

Via Priority Mail and [FOIAOnline.gov](http://FOIAOnline.gov)

November 19, 2018

Lisa Casias, Acting Secretary  
Office of the Chief Financial Officer and Assistant Secretary for Administration  
U.S. Department of Commerce  
1401 Constitution Ave NW  
Washington, DC 20230

**RE: Appeal for Response to FOIA Request and FOIA Appeal**

Dear Acting Secretary Casias,

The Sherry Chen Legal Defense Fund (the Fund) filed a Freedom of Information Act (FOIA) request on May, 31, 2018. A tracking number of DOC-NOAA-2018-001465 was assigned.

On June 18, 2018, Lola Stith of the NOAA FOIA Office requested additional clarification of the request, which the Fund promptly provided on June 22, 2018. The FOIA request was categorized as Simple. The due date for response was set to July 17, 2018.

Also on June 18, 2018, NOAA FOIA Officer Mark Graff denied the Fund's waiver of fee request, to which the Fund filed an appeal to the Assistant General Counsel for Employment, Litigation, and Information of the U.S. Department of Commerce on June 26, 2018. The appeal was assigned tracking number DOC-OS-2018-001595. The due date for response was July 25, 2018.

As of today, the FOIA request DOC-NOAA-2018-001465 and FOIA appeal DOC-OS-2018-001595 have both exceeded their statutory requirement of 20 days for response in accordance to 5 U.S.C. § 552(a)(6)(A)(i). [FOIAOnline.gov](http://FOIAOnline.gov) shows that they are still pending in the Assignment stage. There has been no further communications from the Department of Commerce on their status.

Pursuant to 5 U.S.C. § 552(a)(6)(A)(ii), this letter is an appeal for your response to the identified FOIA request and appeal. Please provide your response by email to [dfundschen2016@gmail.com](mailto:dfundschen2016@gmail.com) and in [FOIAOnline.gov](http://FOIAOnline.gov). Thank you.

Very Respectfully,



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cc: Peter R. Toren, Esq.