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9

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12

13 **QUENTIN L. KOPP,**
14

15 Plaintiff,

16 v.
17

18 **THE UNITED STATES SECRET SERVICE,**

19 Defendant.
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CASE NO.

**COMPLAINT FOR
DECLARATORY RELIEF**

AND

INJUNCTIVE RELIEF

**UNDER THE
FREEDOM OF INFORMATION ACT**

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1 1. This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *as*
 2 *amended*, to compel the production of public records concerning the costs incurred by the United
 3 States Secret Service when it accompanied Donald Trump Jr. on a business trip to and from India in
 4 February 2018.

5 2. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B).

6 **I. PARTIES**

7 3. Plaintiff **Quentin L. Kopp** is an individual, a former California State Senator, and
 8 formerly served as judge on the San Mateo Superior Court and as a member of the San Francisco
 9 Board of Supervisors. Plaintiff resides in San Francisco, California.

10 4. Defendant **United States Secret Service** (“Secret Service”) is a federal law
 11 enforcement agency under the United States Department of Homeland Security and has possession of
 12 and control over the records Plaintiff seeks.

13 **II. JURISDICTION AND VENUE**

14 5. This Court has both subject matter jurisdiction over this action and personal
 15 jurisdiction over the parties pursuant to 5 U.S.C. § 552(a)(4)(B). This Court also has jurisdiction
 16 over this action pursuant to 28 U.S.C. § 1331.

17 6. Venue lies in this district pursuant to 5 U.S.C. 552(a)(4)(B), as Plaintiff resides in this
 18 district.

19 **III. SECRET SERVICE’S FAILURE TO TIMELY COMPLY WITH PLAINTIFF’S FOIA** 20 **REQUEST**

21 7. On February 27, 2018, Plaintiff submitted a FOIA request to the Secret Service,
 22 requesting public records which showed the following: (1) the number of Secret Service personnel
 23 accompanying Donald Trump, Jr. on his February 2018 India trip and their job descriptions; (2) the
 24 cost of the transportation, meals, lodging, salaries, and all other emoluments for all Secret Service
 25 personnel on such trip; and (3) any rules of the Secret Service relating to justification, responsibility,
 26 and duties of Secret Service detail members on such trip, plus the dates of departure and return, of all
 27 such persons. Exh. A.

28 ///

1 8. On May 15, 2018, the Secret Service sent a letter to Plaintiff stating: “We have
2 determined that your request is too broad in scope, or that your request did not specifically identify
3 the records which you are seeking.” Exh. B. The letter further stated: “As you have failed to
4 reasonably describe the records you are seeking, your request is not a ‘perfected request,’ and we are
5 unable to initiate a search for responsive records.” *Id.* Plaintiff was invited to “resubmit” his request
6 with additional details within 30 days. *Id.*

7 9. On May 29, 2018, Plaintiff sent a letter responding to the Secret Service’s
8 correspondence. Exh. C. Plaintiff disagreed with the Secret Service’s assertion that his request was
9 too broad. *Id.* Plaintiff pointed out that, pursuant to 6 C.F.R. § 5.3, a FOIA request need only
10 describe the records sought in sufficient detail to enable Secret Service Staff to identify them with a
11 reasonable amount of effort, and that there was no requirement that a FOIA request identify the
12 specific records at issue. *Id.* Such a requirement would be impossible to satisfy in most instances, as
13 there is no way for a requester to know exactly the nature of existing responsive records.

14 10. Notwithstanding that Plaintiff’s February 27, 2018 request was adequate, Plaintiff’s
15 May 29, 2018 correspondence provided further detail as to the records sought for each request and
16 provided examples of potentially responsive documents that might be in the Secret Service’s
17 possession. Exh. C.

18 11. Plaintiff requested the Secret Service respond to his May 29, 2018 letter within 30
19 days and requested any response clearly indicate whether his request was being denied. As of the
20 date of this filing, Plaintiff has not received any response from the Secret Service as they refuse to
21 comply with the request.

22 12. Plaintiff has a statutory right to the records he seeks and there is no legal basis for
23 Defendant’s refusal to disclose them.

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IV. PLAINTIFF SEEKS INFORMATION REGARDING TAXPAYER FUNDED COSTS FOR DONALD TRUMP JR.'S SECURITY DETAIL FOR PRIVATE BUSINESS-RELATED TRAVELS ABROAD.

13. On February 20, 2018, the President's son, Donald Trump Jr. ("Trump Jr.") arrived in India for a week-long visit on behalf of the Trump Organization. Throughout his trip to India, Donald Trump Jr. was accompanied by agents of the United States Secret Service, who provided for his security. *See*, Abi-Habib, Maria and Eric Lipton, "Selling, Not Diplomacy Draws a Trump to India," *The New York Times*, Vol. CLXVII, No. 57,877, 18 February 2018 at A1, A12.

14. Plaintiff has reason to believe Trump Jr.'s visit was entangled in conflicts of interest. Trump Jr. spent his time in India promoting Trump-branded luxury apartments across the country, while meeting with real estate brokers and potential buyers. *Id.* Donald Trump Jr. also committed to have dinner with homebuyers willing to pay a roughly \$38,000 booking fee. *See*, Gowen, Annie, "Donald Trump Jr. says he admires India's poor people because of their spirit," *The Washington Post*, 21 February 2018,¹ attached hereto for convenience as Exh. D.

15. Trump Jr. had initially planned to deliver a 15-minute speech called "Reshaping Indo-Pacific ties: the new era of cooperation" while in India. Hours before this speech was scheduled to take place, the title was changed to a "fireside chat," and Trump Jr. was instead interviewed by journalist Supriya Shrinat about his experience as the son of the United States president and his views on India's business culture. *See*, Safi, Michael, "Donald Trump Jr cancels US foreign policy speech in India," *The Guardian*, 23 February 2018,² attached hereto for convenience as Exh. E.

16. Leading up to the planned speech, ethics experts had been questioning why Trump Jr. was to discuss US foreign policy on what was supposedly a business trip by a private citizen. Abi-Habib, Maria, Kai Schultz and Suhasini Raj, "As Donald Trump Jr. Drums Up Business in India, Some Ask What's Being Sold," *The New York Times*, 22 February 2018,³ attached hereto for convenience as Exh. F.

