

**Jed Margolin**

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**From:** "Air Force FOIA Requester Service Center" <haf.foia@pentagon.af.mil>  
**To:** <jm@jmargolin.com>  
**Sent:** Friday, July 30, 2010 11:17 AM  
**Subject:** Receipt of request - Acknowledgement Air Force FOIA Requester Service Center  
Dear Jed Margolin,

For the request submitted by you, Case Number 2010-06428-F is allotted against the Temporary Case Number 5137. Quote this number for reference in your future correspondence with the agency about the request.

Regards,  
Air Force FOIA Requester Service Center

Email Separator

**Jed Margolin**

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**From:** "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <Tameka.Lualhati@holloman.af.mil>  
**To:** <jm@jmargolin.com>  
**Cc:** "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK" <Melanie.Marquez@holloman.af.mil>  
**Sent:** Tuesday, August 03, 2010 11:34 AM  
**Attach:** Acknowledgment; 2010-0030.pdf  
**Subject:** FOIA Request- 2010-0030/eFOIA 2010-06428-F

Mr. Margolin,

Please see attached acknowledgement of your FOIA request.

In accordance with the Freedom of Information Act, you must confirm a willingness to pay or address why you feel a waiver of fees may be appropriate. You can provide a dollar amount and request if it costs over that amount that you be contacted.

Thank you.

V/r  
TAMEKA L. LUALHATI, SSgt, USAF  
Acting Freedom of Information Act (FOIA) Manager  
49th Communications Squadron Holloman Air Force Base  
Tel: 575-572-7248



## DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 49TH WING (ACC)  
HOLLOMAN AIR FORCE BASE, NEW MEXICO

August 2, 2010

49 CS/SCOK  
Holloman Freedom of Information Act (FOIA) Office  
1321 Tularosa Road  
Holloman AFB, NM 88330  
[Holloman.FOIA@holloman.af.mil](mailto:Holloman.FOIA@holloman.af.mil)

Jed Margolin  
1981 Empire Rd.  
Reno, NV 89521-7430  
775-847-7845  
[jm@jmargolin.com](mailto:jm@jmargolin.com)

Dear Mr. Margolin,

The Holloman Air Force Base (AFB) FOIA office has received your July 30, 2010 dated Freedom of Information Act request on August 2, 2010, for "all documents relating to the use of Synthetic Vision in operating the MQ-1 and MQ-9 Unmanned Aircraft Systems as well as any other Unmanned Aircraft Systems (UAVs) or Unmanned Combat Aerial Vehicles (UCAVs) flown at or by Holloman AFB."

This letter serves as an official acknowledgement of receipt of your FOIA request on August 2, 2010. The request has been issued an eFOIA Case number of 2010-06428-F and a Holloman FOIA Case number of 2010-0030. In accordance with DoD 5400.7-R, section C1.4.2., *Requesters should also indicate a willingness to pay fees associated with the processing of their request or, in the alternative, why a waiver of fees may be appropriate.* In accordance with the Freedom of Information Act, the requester must confirm a willingness to pay or address why you feel a waiver of fees may be appropriate.

Currently the law allows 20 working days to process a FOIA request, hence the 20 business day timeline outlined in 5 U.S.C. § 552 and under DoD 5400.7-R. If you have any questions concerning this matter, you may contact the FOIA office at (575) 572-7247, write us at the above referenced address, or you may email us at [Holloman.FOIA@holloman.af.mil](mailto:Holloman.FOIA@holloman.af.mil). Please reference HAFB FOIA Case # 2010-0030 and FOIA Express # 2010-06428-F when making inquiries.

  
TAMEKA L. LUALHATI, SSgt, USAF  
Holloman AFB FOIA/PA Manager

FOIA Express 2010-06428-F  
HAFB FOIA 2010-0030

*Global Power for America*

Email Separator

**Jed Margolin**

---

**From:** "Jed Margolin" <jm@jmargolin.com>  
**To:** "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <Tameka.Lualhati@holloman.af.mil>; <holloman.foia@holloman.af.mil>; ">" <Melanie.Marquez@holloman.af.mil>  
**Sent:** Tuesday, August 03, 2010 1:23 PM  
**Attach:** jm\_usaf\_fees.pdf; f1\_15\_patrick.pdf; f2\_06\_langley.pdf; f2\_07\_langley.pdf; f2\_07a\_langley\_jm\_af1.txt  
**Subject:** Re: FOIA Request- 2010-0030/eFOIA 2010-06428-F

> In accordance with the Freedom of Information Act, you must confirm a  
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 > appropriate. You can provide a dollar amount and request if it costs over  
 > that amount that you be contacted.

