

Exhibit A

U.S. Department of Homeland Security

Freedom of Information Act Office
Arlington, VA 20598-6020



Transportation
Security
Administration

MAY 4 2009

TSA09-0510

Mr. John Verdi
EPIC Open Government Project
1718 Connecticut Avenue N.W., Ste #200
Washington, DC 20009

Dear Mr. Verdi:

This is to inform you that on May 4, 2009, the Transportation Security Administration (TSA) Freedom of Information Act (FOIA) Office received a copy of your letter dated April 14, 2009. Your letter will be processed as a FOIA request and has been given identification number TSA09-0510. Please cite this number in any further inquiry about this request.

I must advise you that depending upon the category of requester you fall in, fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication costs of \$.10 per page. In accordance with 6 C.F.R. § 5.3(c), if you make a FOIA request, it shall be a firm commitment by you to pay all applicable fees charged under § 5.11 up to \$25.00. The combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Many requests do not require fees; however, if fees exceed \$25.00, we will notify you beforehand.

TSA uses a multi-track system to process requests on a first-in, first-out basis. Simple requests are able to be answered more quickly and will be placed on the fast track of our multi-track processing. More complex requests generally require significant processing time. Although TSA's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. If your request involves a voluminous amount of records, requires that we collect records from separate offices, or requires that we consult with another agency, TSA will invoke the 10-day extension for your request.

If you would like to narrow the scope of your request, we may be able to respond more quickly. Please contact us if you wish to narrow your request or arrange for an alternative time period to complete the processing. We can be reached at the following toll free number (866) 364-2872 or locally at (571) 227-2300.

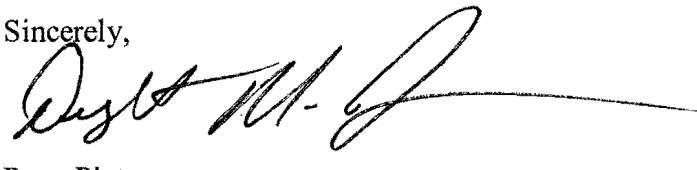
Expedited Processing:

This responds to your April 14, 2009, request, in which you requested expedited processing of your Freedom of Information Act request. TSA is processing FOIA cases on a first-in, first-out basis, demonstrating due diligence in compliance with the Act. Under the Department of Homeland Security's FOIA regulation, expedited processing of a FOIA request is warranted if it is determined that the request involves "circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual," or "an urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information" 6 CFR § 5.5(d)(1). Requesters that seek expedited processing must submit a statement explaining in detail the basis for the request, and must certify that the request is true and correct. 6 CFR 5.5(d)(3). See also 5 U.S.C. § 552(a)(6)(E).

After reviewing your April 14, 2009, request, the Transportation Security Administration (TSA) is denying your request for expedited processing. Your FOIA request failed to present any facts demonstrating a compelling need for expedited treatment under the standards discussed above.

In the event that you may wish to appeal this determination, an administrative appeal may be made in writing to Kimberly Walton, Special Counselor, Office of the Special Counselor, Transportation Security Administration, 601 South 12th Street, East Building, E7-121S, Arlington, VA 20598-6033. Your appeal **must be submitted within 60 days** from the date of this determination. It should contain your FOIA request number and state, to the extent possible, the reasons why you believe the initial determination should be reversed. In addition, the envelope in which the appeal is mailed in should be prominently marked "FOIA Appeal." Please note the Special Counselor's decision on your FOIA appeal will be administratively final. If you have any questions pertaining to your request, please feel free to contact the FOIA Office at the above-referenced telephone numbers.

Sincerely,

For 

Peter Pietra
Acting FOIA Officer
Freedom of Information Act Office
TSA Headquarters, TSA-20