

47 Four Oaks Road
Bedminster, New Jersey 07921
January 14, 2010

Freedom of Information Act Appeals Officer
Department of the Interior
Office of the Solicitor
1849 C Street, NW, MS 6556
Washington, DC 20240

Freedom of Information Appeal
Re: FOIA Request IMRO 2009-145

Dear Sir/Madam:

I am writing to confirm my phone call to your office on January 5, 2010.

I spoke with Ms. Lane who knew of my appeal case, who admitted your office was behind schedule because of the holidays, and who admitted your office had not responded to my appeal within the 20 working business days during which it is supposed to respond to appeals.

At the time, she also promised I would get a response soon, and I do hope you will respond before the end of the January.

At this point, I know I can file for adjudication in the federal courts....and there is a federal District Court of the United States in which I could file in Newark, NJ which is only a half hour from my home. On the other hand, I believe trying to adjudicate a fairly simple and straightforward FOIA request like mine should not have to take up the time and energy of our judicial system; in fact, I cringe at the time and expense the National Park Service has already wasted in refusing to give me everything I had requested. It's a shame they didn't release what I had requested when I first requested it; it's a shame they have wasted hours of administrative time and energy already in their efforts to stall, delay, and frustrate what should have been a very simple request; and it's a shame they didn't follow their own regulations--particularly those concerning what charges can be assessed as per 43 CFR 2.18. In the end, they finally granted my request long after it should have been granted. As you know, I have appealed to you because of both the quantity of information they gave me and the quality of it.

I do hope we can resolve this simple FOIA request within the Executive Branch. Consequently, if I don't hear from you by January 31, 2010, I first will appeal your lack of response to the office of the Secretary of the Interior before initiating a formal judicial review.

Again, I do hope we can avoid any further appeals or a judicial review, and I do look forward to hearing from you.

Respectfully submitted,

Bruce E. Schundler
908-581-1021
bruce@schundler.net