Dear SSgt Lualhati.

It appears you did not read my fee waiver request, so I am attaching it to this email. See attached file *jm\_usaf\_fees.pdf*.

To save time you should know:

1. USAF is the only Federal Agency to ever deny my request for a fee waiver.
2. I received a full fee waiver on USAF FOIA Case No. 2010-04191-F. See attached file: *f1\_15\_patrick.pdf*.
3. My fee waiver request on USAF FOIA Case 2010-5988 & 5989 was initially denied. Then I was informed I would receive the first 100 pages free and would be required to pay \$0.15 per page thereafter but there would be no other fees. See attached file: *f2\_06\_langley.pdf*
4. I asked for reconsideration based on the following:
  - a. I had already been granted a full fee waiver in Case 2010-04191-F.
  - b. USAF has been visiting my Web sit for years and obtaining useful information.

See attached files: *f2\_07\_langley.pdf* and *f2\_07a\_langley\_jm\_af1.pdf*

My request for reconsideration was denied but the offer to waive search fees and the first 100 pages was repeated. I am considering whether to accept this offer or combine this case with a Complaint I expect to file in U.S. District Court for the District of Nevada regarding a different FOIA request to USAF.

SSgt Lualhati, I would like you to reconsider your denial of my fee waiver, and waive all fees in this case.

Sincerely yours,

Jed Margolin

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

From: "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <[Tameka.Lualhati@holloman.af.mil](mailto:Tameka.Lualhati@holloman.af.mil)>

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> TAMEKA L. LUALHATI, SSgt, USAF

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Jed Margolin  
Phone: 775-847-7845

1981 Empire Rd.  
Email: [jm@jmargolin.com](mailto:jm@jmargolin.com)

Reno, NV 89521-7430  
July 30, 2010

## **Freedom of Information Act Fee Waiver Request - Journalist Exemption**

I claim the journalist exemption.

I have Web sites where I write about issues of general interest as well as issues of more specific interest.

Here are some examples.

**1.** I wrote about my experiences at O'Connor Hospital in San Jose, California because, as is fairly standard hospital practice, they proposed to charge me more than twice the amount they charge insurance companies for the same services. I also investigated their activities and discovered they were violating the terms of their 501(c)(3) tax-exempt status.

As a result of my article, the California Statewide Communities Development Authority (CSCDA) stopped issuing them tax-free bonds until they re-qualified for them.

Not long afterwards, the Daughters of Charity (owners of O'Connor Hospital) came out with a new policy where they promised to charge people without medical insurance the rates equal to what Managed Care would pay.

See: <http://www.jmargolin.com/med/charges1.htm> and <http://www.jmargolin.com/med/charges2.htm>

**2.** My mailing address has a zip code in Washoe County even though I live in Storey County. I wanted to know if the Census Bureau was going to count me for the county where I actually live because if they counted me for the wrong county then my county would lose money and representation.

I investigated and found the answer. It wasn't easy because many people at the Census Bureau didn't know the answer.

See: <http://www.jmargolin.com/vch/census.htm>

There are other people in a similar situation. Now they can know the answer, too.

**3.** When a Developer came into Storey County (population ~4,600) and wanted to build a Master Planned Community for 50,000 people many of us were concerned because, among other things, the Developer refused to say where he was planning to get the water for his community. (Water is always an issue in the West.)

When I learned that the Storey County Web site was not set up to archive and index the large number of documents involved in the issue I set up a Web site on my own: <http://www.cordevistahoa.org>

I also did some independent investigation.

The Storey County Planning Commission denied the Developer's Application for a change to the County's Master Plan and for a change in zoning, and the Storey County Commissioners accepted the recommendation of the Planning Commission in denying the Developer's applications.

I was publicly thanked by the Planning Commission for setting up the Web site.

This is more than a purely local issue.

