 (internal quotation and citations omitted). DHS OIG initiated an audit at the request of Congress. *See Callender Decl.* ¶ 5; Def.’s Exhibit 3 (OIG Report at 1, “Why We Did This Audit”). The OIG Report analyzes whether the audit revealed any fraud in connection with the government’s payment of costs associated with the President’s trip, and redressing fraud is squarely within the law enforcement mission of the DHS OIG. *See Def.’s Ex. 3* at 1 (“We did not identify any fraud indicators or costs that were not authorized in relation to the President’s visit to the Trump Turnberry Resort.”); 5 U.S.C. App’x 3, § 4.⁵ This type of investigation of possible violations of law routinely qualifies for treatment under Exemption 7. *E.g., McCann v. Dep’t for Health & Human Servs.*, 828 F. Supp. 3d 317, 323 (D.D.C. 2011) (investigation of civil rights complaint and possible HIPAA Privacy violations compiled for law enforcement purposes because violations could subject individuals to civil or criminal penalties).

In this case, had the DHS OIG uncovered any fraud or other misconduct amounting to a violation of federal law, the individuals responsible might have been subject to discipline, civil, or perhaps even criminal proceedings, and that satisfies the Exemption 7 threshold. *See id.* Further, the information withheld from the public was obviously compiled in the Secret Service’s

⁵ The DHS OIG was established by the Homeland Security Act of 2002 (Public Law 107-296) by amendment to the Inspector General Act of 1978 (5 U.S.C. App.).

performance of its law enforcement responsibilities for providing physical security for the President and others. *See N.Y. Times*, 2018 WL 722420, at *4 (finding that the information concerning costs associated with protecting candidates for President and others had been compiled for law enforcement purposes); 18 U.S.C. § 3056; Rowe Decl. ¶¶ 2-4.

Accordingly, the Court should find that the government has satisfied the threshold for asserting Exemption 7.

B. The Redacted Information All Falls Under Exemption 7(E) and Public Disclosure Would Result in Foreseeable Harm to the Secret Service's Protective Mission by Revealing Guidelines and Techniques for Protecting the President and Others

Exemption 7(E) of the FOIA protects all information compiled for law enforcement purposes when its release “would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.” 5 U.S.C. § 552(b)(7)(E). The D.C. Circuit “sets a relatively low bar for the agency to justify withholding” information under Exemption 7(E).” *Blackwell*, 646 F.3d at 42; *see PEER*, 740 F.3d at 204-05 (citing *Blackwell*). The exemption allows for withholding information in the face of “not just for circumvention of the law, but for a risk of circumvention; not just for an actual or certain risk of circumvention, but for an expected risk; not just for an undeniably or universally expected risk, but for a reasonably expected risk; and not just for certitude of a reasonably expected risk, but for the chance of a reasonably expected risk.” *Mayer Brown LLP v. IRS*, 562 F.3d 1190, 1193 (D.C. Cir. 2009).

In this case, the government’s withholding of the number of Secret Service personnel on the protective detail for the trip and certain cost information that would indirectly reveal the strength of the protective and some descriptive information regarding protective equipment

purchased easily clears the low bar because public release of information would reveal sensitive and non-public details about the protective detail assigned to protect the President. *See* Rowe Decl. ¶¶ 6-11. As the court in *New York Times* recognized with regard to highly similar information regarding the number of Secret Service staff traveling on an air-plane in connection with a protective detail, this information falls within the law enforcement guidelines that Exemption 7(E) is intended to protect. *N.Y. Times*, 2018 WL 722420, at **5-7. The D.C. Circuit has also specifically upheld applying Exemption 7(E) to protect from disclosure guidelines for safeguarding resources as well as security procedures. *Whitfield v. Dep't of Treasury*, 255 F. App'x. 533 (D.C. Cir. 2007) (affirming withholding of details of arrest procedures because they could assist suspects seeking to evade arrest); *Williams v. Dep't of Justice*, 171 F. App'x 857 (D.C. Cir. 2005) (upholding bank security techniques involving use of bait money under Exemption 7(E); *see generally* *Mayer Brown*, 562 F.3d at 1192-93 (discussing the meaning of the phrase “could be expected to risk circumvention of the law” found in Exemption 7(E)); *Leopold v. Dep't of Justice*, 301 F. Supp. 3d 13, 30, 32 (D.D.C. 2018) (upholding Secret Service’s application of Exemption 7(E) to information to protect investigative techniques based on declaration and *in camera* review). Although the number of personnel assigned by the Secret Service on this particular Presidential trip and the description of equipment they acquired is only a fraction of the overall security plan, this information is a key part that the Secret Service takes steps to prevent from public disclosure because of its utility to anyone planning to attempt to breach the Secret Service’s protective measures. *See* Rowe Decl. ¶¶ 8-9, 13.

The burden of the agency is only to show the risk of circumvention of the Secret Service’s protective measures and techniques that would be associated with public disclosure of the information being withheld. The Rowe Declaration describes the Secret Service’s general

awareness of potential threats to protectees and how the information being withheld would be of utility to anyone planning to cause harm to one of the individuals attempting to harm or interfere with an individual under Secret Service protection. *See* Rowe Decl. ¶¶ 4, 7-10, 13. Were they disclosed, those seeking to neutralize or compromised the effectiveness of the Secret Service’s operational plans would assemble and compare the small pieces of individual cost amounts like a mosaic. *See Ctr. for Nat’l Sec. Studies*, 331 F.3d at 924, 928-32 (reversing district court’s erroneous conclusion that the “mosaic theory” applies only in Exemption 1 and finding it applied with respect to Exemption 7(A)). Because the risk, which defendant respectfully submits is largely self-evident but in any event is amply supported by the Rowe declaration, CREW is unable to create a genuine issue of material fact on the existence of a risk or the nexus to a law enforcement guideline or technique, and Exemption 7(E) protects the material in the OIG Report from disclosure. *N.Y. Times*, 2018 WL 722420, at *9; *see Associated Press v. FBI*, 265 F. Supp. 3d 82, 100 (D.D.C. 2017) (upholding FBI’s assertion of Exemption 7(E) to protect the total cost of a contract in connection with gaining access to an iPhone to protect the FBI’s hacking technique), *overruled on other grounds*, *Argus Leader*, 139 S. Ct. at 2356; *Fabricant v. Dep’t of Justice*, Civ. A. No. 15-0294, 2017 U.S. Dist. LEXIS 128878 (D. Ariz. Aug. 11, 2017) (upholding law enforcement agency’s assertion of Exemption 7(E) to protect costs of investigation).

C. Additionally or Alternatively, The Redacted Information Also Falls Within Exemption 7(F)

As the Secret Service asserted Exemptions 7(E) and 7(F) co-extensively, Rowe Decl. ¶ 5, the Court need not reach the application of Exemption 7(F) if it finds that all of the redacted information is exempt from release under Exemption 7(E). *See CREW*, 854 F.3d at 681; *Roth*, 642 F.3d at 1173.

