



**DEPARTMENT OF HOMELAND SECURITY**  
UNITED STATES SECRET SERVICE  
WASHINGTON, D.C. 20223

Freedom of Information and Privacy Acts Branch  
Communications Center  
245 Murray Lane, S.W.  
Building T-5  
Washington, D.C. 20223

MAY 12 2010

John Althen  
Judicial Watch  
501 School Street, S.W.  
Suite 725  
Washington, D.C. 20024

File Numbers: 20100202, 20100203

Dear Mr. Althen:

Reference is made to your April 5, 2010, Freedom of Information Act (FOIA) request received by this office on April 14, 2010, requesting:

- 1.) All official visitor logs and/or other records concerning visits made to the Vice President's Residence and Office located on the grounds of the United States Naval Observatory from January 20, 2009 to the present.
- 2.) All official visitor logs and/or other records concerning visits made to Vice President Joe Biden's residence in Wilmington, Delaware from January 20, 2009 to the present.

As you may be aware, neither the Vice President's Residence at the United States Naval Observatory nor Vice President Biden's private residence in Wilmington, Delaware is equipped with the Access Control Records System (ACR) and/or Worker and Visitor Entrance System (WAVES) that are in place at the White House Complex.

Accordingly, please be advised that the Secret Service interprets your first request, file number 20100202, as requesting post entry logs and special event lists for the Vice President's Residence at the United States Naval Observatory.

With respect to your second request, file number 20100203, there are no post entry logs for the Vice President's private residence in Wilmington, Delaware. The Secret Service therefore interprets your request as requesting the family and friends access list ("Biden Residence Access List") (even though these records do not contain information concerning actual visits), and any special event list(s) for the Vice President's private residence in Wilmington, Delaware.

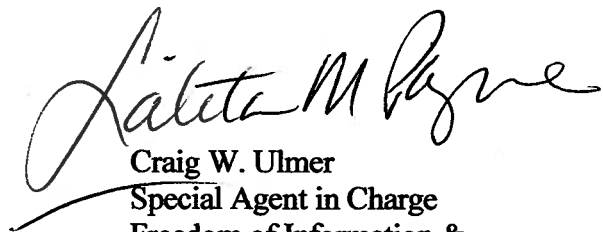
It is the government's position that the categories of records that you requested are not agency records subject to the FOIA. Rather, these records are governed by the Presidential Records Act, 44 U.S.C. § 2201 et seq., and remain under the exclusive legal control of the White House and the Office of the Vice President. Furthermore, even if these records could be construed as agency records, certain of these records, such as the family and friends access list for the Vice President's private residence in Wilmington, Delaware, would be exempt from disclosure pursuant to 5 U.S.C. § 552(b), including under § 552(b)(6), which provides for the withholding of "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy[.]"

We are therefore closing these files.

The Office of the Vice President retains authority to direct the discretionary release of Vice Presidential records. As you may be aware, pursuant to the White House disclosure policy, the Office of the Vice President releases visitor records for the Vice President's Residence in Washington on a monthly basis. These records may be searched online at <http://www.whitehouse.gov/briefing-room/disclosures/visitor-records>. Furthermore, for visitor records between January 20, 2009 and September 15, 2009, the Office of the Vice President will respond voluntarily to requests for specific possible visitors to the Vice President's Residence in Washington during that time period.

Please be advised that any decision concerning a FOIA request, including a decision that the Agency maintains no responsive records, is subject to administrative appeal. Should you wish to file an administrative appeal, your appeal should be made in writing within 35 days of the date of this letter, by writing to Freedom of Information Appeal, Deputy Director, U.S. Secret Service, Communications Center, 245 Murray Lane, S.W., Building T-5, Washington, D.C. 20223.

Sincerely,

A handwritten signature in cursive script, appearing to read "Craig W. Ulmer". The signature is written in black ink and is positioned above the typed name and title.

Craig W. Ulmer  
Special Agent in Charge  
Freedom of Information &  
Privacy Acts Officer