January 28, 2003

Assistant Secretary for Public Affairs
c/o The Appeals Officer
U.S. Department of State
A/RPS/IPS/PP, SA-2
Washington, DC 20522-6001

RE: FOIA Request 20020515DOS133
Dept. of State Request Number: 200203010

To the Assistant Secretary for Public Affairs:

This letter constitutes an administrative appeal under the US Freedom of Information Act.

On September 4, 2002, William Ferrogiaro, on behalf of the National Security Archive, filed a FOIA request via fax to your office.

That request sought:

“All records, including but not limited to guidance or directives, memoranda, training materials, or legal analyses, concerning the US Department of Justice's implementation of US Attorney General John Ashcroft's October 12, 2001 memorandum on the US Freedom of Information Act.”

As of this writing, we have not received a substantive reply to our request. This request is a simple request concerning a specific topic, i.e., the Attorney General’s October 12, 2001 memo on FOIA, which likely generated a finite amount of material. As encouraged in the Electronic FOIA Amendments of 1996, this request ought be processed in a 'simple' queue. The records requested should primarily be maintained within the FOIA office of your agency and, thus, only a minimal amount of time should be necessary to identify responsive materials. Furthermore, there is nothing in the material sought that could be considered sensitive according to the Attorney General’s October 12, 2001 memorandum. Therefore, as your agency has had more than the 20 statutory days—indeed, more than 90 days—to process this request, we appeal your lack of response.

We look forward to a decision on this appeal within the statutory deadline of 20 days.

Sincerely,

Meredith Fuchs
General Counsel

An Independent non-governmental research institute and library located at the George Washington University, the Archive collects and publishes declassified documents obtained through the Freedom of Information Act. Publication royalties and tax deductible contributions through The National Security Archive Fund, Inc. underwrite the Archive's Budget.
The National Security Archive

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Date: January 28, 2003

To: Assistant Secretary for Public Affairs c/o The Appeals Officer

Organization: Department of State

From: The National Security Archive

Number of pages (including cover sheet) 2

If there is a problem with this transmission, please call us at 202-994-7000 as soon as possible.

Message: FOIA Appeal Attached.