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¹ Available at https://www.washingtonpost.com/news/worldviews/wp/2018/02/20/donald-trump-jr-says-he-likes-indias-poor-people-because-they-smile/?utm_term=.1cf9db5616aa (2018).

² Available at <https://www.theguardian.com/us-news/2018/feb/23/donald-trump-jr-cancels-us-fore> (2018).

³ Available at <https://www.nytimes.com/2018/02/22/world/asia/donald-trump-jr-india.html> (2018).

17. According to *The Washington Post*, Indian newspapers ran advertisements that promised homebuyers who were willing to pay a \$38,000 booking fee to “join Mr. Donald Trump Jr. for a conversation and dinner.” Gowen, Annie, “Trump Jr. to give foreign policy speech while on ‘unofficial’ business trip to India,” 19 February 2018,⁴ attached hereto for convenience as Exh. G.

18. Trump Jr.’s visit has received widespread criticism for opening the door to possible corruption. Jordan Libowitz, the communications director for Citizens for Responsibility and Ethics in Washington, told *The Washington Post*, “Trump’s company is literally selling access to the president’s son overseas. For many people wanting to affect American policy in the region, the cost of a condo is a small price to pay to lobby one of the people closest to the president, far away from watchful eyes.” Gowen, Annie, *supra*, “Trump Jr. to give foreign policy speech while on ‘unofficial’ business trip to India,” 19 February 2018.⁵

19. President of the United States, Donald J. Trump, remains the principal owner of his namesake business, The Trump Organization, which oversees approximately 500 business entities. When he was elected President, President Trump relinquished his role as chairman and president of the Trump Organization, but his two adult sons, Donald Trump Jr. and Eric, stayed as executives. Fabian, Jordan, “Trump to hand over business to sons,” *The Hill*, 11 January 2017⁶; The Trump Organization, “The Next Generation – Donald Trump Jr.,” <https://www.trump.com/the-next-generation/donald-trump-jr/> (2018); The Trump Organization, “The Next Generation – Eric Trump,” <https://www.trump.com/the-next-generation/eric-trump/> (2018). President Trump has maintained his ownership of the organization.

20. Experts say Trump Jr.’s visit demonstrates the danger of President Trump’s failure to divest from his business. Abi-Habib, Maria and Eric Lipton, *supra*, “Selling, Not Diplomacy Draws a Trump to India,” *The New York Times*.

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⁴ Available at https://www.washingtonpost.com/world/trump-jr-to-give-foreign-policy-speech-while-on-unofficial-business-trip-to-india/2018/02/19/37d00c37-d9e8-40c4-934b-0a26b8160dcd_story.html?utm_term=.1e54cff025ac (2018).

⁵ Available at https://www.washingtonpost.com/world/trump-jr-to-give-foreign-policy-speech-while-on-unofficial-business-trip-to-india/2018/02/19/37d00c37-d9e8-40c4-934b-0a26b8160dcd_story.html?utm_term=.1e54cff025ac (2018).

⁶ Available at <http://thehill.com/homenews/administration/313779-trump-to-hand-over-businesses-to-sons> (2017).

21. Although the Secret Service is authorized to protect immediate family members of the President, 18 U.S. Code §3056(a)(2), adult children of the President may decline Secret Service protection. Former President Ronald Reagan's adult son, Ron Reagan, declined Secret Service coverage. Werner, Anna, Pat Milton and Laura Strickler, "The cost to taxpayers of protecting Trump's kids on overseas business trips," CBS Evening News, 27 February 2017.⁷

22. Donald Trump, Jr.'s use of tax-payer funded Secret Service for his personal security during private business trips abroad gives the appearance of an intertwining of the presidency of the United States and the Trump Organization.

23. Critics have frequently complained of the high cost of Secret Service agents accompanying the Trump children on private business trips, and thus straining the government agency's budget and increasing taxpayers' costs, including Plaintiff's. Gowen, Annie, "Trump project in India saw \$15 million in sales after buyers were offered dinner with Donald Trump Jr.," *The Washington Post*, 22 February 2018,⁸ attached hereto for convenience as Exh. H. For example, Secret Service protection for Eric Trump and Donald Trump Jr. to open the Trump International Golf Course in Dubai in February 2017 cost over \$200,000. Cummings, William, "Watchdog: Secret Service for Eric, Donald Trump Jr. trips cost \$230,000 in 1 month," *USA Today*, 18 July 2018,⁹ attached hereto for convenience as Exh. I.

24. The Trump Organization can and should be paying for security services for its executives. Taxpayers should not.

V. REQUESTED RELIEF

25. WHEREFORE, Plaintiff prays that this Court:

- a. Declare that Defendant's refusal to disclose the records requested by Plaintiff is unlawful;
- b. Order Defendant to deliver the requested records to Plaintiff;

⁷ Available at <https://www.cbsnews.com/news/how-much-does-protecting-trumps-children-on-overseas-business-trips-cost-taxpayers/> (2017).

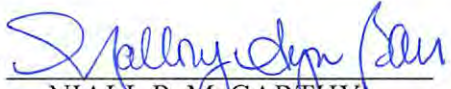
⁸ Available at https://www.washingtonpost.com/world/sen-menendez-probes-whether-us-officials-helped-trump-jr-on-speech-india-trip/2018/02/22/387ae5c1-bc69-415f-9176-fe6ad308d17f_story.html?utm_term=.4677c5c11b81 (2018).

⁹ Available at <https://www.usatoday.com/story/news/politics/onpolitics/2018/07/18/trump-sons-trips-secret-service-cost/796259002/> (2018).

- 1 c. Award Plaintiff his costs and reasonable attorney's fees in this action as provided by 5
2 U.S.C. § 552(a)(4)(E);
3 d. Grant such other and further relief as this Court may deem just and proper.
4

5 Dated: August 14, 2018

COTCHETT, PITRE & McCARTHY, LLP

6
7 By: 
8 NIALL P. McCARTHY
9 JUSTIN T. BERGER
MALLORY A. BARR

Attorneys for Plaintiff Quentin L. Kopp

EXHIBIT A

Quentin L. Kopp
380 West Portal Avenue
San Francisco, CA 94127
(415) 618-5555 quentinlkopp@gmail.com

February 27, 2018

COPY

U.S. Secret Service
Office of Government and Public Affairs
245 Murray Ln.
Washington, DC 20223

Dear Ladies and Gentlemen,

Pursuant to the Freedom of Information Act, I request public records which show the following:

- (1) The number of Secret Service personnel and their job descriptions accompanying Donald Trump, Jr. to and from India this week;
- (2) The cost of the transportation, meals, lodging, salaries, and all other emoluments for all Secret Service personnel on such trip;
- (3) Any rules of Secret Service relating to justification, responsibility, and duties of Secret Service detail members on such trip, plus the dates of departure and return.