Exemption 7(F) permits agencies to withhold “records or information compiled for law enforcement purposes, but only to the extent that the production of such . . . records . . . could reasonably be expected to endanger the life or physical safety of any individual.” 5 U.S.C. § 552(b)(7)(F). It is axiomatic that the plain meaning of a statute controls its interpretation. *Performance Coal Co. v. Fed. Mine & Health Review Comm’n*, 642 F.3d 234, 240 (D.C. Cir. 2011) (finding a statutory provision “a model of near-perfect clarity”). In extending protection where disclosure “could reasonably be expected to endanger the life or physical safety of any individual[.]” the text of Exemption 7(F) does not limit its protection to some individuals at the exclusion of others or require precise identification. As there is no logical reason to interpret the statute otherwise, the term “any” should be given its ordinary and expansive meaning. *Milner v. Dep’t of Navy*, 562 U.S. 562, 572-73, 581 (2011) (plain meaning application of the FOIA is favored over arguments grounded in policy purportedly articulated in legislative history); *United States v. Gonzales*, 520 U.S. 1, 5 (1997) (explaining that “any” has an “expansive meaning” and holding that because “Congress did not add any language limiting the breadth of that word” courts could not impose a limit).

The statutory history of Exemption 7(F) confirms this understanding. In its original form, Exemption 7(F) applied only to documents whose disclosure would “endanger the life of physical safety of any law enforcement officer.” *See* 5 U.S.C. § 552(b)(7) (1982). In 1986, however, Congress expanded the exemption to encompass the life and physical safety “of any individual.” Under familiar interpretive principles, the Court should give meaningful effect to that amendment by applying the ordinary meaning of all of the terms, including “any” and “individual.” *Stone v. INS*, 514 U.S. 386, 397 (1995); *see Argus Leader*, 139 S. Ct. at 2364.

In this case, both law enforcement officers (Secret Service agents and personnel) as well as the individuals they are sworn to protect, would be placed in increased physical danger were the number of personnel, certain costs of the protective detail from which the number of personnel could be readily ascertained, and descriptions of certain equipment in the OIG Report released to the public under FOIA. *See* Rowe Decl. ¶¶ 1-14. As explained in Rowe’s Declaration, the information directly (the number of personnel and the description of equipment acquired abroad) or indirectly (the costs for lodging and meals for personnel covered at fixed rates) reveals significant information about the measures and personnel for the protecting the President and a number of other protectees traveling internationally. *See id.* ¶¶ 5-14. Particularly with the OIG Report’s focus on an isolated trip, the information redacted from the DHS OIG Report isolates the information sufficiently to tie it to the guidelines and techniques for staffing a high profile protective detail, and the tightness of that nexus elevates the utility of the information for adversaries planning to attack or harass a similarly situated protectee. *See id.* ¶ 13.

Thus, public release of the information poses a risk of physical danger to the safety and lives of the individuals receiving Secret Service protection, the individuals providing that protection, as well as others who might be physically in the area were a security incident to take place. *See id.* The Secret Service has submitted what amounts to an expert opinion on the utility of the size of the protective detail to someone with intentions to cause physical harm or to impede or harass (which can provoke a response that leads to harm to the target, the protective personnel, and others physically present), and the Court should accord due respect to that opinion is weighing the application of Exemption 7(F). Both the Supreme Court and this Court have explicitly endorsed appropriate deference to the executive in the context of FOIA claims that implicate national security. *See CIA v. Sims*, 471 U.S. 159, 179 (1985) (“The decisions of the Director [of

Central Intelligence], who must of course be familiar with ‘the whole picture,’ as judges are not, are worthy of great deference given the magnitude of the national security interests and potential risks at stake”). And other courts in this district have applied Exemption 7(F) after finding a reasonable risk of violence against a broad range of unspecified individuals. For example, in *Center for National Security Studies v. Department of Justice*, 215 F. Supp. 2d 94 (D.D.C. 2002), Exemption 7(F) was applied to the locations of detention facilities holding individuals connected to the terrorism investigation after September 11, 2001. The district court reasoned that disclosure would make the facilities “vulnerable to retaliatory attacks, and ‘place at risk not only [] detainees, but the facilities themselves and their employees.’” *Id.* at 108, *aff’d in part and rev’d in part on other grounds*, 331 F.3d 918 (D.C. Cir. 2003).

Likewise, in *Los Angeles Times Communications, LLC v. Department of the Army*, the court held that Exemption 7(F) protected from release information contained in Serious Incident Reports (“SIRs”) submitted to the Army by private security contractors in Iraq. 442 F. Supp. 2d 880 (C.D. Cal. 2006). Notwithstanding plaintiffs’ claim that the identity of private security contractors was a matter of great public interest, the court concluded that the names of the contractors in the SIRs were protected from release because that information, taken with other information, “may provide [insurgents] with enough information to organize attacks on vulnerable [private security contractor] companies or the projects they protect.” *Id.* at 889-900.

In reaching that conclusion, the court accepted the “predictive judgments” of Army personnel that the disclosure of the company names “might very well be expected to endanger the life or safety of military personnel, [private security contractor] employees, and civilians in Iraq.” *Id.* at 889. The court noted in that regard that “‘the judiciary owes some measure of deference to the executive in cases implicating national security, a uniquely executive purview.’” *Id.* at *14

(quoting *Ctr. for Nat'l Sec. Studies*, 331 F.3d at 926-27). Thus, the court concluded that:

The test was not whether the court personally agrees in full with the [agency's] evaluation of the danger--rather, the issue is whether on the whole record the Agency's judgment objectively survives the test of reasonableness, good faith, specificity, and plausibility in this field of foreign intelligence in which the Agency is expert and given by Congress a special role.

L.A. Times, 2006 WL 2336457, *14 (quoting *Gardels v. CIA*, 689 F.2d 1100, 1105 (D.C. Cir. 1982) (citations omitted) (brackets in original)). Applying that deference to the agency's risk assessment, the court held that the agency had properly withheld the maps pursuant to Exemption 7(F). *See Zadvydas v. Davis*, 533 U.S. 678, 696 (2001) (noting that "terrorism or other special circumstances" might warrant "heightened deference to the judgments of the political branches"); *Dep't of the Navy v. Egan*, 484 U.S. 518, 530 (1988) ("courts traditionally have been reluctant to intrude upon the authority of the executive in military and national security affairs"). Similar respect is appropriate here for the Secret Service's opinion that release of this information compromises its protective mission in ways that could place in jeopardy the lives and physical safety of those under the Secret Service's protection and the agents and personnel who protect them. *See Rowe Decl.* ¶¶ 1-14.

Accordingly, the Court should uphold the application of Exemptions 7(E) and / or 7(F) to the limited information redacted from the OIG Report as reflected in Exhibit 3.

