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December 9, 2009

Kimberly Walton, Special Counselor
Office of the Special Counselor
Transportation Security Administration
601 South 12th St., East Bldg., E7-121S
Arlington, VA 20598-6020

FOIA Appeal (appeal of constructive denial)
Your reference number: TSA10-0052

Dear Counselor Walton:

This is an appeal under the Freedom of Information Act, 5 U.S.C. §552.

On October 15, 2009 I made a FOIA request by e-mail (received, I presume, the same day) to FOIA.TSA@dhs.gov and by Express Mail (which should have been delivered the next day, October 16, 2009) to your agency for the TSA's "Screening Management Standard operating Procedures (SOP)". On November 3, 2009, I received by e-mail a copy of a letter dated October 26, 2009 from your agency confirming your receipt of my request (although claiming that my request was not received "in this office" until October 23, 2009). Copies of my request and your letter confirming its receipt are enclosed.

I have not yet received any response to my request, except concerning my request for expedited processing and waiver of fees. It has been substantially more than 20 business days since my request was received by your agency. Accordingly, I deem my request to be denied.

I appeal the constructive denial of my request. As the FOIA requires, I expect that you will act on this appeal and produce responsive documents within 20 working days.

Sincerely,

Edward Hasbrouck
Consultant on travel-related issues
The Identity Project