Please respond within the time required by the United States Code

Yours truly,

Judge Quentin L. Kopp (Ret.)



EXHIBIT B



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

Freedom of Information Act & Privacy Act Program
Communications Center
245 Murray Lane, S.W., Building T-5
Washington, D.C. 20223

Date: MAY 15 2018

Quentin Kopp
380 West Portal Avenue
San Francisco, CA 94127
quentinkopp@gmail.com

File Number: 20180820-20180822

Dear Requester:

This letter is intended to acknowledge the receipt of your recent Freedom of Information Act (FOIA) request, received by the United States Secret Service (Secret Service) on April 11, 2018, for information pertaining to:

File Number 20180820: The Number of Secret Service personnel, and their job descriptions, accompanying Donald Trump, Jr. to and from India the week of February 27, 2018;

File Number 20180821: The cost of the transportation, meals, lodging, salaries, and all other emoluments for all Secret Service personnel on such trip; and

File Number 20180822: Any rules of the Secret Service relating to justification, responsibility, and duties of Secret Service detail members on such trip, plus the dates of departure and return.

We have determined that your request is too broad in scope, or that your request did not specifically identify the records which you are seeking. Records must be described, in reasonably sufficient detail, to enable Secret Service employees who are familiar with the subject area to locate records without placing an unreasonable burden upon the agency.

Pursuant to the FOIA regulations, 6 C.F.R., Part 5, Subpart A § 5.3(b), you are required to describe the records you are seeking with as much information as possible to ensure that our search can locate them with a reasonable amount of effort. Whenever possible, a request should include specific information about each record sought, such as the date, title or name, author, recipient, and subject matter of the record. If known, you should include any file designations or descriptions for the records that you want. As a general rule, the more specific you are about the records or type of records that you want, the more likely our agency will be able to locate those records in response to your request.

The FOIA does not require an agency to either create new records, answer questions posed by requesters, or attempt to interpret a request that does not identify specific records. Agencies are required to provide access to reasonably described, non-exempt records.

As you have failed to reasonably describe the records you are seeking, your request is not a "perfected" request, and we are unable to initiate a search for responsive records. To assist you, please click the link below to access the Department of Homeland Security (DHS) regulations (6 CFR, Chapter 1, Part 5, Subpart A) implementing certain provisions of the Freedom of Information Act of 1986, relating to the proper form for making a FOIA request.

DHS FOIA Regulations: http://www.dhs.gov/xlibrary/assets/FOIA_FedReg_Notice.pdf

Please be advised, this is not a denial of your request. Please resubmit your request containing a reasonable description of the records you are seeking. Upon receipt of the required information, you will be advised of the status of your request. Failure to respond, within thirty (30) days from the date of this letter, will result in the administrative closure of your file.

Your request has been assigned FOIA File Numbers 20180820-20180822. If you have any questions or would like to discuss this matter, please contact this office at (202) 406-6370. Please refer to the file number indicated above in all correspondence with this office.

Sincerely,



Kim E. Campbell
Special Agent in Charge
Freedom of Information Act & Privacy Act Officer

Enclosure(s):

☒ Homeland Security Freedom of Information and Privacy Act Guidelines

EXHIBIT C

Quentin L. Kopp
380 West Portal Avenue, Suite F
San Francisco, CA 94127
(415)681-5555 quentinlkopp@gmail.com

May 29, 2018

Kim E. Campbell, Special Agent in Charge
Freedom of Information Act & Privacy Act Program
Communications Center (FOIA/PA)
245 Murray Lane, Building T-5
Washington, D.C. 20223

File Numbers: 20180820-20180822

Dear Ms. Campbell,

I write in response to your May 15, 2018 letter regarding my February 27, 2018 FOIA request. My February 27 request sought documents showing:

- (1) The number of Secret Service personnel and their job descriptions accompanying Donald Trump, Jr., to and from India the week of February 18, 2018;
- (2) The cost of transportation, meals, lodging, salaries, and all other emoluments for all Secret Service personnel on such trip; and
- (3) Any rules of the Secret Service relating to justification, responsibility, and duties of Secret Service detail members on such trip, plus the dates of departure and return.

Your May 15 letter asserts that these requests are “too broad in scope” or “did not specifically identify the records” sought. Due to these purported errors, you claimed that my request has not been “perfected,” and your office is unable to initiate a search for responsive records. While you refused to search for responsive records, you also stated that your letter did not constitute a denial of my request.

I disagree with your assertion that my request is too broad and that it does not adequately identify the records sought. Pursuant to 6 C.F.R. § 5.3, a FOIA request need only describe the records sought in sufficient detail to enable Secret Service Staff to identify them with a reasonable amount of effort. There is no requirement that the request identify the specific records at issue. Indeed, such a requirement would be impossible to satisfy in most instances, as there is no way for a requester to know exactly what responsive records exist.

Although I do not believe any more specificity is required, in the interest of resolving this matter quickly, I am providing some additional details concerning each of my requests.

My first request seeks records or other documents showing the number of Secret Service personnel and their job descriptions who accompanied Donald Trump, Jr. to and from India on the week of February 18, 2018. These documents might include:

- Duty logs or rosters showing each Secret Service agent assigned to Donald Trump Jr. during the relevant period; and
- Work schedules or itineraries for Secret Service personnel assigned to Donald Trump Jr. on the week of February 18, 2018.

My second request seeks documents showing the cost of transportation, meals, lodging, salaries, and all other emoluments for all Secret Service personnel who accompanied Donald Trump, Jr. to and from India on the week of February 18, 2018. These documents might include:

- Invoices or receipts reflecting the cost of travel, including but not limited to invoices for lodging and transportation.
- Paystubs for Secret Service agents who accompanied Donald Trump Jr. on his trip; and
- Claims for reimbursement regarding purchases made by Secret Service agents who accompanied Donald Trump Jr.;
- Budgets or ledgers reflecting the costs of Donald Trump Jr.'s trip to India on the week of February 18, 2018.