III. DHS RELEASED ALL SEGREGABLE PORTIONS OF THE RECORD AND JUSTIFIED ITS REASONABLE BELIEF IN FORESEEABLE HARM WERE ANY ADDITIONAL INFORMATION RELEASED

Under FOIA, "any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt." 5 U.S.C. § 552(b). In other words, "non-exempt portions of a document must be disclosed unless they are inextricably intertwined with exempt portions." *Mead Data Cent., Inc. v. Dep't of Air Force*, 566 F.2d 242, 260 (D.C. Cir. 1977). "Still, an agency is not obligated to segregate non-exempt material if 'the

excision of exempt information would impose significant costs on the agency and produce an edited document with little informational value.” *Competitive Enter. Inst. v. EPC*, 12 F. Supp. 3d 100, 123 (D.D.C. 2014) (quoting *Neufeld v. IRS*, 646 F.2d 661, 666 (D.C. Cir. 1981)); *see also Nat’l Sec. Archive Fund, Inc. v. CIA*, 402 F. Supp. 2d 211, 22-21 (D.D.C. 2005) (same). A court “may rely on government affidavits that show with reasonable specificity why documents withheld pursuant to a valid exemption cannot be further segregated.” *Juarez v. Dep’t of Justice*, 518 F.3d 54, 61 (D.C. Cir. 2008) (internal citation omitted). “Agencies are entitled to a presumption that they complied with the obligation to disclose reasonably segregable material.” *Sussman v. U.S. Marshals Serv.*, 494 F.3d 1106, 1117 (D.C. Cir. 2007) (citation omitted).

Here, the Rowe Declaration shows that DHS released all reasonably segregable material and that reasonably (if not actually) foreseeable harm would flow from disclosure of the information at issue. *See* Rowe Decl. ¶¶ 8, 12-13; 5 U.S.C. § 552(a)(8)(A); 5 U.S.C. § 552(b) (“Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this subsection.”). With regard to each withholding, the Secret Service conducted a thorough review of each record and determined that there was no additional, meaningful, non-exempt information that may be reasonably segregated and released. Rowe Decl. ¶ 12. This is also evident from the redacted version of the OIG Report (attached as Exhibit 3), and this meets the legal standard to demonstrate that all reasonably segregable information has been released. *See Johnson v. Exec. Off. of U.S. Attorneys*, 310 F.3d 771, 776–77 (D.C. Cir. 2002) (holding that the agency had demonstrated that there was no reasonably segregable non-deliberative material when it had submitted an affidavit by an agency official confirming that “a line-by-line review of each document withheld in full [had] determined that no documents contained releasable information which could be reasonably segregated from the

nonreleasable portions”) (quotation marks omitted); *see also Tracy v. Dep’t of Justice*, 191 F. Supp. 3d 83, 97 (D.D.C. 2016) (holding that FOIA’s segregability “requirements generally has teeth only where the agency has chosen to withhold pages or documents in full rather than trying to redact those parts of pages that contain exempt material”). In *Tracy*, the court concluded that “[h]ere, the FBI redacted what was exempt and released the remainder of the records. FOIA requires no more.” *Id.* So too here.

Likewise, the Secret Service has cogently explained its opinion that foreseeable harm to its operating guidelines and techniques for carrying out its vital protective mission protecting the lives and safety of individuals under Secret Service protection would be unacceptably risked were the redacted information released to the public. In this case, the foreseeable harm is heavily intertwined with the elements required for applying Exemptions 7(E) and 7(F), and the Rowe Declaration amply supports the conclusion that the Secret Service has redacted only information for which there is a foreseeable harm in public release under the independent and perhaps heightened standard applicable under the 2016 amendments to the FOIA. *See Ctr. for Investigative Reporting v. U.S. Customs & Border Prot.*, 436 F. Supp. 3d 90, 105-06 (D.D.C. 2019) (summarizing legislative history of 2016 amendment to the FOIA as incorporating previous Department of Justice policy into the statute and examining standards developed by district courts in applying the provision). There are no magic words, and the harms described in the Rowe declaration are reasonably specific and within the harms Exemptions 7(E) and 7(F) were designed to prevent. The agency’s good faith release of the total amount of the costs associated with the trip revealed information of public interest, and the Secret Service limited its withholdings to the information that directly or indirectly revealed sensitive information about its protective operations (personnel strength and description of equipment). *See Rowe Decl.* ¶ 6. This recognition

demonstrates the agency's compliance with the foreseeable harm requirement added to the statute in the 2016 amendments. *See id.* ¶¶ 6, 8, 13-14.

Of course none of the argument presented in this motion should be construed to suggest in any way that anyone associated with Plaintiff CREW intends any harm to anyone, but the Secret Service is entitled to consider the risks of the information falling into less well intentioned hands because release under the FOIA to one is a release to the world. *See Nat'l Archives & Records Admin. v. Favish*, 541 U.S. 157, 170-71 (2004). The Court should be hesitant to second-guess the Executive Branch's contemporaneous or ongoing assessment of either a potential threats to the sort of high level government officials and their families who are under Secret Service protection and the need to restrict access to information having operational significance for particular protective details. *E.g., Ameziane v. Obama*, 699 F.3d 488, 494-95 (D.C. Cir. 2012) (holding that Government entitled to a protective order covering Task Force transfer decisions and all related or derivative documents concerning prisoners held at Guantanamo Bay).

* * *

CONCLUSION

For the reasons set forth above, DHS respectfully requests that this Court grant summary judgment in its favor as to Plaintiff's claims that DHS violated FOIA by redacting exempt portions of the OIG Report.

Respectfully submitted,

MICHAEL R. SHERWIN
Acting United States Attorney

DANIEL F. VAN HORN,
D.C. BAR # 924092
Chief, Civil Division

By: /s/ Jane M. Lyons
JANE M. LYONS, D.C. Bar #451737
Assistant United States Attorney
555 4th Street, N.W. – Room E4816
Washington, D.C. 20530
Phone: (202) 252-2540
Email: Jane.Lyons@usdoj.gov

Counsel for Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Defendant.

Civil Action No. 20-1400 (CRC)

DECLARATION OF RONALD L. ROWE, JR.

I, Ronald L. Rowe Jr., do hereby declare, subject to penalty of perjury pursuant to 28
U.S.C. § 1746, as follows:

1. The United State Secret Service (Secret Service) is a protective and law enforcement agency operating under the provisions of Title 18 of the United States Code, sections 3056 and 3056A. The Secret Service is charged with responsibility for the protection of the President and Vice President of the United States and their immediate families, former Presidents of the United States and their spouses, major Presidential and Vice Presidential candidates, foreign heads of state visiting in the United States, and other high-level governmental officials as designated by statute or by the President. This responsibility is accomplished through both physical protection and the investigation of potential threats to these protectees.

2. I am currently employed as a Deputy Assistant Director in the Office of Protective Operations, and I have held that position since September 2018. As the Deputy Assistant Director in the Office of Protective Operations, I have supervisory and management responsibility over the protective policies, programs and operations of the Secret Service's Presidential Protective Division, Vice Presidential Protective Division and operations in and around the White House Complex. The Office of Protective Operations provides comprehensive protective measures for all persons and events authorized to receive Secret Service protection. I make the statements in this declaration in support of the Defendant's Motion for Summary Judgment and based on my own experience and review of the OIG Report and information provided to me in the course of performing my duties.