The Developer sued the County. The case was heard by Retired Nevada Supreme Court Chief Justice Miriam Shearing. In her decision in favor of the County she said:

This court must give deference to the legislative determination of the Storey County Commission that it did not wish to amend its Master Plan. Although the Nevada Supreme Court has not dealt directly with the standard of review of a county decision not to amend a master plan, it is clear that the court must be highly deferential to the enacting body. As the Nevada Supreme Court said in *Coronet Homes, Inc. v. McKenzie*, 84 Nev. 250, 255-56, 439 P.2d 219, 223 (1968), in the context of a land use request:

The days are fast disappearing when the judiciary can look at a zoning ordinance and, with nearly as much confidence as a professional zoning expert, decide upon the merits of a zoning plan and its contribution to the health, safety, morals or general welfare of the community. Courts are becoming increasingly aware that they are neither super boards of adjustment nor planning commissions of last resort.

Nevada law, thus, is consistent with the law of Minnesota as articulated in *Concept Properties, LLP v. City of Minnetrista*, 694 N.W. 2d 804, 814 (Minn. App. 2005). A municipal body acts in a legislative capacity when it adopts or amends a comprehensive land-use plan. *Id.* Municipal bodies have broad discretion in making zoning and land-use decisions. *Id.* Courts will reverse zoning decisions only where there are no grounds for reasonable debate and where the action of the municipal body is arbitrary, capricious, discriminatory, or illegal. *Id.* The evidence presented by Virginia Highlands was not sufficient to support the view that any of these defects apply to the Storey County refusal to amend its Master Plan.

Thus, she clearly articulated the apparently novel ideas that:

1. Courts are not a Super-Planning Commission.
2. Counties have the right to determine their own destiny.

It should be noted that the Developer chose a name for his company (Virginia Highlands LLC) that is remarkably similar to my community's name (Virginia City Highlands), which did not endear him to us.

**4.** A huge Japanese conglomerate using a Reno company as its local face proposed to put up 70 huge wind turbines on land managed by the Bureau of Land Management (BLM). Some of the wind turbines would have been less than a mile from historic Virginia City. Some of them would have been less than a mile from my community (which they left off their map.)

I set up a Web site (<http://www.storeycountywindfarms.org>), obtained documents from BLM including the Application and public comments (most of which were opposed to the project), and the project is now moribund.

**5.** I blogged my experiences with the U.S. Patent and Trademark Office, and then the Court of Appeals For the Federal Circuit, so people could see how their Government works.

See: **Patent Office Story - How the U.S. Patent Office Jumped the Shark**  
<http://www.jmargolin.com/dcs/dcsfile.htm>

and **The Story Continues** ([http://www.jmargolin.com/cafc/dcs\\_cafc.htm](http://www.jmargolin.com/cafc/dcs_cafc.htm))

**6.** I am currently blogging my experiences with the National Aeronautics and Space Administration (NASA). I filed suit against NASA in U.S. District Court for the District of Nevada for NASA's refusal to comply with the Freedom of Information Act.

See: **How NASA Treats Independent Inventors** (<http://www.jmargolin.com/nasa/nasa.htm>)

Again, this is to show people how their Government works.

**7.** In *Federal Cure v. Harley G. Lappin*, heard in the District Of Columbia District Court (Case Number 1:2007cv00843), the Court ruled that a fee waiver cannot be denied simply because the Requestor distributes material solely through a website.

**8.** In the interests of full disclosure, I am the named inventor on U.S. Patent 5,566,073 ('073) **Pilot aid using a synthetic environment** and U.S. Patent 5,904,724 ('724) **Method and apparatus for remotely piloting an aircraft**. The '073 patent teaches the use of what is now called *synthetic vision* in manned aircraft. The '724 patent teaches the use of synthetic vision for controlling unmanned aerial vehicles (UAVs).

In June 2003 I filed an administrative claim for patent infringement with the NASA Headquarters Office of General Counsel for NASA's use of synthetic vision in their X-38 project. (It was NASA's idea for me to file the claim.) NASA's criminal misconduct in handling my claim was revealed as a result of the 4,000 or so pages of documents NASA has produced as a result of my FOIA lawsuit against them.

I no longer own the Patents. When I assigned the Patents to Optima Technology Group the claim went with them.

Although I have a financial interest in the Patents in the form of royalties I do not control them. The odds that I will make money from the Patents as a result of my FOIA requests are small.

My FOIA requests are not about money.

They are about fairness and honesty and how Government works.

For example, an article was published in the December 2008 issue AUVSI's *Unmanned Systems Magazine* titled **Synthetic Vision Technology for Unmanned Systems: Looking Back and Looking Forward**. The authors are Jeff Fox, Michael Abernathy, Mark Draper and Gloria Calhoun.