My third request seeks any Secret Service rules relating to the responsibilities and duties of the members of the Secret Service detail on Donald Trump Jr.'s trip to India during the week of February 18, 2018. These documents might include:

- Any written policies and procedures relating to duties and responsibilities of Secret Service agents as they pertain to agents accompanying a family member of the President of the United States on private travel;
- Any written rules and regulations regarding the number of agents who generally accompany a family member of the President of the United States on private travel;
- Any written policies and procedures regarding how such trips are staffed in general; and

- Any written rules and regulations specifically concerning the duties of Secret Service agents who accompanied Donald Trump Jr. on his trip to and from India the week of February 18, 2018.

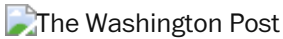
I request that you respond within the time required by the United States Code. I also request that any response to this letter clearly indicate whether the request is being denied.

Yours truly,



Judge Quentin L. Kopp (Ret.)

EXHIBIT D

**WorldViews**

Donald Trump Jr. says he admires India's poor people because of their spirit and smiles

by **Annie Gowen** February 21

Donald Trump Jr., the president's eldest son, is in India this week to promote his family's real estate empire and more than \$1 billion worth of luxury Trump Tower projects in four cities, but he still had time to praise India's poor for their smiles.

"I don't mean to be glib about it, but you can see the poorest of the poor and there is still a smile on a face," Trump said Tuesday [in an interview](#) with CNBC's Indian affiliate. "It's a different spirit that you don't see in other parts of the world ... and I think there's something unique about that."

Trump added, "I know some of the most successful people in the world, and some of them are the most miserable people in the world."

**NBC News**



@NBCNews

"You go through a town.... you can see the poorest of the poor and there's still a smile on their face."

Donald Trump Jr. arrives in India on a week-long visit to help attract buyers for his family's luxury apartments.

4:00 AM - Feb 20, 2018

714 1,775 people are talking about this

Although India has one of the fastest-growing economies in the world, a rising number of millionaires and a growing market for luxury goods and services, many of its 1.3 billion people still live in grinding poverty. The country had per capita income of \$1,670 in 2016.

Trump Jr., 40, was born and raised in Manhattan and attended prep schools before graduating from the University of Pennsylvania, joining his father's real estate business and appearing on his television program "The Apprentice." After the election, the elder Trump did not divest himself from the business but turned over day-to-day operations of his company to Don Jr. and his middle son, Eric, which has raised concerns about conflicts of interest.

Trump Jr.'s meeting with a group of Russians in 2016 is under scrutiny by investigators looking into Russian interference in the 2016 presidential election.

Trump [arrived](#) on his family's private jet Monday for a week of schmoozing and dinners with India's top business leaders and to wine and dine buyers in the Trump Organization's latest project. The Trumps have a licensing deal with two Indian developers for two towers outside the capital, New Delhi, where luxury apartments range in price from \$780,000 to \$1.6 million and have private elevators and concierge service.

Full-page glossy newspaper ads trumpeting Trump's arrival also tempted buyers to reserve an apartment (paying a booking fee of about \$38,000) by Thursday to "join Mr. Donald Trump Jr. for a conversation and dinner" on Friday. The buyers' dinner has raised conflict of interest concerns and charges by watchdog groups.

"These ads illustrate the importance of Trump divesting from his business and the danger brought by his failure to divest. Trump's company is literally selling access to the president's son overseas," said Jordan Libowitz, communications director for Citizens for Responsibility and Ethics in Washington, which is frequently critical of the first family.

Trump Jr. has dismissed charges of conflicts of interest as nonsense and said he hopes to continue expanding the brand's footprint in India after his father leaves office.

"Few years ago, I said [India] would become our largest [market] because I really believed in the market.... I think it will continue to be the same when I am able to get back in the market and focus on the business side, on new deals again in the future, once my father is out of office," Trump Jr. said in the CNBC interview.

In fact, he maintained that the family was not being given enough credit for the business they have lost because of self-imposed restrictions to avoid such perceptions of conflicts of interest.


"It's sort of a shame. Because we put on all these impositions on ourselves and essentially got no credit for actually doing that," he said in the interview. "For doing the right thing," he added.

Trump will also give a foreign policy speech titled "Reshaping Indo-Pacific Ties: The New Era of Cooperation" on Friday at a global business summit co-sponsored by the Economic Times newspaper, along with Indian Prime Minister Narendra Modi.

A State Department spokesman said Tuesday that Trump's speech was not coordinated with the State Department and that she was not familiar with its contents.

The headline on this post has been changed to more accurately describe Donald Trump Jr.'s comments.

**Annie Gowen**

Annie Gowen is The Washington Post's India bureau chief and has reported for The Post throughout South Asia and the Middle East since 2013. Before going to India, she was a member of The Post's social issues team covering wealth and inequality. [Follow](#) 

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EXHIBIT E

The Guardian



Donald Trump Jr cancels US foreign policy speech in India

US president's son holds 'fireside chat' at business summit instead after accusations of interference

Michael Safi *in Delhi*

Fri 23 Feb 2018 10.22 EST

A scheduled speech by Donald Trump Jr on US foreign policy in India has been abruptly changed to a “fireside chat” hours before the address was supposed to begin in Delhi.

The 15-minute speech was initially called “Reshaping Indo-Pacific ties: the new era of cooperation”, but the title was amended on the website of the business conference to remove any reference to a topic.

Trump Jr was interviewed instead by the journalist Supriya Shrinete about his experiences as the son of the US president and his views on India's business culture.

Ethics watchdogs and Democratic lawmakers had questioned why Trump Jr, who has been in India since Tuesday touring properties licensed by the Trump Organization, was discussing US foreign policy on what was ostensibly a business trip by a private citizen.

The US state department and the US embassy in Delhi have denied any involvement in the speech or knowledge of its contents.

Organisers of the business summit, which was also addressed by India's prime minister, Narendra Modi, and several cabinet ministers, did not respond to questions about why the topic and format of Trump's appearance had been changed.

Trump Jr told the audience of about 2,000 people he rarely talked politics with his father any more. "We see him so little that when we're together it's really about being a family," he said.