3. I have been employed by the Secret Service as a special agent for over 21 years. Prior to becoming Deputy Assistant Director in the Office of Protective Operations, my assignments with the Secret Service included four years of service on the Presidential Protective Division where I protected the President, the First Lady, and members of the First Family. I have also served as a detailee to the National Intelligence Council as the Deputy National Intelligence Officer and Senior Advisor for Law Enforcement to the National Intelligence Officer for Cyber Issues, as a detailee to the Office of Management and Budget as the Law Enforcement Advisor to the Office of the Intellectual Property Coordinator, as the Legislative Assistant for Crime, Terrorism and National Security Matters on the staff of the United States

Senate's Committee on the Judiciary, and as the Deputy Assistant Director of the Office of Intergovernmental and Legislative Affairs.

4. Throughout my career at the Secret Service, I have personally conducted numerous security advances and participated in the design and implementation of comprehensive security plans at sites visited by Secret Service protectees both within the United States and abroad. I have served as coordinator for a National Special Security Event (NSSE), during which I led and directed the design and implementation of a comprehensive security plan for a major event in 2016. In addition, I have provided protection to current and past presidents, as well as numerous visiting heads of state during my two decades of service. I have substantial experience in the area of protective methodology, as well as assessing and mitigating potential threats to individuals protected by the Secret Service. In that regard, international foreign travel by the President, along with other protectees of the Secret Service, presents one of the greater security challenges that the Secret Service faces.

5. As part of its standard process prior to releasing a report to the public, the Department of Homeland Security (DHS) Office of Inspector General (OIG) requested that the Secret Service review the OIG report at issue here and advise them of any redactions that would be necessary to protect information that would cause foreseeable harm to Secret Service operations or interests if released to the public. The Office of Protective Operations reviewed the OIG Report and requested that the OIG redact the total cost of the trip on the highlights page and page 2; the total number of Secret Service personnel on the trip on the highlights page and pages 2, 3, and 7; the total cost of the meals and incidental expenses on the highlights page and

pages 2 and 5; the description of two expenditures for supportive protective equipment on page 2, footnote 1 and page 5, Table 5; and the single and double occupancy room rates charged to the government by the Trump Turnberry on page 4. All of the redactions in this report were made pursuant to both b(7)(E) and b(7)(F) of the Freedom of Information Act. The DHS OIG accepted the requested redactions and issued the report entitled “United States Secret Service Expenses Incurred at Trump Turnberry Resort” (OIG Report No. 20-18) on March 18, 2020.

6. With regard to each withholding, the Secret Service conducted a thorough review and determined that there was no additional, meaningful, non-exempt information that could be reasonably segregated and released. Efforts were made to release the maximum amount of information possible and the information of most interest to the public, i.e. the total amount paid to Trump Turnberry Resort, while still protecting the strength of the detail and the descriptions of certain protective equipment for which the Secret Service foresees greater harm from public release.

7. The information redacted directly (the number of agency personnel on the trip) or indirectly (the costs for lodging and meals for personnel covered at fixed rates) reveals significant information about the strength of the protective detail utilized when the President and a number of other protectees travel internationally. The information redacted from the OIG Report is closely tied to the Secret Service’s guidelines and techniques for staffing a high profile protective detail, elevating the utility of the information for adversaries planning to attack a similar high profile international trip.

8. Two of the redactions (p. 2, footnote 1 and p. 5, Table 5) protect from release the description of certain supportive protective equipment utilized by the protective

detail. The cost of this supportive protective equipment was released: a \$2,530 expense and a \$1,100 expense. See p. 2 footnote 1 and p. 5, Table 5. These two types of supportive protective equipment and the fact of its acquisition would reveal certain law enforcement techniques used by the Secret Service that are not generally known to the public. The public release of this information risks circumvention of the law by disclosing a tactic for carrying out law enforcement responsibilities. I would reasonably expect those with adverse or hostile interests in protectees to use this information to attempt to circumvent the Secret Service's physical or other protective and security measures. Additionally, public release of the description of protective equipment acquired in carrying out protective missions internationally could benefit those attempting to harm Secret Service protectees by providing information to adversaries regarding the acquisition and use of particular equipment in certain situations. Over time, adversaries could assemble this information like a mosaic to counter the non-public techniques by, for example, purchasing or removing the same or similar kinds of equipment from areas in which individuals receiving protection have announced intentions to travel ahead of their arrival. With this information, adversaries could more easily plan to disable or sabotage the equipment. In my professional opinion and based on my experience working on and managing activities in the Office of Protective Operations, release of this information would expose law enforcement techniques critical to the mission and endanger the lives of protectees and those who protect them.

9. The number of Secret Service personnel on this protective trip was redacted in the OIG Report on the highlights page and pages 2, 3, and 7. The release of information indicating the number of Secret Service personnel that were assigned to the

protective trip or that were housed in a particular location would reveal protective techniques and methodologies used by the Secret Service that are not generally known to the public. The number of Secret Service special agents and other personnel assigned in support of an agency protectee would clearly reveal the manpower present to conduct direct protection in such situations, and knowledge of the manpower strength present could provide a significant tactical advantage to those seeking to harm a Secret Service protectee. With this information, adversaries could more effectively plan, disable, or circumvent the Secret Service protective techniques. Further, with knowledge of the number of Secret Service personnel staffed on this particular trip, an adversary could better estimate the number of Secret Service personnel staffed on other Secret Service protectees' trips of similar size and scale, exposing other existing and future protectees to physical harm. The Secret Service investigates threats on a daily basis from individuals and groups that seek to do harm to protectees. Thus, I reasonably expect that the release of this information would endanger the lives or physical safety of individuals under the protection of the Secret Service as well as the lives and physical safety of Secret Service personnel.

10. The individual room rates for single and double rooms paid at the Trump Turnberry Resort were redacted on page 4. The breakdown of the total amount paid to the Trump Turnberry Resort appears on page three including the cost of hotel rooms, logistical support, and golf carts for a total of \$9,622 paid to Trump Turnberry Resort. As the total paid for the hotel rooms was released, the room rates serves as a proxy for the number of personnel assigned to the protective detail. If the individual room rate, single or double occupancy, were revealed along with the total paid to the Trump Turnberry Resort, then the number of Secret Service employees

staying on the property could be readily ascertained. As previously stated, protective force information would be highly valuable to adversaries, and its public release would endanger the lives of not only the protectees, but the Secret Service employees protecting them. Accordingly, the Secret Service makes extensive efforts to protect the number of personnel assigned to particular protective functions from public disclosure.

