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May 21, 2009

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

Re: Freedom of Information Act Request

Dear Sir/Madam,

Msnbc.com, the news organization, makes this request for Secret Service agency records, pursuant to the Freedom of Information Act ("FOIA") and U.S. Department of Homeland Security ("DHS") regulations, 6 CFR part 5.

This request is for all records relating to any visit that any and all individuals made to the White House from 12:00 p.m. on January 20, 2009, to present.

Msnbc.com is an online news organization. The most visited news Web site in the U.S., msnbc.com is a joint venture of Microsoft and NBC Universal. Our corporate name is MSNBC Interactive News, LLC, and our headquarters is in Redmond, Washington. (The Web site, msnbc.com, is a distinct company from MSNBC, the television channel, which is owned by NBC Universal and headquartered in New York.)

As used herein, the term "White House" includes, but is not limited to, any office within the Executive Office of the President, the residence of the President, the Eisenhower and New Executive Office Buildings, and any other office or space on the grounds of the White House Complex.

Specifically, I request information from two systems known formally as the White House Access Control System (WHACS). Colloquially, this information is known as "White House visitor logs."

First, I request information from the Worker and Visitor Entrance System (WAVES), a Secret Service database which includes information submitted to the Secret Service about individuals who have a planned visit to the White House. This information may include, but may not be limited to, the name of the pass holder submitting the request, the date of the request, the time and location of the planned visit, and the nature of the visit or the person to be visited. This information may be updated with the actual date and time of entry and exit. If a successor system to WAVES is now in use, information from that system is requested.

Second, I request information from the Access Control Records System (ACR), a Secret Service database which includes information generated when a pass holder, worker or visitor swipes a permanent or temporary pass over an electronic reader at entrances or exits. This information may include, but may not be limited to, the name of the visitor,

the badge number, the post or location, and the date and time of entry or exit. If a successor system to ACR is now in use, information from that system is requested.

Third, I request lists submitted to the Secret Service of groups or delegations of visitors with planned visits to the White House. Such lists may be used for banquets, delegations or other groups. All the names on such lists may or may not be listed in the WAVES database, and individuals on such lists may or may not be required to pass through a turnstile, generating a record in ACR. The information on such group lists may include, but may not be limited to, the name of the pass holder submitting the request, the date of the request, the time and location of the planned visit, and the nature of the visit or the person to be visited. This information may be updated with the actual date and time of entry and exit.

I am NOT requesting the following information, which should be redacted from the records before release: Dates of birth, Social Security numbers, home addresses (other than city and state). I am not requesting results of background checks on prospective visitors. I also am not requesting the "Note" or "Comment" field in the Secret Service databases, which might include information on background checks or security precautions. Other security-related information or procedures are also not requested. If the visitor logs include information on the employer or organization or affiliation of the visitor, and a city or state of residence or employment, that information should be released.

I request the records regardless of format, medium or physical characteristics, including electronic records and information. If information is maintained by the agency in an electronic form, I request that it be provided in an electronic form, such as Access, Excel, DBF or a plain ASCII text file. If you have the database in another electronic form, that usually is something I could handle, but please discuss that with me. Please include all data fields in the database, other than the information described above to be redacted. Also, please also include any documentation used by the department to guide data entry and retrieval of this database, such as a record layout, a list of codes or abbreviations, and any manual for data-entry clerks or other users of the database.

If it is your position that any portion of the requested records is exempt from disclosure, I request that you provide it with an index of those documents, as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1972). As you are aware, a Vaughn index must describe each document claimed as exempt with sufficient specificity "to permit a reasoned judgment as to whether the material is actually exempt under FOIA." *Founding Church of Scientology v. Bell*, 603 F.2d 945, 959 (D.C. Cir. 1979). Moreover, the Vaughn index must "describe each document or portion thereof withheld, and for each withholding it must discuss the consequences of supplying the sought-after information." *King v. U.S. Department of Justice*, 830 F.2d 210, 223-24 (D.C. Cir. 1987).

In the event that some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable, non-exempt portions of the requested records. See 5 U.S.C. §552(b). If it is your position that a document contains non-exempt segments and that those non-exempt segments are so dispersed throughout the documents as to make segregation impossible, please state what portion of the document is non-exempt and how the material is dispersed through the document. *Mead Data Central v. U.S. Department of the Air Force*, 455 F.2d 242, 261 (D.C. Cir. 1977). Claims of non-segregability must be made with the same detail as required for claims of exemption in a Vaughn index. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

I agree to pay reasonable duplication fees for the processing of this request. Please notify me prior to your incurring any expenses in excess of \$100.

Because this request involves information about governmental activity, and the request is made by a person primarily engaged in disseminating information to the public, I ask that this request be processed on an expedited basis.

Please send the requested documents to Bill Dedman, msnbc.com, 30 Rockefeller Plaza, 3rd floor, New York, NY 10112.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone, rather than by mail, if you have questions regarding this request. I look forward to your reply.

Very truly yours,

Bill Dedman