Asked about corruption in India, his response - "There's an entrepreneurial spirit here ... that's different to elsewhere in the world" - drew laughter from the crowd.

Trump stressed he was "here as a businessman, not representing anyone".

The New Jersey senator, Bob Menendez, said earlier this week his visit could send the "mistaken message" that he was speaking on behalf of the US government.

In a letter to Kenneth Juster, the new US ambassador to India, Menendez said he expected the US state department and the embassy in Delhi to "treat Mr Trump no differently than it would any other American individual visiting on private business, and will take every effort to avoid any perception of special treatment or a conflict of interest".

He asked whether US officials would have any role in a dinner hosted by Trump Jr on Friday with investors in a Trump Organization-licensed project in Gurgaon, a city about an hour's drive from Delhi.

One partner in the project boasted that the visit, announced in front-page advertisements in national newspapers, had generated around \$15m (£10.7m) in sales for the project.

At least one journalist allowed to interview Trump Jr said they were given strict instructions that political questions were off limits, and that minders had blocked several questions about his father.

Trump Jr spoke of his frustration at not being able to do new business deals, a measure his father imposed to avoid conflicts of interest, but which ethics lawyers say does not sufficiently isolate Trump's policy decisions from his finances.

"When we're out of politics, I think we will get some credit for it and will be welcomed again with open arms," Trump Jr said.

The Trump Organization has licensed its name to four other projects in Gurgaon, Pune, Kolkata and Mumbai.

Trump Jr has no official role in the Trump administration and took the reins of the family company, with his brother Eric, after their father was inaugurated.

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Topics

- Donald Trump Jr
- India
- Trump administration
- US foreign policy
- US politics
- Donald Trump
- news

EXHIBIT F

The New York Times

As Donald Trump Jr. Drums Up Business in India, Some Ask What's Being Sold

By Maria Abi-Habib, Kai Schultz and Suhasini Raj

Feb. 22, 2018

NEW DELHI — Donald Trump Jr., who has spent the week in India pitching new luxury high-rises that bear his family's name, took the stage before a crowd of about 200 on Thursday. "Building a Better Mumbai," the banner behind him proclaimed.

"We're actually delivering true luxury," Mr. Trump told the guests, who were greeted by a red carpet, lit candles and a jazz band. "We're actually delivering buildings in the Indian marketplace that you can take out of that marketplace, put in any cosmopolitan of the world and say, 'This is on par with some of the best.'"

The Trump Organization is reaping the windfall from India's admiration for President Trump. He may have low approval ratings at home, but he appears well liked in a country with one of the fastest-growing populations of millionaires in the world.

The Trump brand "spells glamour more than luxury," said Kalyani Chawla, a brand consultant and former executive at Christian Dior in India who attended the event. "I think it's all about Donald Trump, honestly," she said, "any idea of Donald Trump in general, regardless of the fact that even he's surprised he's the president of the United States."

But even before the president's son arrived in India to press the flesh and do the deals, his trip was creating controversy over its potential for blurring the lines between the Trump White House and the Trump Organization.

As Mr. Trump hopped from city to city, Senator Robert Menendez, Democrat of New Jersey, sought assurances from the United States Embassy in Delhi that it was not helping Mr. Trump. And ethics experts seemed unable to overstate the incongruity of a sitting president's son drumming up business overseas.

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“Nothing like this — no, never,” said Marilyn L. Glynn, who served as general counsel at the Office of Government Ethics during parts of the Clinton and Bush administrations.

“Unprecedented, unheard-of.”

The controversy only grew as word spread that Mr. Trump planned to give a speech in New Delhi on Friday, taking the podium before Prime Minister Narendra Modi speaks. The topic:

“Reshaping Indo-Pacific Ties: The New Era of Cooperation.”

“The title sure sounds like something you would hear from a diplomat,” said Joshua White, who worked in the Obama White House as director for South Asian Affairs at the National Security Council. “It is not illegal, but it would muddy the waters and I think make life rather difficult for those in the United States government who are being measured about how they articulate what the administration’s Indo-Pacific strategy is and will become.”

On Wednesday, Mr. Menendez said in a letter to the embassy in New Delhi, “Given the potential to confuse Mr. Trump’s private business visit with having an official governmental purpose, I write to ensure that the U.S. Embassy presence in India will have no role in supporting Mr. Trump or the Trump Organization during his time in India, other than that necessary to provide any security support for the U.S. Secret Service.”

The embassy said it had no role in the visit other than helping with his security.

In his comments on the stage in Mumbai on Thursday, Mr. Trump defended his actions, and said his father’s job had actually been bad for business.

“We don’t want any kind of conflict of interest,” he said. “We don’t want anyone to say that we’re taking advantage. From a business perspective, it’s clearly a negative. There will be a time after politics where we will be able to get back into that market.”

After the talk was done, many in the audience excitedly rushed the stage to shake his hand before he disappeared.



Security workers at the entrance to a Trump construction site in Kolkata on Wednesday, awaiting the arrival of Donald Trump Jr. Dibyangshu Sarkar/Agence France-Presse — Getty Images

If India loves the president's son, he appears to love it back.

"I think there is something about the spirit of the Indian people that is unique here to other parts of the emerging world," Mr. Trump said in a local television interview earlier in the week. He said, "I don't want to be glib but you can see the poorest of the poor and there is still a smile on a face."

"I know some of the most successful people in the world and some of them are the most miserable people in the world," he added.

Before speaking at the reception in Mumbai on Thursday evening, Mr. Trump made a renewed pitch for one of his company's developments in the city, meeting with dozens of buyers in the tower overlooking the Arabian Sea.

After paying 80 million Indian rupees, or \$1.2 million, for a three-bedroom apartment, Sumeet Arora, one of the buyers, expected the developer to be prompt for the meeting. Instead, they waited for an hour and a half for Mr. Trump to show up.

When he finally arrived at noon, Mr. Trump gave the well-heeled audience members a sales pitch on the virtues of the building, even though they had already collectively pledged millions of dollars on the units, which are to open by June 2019.

"They've got some units left — they wanted us to suggest people as leads," Mr. Arora said.

Under the Trump administration, New Delhi is enjoying some of the warmest relations it has ever had with Washington. For Indian officials, part of the appeal is the hard line the administration has taken on Pakistan, India's chief rival. But for many other Indians, it is simply that the Trump family name seems to them to be synonymous with success.