11. Another redaction made to protect the number of Secret Service employees on this protective trip was the total cost of meals and incidental expenses on the highlights page and pages two and five of the OIG Report. The DHS OIG provided the rate of \$92 per day for the meals and incidental expense per diem for Glasgow and the method utilized to calculate the total meals and incidental expenses on page 7 of the OIG Report. As the daily rates are established and published by another federal agency, they are publicly available at all times. If the total amount of meals and incidental expenses were released, and the rate on which it was based, simple division of that amount based on the published rate for the city (\$92 per day for Glasgow in this case) would reveal or suggest the number of Secret Service personnel who claimed expenses because the length of the trip can be ascertained through media reports of the protectees' travel because the OIG Report deals with a high profile trip. Thus, the number of Secret Service personnel on the trip could be easily determined if the total cost of the meals and incidental expenses were released.

12. The total cost of the trip is redacted on the highlights page and on page two of the OIG Report to protect the number of Secret Service personnel on this protective trip. The sub-totals for everything else - rental cars, hotel rooms, overtime pay, commercial airfare, logistical support, and golf cart rental - were all provided because

they could be released without revealing the number of personnel on the trip and without revealing the descriptions of certain protective equipment purchased. The only sub-total of costs not released in the report was the meals and incidental expenses total cost which was redacted for the reasons stated in paragraph nine. Given that the total cost of the trip was provided in the OIG Report, the meals and incidental expenses total could be readily ascertained by subtracting the other sub-totals, thus revealing the number of Secret Service personnel on the trip.

13. Adversaries are constantly seeking to gather information that could assist them in defeating the means and methods used by the Secret Service in protecting our nation's leaders, other individuals receiving protection from the Secret Service, and their families. Revealing Secret Service personnel staffing numbers for protective trips risks the safety of other current and future Secret Service protectees, as well as Secret Service personnel, by exposing these protective operational means and methods. The release of the redacted information would enable adversaries to violate the law and harm Secret Service protectees by giving them information to more easily plan, disable, or circumvent Secret Service protective techniques. By learning the number of Secret Service personnel on a protective trip, an adversary could extrapolate the number of Secret Service personnel utilized to protect other protectees. This information would be one piece of information that could be combined with others to better understand our protective methods and their strengths and weaknesses. The release of this information to the public, including to those who are seeking to do harm to Secret Service protectees, presents a danger to those protectees and the Secret Service personnel assigned to protect them, as well as the general public attending events with our protectees.

14. In summary, I have examined all of the withholdings in the OIG Report individually and determined that no further non-exempt material can be segregated and released without causing foreseeable harm to the Secret Service's protective mission (1) through compromise of highly sensitive, non-public law enforcement guidelines, techniques and procedures, particularly the structuring and equipping of protective details; and (2) through release of information that would reasonably be expected to place the physical safety and lives of individual protectees and their families, as well as law enforcement personnel assigned to protect them, in danger.

08-12-2020
Date

A handwritten signature in blue ink, appearing to read "R. Rowe Jr.", written over a horizontal line.

Ronald L. Rowe Jr.
Deputy Assistant Director
Office of Protective Operations
United States Secret Service

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CITIZENS FOR RESPONSIBILITY &
ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY;

Defendant.

Civil Action No. 20-cv-01400 (CRC)

DECLARATION OF CAMILLE CALLENDER

Pursuant to 28 § 1746, I, Camille Callender, hereby declare as follows:

1. I make this declaration in support of Defendant's Motion for Summary Judgment on the basis of my personal knowledge, information provided to me in my official capacity, and conclusions and determinations made in accordance therewith.
2. I am an Assistant Counsel for the Information Law and Disclosure Division within the Office of Counsel ("OC") at the U.S. Department of Homeland Security ("DHS") Office of Inspector General ("OIG"). DHS OIG, a law enforcement agency, conducts independent criminal, civil, and administrative investigations, as well as audits, inspections, and special reviews of DHS personnel, programs, and operations to detect and deter waste, fraud, and abuse, and to promote integrity, economy, and efficiency within DHS.
3. I have worked for DHS OIG in the Office of Counsel since July 2019. In this capacity, my responsibilities include providing legal counsel to DHS OIG pertaining to the

Freedom of Information Act (“FOIA”), (5 U.S.C. § 552), Privacy Act, (5 U.S.C. § 552a), the Inspector General Act of 1978 (5 U.S.C. App.), and applicable DHS regulations (6 C.F.R. Part 5).

4. I have served as Agency Counsel for the above captioned matter since June 2020. Accordingly, I am familiar with Plaintiff’s case. This declaration supports Defendant’s Motion for Summary Judgment. 1:20-cv-01400-CRC.
5. On July 31, 2018, members of Congress requested that the ‘Office of Inspector General conduct an audit of expenses incurred by the Secret Service in relation to President Trump’s visit to the Trump Turnberry.’ Upon receiving the request, OIG initiated an audit.
6. By email dated March 24, 2020, Plaintiff submitted to DHS OIG a FOIA request seeking “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.” Complaint at ¶ 21. Upon receipt of Plaintiff’s request, DHS OIG’s FOIA Unit (“the FOIA Unit”) opened a file and numbered the request 2020-IGFO-00097. On March 27, 2020, the FOIA Unit sent a letter to Plaintiff acknowledging receipt of the request. *See* Exhibit 1.
7. Based on the FOIA Unit’s experience and knowledge of DHS OIG operations, it determined that the office most likely to possess an unredacted copy of DHS OIG report number OIG-20-18 was the DHS OIG Office of Audits (“Audits”).
8. On March 27, 2020, the FOIA Unit sent a search request to Audits for an unredacted copy of report number OIG-20-18 and provided a public website link to the report listed

on the DHS OIG website, for Audits' reference, located here:

<https://www.oig.dhs.gov/sites/default/files/assets/2020-03/OIG-20-18-Mar20.pdf>.

9. On March 31, 2020, Audits responded to the search by explaining that pursuant to the Government Auditing Standards (GAO-18-568G (2018)) and DHS OIG's Audit Manual, during the report finalization process, the United States Secret Service ("USSS") asserted the relevant redactions prior to publication.
10. OIG FOIA reviewed the records under the FOIA and did not make any additional redactions. After its review, the FOIA Unit sent the DHS OIG public website link for the OIG-20-18 report to USSS for consultation pursuant to 5 U.S.C. § 552 (a)(6)(B)(iii)(III) and 6 CFR § 5.4(d). USSS responded confirming the redacted portions should be withheld pursuant to exemptions 7(E) and 7(F) of the FOIA. 5 U.S.C. § 552(b)(7)(E); (5 U.S.C. § 552(b)(7)(F).
11. By email dated April 1, 2020, the FOIA Unit issued a final response letter to Plaintiff's FOIA request. *See* Exhibit 2. In this letter, Plaintiff was provided a website link to access the responsive documents electronically. The FOIA Unit's final response letter explained that per a consult with USSS, USSS was asserting redactions to the public version of the requested report according to exemptions 7(E) and 7(F) of the FOIA. 5 U.S.C. § 552(b)(7)(E); (5 U.S.C. § 552(b)(7)(F). *Id.* This letter also advised Plaintiff of its right to file an administrative appeal of USSS' redactions with the USSS. *Id.*
12. Thus, as of the date of this declaration, OIG has provided all OIG records subject to FOIA that are responsive to Plaintiff's request and that are not currently exempt from disclosure.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge and belief.

