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Transportation Security Administration
Freedom of Information Act (FOIA) Division
TSA-20, 11th Floor, East Tower
601 South 12th Street
Arlington, VA 20598-6020

(by Express Mail and by e-mail to FOIA.TSA@dhs.gov)

FOIA REQUEST
Fee benefit requested
Fee waiver requested

Dear FOIA Officer:

This is a request pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552.

In testimony before the Subcommittee on Transportation Security and Infrastructure Protection of the House Committee on Homeland Security on December 16, 2009, TSA Acting Administrator Gail Rossides referred to "TSA's 12 other SOPs" [Standard Operating Procedures. Archived video of that testimony is available on the Committee Web site at:
<<http://homeland.house.gov/Hearings/index.asp?ID=230>>.

I request access to and copies of the most recent version of each of the following documents, including any and all appendices, attachments, enclosures, supplements, updates, change notices, revisions, interpretive or guidance notes, usage instructions, or the like, including any such supplements, updates, or revisions contained in TSA Operations Directives or Management Directives:

1. The 12 TSA "Standard Operating Procedures (SOPs)" referred to by Acting Admin. Rossides.
2. Any other TSA Standard Operating Procedures, regardless of their number.
3. The list and index of TSA Standard Operating Procedures.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on TSA procedures that is of current interest to the public because without this information, there is no way for members of the public to know what actions by TSA employees or contractors or members of the public the TSA believes are permitted or required. This information is being sought on behalf of The

Identity Project (“IDP”). IDP provides advice, assistance, publicity, and legal defense to those who find their rights infringed or their legitimate activities curtailed by demands for identification, and builds public awareness about the effects of ID requirements on fundamental rights. IDP is a program of the First Amendment Project, a nonprofit organization providing legal and educational resources dedicated to protecting and promoting First Amendment rights.

One of the principal activities of IDP is publication of the informational and educational Web site at <<http://www.papersPlease.org>>, where we have published documents obtained in response to our previous FOIA requests, including the excerpts from the Screening Management SOP released in response to our previous FOIA request, for dissemination to the general public. This information will also be publicized through my own Web site and blog of travel news, information, and advice.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. It is self-evident that the TSA “Standard Operating Procedures” relate to the government operations and activities. There has been, and continues to be, extensive interest in TSA procedures, the posting of the Screening Management SOP at fbo.gov, and the relationship of the Screening Management SOP to other SOPs, as discussed by Acting Administrator Rossides in her Congressional testimony. The Identity Project is a nonprofit organization with no commercial interest in this information.

There are no statutes or regulations specifying these procedures. In the absence of statutes or regulations, public disclosure and availability of the requested documents is essential to any public understanding of TSA operations, of what rights and authority the TSA claim, and of TSA expectations with respect to the conduct of TSA employees and contractors and of members of the public.

This information will be made available to the public. Pursuant to 44 U.S.C. 3506(d)(4)(b), neither the TSA nor any agency may, “except where specifically authorized by statute ... restrict or regulate the use, resale, or redissemination of public information by the public.” The FOIA statute does not authorize any such restriction on the use or redissemination of information released pursuant to FOIA, and we intend to exercise fully our rights to use and public redissemination through our Web site of any records released in response to this request.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Please respond as soon as possible to confirm your receipt of this request. I look forward to your complete reply within 20 business days, as the statute requires.

Sincerely,

Edward Hasbrouck

Consultant on travel-related issues
The Identity Project