



Sai . <saizai@gmail.com>

FOIA / Privacy Act / evidence preservation letter re. SFO TSA incident

Sai <saizai@gmail.com>

Fri, Mar 15, 2013 at 2:49 AM

To: "Sotoudeh, Paul" <Paul.Sotoudeh@tsa.dhs.gov>

Paul -

Please see attached, related to yet another case of TSA agents violating policy.

Regarding the other FOIA we discussed earlier, I am still working on creating the request, but it'll be coming soon.

Sincerely,
Sai**SFO & TSA - FOIA, Privacy Act, & evidence preservation demand.pdf**

179K

Sotoudeh, Paul <Paul.Sotoudeh@tsa.dhs.gov>

Fri, Mar 15, 2013 at 9:48 AM

To: Sai <saizai@gmail.com>

Sai, happy to handle the FOIA part of this, but I'm not entirely sure whether this qualifies as a proper evidence preservation demand, unless you've submitted to other parties. Just for your awareness.

Paul Sotoudeh
Freedom of Information Act Office
Transportation Security Administration
[\(571\) 227-1357](tel:5712271357)

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Sai <saizai@gmail.com>

Fri, Mar 15, 2013 at 12:53 PM

To: "Sotoudeh, Paul" <Paul.Sotoudeh@tsa.dhs.gov>

I'll be submitting it simultaneously to SFO, SFO TSA, & Covenant.

- Sai

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Sotoudeh, Paul <Paul.Sotoudeh@tsa.dhs.gov>

Fri, Mar 15, 2013 at 12:56 PM

To: Sai <saizai@gmail.com>

I'd assume that will work - at the very least TSA field counsel based at SFO should be able to assure that that gets handled.

Paul Sotoudeh
Freedom of Information Act Office
Transportation Security Administration
[\(571\) 227-1357](tel:5712271357)

-----Original Message-----

From: saizai@gmail.com [<mailto:saizai@gmail.com>] On Behalf Of Sai

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Sai <sai@saizai.com>
To: "Sotoudeh, Paul" <Paul.Sotoudeh@tsa.dhs.gov>

Fri, Mar 15, 2013 at 1:01 PM

nod

FYI, SFO TSA gave their contact for service of process as
[650 266-1900](tel:6502661900)
% Stephanie Jackson
700 Airport Blvd.
Suite 200
Burlingame, CA 94010

- Sai

On Fri, Mar 15, 2013 at 9:56 AM, Sotoudeh, Paul
[Quoted text hidden]

Sai <sai@saizai.com>
To: "Sotoudeh, Paul" <Paul.Sotoudeh@tsa.dhs.gov>

Fri, Mar 15, 2013 at 1:37 PM

FYI, I've now served the FOIA by email also on:

Covenant Aviation Security
[800 764-8050](tel:8007648050)
1350 Old Bayshore Highway
Suite 540
Burlingame, CA 94010
customerservice@covenantsecurity.com

SFO TSA
[650 266-1900](tel:6502661900)
% Stephanie Jackson
700 Airport Blvd.
Suite 200
Burlingame, CA 94010
stephanie.jackson@dhs.gov

Liam O'Byrne - Aviation Security supervisor
[650 821 3924](tel:6508213924)
liam.obyrne@flysfo.com
PO Box 8097
San Francisco, CA 94128

Christopher Roach - Claims investigator (FOIA)
[650 821-5067](tel:6508215067)
chris.roach@flysfo.com
PO Box 8097
San Francisco, CA 94128

- Sai

[Quoted text hidden]

Sotoudeh, Paul <Paul.Sotoudeh@tsa.dhs.gov>
To: Sai <sai@saizai.com>

Fri, Mar 15, 2013 at 2:48 PM

No need to send them the FOIA - we'll handle it for all government entities. Worthwhile to send it to them for the preservation piece though.

I've sent your FOIA to our admins to enter into our system so we can begin work on it.

Paul Sotoudeh
Freedom of Information Act Office
Transportation Security Administration
(571) 227-1357

-----Original Message-----

From: saizai@gmail.com [mailto:saizai@gmail.com] On Behalf Of Sai

[Quoted text hidden]

Sai <sai@saizai.com>
To: "Sotoudeh, Paul" <Paul.Sotoudeh@tsa.dhs.gov>

Fri, Mar 15, 2013 at 9:55 PM

I wrote the thing as a single document, so I figure it's best to send everyone involved the whole thing. That way everyone gets to be responsible for and warned about all parts of it.

Also, the evidence preservation part is stronger because of its basis on FOIA (and not exclusively on e.g. preservation for civil litigation). FOIA has some built-in preservation mandates (and administrative / judicial appeals timelines) that a vaguer "I intend to file suit later on" doesn't. ;-)

Regarding the "all your policy documents" FOIA: can I join others to my request later on in the process, or would doing so require filing it over again? I have interest from several full-time journalists and academics in joining the request, but that requires discussion.

I think it would be more expedient to simply send it now on my own merits for now and bring them on only if it's necessary to change the outcome of a fee waiver determination..

As always, I appreciate your assistance. Please let me know how it proceeds.

Thanks,
- Sai

On Fri, Mar 15, 2013 at 11:48 AM, Sotoudeh, Paul
[Quoted text hidden]

Sotoudeh, Paul <Paul.Sotoudeh@tsa.dhs.gov>
To: Sai <sai@saizai.com>

Mon, Mar 18, 2013 at 10:08 AM

Fee determinations are made at the beginning of the process (as it should be - that way, if a requester refuses to be responsible for a fee, it prevents an agency from having to commit its employees to do tons of work to no end). So if someone else wants to be the primary requester on your request and their presence would impact the fee category determination, do it sooner rather than later.

Paul Sotoudeh
Freedom of Information Act Office
Transportation Security Administration
(571) 227-1357

-----Original Message-----

From: saizai@gmail.com [<mailto:saizai@gmail.com>] On Behalf Of Sai

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Sai <sai@saizai.com>

Mon, Mar 18, 2013 at 11:12 AM

To: "Sotoudeh, Paul" <Paul.Sotoudeh@tsa.dhs.gov>

Understood; I agree that the fee determination should be made early on.

I've filed it to you on my own for now.

If after review it turns out to be critical that I have others on who have specific traits that I somehow lack, I can always retract the request and re-file the same request joined by people with those traits. However, I believe that I qualify for full waiver on my own, and I oppose (as do the courts) any suggestion that "news media" protections are restricted to paid full-time employees of mass market publishers.

FYI, I currently have 30+ other people willing and able to submit identical requests in their own name — and that's before more serious attempts at seeking others. If the "public interest" or "likely to be requested" points of my claim are denied, you'll be getting a large number of requests, to demonstrate that both are true. For now, I've asked others to wait on the outcome of mine.

Sincerely,
- Sai

On Mon, Mar 18, 2013 at 10:08 AM, Sotoudeh, Paul

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