EXECUTED: August 12, 2020

Camille Callender

Camille Callender
Assistant Counsel to the Inspector General
Office of Inspector General
U.S. Department of Homeland Security

Exhibit 1



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

March 27, 2020

Anne Weissman

Citizens for Responsibility and Ethics in Washington (CREW)

Subject: Freedom of Information Act Request No. 2020-IGFO-00097
Acknowledgement Letter

Dear Ms. Weissman:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Inspector General (OIG), dated March 24, 2020, seeking an unredacted copy of OIG report number OIG-20-18. DHS OIG received your request on March 24, 2020 and assigned it the above referenced tracking number.

Your request has been placed in the queue for processing in the order in which it was received. We anticipate responding to your request within 20 business days. Please note, however, that the actual time required to respond to your request depends on the number and types of responsive records identified and located in our records search. Unfortunately, we cannot predict exactly when your request will be processed, as we currently have a large backlog of requests; however, we are using our best efforts to process all requests with due diligence. We, therefore, appreciate your patience as we proceed with your request.

We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether fees will be assessed for this request.

To check the status of your FOIA request, contact us at 202-981-6100, foia.oig@oig.dhs.gov, or check status online at <http://www.dhs.gov/foia-status>. Refer to the above-referenced tracking number if you contact us regarding your request. If we require additional information, we will contact you.

Sincerely,

Drew Lavine

Drew Lavine
OIG Office of Counsel

Exhibit 2



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

April 1, 2020

Anne Weismann
Citizens for Responsibility and Ethics in Washington

Subject: OIG Freedom of Information Act Request No. 2020-IGFO-00097
 Final Response

Dear Ms. Weismann:

This responds to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Inspector General (OIG), dated March 24, 2020, seeking an unredacted copy of OIG report number OIG-20-18 (redacted version located here:

<https://www.oig.dhs.gov/sites/default/files/assets/2020-03/OIG-20-18-Mar20.pdf>). Your request was received in this office on March 24, 2020.

The United States Secret Service (USSS) requested the redactions in the public version of the requested report. Per a consult with USSS, USSS asserted FOIA Exemptions 7(E) and 7(F) to withhold the redacted information. The exemptions cited for withholding records or portions of records are marked below.

Freedom of Information Act, 5 U.S.C. § 552			Privacy Act, 5 U.S.C. § 552a
<input type="checkbox"/> 552(b)(1)	<input type="checkbox"/> 552(b)(5)	<input type="checkbox"/> 552(b)(7)(C)	<input type="checkbox"/> 552a(j)(2)
<input type="checkbox"/> 552(b)(2)	<input type="checkbox"/> 552(b)(6)	<input type="checkbox"/> 552(b)(7)(D)	<input type="checkbox"/> 552a(k)(2)
<input type="checkbox"/> 552(b)(3)	<input type="checkbox"/> 552(b)(7)(A)	<input checked="" type="checkbox"/> 552(b)(7)(E)	<input type="checkbox"/> 552a(k)(5)
<input type="checkbox"/> 552(b)(4)	<input type="checkbox"/> 552(b)(7)(B)	<input checked="" type="checkbox"/> 552(b)(7)(F)	<input type="checkbox"/> Other:

Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution if such disclosure could reasonably be expected to risk circumvention of the law.” 5 U.S.C. § 552(b)(7)(E). USSS has asked that DHS-OIG assert Exemption 7(E) to protect information which could reasonably be expected to risk circumvention of the law.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

Exemption 7(F), 5 U.S.C. § 552(b)(7)(F)

Exemption 7(F) protects from public disclosure “records and information compiled for law enforcement purposes [if disclosure] could reasonably be expected to endanger the life or physical safety of any individual.” 5 U.S.C. § 552(b)(7)(F). USSS asked DHS OIG to assert Exemption 7(F) to protect information the release of which would risk the life or physical safety of informants or other individuals.

Appeal

If you disagree with USSS determination, you may appeal these denials by writing to:

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

The appeal should be made in writing and received within sixty (60) days of the date of the requester’s letter from your office.

Assistance and Dispute Resolution Services

Should you need assistance with your request, you may contact DHS-OIG’s FOIA Public Liaison. You may also seek dispute resolution services from our FOIA Public Liaison. You may contact DHS-OIG’s FOIA Public Liaison in any of the following ways:

FOIA Public Liaison
DHS-OIG Counsel
STOP 0305
245 Murray Lane, SW
Washington, DC 20528-0305
Phone: 202-981-6100
Fax: 202-245-5217
E-mail: foia.oig@oig.dhs.gov

Additionally, the 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

If you have any questions about this response, please contact us at 202-981-6100.

Sincerely,

Drew Lavine

Drew Lavine
OIG Office of Counsel

~~LAW ENFORCEMENT SENSITIVE~~

OFFICE OF INSPECTOR GENERAL

United States Secret Service Expenses Incurred at Trump Turnberry Resort (REDACTED)

LAW ENFORCEMENT SENSITIVE WARNING: The information in this document shaded in black is Law Enforcement Sensitive (LES). It is the property of the Department of Homeland Security and may be distributed within the Federal Government (and its contractors) to law enforcement, public safety and protection, and intelligence officials and individuals only on a need to know basis. Distribution to other entities without prior Department of Homeland Security authorization is prohibited. Precautions shall be taken to ensure this information is stored and destroyed in a manner that precludes unauthorized access. Information marked in black may not be used in legal proceedings without prior authorization from the originator. Recipients are prohibited from posting LES information on a website or unclassified network.



**Homeland
Security**

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March 18, 2020

OIG-20-18

Def.'s Exhibit 3

CREW v. DHS, Civ. A. No. 20-1400 (CRC)

**LAW ENFORCEMENT SENSITIVE****DHS OIG HIGHLIGHTS*****United States Secret Service Expenses
Incurred at Trump Turnberry Resort*****March 18, 2020****Why We Did
This Audit**

(b)(7)(E);(b)(7)(F)

The United States Secret Service (Secret Service) protects the President and his family, including other protectees. Members of Congress asked the DHS Office of Inspector General (OIG) to audit the expenses incurred by the Secret Service for President Trump's visit to the Trump Turnberry Resort in Scotland from July 14 to 15, 2018.

