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Department of Veteran Affairs VIA FACSIMILE: 202-273-6645
Office of the General Counsel (024)
810 Vermont Avenue NW
Washington, D.C. 20420

Re: Re: ADMINISTRATIVE APPEAL: FOIA REQUEST TO SFVAMC OF
 JANUARY 16, 2006; PROPOSED BUILDING 16, PROJECT 662-4011

Dear Sir or Madame:

On February 27, 2006, we filed an administrative appeal with the Office of the General Counsel. In our transmittal, we requested that a determination be expedited. The Department of Justice, in its Freedom of Information Reference Guide, states that under FOIA, an agency's Office of Information and Privacy is required to make a determination of an administrative appeal within 20 days. In this case, 71 days have now elapsed since you received the appeal documents. Unless we receive a response from the Office of the General Counsel within the next ten days, we will have no alternative than to file an action with the United States District Court on the grounds that your agency's lengthy delay in determining the appeal constitutes constructive exhaustion of administrative remedies.

If you have any questions, please feel free to call me.

Very truly yours,

Eugene A. Brodsky

EAB/m