In New Delhi over the weekend, several of the country's leading newspapers carried full front-page ads with the younger Mr. Trump's face, arms crossed over his chest with the question: "Trump is here. Are you invited?"

The ad promised a meeting with the president's son if prospective buyers put down a booking fee of about \$38,000 for a Trump Organization project in Gurgaon, just south of New Delhi.

The promise of a meeting with the younger Mr. Trump was apparently enough to spur sales, said Kalpesh Mehta of Tribeca Developers, the Trump Organization's partner for the Gurgaon project. Mr. Mehta told local reporters that on Monday alone, when Mr. Trump touched down in New Delhi to kick off his weeklong tour, the company recorded sales of \$15 million. Ground has yet to be broken on the two Trump towers in Gurgaon — the completion date is in 2023 — but sales have topped \$100 million, Mr. Mehta said.

Mumbai is the financial center of the country and has one of the largest concentrations of billionaires in the world.

It also has some of its biggest slums.

In the city, formerly known as Bombay, construction cranes and half-finished buildings dot the skyline. New towers compete with old ones, as buildings go ever higher to maximize space and provide better views of the Arabian Sea and the city below.

"Bombay all of a sudden has gone vertical," said Mr. Arora, whose current home in a 10-story building in Mumbai's Juhu neighborhood has slowly been dwarfed by taller buildings.

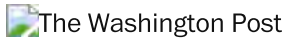
Ms. Chawla, the brand consultant who attended the candlelit reception, said she admired the Trump properties she has seen abroad. But there is a world of difference between admiring and owning.

"I wish I could afford it," she said. "I feel really inadequate sometimes when I come to these things."

Maria Abi-Habib reported from New Delhi, and Kai Schultz and Suhasini Raj from Mumbai. Vindu Goel contributed reporting from New Delhi, and Eric Lipton from Washington.

A version of this article appears in print on Feb. 22, 2018, on Page A4 of the New York edition with the headline: Marketing High-Rises in India, a Trump Son Mixes Sales and Policy

EXHIBIT G

**World**

Trump Jr. to give foreign policy speech while on ‘unofficial’ business trip to India

by **Annie Gowen** February 19

NEW DELHI — The president’s eldest son, Donald Trump Jr., is making what has been dubbed an unofficial visit to India to promote his family’s real estate projects. But he’s also planning to deliver a foreign policy speech on Indo-Pacific relations at an event with Indian Prime Minister Narendra Modi.

Beginning Tuesday, Trump Jr. will have a full schedule of meet-and-greets with investors and business leaders throughout India, where the Trump family has real estate projects — Mumbai, the New Delhi suburb of Gurgaon, the western city of Pune and the eastern city of Kolkata.

Indian newspapers have been running full-page, glossy advertisements hyping his arrival and the latest Trump Tower project under the headline: “Trump is here — Are You Invited?” The ads also solicited home buyers to plunk down a booking fee (about \$38,000) to “join Mr. Donald Trump Jr. for a conversation and dinner.” Public relations executives working with two local developers arranging the Trump dinner declined to give specifics about the event.

During the visit, the 40-year-old Trump Jr., executive vice president of the Trump Organization, will take a break from his private promotional tour to give an [address](#) on “Reshaping Indo-Pacific Ties: The New Era of Cooperation” at a global business summit on Friday evening, co-sponsored by the Economic Times newspaper. Modi will also speak at the summit.

News that the Trump Organization would be offering buyers in the Trump Tower the chance to meet the president’s son sparked criticism of potential conflicts of interest, and the fact that Trump Jr. will be giving a foreign policy speech while on a private business trip complicates the matter further, ethics experts said.

The senior Trump did not divest himself of his businesses when he was elected president. Rather, he turned the day-to-day operations over to his older sons, Don Jr. and Eric, to run. Eric Trump told The Washington Post last year that “the company and policy and government are completely separated. We have built an unbelievable wall in between the two.”

Watchdog groups disagree.

“Trump’s company is literally selling access to the president’s son overseas,” said Jordan Libowitz, the communications director for Citizens for Responsibility and Ethics in Washington, which is frequently

critical of the first family. “For many people wanting to impact American policy in the region, the cost of a condo is a small price to pay to lobby one of the people closest to the president, far away from watchful eyes.”

Critics have often complained of the high cost of Secret Service agents accompanying the Trump children on private business trips, straining the agency’s budget. The Trump Organization’s spokesman did not return requests for comment.

Amit Sharma, a spokesman for the Gurgaon developer, said that they had sold apartments worth nearly \$70 million since the Gurgaon towers project launched in early January. The buildings, where condos run from \$780,000 to \$1.6 million, have private elevator service, in-residence catering and an indoor swimming pool.

Trump Jr.’s tour of India, Sharma said, is a chance to “celebrate the entire exercise.”

Along with the Trump Tower Delhi NCR (National Capital Region) in Gurgaon, projects include two residential towers in Pune, towers in Mumbai and Kolkata, and a planned office tower in Gurgaon, which is also known as Gurugram. The Trump Organization has more business entities in India than in any other foreign country, financial filings show, with licensing bringing in estimated payments of \$1.6 million to \$11 million since 2014.

Later this week, Trump Jr. will travel to Mumbai to open the demo unit at the golden-facade Trump Tower being built by the family development firm of Mangal Prabhat Lodha, a state legislator in Modi’s Bharatiya Janata Party. That relationship has also sparked concern about potential conflicts of interest. As with most of its foreign deals, the Trump family licenses its name to the projects, collecting hefty royalty fees but avoiding risky investments.


“Part of the deal was that Trump would come and do promotions every couple of years,” said an employee of the Lodha Group, who spoke on the condition of anonymity because he is not authorized to speak to the media.

The election changed that, he said, meaning the adult children now have to step in.

“Ideally we’d have preferred Ivanka,” he said, referring to the president’s elder daughter, who is now an adviser to her father. “She has a better public image. But it makes sense for Donald Trump Junior to do it.”

Swati Gupta and Vidhi Doshi in New Delhi contributed to this report.



