



DEPARTMENT OF DEFENSE
OFFICE OF FREEDOM OF INFORMATION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155

MAY 09 2011

Ref: 11-F-0931

Mr. Michael Bekesha
Judicial Watch
425 Third Street, SW
Suite 800
Washington, DC 20024

Dear Mr. Bekesha:

This is an interim response to your May 2, 2011, Freedom of Information Act (FOIA) request for, "all photographs and/or video recordings of Osama (Usama) Bin Laden taken during and/or after the U.S. military operation in Pakistan on or about May 1, 2011." You have also requested a waiver of search and duplication fees pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) & (iii) as a member of the news media. Your request has been assigned FOIA case number 11-F-0931.

Prior to you submitting your request, this Office received multiple FOIA requests from several representatives of the news media for these records; thus, you will not incur charges associated with this FOIA request. As a result, your request for a fee waiver in this instance is moot.

At this time, we are unable to make a release determination on your request within the 20-day statutory time period. Although the FOIA contains provisions for an extension of 10 more business days, that additional time will not be sufficient to complete the work required to process your request and arrive at a final release decision. There are unusual circumstances which impact our ability to quickly process your request. They are: the volume of requests received concerning the death of Osama bin Laden; the need to coordinate searches for records with multiple offices; and the requirement to coordinate the review of records with more than one office or organization having a substantial interest in either the determination or the subject matter of the records. As a matter of information, our current administrative workload is approximately 1,360 open requests. I apologize for the anticipated delay in responding to your request, but due to the complexity of the request this Office is unable to estimate when the processing of this request will be completed. Your continued patience is appreciated.

If you are not satisfied with this action, you may appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense. To submit your appeal, you should write directly to the Defense Freedom of Information Policy Office, ATTN: Mr. James Hogan, 1155 Defense Pentagon, Washington, D.C. 20101-1155. Your appeal should be postmarked within 60 calendar days of the date of this letter, should cite to case number 11-F-0931, and should be clearly marked "Freedom of Information Act Appeal".

Sincerely,


for Paul J. Jacobsmeyer
Chief