

# **EXHIBIT A**

September 22, 2017

**BY U.S. MAIL, E-MAIL, AND ONLINE PORTAL**

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**Re: Expedited Freedom of Information Act Request**

To whom it may concern:

My name is Richard Behar, and I am an award-winning<sup>1</sup> investigative journalist, and the Contributing Editor of Investigations at *Forbes* magazine.<sup>2</sup> In the past year, I have reported extensively on President Donald Trump.<sup>3</sup> This letter is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

**Background**

Then-candidate Donald Trump received Secret Service protection in November 2015.<sup>4</sup> At various points over the next several years, additional members of the Trump family and affiliates with the Trump Campaign and Trump Organization received Secret Service protection as well.<sup>5</sup> This request seeks records of great and urgent public interest<sup>6</sup>—Secret Service records related to

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<sup>1</sup> *Bio*, Richard Behar, <http://www.richardbehar.com/richard-behar-biography.html> (last visited Sept. 20, 2017).

<sup>2</sup> *Contributor: Richard Behar*, *Forbes*, <https://www.forbes.com/sites/richardbehar/#3aec44817705> (last visited Sept. 20, 2017).

<sup>3</sup> See Richard Behar, *Donald Trump and the Felon: Inside His Business Dealings with a Mob-Connected Hustler*, *Forbes* (Oct. 3, 2016), <https://www.forbes.com/sites/richardbehar/2016/10/03/donald-trump-and-the-felon-inside-his-business-dealings-with-a-mob-connected-hustler/#572299e72282>; Richard Behar, *The Kazakhstan Connection: Trump, Bayrock and Plenty of Questions*, *DCReport* (Sept. 12, 2017), <https://www.dcreport.org/2017/05/12/the-kazakhstan-connection-trump-bayrock-and-plenty-of-questions/>; Richard Behar, *How Felix Sater — Former Mob-linked Hustler And Ex-Trump Adviser — Sought To ‘Protect’ Ukraine’s Nuclear Plants*, *Nat’l Memo* (May 25, 2017), <http://www.nationalmemo.com/felix-sater-ex-trump-adviser-ukraines-nuclear-plants/>.

<sup>4</sup> Jim Acosta & Jeremy Diamond, *Donald Trump, Ben Carson Getting Secret Service Protection*, *CNN* (Nov. 5, 2015), <http://www.cnn.com/2015/11/05/politics/donald-trump-ben-carson-secret-service/index.html>.

<sup>5</sup> See, e.g., Tom Llamas et al., *Ivanka Trump Receiving Her Own Secret Service Protection*, *ABC News* (Sept. 19, 2016), <http://abcnews.go.com/Politics/ivanka-trump-secret-service-protection/story?id=42196407>; Anna Wener et al., *The Cost to Taxpayers of Protecting Trump’s Kids on Overseas Business Trips*, *CBS News* (Feb. 27, 2017), <https://www.cbsnews.com/news/how-much-does-protecting-trumps-children-on-overseas-business-trips-cost-taxpayers>.

<sup>6</sup> See *infra* Application for Expedited Processing.

visitors to Donald Trump and his affiliates during the time when they were under Secret Service Protection prior to President Trump's inauguration.

### Requested Records

I request the following records:

- (1) Records identifying every individual who was screened and/or noted by the Secret Service because they (a) sought to visit any of the following individuals, and/or (b) sought access to any secured area where any of the following were present:
  - a. Donald Trump;
  - b. Eric Trump;
  - c. Donald Trump, Jr.;
  - d. Ivanka Trump;
  - e. Jared Kushner;
  - f. Paul Manafort;
  - g. Michael Flynn;
  - h. Corey Lewandowski;
  - i. Michael Cohen;
  - j. Stephen Bannon; and/or
  - k. Kellyanne Conway.

The information sought by this request includes, but is not limited to, any Worker and Visitor Entrance System (WAVES) records and Access Control Records (ACR). The request includes, but is not limited to, visitors to Trump Tower, Mar-a-Lago, Bedminster Golf Club, and, to the extent available, the twenty-eight fields of data that were previously released under the Obama Administration for White House visitors.<sup>7</sup>

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<sup>7</sup> See *White House Visitor Records*, The White House, <http://obamawhitehouse.archives.gov/goodgovernment/tools/visitor-records> [<http://perma.cc/EL2T-5XC4>] (last visited Sept. 20, 2017). The twenty-eight fields consist of the following:

- NAMELAST
- NAMEFIRST
- NAMEMID
- UIN
- BDGNBR
- ACCESS\_TYPE
- TOA
- POA
- TOD
- POD
- APPT\_MADE\_DATE
- APPT\_START\_DATE
- APPT\_END\_DATE
- APPT\_CANCEL\_DATE
- Total\_People
- LAST\_UPDATEDBY

- (2) All records concerning any communication between the Secret Service and any individual employed by and/or affiliated with either the Trump Campaign and/or the Trump Organization regarding any individual screened and/or noted by the Secret Service identified in the records produced in response to request one.