Annie Gowen is The Washington Post's India bureau chief and has reported for The Post throughout South Asia and the Middle East since 2013. Before going to India, she was a member of The Post's social issues team covering wealth and inequality. Follow 

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EXHIBIT H

**Asia & Pacific**

Trump project in India saw \$15 million in sales after buyers were offered dinner with Donald Trump Jr.

by **Annie Gowen** February 22

NEW DELHI — Donald Trump Jr.'s private business trip to India this week — during which he is expected to give a foreign policy speech alongside Prime Minister Narendra Modi, raising conflict-of-interest concerns — netted \$15 million in real estate sales for a Trump Towers project on Monday alone.

The younger Trump has spent the week promoting the family's real estate brand across India, where the Trump Organization has more business entities than in any other foreign country. He has been attending private lunches and dinners with potential buyers and local business leaders as well as enticing buyers to purchase residences in the latest Trump Towers project in Gurgaon, where luxury flats sell for as much as \$1.6 million.

Full-page glossy advertisements urged buyers paying a booking fee of about \$38,000 by Thursday to "join Mr. Donald Trump Jr. for a conversation and dinner" on Friday. Kalpesh Mehta, one of the local developers, told reporters Tuesday that they already had sold over \$100 million worth of real estate in the towers — \$15 million alone on Monday, after the Trump Jr. dinner offer appeared in newspapers. Construction on the project is expected to finish in 2023.

His visit also prompted questions in Washington. Sen. Robert Menendez (D-N.J.) raised concern in a letter sent Wednesday to the U.S. ambassador in India about the embassy's engagement with President Trump's eldest son. Trump Jr. is set to give a speech at a global business summit in New Delhi on Friday titled "Reshaping Indo-Pacific Ties: The New Era of Cooperation" alongside Modi and other high-ranking Indian government officials.

"I am concerned that Mr. Trump's speech will send the mistaken message that he is speaking on behalf of the president, the administration or the United States government, not as a private individual, or that he is communicating official American policy," wrote Menendez, the top Democrat on the Foreign Relations Committee.

"Given the potential to confuse Mr. Trump's private business visit with having an official governmental purpose, I write to ensure that the U.S. Embassy presence in India will have no role in supporting Mr. Trump or the Trump Organization during his time in India, other than that necessary to provide any security support for the U.S. Secret Service," Menendez wrote.

Menendez also asked whether the embassy will have any role in the buyers' dinner, which has raised concerns by watchdog groups.

A spokesman for U.S. Ambassador Kenneth I. Juster said that Trump Jr. is visiting the country as a "private citizen" and that the embassy had provided only routine support for his Secret Service detail, such as booking hotel rooms.

Juster is in the process of replying to the letter from Menendez, who also asked whether embassy staff had briefed or assisted Trump Jr., what steps the embassy had taken to make it clear that Trump Jr. is not speaking on behalf of the government and whether the State Department or Bureau of Diplomatic Security had spent funds on Trump Jr.'s trip.

State Department spokeswoman Heather Nauert likewise said Tuesday that Trump Jr. is in India as a "private citizen" and that she was not familiar with what was going to be in the speech or how it was put together.

Trump Jr., 40, is executive vice president of the Trump Organization, the global family real estate business that his father still controls. The company has licensed its name to [five real estate projects in India](#), including residential towers in Pune, Mumbai, Gurgaon and Kolkata as well as a proposed office tower in Gurgaon, a suburb of India's capital also known as Gurugram. Some of the Trump Organization's local business partners have ties to prominent politicians and have been involved in tax and other investigations.

Unlike his sister and brother-in-law, Ivanka Trump and Jared Kushner, Trump Jr. has no official role in the administration, although he attended a meeting with a group of Russians at Trump Tower in New York during the 2016 presidential campaign that is the subject of law enforcement and congressional scrutiny.

The Trump Organization did not immediately respond to emails and calls requesting comment, but Trump Jr. said [in a televised interview](#) at the CNBC affiliate in India that his family had not received enough acknowledgment for the business they have lost because of self-imposed restrictions to avoid such perceptions of conflicts of interest.

"It's sort of a shame, because we put on all these impositions on ourselves and essentially got no credit for actually doing that," Trump Jr. said in the interview. "For doing the right thing," he added.

Critics on Capitol Hill and elsewhere have pointed out that Secret Service agents assigned to protect the Trump sons accompany them on these private business trips to promote the family's brand, racking up costly hotel bills and draining the agency's budget.

In 2017, for example, a [business trip to Uruguay](#) by Trump Jr.'s brother Eric cost taxpayers \$97,830 for hotel stays for Secret Service personnel plus embassy staff that supported the agents during the "VIP visit," according to purchasing orders reviewed by The Washington Post.

Catherine Milhoan, a spokeswoman for the Secret Service, said in an email, "As a matter of practice, the U.S. Secret Service does not comment on the specifics of protectees' trips."

Published U.S. government rates for hotel rooms in Mumbai, Delhi, Pune and Kolkata — the cities Trump Jr. is visiting — range from a maximum of \$273 per night in Pune to \$309 in Mumbai.

Swati Gupta and Vidhi Doshi in New Delhi contributed to this report.



Annie Gowen

Annie Gowen is The Washington Post's India bureau chief and has reported for The Post throughout South Asia and the Middle East since 2013. Before going to India, she was a member of The Post's social issues team covering wealth and inequality. [Follow](#)

EXHIBIT I

Donald Jr. Eric Trump's trips cost Secret Service \$230K in 1 month
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Watchdog: Secret Service for Eric, Donald Trump Jr. trips cost \$230,000 in 1 month

William Cummings (<http://www.usatoday.com/staff/2601/william-cummings/>), USA TODAY Published 2:35 p.m. ET July 18, 2018



Banke International director Niraj Masand, far left, poses for a photo with Eric Trump, second left, Banke International director Porush Jhunjunwala, center, Donald Trump Jr., second right, and DAMAC Properties chairman Hussain Sajwani, during festivities marking the formal opening of the Trump International Golf Club, in Dubai, United Arab Emirates on Saturday. Two of U.S. President Donald Trump's sons arrived in the UAE for an invitation-only ceremony Saturday to formally open the club. (Photo: Uncredited, AP)

Secret Service protection for President Donald Trump's two adult sons cost more than \$230,000 in one month last year, according to documents obtained by a government watchdog.

Per documents made public Wednesday by the Citizens for Responsibility and Ethics in Washington, the Secret Service spent more than \$200,000 when Donald Trump Jr. and Eric Trump went to the United Arab Emirates to formally open the [Trump International Golf Club in Dubai](http://www.trumpgolfdubai.com/) (<http://www.trumpgolfdubai.com/>) in February 2017.

