

Frank Vera III

www.GeorgeAFB.Info

15 February 2013

BY FAX TO: 703-693-5728

Headquarters Air Force/IMIO (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
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FOIA Request

Dear FOIA Officer:

Please process this request pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

Per instructions at <http://www.foia.af.mil/main/welcome.asp>, I am filing this request with Headquarters Air Force/ICIO (FOIA) as I do not know the location or custodian of the records.

I am requesting:

1. a complete unredacted **printout or listing of the aerial photographs and/or satellite images of "George AFB"**, "George Air Force Base", "Victorville Air Force Base", "Victorville AFB", "Victorville Army Air Field", "Victorville Army Flying School" and/or "Air Corps Advanced Flying School Victorville" and the sounding property
2. an electronic **copy of the aerial photographs and/or satellite images of "George AFB"**, "George Air Force Base", "Victorville Air Force Base", "Victorville AFB", "Victorville Army Air Field", "Victorville Army Flying School" and/or "Air Corps Advanced Flying School Victorville" and the sounding property
3. an electronic **copy the analysis of these aerial photographs and/or satellite images**

Record Search

When processing this request, please note that the D.C. Circuit has previously held that agencies have a duty to construe the subject material of FOIA requests *liberally* to ensure responsive records are not overlooked. *See Nation Magazine, Washington Bureau v. U.S. Customs Service*, 71 F.3d 885, 890 (D.C. Cir. 1995).

In line with the guidance issued by the Department of Justice (“DOJ”) on 9 September 2008 to all federal agencies with records subject to FOIA, agency records that are currently in the possession of a U.S. Government contractor for purposes of records management remain subject to FOIA. Please ensure that your search complies with this clarification on the effect of Section 9 of the OPEN Government Act of 2007 of the definition of a “record” for purposes of FOIA. In addition, the Air Force should not interpret this request to exclude correspondence sent to outside third parties. Please also consider this letter an affirmative rejection of any limitation of your search to Air Force originated records.

Exempt Records

If you assert that any of the requested records are exempt from mandatory disclosure under FOIA, I request that you disclose them nevertheless, as such disclosure would serve the public interest of educating citizens regarding the operations and activities of the Air Force regarding this matter.

If you deny all or part of this request, please cite the specific exemptions you believe justify your refusal to release the information or permit the review and notify me of your appeal procedures available under the law.

In addition, I would like to draw your attention to president Obama’s 21 January 2009 Memorandum for the Heads of Executive Departments and Agencies, directing federal agencies to adopt a presumption in favor of disclosure and stating that government information should not be kept confidential “merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears.”

Redaction

In excising material, please “black out” rather than “white out” or “cut out.” Additionally, any reasonably segregable portion of a responsive record must be provided to me after redaction of any allegedly exempt material, as the law requires. 5 U.S.C. § 552(b). I reserve the right to appeal any decision to withhold information.

Preservation of Records

Please ensure that, in accordance with the DC Circuit’s ruling in *Chambers v. Department of the Interior*, 568 F.3d 998 (D.C. Cir. 2009), all records potentially responsive to this FOIA request are immediately preserved from destruction until the final resolution of this FOIA action. Destruction of potentially responsive records after the receipt of a FOIA request is considered “contumacious conduct” by the DC Circuit. See *id.* at 1004.

Fee Waiver

I am requesting a public interest fee waiver. There can be no question that the disclosure of the requested information would contribute significantly to the public’s understanding of the

operations or activities of the government and is in the public interest. I have NO commercial interest in the requested documents and the requested records will be posted, free of charge, on www.GeorgeAFB.Info. I have the ability to disseminate information on a wide scale, and intend to use information obtained through FOIA in original works. I am hereby requesting classification as a representative of the news media.

Record Format

I request that any documents or records produced in response to this request be provided in electronic (soft-copy) form wherever possible. Acceptable formats are .pdf, .doc, docx, .jpg, .gif, .tif. Please provide soft-copy records by email or on a CD if email is not feasible.

I look forward to receiving the requested documents within twenty (20) business days.

If you wish to discuss this request, please do not hesitate to contact me at [REDACTED].

Thank you for processing this FOIA.

Sincerely,

[REDACTED]

Frank Vera III

Date:

Physical address: [REDACTED]