



DEPARTMENT OF THE AIR FORCE  
WASHINGTON DC

OFFICE OF THE GENERAL COUNSEL

SAF/GCA  
1740 Air Force Pentagon  
Washington, DC 20330-1740

APR 15 2014

Mr. Frank Vera III  
[REDACTED]  
[REDACTED]

Dear Mr. Vera:

This letter replies to your March 2013, Freedom of Information Act (FOIA) appeals (2013-00102-A, 2013-00103-A, 2013-00106-A, 2013-00107-A, 2013-00108-A) of the Air Force Civil Engineer Center's denial of your request for a fee waiver and your request to be categorized as a representative of the news media.

I have been delegated the responsibility to conduct the Office of the Secretary of the Air Force review in your case. I have considered your appeals and determined they should be denied.

A FOIA requester is entitled to a fee waiver or reduction "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii).

In making my decision, I have reviewed your initial FOIA request, your fee waiver request, and your appeal. I considered the factors found in DoD Regulation 5400.7\_AFMAN 33-302, Chapter 6, and other applicable law. Based on my review, I have determined that your request does not qualify for a fee waiver.

In addition, you do not meet the statutory definition of "representative of the news media" found at 5 U.S.C. 552(a)(4)(A)(ii). Thus, you were appropriately placed in the "other requester" category.

For the reasons stated above, your appeals are denied. This constitutes the final Air Force action on your appeal. The FOIA, 5 U.S.C. § 552, provides for judicial review of this determination.

Sincerely

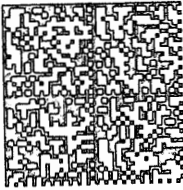
DAVID L. THOMAS  
Assistant Deputy General Counsel  
(Fiscal, Ethics and Administrative Law)

Office of the General Counsel  
SAF/GCA  
1740 Air Force Pentagon  
Washington DC 20330-1740  
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Mr. Frank Vera III



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