According to the documents released through a Freedom of Information Act request, the protective agency spent about \$125,000 on airfare, another \$75,000 on hotel rooms, and \$15,000 more on other expenses such as transportation.

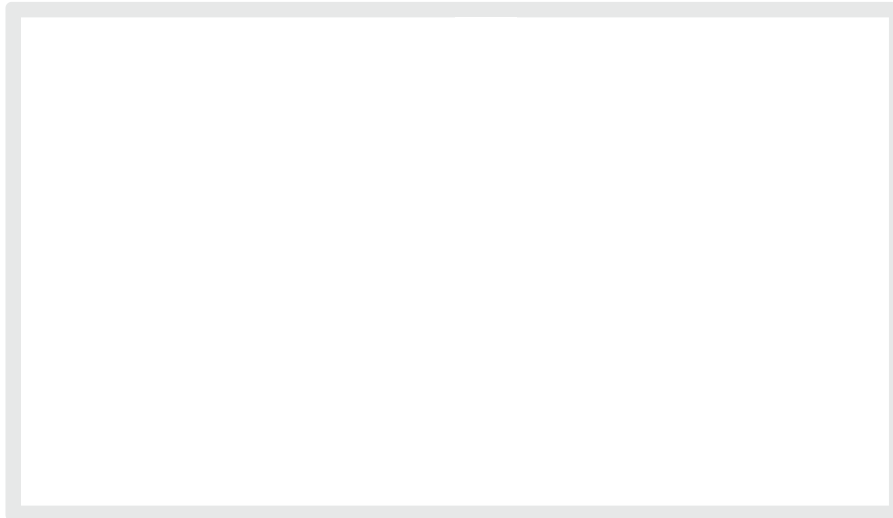
Donald Jr., Eric Trump's sons, cost Secret Service \$23K in 1 month. A similar trip to Dubai to attend a wedding in April cost only \$73,000, CREW reported. The nonprofit organization did not offer an explanation why the 2017 trip cost "significantly more."

Exclusive: [Secret Service depletes funds to pay agents because of Trump's frequent travel, big family](https://www.washingtonpost.com/news/politics/wp/2017/08/21/secret-service-cant-pay-agents-because-trumps-frequent-travel-large-family/529075001/) ([/story/news/politics/2017/08/21/secret-service-cant-pay-agents-because-trumps-frequent-travel-large-family/529075001/](https://www.washingtonpost.com/news/politics/wp/2017/08/21/secret-service-cant-pay-agents-because-trumps-frequent-travel-large-family/529075001/))

More: [Secret Service agent traveling with Trump dies in Scotland after suffering a stroke](https://www.washingtonpost.com/news/politics/wp/2018/07/17/secret-service-agent-traveling-trump-dies-scotland/794653002/) ([/story/news/2018/07/17/secret-service-agent-traveling-trump-dies-scotland/794653002/](https://www.washingtonpost.com/news/politics/wp/2018/07/17/secret-service-agent-traveling-trump-dies-scotland/794653002/))

Also in February 2017, Eric Trump went to the Dominican Republic on a business trip, which cost more than \$30,000 in travel and accommodations for his Secret Service protection.

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"When compared to the bill taxpayers were stuck with from Dubai, the Dominican Republic was a bargain," CREW said in a statement.

CREW aims to "reduce the influence of money in politics" (<https://www.citizensforethics.org/who-we-are/>) and help foster a government that is ethical and accountable" through "aggressive legal action, in-depth research, and bold communications." Critics have [accused the group of focusing its efforts more on Republicans than Democrats](https://www.washingtonpost.com/news/politics/wp/2017/09/18/citizens-for-responsibility-and-ethics-shows-washi/) (<https://www.washingtonpost.com/news/politics/wp/2017/09/18/citizens-for-responsibility-and-ethics-shows-washi/>).

The president signed a bill increasing Secret Service pay in April. The agency has been burdened with a crushing workload since the 2016 election. The size of Trump's family and the clan's extensive travel have expanded its protective mission further.

Last summer, [USA TODAY reported](https://www.washingtonpost.com/news/politics/wp/2017/08/21/secret-service-cant-pay-agents-because-trumps-frequent-travel-large-family/529075001/) ([/story/news/politics/2017/08/21/secret-service-cant-pay-agents-because-trumps-frequent-travel-large-family/529075001/](https://www.washingtonpost.com/news/politics/wp/2017/08/21/secret-service-cant-pay-agents-because-trumps-frequent-travel-large-family/529075001/)) that about 1,200 Secret Service personnel had already hit their mandated pay caps, which were meant to last the entire year.

More: [Secret Service overpaid campaigns nearly \\$4 million for charter flights, report says](https://www.washingtonpost.com/news/politics/wp/2018/05/31/secret-service-overpaid-presidential-committees-nearly-4-million/660556002/) ([/story/news/politics/2018/05/31/secret-service-overpaid-presidential-committees-nearly-4-million/660556002/](https://www.washingtonpost.com/news/politics/wp/2018/05/31/secret-service-overpaid-presidential-committees-nearly-4-million/660556002/))

More: [How much does the government spend at Trump properties? New bill would require disclosure](https://www.washingtonpost.com/news/politics/wp/2018/05/18/bill-mandates-disclosure-government-spending-trump-properties/622999002/) ([/story/news/politics/onpolitics/2018/05/18/bill-mandates-disclosure-government-spending-trump-properties/622999002/](https://www.washingtonpost.com/news/politics/wp/2018/05/18/bill-mandates-disclosure-government-spending-trump-properties/622999002/))

More: [Secret Service spends \\$13,500 on golf cart rentals for President Trump's Bedminster trip](https://www.washingtonpost.com/news/politics/wp/2017/08/08/trumps-bedminster-trip-costs-secret-service-13-500-golf-cart-rentals/549401001/) ([/story/news/politics/onpolitics/2017/08/08/trumps-bedminster-trip-costs-secret-service-13-500-golf-cart-rentals/549401001/](https://www.washingtonpost.com/news/politics/wp/2017/08/08/trumps-bedminster-trip-costs-secret-service-13-500-golf-cart-rentals/549401001/))

Trump family travel drains Secret Service

