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November 27, 2020

Communications Center (FOIA/PA)
245 Murray Lane
Building T-5
Washington, D.C. 20223
Fax: 202-406-5586
Email: FOIA@usss.dhs.gov

Via Electronic Mail

RE: FOIA File No. 20210125

Dear FOIA Officer:

Thank you for your correspondence dated November 25, 2020. You requested responses to six factors and Mr. Codrea will address them in turn:

- 1) Whether the subject of the requested records concerns “the operations or activity of the government”
 - a. Mr. Codrea requested information on the investigation into the disappearance of a handgun from Mr. Hunter Biden’s car. As such, this request concerns both the operations and activity of the government, for instance, both the Secret Service and Bureau of Alcohol, Tobacco, Firearm and Explosives would probably investigate a lost or stolen handgun from a presidential candidate’s son. Investigations into lost or stolen firearms has to be an operation or activity of the government, as is enforcement of the United States’ firearms laws.
- 2) Whether the disclosure is “likely to contribute” to the understanding of government operations or activities:
 - a. The disclosure of such requested information will contribute to the understanding of government operations or activities because, as Mr. Codrea stated in his request, “the requested records will be distributed free of charge on the internet and will increase the public’s awareness on compliance by a politically connected public figure with state and federal firearms laws.” Because “public safety” is the one of the most repeated phrases and justifications for the continued passage of new laws to restrict the Second Amendment, Mr. Codrea will report on how serious the various governmental agencies take a stolen or lost firearm, and how, if any, the treatment of politically connected individuals differs from that of the general public.

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- 3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor (sic) or a narrow segment of interested persons.
 - a. As stated *supra* in response to No. 2, the public will have a better understanding of compliance with firearms laws, not just Mr. Codrea or a narrow segment of interested persons. As public safety is repeatedly used as a justification for laws mandating reporting lost or stolen firearms, or to further restrict law-abiding citizens from exercising their Second Amendment rights, the public has a vested interest in seeing what their government is up to with regard to enforcement of the firearms laws.
- 4) Whether the contribution of public understanding of government operations or activities will be “significant”.
 - a. Mr. Codrea does not know what this agency has that is responsive to his request, however, it is not a secret that Mr. Hunter Biden has had a problem in the past with substance abuse, and it is something a reasonable person would understand to be a prohibitor under federal law as 18 USC § 922(d) prohibits those who are unlawful users or addicted to any controlled substance from owning firearms and ammunition. As such, Mr. Codrea believes that any documents responsive to his request which shed light on the enforcement of the firearms laws and those who violate federal law would be “significant”, especially if certain well-connected individuals receive special treatment. It was also noted in The Blaze article, referenced in Mr. Codrea’s FOIA request, that Hunter Biden had a Secret Service protective detail from January 29, 2009 until July 8, 2014.¹ So whether the Secret Service was involved with Mr. Hunter Biden’s lost firearm in 2018 would be “significant” since Hunter Biden did not have a detail at that time.
- 5) Whether the requester has a commercial interest that would be further by the requested disclosure.
 - a. Mr. Codrea is a journalist that writes about firearms-related matters. Mr. Codrea has no commercial interest in these documents, but does intend to write about the issue. As stated in his FOIA request, David Codrea writes for Ammoland Shooting Sports News. See <https://www.ammoland.com/author/david-codrea/>.
- 6) Whether the magnitude of any identified commercial interest to the requestor (sic) is sufficiently large in comparison with the public interest in disclosure, that disclosure is primary in the commercial interest of the requestor (sic).
 - a. As stated *supra* in No. 5, Mr. Codrea does not have a commercial interest in the disclosure. Mr. Codrea is a journalist who will write about the issue and will bring attention to the disparate treatment, if any, regarding politically connected individuals and the general public. If there is any commercial

¹ <https://www.theblaze.com/news/senate-report-hunter-biden-corruption>

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interest identified by the agency, then the public interest would greatly overshadow any commercial interest for the reasons stated above.

As stated in Mr. Codrea's FOIA, he is willing to pay up to \$100 for the processing of this request. Additionally, because Mr. Codrea would be considered "media", he is entitled to a fee waiver. *See Edmonds Inst. v. DOJ*, 460 F. Supp.2d 63, 72 (D.D.C. 2006); *Votehemp, Inc. v. DEA*, 237 F. Supp. 2d 55, 58 (D.D.C. 2002).

Should you require additional information, I can be contacted at 601-852-3440 or via email at stephen@sdslaw.us.

Best regards,



STEPHEN D. STAMBOULIEH

cc: David Codrea