**What We
Recommend**

This report contains no recommendations.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS.OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

The Secret Service incurred an estimated **(b)(7)(E);(b)(7)(F)** for President Trump's visit to the Trump Turnberry Resort in Scotland from July 14 to 15, 2018. This amount represents the operational and temporary duty costs associated with supporting **(b)(7)(E);(b)(7)(F)** Secret Service personnel who traveled to Scotland before, during, and after the President's visit. Of the total amount, the Secret Service paid an aggregated amount of \$9,662 to the Turnberry Resort for hotel rooms, golf carts, and logistical support. A breakdown of costs appears below:

Estimated Total Costs	
Description	Total
Rental Cars	\$466,424
Hotel Rooms	\$322,427
Meals and Incidental	(b)(7)(E);(b)(7)(F)
Overtime Pay	\$84,899
Commercial Airfare	\$63,744
Logistical Support	\$11,719
Golf Cart Rental	\$4,048
Total	(b)(7)(E);(b)(7)(F)

Source: ●IG analysis of agency data

These figures do not include salaries and benefits for government personnel traveling with the President, which the Secret Service would have incurred regardless of whether the President traveled. Also excluded are costs associated with assistance provided by the Department of Defense, such as the use of military aircraft to transport personnel and equipment, because the Secret Service is not required to reimburse these costs. We did not identify any fraud indicators or costs that were not authorized in relation to the President's visit to the Trump Turnberry Resort.

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OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

March 18, 2020

MEMORANDUM FOR: The Honorable James M. Murray
Director
United States Secret Service

FROM:

Joseph V. Cuffari
Joseph V. Cuffari, Ph.D.
Inspector General

SUBJECT: *United States Secret Service Expenses Incurred at
Trump Turnberry Resort – ~~Law Enforcement Sensitive~~*

Attached for your information is our final report, *United States Secret Service Expenses Incurred at Trump Turnberry Resort – ~~Law Enforcement Sensitive~~*. The Secret Service did not provide any formal technical comments for this report. No recommendations were made.

Consistent with our responsibility under the *Inspector General Act*, we provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We also post the redacted version of the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Sondra McCauley, Assistant Inspector General for Audits, at (202) 981-6000.

Attachment

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Background

The Presidential Protection Division within the United States Secret Service (Secret Service) is responsible for providing 24-hour protection for the President of the United States, the President's immediate family, and other statutory protectees such as the Vice President, former Presidents, and former Vice Presidents. The Secret Service provides personnel to staff advance protective assignments for all local, domestic, and international travel for these protectees. Staff responsible for these assignments assess the overall security environment and implement security procedures to ensure the safety of each protectee.

According to the *Presidential Protection Assistance Act of 1976*, executive departments and agencies shall assist the Secret Service in performing its protective duties by providing services, equipment, and facilities when requested by the Secret Service. For example:

- The Department of State's local embassy supports the Secret Service on international protective missions by booking and paying for all hotel reservations and coordinating onsite needs. These needs include, but are not limited to, acquiring rental cars, cell phones, and other logistical support required by the Secret Service. The Secret Service is required to reimburse the Department of State for all costs incurred in support of the Secret Service's protective operations.
- The Department of Defense provides military aircraft to move Secret Service equipment and personnel to support the President's travel. The Explosive Ordnance Disposal Program supports the Secret Service's protection efforts by providing explosive detection capabilities. However, the Secret Service does not reimburse the Department of Defense for assistance provided on a temporary basis when the duties are directly related to protecting the President or the Vice President, or other officer immediately next in order of succession to the office of the President.

Results of Audit

In a letter dated July 31, 2018, Senator Tom Carper, Senator Elizabeth Warren, and Representative Elijah Cummings, Chairman of the House Committee on Oversight and Government Reform, asked the Office of Inspector General (OIG) to conduct an audit of expenses incurred by the Secret Service for President Trump's visit to the Trump Turnberry Resort in Scotland from July 14 to 15, 2018. We addressed eight questions in the letter requesting information on the Secret Service's total cost of the trip, resort-specific costs, the number of Secret Service agents who traveled, overtime costs, resort room rates, golf cart rental costs, meals and incidental expenses, and other related costs.



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1. How much did the Secret Service spend for the President and his family's visit to the Trump Turnberry?

The Secret Service's total expense regarding protection for the trip to Turnberry, Scotland is an estimated (b)(7)(E);(b)(7)(F). This amount represents the operational and temporary duty costs associated with supporting [redacted] Secret Service personnel who traveled to Scotland before, during, and after the President's visit. Table 1 provides a breakdown of the expenses associated with the protective mission.

Table 1: Estimated Total Costs

Description	Total
Rental Cars	\$466,424
Hotel Rooms	\$322,427
Meals and Incidental	(b)(7)(E);(b)(7)(F)
Overtime Pay	\$84,899
Commercial Airfare	\$63,744
Logistical Support ¹	\$11,719
Golf Cart Rental	\$4,048
Total	(b)(7)(E);(b)(7)(F)

Source: OIG analysis of agency data

These figures do not include salaries and benefits for government personnel traveling with the President, which the Secret Service would have incurred regardless of whether the President traveled. Also excluded are costs associated with assistance provided by the Department of Defense, such as the use of military aircraft to transport personnel and equipment, because the Secret Service is not required to reimburse these costs.

The President's visit to the Trump Turnberry Resort was one part of a four-part European trip that included stops in Scotland, Belgium, England, and Finland. Due to system limitations, the Secret Service could not provide complete cost data in certain areas for the Turnberry mission in Scotland such as overtime pay, meals and incidental expenses, and commercial airfare. Therefore, we estimated the costs in these areas. (See Objective, Scope, and Methodology for more details on how we estimated these costs.)

¹ Includes \$3,054 for equipment rental; \$2,804 for pipes and drapes; \$2,530 for (b)(7)(E);(b)(7)(F); \$1,969 for State Department overtime; \$1,100 for [redacted]; and \$262 for vehicle insurance.

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2. How much did Trump Turnberry gain in profits from the Secret Service's spending for the President and his family's visit?

The Secret Service spent \$9,662 at the Trump Turnberry Resort for the President and his family's visit. Of this amount, we could not determine how much the resort gained in profits. Table 2 provides a breakdown of the amount that the Secret Service spent at the resort.

Table 2: Resort Costs

Description	Total
Hotel Rooms	\$5,935
Logistical	\$2,804
Golf Cart Rentals	\$923
Total	\$9,662

Source: OIG analysis of agency data

3. How many Secret Service agents traveled with the President and his family to the Trump Turnberry?

The Secret Service assigned personnel to travel to the Trump Turnberry Resort for the President's visit. Personnel were assigned as:

- part of the protective detail that provided 24-hour protection for the President and other protectees including the First Lady, the President's son, the White House Chief of Staff, the Press Secretary, and the National Security Advisor;
- members of the advance team involved in site preparation, assessing the overall security environment, and creating a security plan; and
- part of the team that traveled to the site, ahead of or concurrent with the President's trip, with responsibility for carrying out the security plan and providing on-site logistical support to ensure the location remained safe for the President and the protectees.

Personnel who supported the Turnberry visit were from the Secret Service's Presidential Protection Division, various headquarters divisions that support protective operations, field offices across the country that provided additional manpower, and the field office with jurisdiction over the location. According to the Secret Service, the size and composition of the advance team and personnel deployed was based on the number of protectees, type of event, expected attendance, location, length of the visit, and known threats.



