



AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION OF
NORTHERN CALIFORNIA

March 5, 2003

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Co-Director, Office of Information and Privacy
United States Department of Justice
Flag Building, Suite 570
Washington, D.C. 20530

Re: Freedom of Information Appeal
Notice of Administrative Appeal Regarding
FOIA and Privacy Act Request by Janet A. Adams
(Request No. 0971548-000; Request No. 0971461-971462)

To Whom It May Concern:

The American Civil Liberties Union of Northern California (ACLU-NC) and Janet A. Adams hereby appeal the Federal Bureau of Investigation's (FBI) response to their request under FOIA and the Privacy Act. By letters of January 16, 2003 and January 28, 2003, signed by David M. Hardy, we were notified that the FBI has discovered "no records" responsive to the request. On behalf of the ACLU-NC and Ms. Adams, we appeal this denial.

The FBI's denial is not well founded. It appears to ignore the full scope of the FOIA/Privacy Act request, which included detailed requests for information beyond any specific records identifying Ms. Adams. Other documents sought by the request included any records regarding the existence of any "no-fly" list or "any watchlists" as well as "policy directives, procedures and guidances" concerning how individuals who are placed on such lists may be removed from the lists, among other documents.

Neither the FBI nor the Department has timely asserted any statutory exemption for withholding the documents described in the request. Accordingly, the assertion of any such exemptions has now been waived. Ms. Adams and the ACLU-NC expressly reserve all their rights concerning the request and this appeal.

We appreciate your immediate attention to this matter.

Sincerely,

Jayashri Srikantiah

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