#### Time Period

Both requests are limited to records of individuals screened or noted by the Secret Service between November 1, 2015, and January 21, 2017. Both include, but are not limited to, records related to visitors to Mar-a-Lago and Trump Tower

#### Form

With respect to the form of production for both requests, *see* 5 U.S.C. § 552(a)(3)(B), the I request that responsive electronic records be provided electronically in their native file format, if possible. Alternatively, the I request that the records be provided electronically in a text searchable, static image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates stamped files.

#### **Application for Expedited Processing**

Pursuant to 5 U.S.C. § 552(a)(6)(E) and 6 C.F.R. § 5.5(e)(1)(ii), I request expedited processing for this request because it involves an urgency to inform the public about actual federal government activity and I am making it as a reporter primarily engaged in disseminating information.<sup>8</sup> Specifically, I am making this request so as to disseminate this information to the public, in light of the broad public interest in who the prospective president (and his colleagues) were meeting with prior to his inauguration. Furthermore, the subject of this request concerns a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. 6 C.F.R. § 5.5(e)(1)(iv).

The subject of this request is a matter of widespread and exceptional media interest. Since the Obama Administration, White House visitor logs have been available to the public, and

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- POST
  - LASTENTRYDATE
  - TERMINAL\_SUFFIX
  - visitee\_namelast
  - visitee\_namefirst
  - MEETING\_LOC
  - MEETING\_ROOM
  - CALLER\_NAME\_LAST
  - CALLER\_NAME\_FIRST
  - CALLER\_ROOM
  - DESCRIPTION
  - Release\_Date

<sup>8</sup> In the past year, I have reported extensively on President Donald Trump. *See supra* note 3.

have proven to be an invaluable resource in determining the outside influences on the President. The Trump Administration, however, has refused to release those records.<sup>9</sup> This issue is the subject of headline-making litigation and has been covered by media publications including *CNN*,<sup>10</sup> *The Washington Post*,<sup>11</sup> *Time*,<sup>12</sup> *Politico*,<sup>13</sup> and *The New York Times*.<sup>14</sup> Furthermore, on March 6, 2017, eight Senators sent letters to the President and the Secret Service urging the public release of the WAVES data.<sup>15</sup> On July 14, 2017, in response to a suit filed by several government watchdog groups, a federal judge ruled that the Secret Service had to release certain Mar-a-Lago visitor logs.<sup>16</sup> Despite this, the Secret Service has withheld almost all Mar-a-Lago visitor logs, releasing only 22 names of foreign dignitaries and staffers related to Japanese Prime Minister Shinzo Abe's February trip.<sup>17</sup> On August 17, 2017, the public interest group Public Citizen filed a lawsuit against the Secret Service demanding public access to visitor logs for several agencies located in the White House.<sup>18</sup>

The need for information extends to logs taken before the President's inauguration as significant media attention has been focused on the propriety of the Trump campaign's actions

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<sup>9</sup> See Dave Boyer, *Trump Won't Release White House Visitor Logs, Reverses Obama Policy*, Wash. Post (April 14, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html); Spencer S. Hsu, *Trump White House is Still Holding Back Visitor Information, Watchdog Group Says*, Wash. Post (Aug. 17, 2017), [https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/local/public-safety/trump-white-house-withholding-the-limited-visitor-logs-it-vowed-to-release-watchdog-group-says/2017/08/17/64ccf94e-82c0-11e7-902a-2a9f2d808496_story.html).

<sup>10</sup> See, e.g., Laura Jarrett and Cristina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>11</sup> See, e.g., *The White House's Secretiveness Is Getting So Bad, It's Probably Illegal*, Wash. Post (Aug. 20, 2017), [https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496\\_story.html](https://www.washingtonpost.com/opinions/the-white-houses-secretiveness-is-getting-so-bad-its-probably-illegal/2017/08/20/18c92786-8453-11e7-902a-2a9f2d808496_story.html).

<sup>12</sup> See, e.g., Zeke J. Miller, *The White House Will Keep Its Visitor Logs Secret*, Time (Apr. 14, 2017), <http://time.com/4740499/white-house-visitor-logs-public-record-trump/>.

<sup>13</sup> See, e.g., Josh Dawsey and Nolan D. McCaskill, *White House Says it Won't Make Visitor Logs Public*, Politico (April 14, 2017), <http://www.politico.com/story/2017/04/white-house-says-it-wont-make-visitor-logs-public-237235>.

<sup>14</sup> See, e.g., Eric Lipton, *Trump Declines to Release List of His Mar-a-Lago Visitors*, N.Y. Times (Sept. 15, 2017), <https://www.nytimes.com/2017/09/15/us/politics/trump-declines-to-release-list-of-his-visitors-at-mar-a-lago.html>.

<sup>15</sup> See, e.g., *Wyden Calls on Trump to Release White House Visitor Logs*, News Channel 21 (Mar. 7, 2017), <http://www.ktvz.com/news/wyden-calls-on-trump-to-release-white-house-visitor-logs/381476106>.

<sup>16</sup> Adam Edelman, *Trump Must Release Mar-a-Lago Visitor Logs, Judge Rules*, NBC News (July 17, 2017), <https://www.nbcnews.com/politics/donald-trump/trump-must-release-mar-lago-visitor-logs-judge-rules-n783686>.