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4. How much did the Secret Service spend in overtime pay for agents protecting the President during this visit?

The Secret Service spent an estimated \$84,899 in overtime pay for personnel protecting the President and other protectees during the visit to the Trump Turnberry Resort.

5. What was the rate that the Secret Service paid for hotel rooms at the Trump Turnberry?

The Secret Service paid a hotel room rate of about [] per night for single occupancy and about [] per night for double occupancy at the Trump Turnberry Resort. These rates were less than the government's per diem lodging rate and the resort's seasonal rate for July 2018. Table 3 provides a breakdown by room type for the rate the Secret Service paid, the per diem rate, and the seasonal rate.

Table 3: Turnberry Hotel Room Rates

Room Type	Secret Service Rate Paid ²	Per Diem Rate	Seasonal Rate
Single Occupancy	[]	\$173	\$510
Double Occupancy	[]	\$173	\$523

Source: OIG analysis of agency data

6. How much did the Secret Service spend to rent golf carts at the Trump Turnberry?

The Secret Service spent \$4,048 to rent 19 golf carts at the Trump Turnberry Resort. Of this amount, the resort received \$923 and another company received \$3,125. Table 4 provides a breakdown of the golf cart rental cost, including the number of golf carts, the daily rental rate, and the number of rental days.

Table 4: Golf Cart Rentals

Company	Number of Golf Carts	Daily Rental Rate	Number of Rental Days	Total
Trump Turnberry	9	\$51.28	2 days	\$923
Other Rental Company	10	\$52.08	6 days	\$3,125
Total	19			\$4,048

Source: OIG analysis of agency data

² According to the Department of State, the resort charged the Secret Service a "cost price" (allowing the resort to break even) based on direction from its parent company, Trump Hotels.



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7. How much did the Secret Service spend on meals and other incidental costs at Trump Turnberry?

(b)(7)(E);(b)(7)(F)

The Secret Service incurred an estimated [redacted] in authorized per diem for meals and incidental expenses for the President's visit. According to the Federal Travel Regulation, employees who are traveling on official business receive a daily per diem amount to cover the cost of lodging, meals, and incidental expenses. However, employees are not required to provide receipts to receive a reimbursement for the meals and incidental expenses portion of the per diem allowance. Therefore, we could not determine how much employees spent at the Trump Turnberry Resort.

8. What other costs did the Secret Service incur during the President's visit to Trump Turnberry?

The Secret Service incurred \$855,575 in other costs during the President's visit to the Trump Turnberry Resort. These costs were not requested in Questions 2 through 7, but we did capture them in the response to Question 1. The Secret Service paid these costs for various services to companies other than the Trump Turnberry. Table 5 provides a breakdown of the other operational costs.

Table 5: Other Costs

Description	Total
Rental Cars	\$466,424
Hotel Rooms ³	\$316,492
Commercial Airfare	\$63,744
Logistical Support:	\$8,915
<i>Equipment Rental</i>	\$3,054
(b)(7)(E);(b)(7)(F)	\$2,530
<i>State Department Overtime</i>	\$1,969
(b)(7)(E);(b)(7)(F)	\$1,100
<i>Vehicle Insurance</i>	\$262
Total	\$855,575

Source: OIG analysis of agency data

³ This figure includes \$11,121 that the Secret Service paid for an Explosive Ordnance Disposal team from the Department of Defense. At the conclusion of our fieldwork, the Secret Service was reviewing these costs, but had not requested reimbursement from the Department of Defense.



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Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*. We conducted this audit at the request of Members of Congress to determine the expenses incurred by the Secret Service for the President of the United States' visit to the Trump Turnberry Resort in Scotland from July 14 to 15, 2018.

To answer our objective, we:

- interviewed officials from the Secret Service and the Department of State to understand the roles, responsibilities, and procedures for coordinating operational and logistical support for foreign protective travel missions;
- reviewed prior audit reports on presidential travel issued by the United States Government Accountability Office to identify the types of expenses normally included and not included within the scope of their reviews;
- researched laws, regulations, and internal policies governing the Secret Service's operating procedures for planning, staffing, and executing foreign protective travel missions;
- analyzed financial reports and supporting documents from DHS, Secret Service, and Department of State to identify the operational and temporary duty costs that the Secret Service incurred for the President's visit to the Turnberry Resort in Scotland from July 14 to 15, 2018;
- tested internal controls to the extent practical, given the limited scope of the review, by verifying the Secret Service properly requested, authorized, and approved the costs incurred relative to the Turnberry mission; and
- assessed the reliability of the cost data by interviewing officials, recreating calculations to ensure that totals were correct, and tracing selected cost data to source records such as payroll records and invoices. We determined the data to be sufficiently reliable for our purposes.

Due to its system limitations, the Secret Service could not provide detailed cost data in certain areas for the Turnberry mission. Therefore, we excluded certain travel costs (baggage fees and parking) and estimated costs in other areas such as overtime pay, meals and incidental expenses (M&IE), and commercial airfare.



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Overtime pay is tracked by pay period, not by temporary duty location. In addition, Secret Service personnel may support multiple missions each pay period. Therefore, to estimate the overtime pay, we:

(b)(7)(E);(b)(7)(F)

- identified the total amount of overtime paid to the [redacted] Secret Service personnel assigned to the Turnberry visit in pay period 13 and pay period 14 in 2018 (i.e., June 24, 2018 through July 21, 2018);⁴
- used hotel invoices to identify the number of days and the percent of time each employee spent at Turnberry, and divided that figure by the total number of days in the pay periods; and
- multiplied the percent of time by the total amount of overtime paid to estimate the amount attributable to the Turnberry visit.

To estimate M&IE, we:

- identified the applicable M&IE per diem rate on the Department of State's website, which was \$92 a day for Glasgow, Scotland, in July 2018;
- reviewed the hotel invoices to determine the number of travel days for each of the [redacted] Secret Service employees; and
- calculated the M&IE cost using the M&IE rate of \$92 a day (on the first and last travel days, we used 75 percent of the M&IE rate, which was \$69 a day).

(b)(7)(E);(b)(7)(F)

When estimating commercial airfare, we included those costs that we could reasonably attribute to the Turnberry mission such as flights between the United States and Scotland. We excluded the costs for travel between Scotland and other parts of the President's European trip. We could not determine the amount attributable solely to the Turnberry mission because the financial system could only provide summary costs for the entire trip.

Based on a review of supporting documentation for a sample of personnel, we determined our approach was reasonable for estimating overtime pay, M&IE, and commercial airfare costs incurred by the Secret Service relative to the Turnberry mission.

We conducted this performance audit between October 2018 and August 2019 pursuant to the *Inspector General Act of 1978*, as amended, and according to generally accepted government auditing standards. Those standards require

⁴ The Secret Service travels to locations before, during, and after the President or other protectees are physically at the site for site preparation and close out activities. Therefore, we included two pay periods in our review.



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that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.



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Appendix A
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