



agencies' responses and disseminates both its findings and the requested records to the American public to inform them about "what their government is up to."

4. Defendant U.S. Department of Homeland Security is an agency of the U.S. Government and is headquartered at 245 Murray Lane SW, Washington, DC 20528. Defendant has possession, custody, and control of records to which Plaintiff seeks access.

### **STATEMENT OF FACTS**

5. The U.S. Secret Service ("Secret Service") is a component of Defendant U.S. Department of Homeland Security.

6. Beginning in June and continuing through October 2017, Plaintiff served multiple FOIA requests on the Secret Service, seeking access to records about VIP travel.

7. Plaintiff's FOIA requests to the Secret Service sought all records concerning the use of U.S. Government funds to provide security and/or any other services to the following persons and any companions for the trips identified:

- a. President Trump  
(Bedminster, New Jersey – June 9-11, 2017)

Date of Request:	06/12/17
FOIA Request Received:	06/12/17
Determination Due:	07/11/17
FOIA/File No.:	20171896

- b. President Trump  
(Bedminster, New Jersey – June 23-25, 2017)

Date of Request:	06/27/17
FOIA Request Received:	07/12/17
Determination Due:	08/09/17
FOIA/File No.:	20171896

- c. President Trump  
(Bedminster, New Jersey – June 30-July 3, 2017)
- Date of Request: 07/06/17  
FOIA Request Received: 11/08/17  
Determination Due: 12/08/17  
FOIA/File No.: 20172019
- d. President Trump  
(Bedminster, New Jersey – July 14-16, 2017)
- Date of Request: 07/17/17  
FOIA Request Received: 08/02/17  
Determination Due: 08/30/17  
FOIA/File No.: 20172122
- e. President Trump  
(Bedminster, New Jersey and New York, NY – Aug. 4-21, 2017)
- Date of Request: 08/22/17  
FOIA Request Received: 09/08/17  
Determination Due: 10/06/17  
FOIA/File No.: 20172359 & 20172360
- f. President Trump  
(Phoenix, Arizona – Aug. 22, 2017)
- Date of Request: 08/23/17  
FOIA Request Received: 09/08/17  
Determination Due: 10/06/17  
FOIA/File No.: 20172361
- g. President Trump  
(Missouri – Aug. 30, 2017)
- Date of Request: 08/31/17  
FOIA Request Received: 09/14/17  
Determination Due: 10/13/17  
FOIA/File No.: 20172377
- h. President Trump  
(Alabama and Bedminster, New Jersey – Sept. 22-24, 2017)
- Date of Request: 09/25/17  
FOIA Request Received: 10/25/17  
Determination Due: 11/22/17  
FOIA/File No.: 20180167 & 20180168

- i. President Trump  
(Bedminster, New Jersey – Sept. 29-Oct. 1, 2017)

Date of Request:	10/02/17
FOIA Request Received:	10/16/17
Determination Due:	11/13/17
FOIA/File No.:	20180081

The requests were received by the Secret Service, and the Secret Service's determinations were due, on the dates indicated. The Secret Service has assigned the requests the FOIA/File numbers indicated.

8. As of the date of this Complaint, the Secret Service has failed to: (i) determine whether to comply with each request; (ii) notify Plaintiff of any such determination or the reasons therefor; (iii) advise Plaintiff of the right to appeal any adverse determination; or (iv) produce the requested records or otherwise demonstrate that the requested records are exempt from production.

**COUNT I**  
**(Violation of FOIA, 5 U.S.C. § 552)**

9. Plaintiff realleges paragraphs 1 through 8 as if fully stated herein.

10. Defendant is violating FOIA by failing to search for and produce all records responsive to Plaintiff's requests or demonstrate that the requested records are lawfully exempt from production.

11. Plaintiff is being irreparably harmed by Defendant's violations of FOIA, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to comply with FOIA.

12. To trigger FOIA's administrative exhaustion requirement, Defendant was required to make determinations with respect to Plaintiff's requests within twenty (20) working days of receiving the request. Accordingly, Defendant's determinations were due on or before

the dates indicated in paragraph 7. At a minimum, Defendant was required to: (i) gather and review the requested documents; (ii) determine and communicate to Plaintiff the scope of any responsive records Defendant intended to produce or withhold and the reasons for any withholdings; and (iii) inform Plaintiff that it may appeal any adequately specific, adverse determination. *See, e.g., Citizens for Responsibility and Ethics in Washington v. Federal Election Commission*, 711 F.3d 180, 188-89 (D.C. Cir. 2013).

13. Because Defendant failed to make determinations with respect to Plaintiff's requests within the time period required by FOIA, Plaintiff is deemed to have exhausted its administrative appeal remedies. 5 U.S.C. § 552(a)(6)(C)(i).

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to search for any and all records responsive to Plaintiff's FOIA requests and demonstrate that they employed search methods reasonably calculated to uncover all records responsive to the requests; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's FOIA requests and a Vaughn index of any responsive records withheld under claim of exemption; (3) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to Plaintiff's FOIA requests; (4) grant Plaintiff an award of attorneys' fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and (5) grant Plaintiff such other relief as the Court deems just and proper.

Dated: January 25, 2018

Respectfully submitted,

/s/ Lauren M. Burke  
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