<sup>17</sup> Laura Jarrett and Christina Alesci, *Trump Administration Withholds Almost All Mar-a-Lago Visitor Logs*, CNN Politics (Sept. 15, 2017), <http://www.cnn.com/2017/09/15/politics/secret-service-maralago-logs/index.html>.

<sup>18</sup> Josh Gerstein, *Suit Demands Visitor Logs for Parts of White House*, Politico (Aug. 17, 2017), <http://www.politico.com/blogs/under-the-radar/2017/08/17/lawsuit-trump-white-house-visitor-logs-241744>.

on behalf of the President's friends and supporters.<sup>19</sup> Furthermore, the need for information extends to visitor logs pertaining to not only the President, but members of the President's campaign, who are likely to further influence the President. This need is exemplified by numerous publications reporting on Robert Mueller's investigation of the Trump campaign's ties to Russia,<sup>20</sup> meetings between members of the President's family and a Russian lawyer shortly after the president's Republican nomination,<sup>21</sup> and allegations of corruption extending before the President's inauguration.<sup>22</sup>

Moreover, the need for this information is underlined by recent concerns raised about the President's use of his properties, such as Trump National Golf Club and Mar-a-Lago,<sup>23</sup> as well as significant financial stakes in "more than 500 businesses."<sup>24</sup>

I certify that the information above is true and correct to the best of my knowledge, pursuant to 6 C.F.R. § 5.5(e)(3).

### **Application for Fee Waiver**

I request that the Secret Service waive the search, review, and duplication fees associated with this request. The requested records are not sought for commercial use. I am a journalist, and seek these records for use in my reporting. I am therefore entitled to a waiver of search fees and review fees, and a waiver or reduction of duplication fees, pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) and 6 C.F.R. § 5.11(6).

I certify that the information above is true and correct to the best of my knowledge.

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<sup>19</sup> Amanda Terkel, *Hillary Clinton Won't Rule Out Questioning the Legitimacy of Donald Trump's Election*, HuffPost (Sept. 18, 2017), [http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy\\_us\\_59c01f2de4b0f22c4a8bcb71](http://www.huffingtonpost.com/entry/hillary-clinton-trump-legitimacy_us_59c01f2de4b0f22c4a8bcb71); Matt Ferner, *Rep. John Lewis: Trump Is Not A 'Legitimate President'*, HuffPost (Jan. 13, 2017), [http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate\\_us\\_58792bfee4b0b3c7a7b1303a](http://www.huffingtonpost.com/entry/john-lewis-trump-not-legitimate_us_58792bfee4b0b3c7a7b1303a).

<sup>20</sup> *With Russia Investigation, Plenty to See Here*, USA Today (Sept. 18, 2017), <https://www.usatoday.com/story/opinion/2017/09/18/russia-investigation-plenty-see-here-editorials-debates/674777001/>.

<sup>21</sup> *See, e.g.*, Mark Lander and Maggie Haberman, *With Glare on Trump Children, Political Gets Personal for President*, N.Y. Times (July 12, 2017), <https://www.nytimes.com/2017/07/12/us/politics/trump-says-son-is-innocent-amid-reports-of-russia-meeting.html?mcubz=0>; Darren Samuelsohn, *Russia Probes Pose Loyalty Test for Team Trump*, Politico (Sept. 9, 2017), <http://www.politico.com/story/2017/09/12/trump-russia-investigation-loyalty-242570>.

<sup>22</sup> Adam Davidson, *Trump's Business of Corruption*, New Yorker (Aug. 21, 2017), <https://www.newyorker.com/magazine/2017/08/21/trumps-business-of-corruption>.

<sup>23</sup> *See, e.g.*, Brad Heath et. al., *Trump Gets Millions from Golf Members. CEOs and Lobbyists Get Access to President*, USA Today (Sept. 6, 2017), <https://www.usatoday.com/story/news/2017/09/06/trump-gets-millions-golf-members-ceos-and-lobbyists-get-access-president/632505001/>.

<sup>24</sup> *See, e.g.*, Sarah Posner, *What If Our System Can't Handle Trump's Out-of-control Self-dealing?*, Wash. Post (Sept. 6, 2017), <https://www.washingtonpost.com/blogs/plum-line/wp/2017/09/06/what-if-our-system-cant-handle-trumps-out-of-control-self-dealing/>.

### Conclusion

Thank you for your prompt attention to this matter. Please direct communications and furnish the applicable records to:

**Richard Behar**

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New York, NY 10021  
Behar@richardbehar.com  
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If the request is denied in whole or part, please justify all withholdings and redactions by reference to specific FOIA exemptions. Please release all segregable portions of otherwise exempt material, pursuant to 5 U.S.C. § 552(b).

Given the time sensitivity of this request, I ask that you communicate any questions you may have by phone or email, rather than regular mail. Also, if the requested records cannot be provided by email, please notify me as soon as they are available, and I will arrange to collect them by courier to avoid additional delay.

Your prompt attention to this request is greatly appreciated.

Respectfully,

/S/ Richard Behar  
Richard Behar  
Contributing Editor of  
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