Jeff Fox is with NASA, Michael Abernathy is with Rapid Imaging Software, Mark Draper and Gloria Calhoun are with AFRL The article presents a spurious history of synthetic vision. It asserts (wrongly) that NASA invented it. The article is malicious.

I responded with the article **Synthetic Vision – The Real Story**.  
(See [www.jmargolin.com/svr/auvsi\\_response\\_index.htm](http://www.jmargolin.com/svr/auvsi_response_index.htm))

Although the editor of AUVSI Magazine had promised me the opportunity to respond in the magazine, he later refused to even mention the controversy about the Abernathy article.

I say the “Abernathy article” because Jeff Fox’s inclusion as an author was a late addition; his name was not included on the preview copy Abernathy gave NASA. There is no evidence that Fox contributed in a material way to the article. His name was added to give the article credibility.

Mark Draper and Gloria Calhoun are both USAF employees at AFRL and are listed as such in the article. By allowing their affiliation to be used, USAF gave its approval to the article.

The information I am requesting in my FOIA request is likely to significantly contribute to public understanding of the operations of USAF because the American People deserve to know if USAF is run by a bunch of crooks.

**9.** I am currently blogging my experiences with my first two Freedom of Information Act Requests with USAF so people can see how USAF works.

See: **How the United States Air Force Plays the Shell Game with the Freedom of Information Act and How They Treat Independent Inventors** ([http://www.jmargolin.com/usaf/usaf\\_web.htm](http://www.jmargolin.com/usaf/usaf_web.htm))

Both of these will probably end up in U.S. District Court for the District of Nevada, one of them because of USAF’s refusal to grant me the Journalist’s Exemption.

Sincerely yours,

/Jed Margolin/

.end

Jed Margolin  
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1981 Empire Rd.  
Email: [jm@jmargolin.com](mailto:jm@jmargolin.com)

Reno, NV 89521-7430  
July 30, 2010

United States Air Force  
ACC - Holloman AFB

This request is made pursuant to the Freedom of Information Act.

**1.** According to the Holloman AFB Web site (<http://www.holloman.af.mil/library/factsheets/index.asp>), among the aircraft flown at Holloman are the MQ-1 Predator Unmanned Aircraft System and the MQ-9 Reaper Unmanned Aircraft System.

**2.** I would like all documents relating to the use of Synthetic Vision in operating the MQ-1 and MQ-9 Unmanned Aircraft Systems as well as any other Unmanned Aircraft Systems (UAVs) or Unmanned Combat Aerial Vehicles (UCAVs) flown at or by Holloman AFB.

**A.** Synthetic Vision is defined by the FAA in FAA Title 14 Part 1 as follows:

Synthetic vision means a computer-generated image of the external scene topography from the perspective of the flight deck that is derived from aircraft attitude, high-precision navigation solution, and database of terrain, obstacles and relevant cultural features.

FAA Title 14 Part 1 is available at: [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title14/14tab\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title14/14tab_02.tpl)

A mirrored copy is available at: [www.jmargolin.com/svr/refs/ref05\\_faa.pdf](http://www.jmargolin.com/svr/refs/ref05_faa.pdf)

*Synthetic Vision* includes *Enhanced Synthetic Vision*.

**B.** According to the following report (quoting OSD's *UAV Reliability Study* issued in 2003) the use of enhanced synthetic vision was recommended to help UAV operators maintain flight and sensor perspective.

HSW-PE-BR-TR-2005-0001

UNITED STATES AIR FORCE  
311th Human Systems Wing

**U.S. Military Unmanned Aerial Vehicle Mishaps: Assessment of the Role of Human Factors Using Human Factors Analysis and Classification System (HFACS)**

Thompson, Tvaryanas, and Constable

March 2005

From pages 1-2:

The Office of the Secretary of Defense's *UAV Reliability Study* (19) issued in 2003 is the most comprehensive review of UAV mishaps to date, the results of which were extracted in large part into DoD's *UAV Roadmap 2002-2007* (21) and served as the basis for the Defense Science Board's analysis of UAV mishaps (20). This study found the aggregate sources of failures in the Air Force's RQ-1 Predator, Navy/Marine's RQ-2 Pioneer, and Army's RQ-5 Hunter were power/propulsion (37%), flight controls (26%), communications (11%), human factors (17%), and miscellaneous (9%). It noted "the proportions of human error-induced mishaps are nearly reversed between UAVs and the aggregate of manned aircraft, i.e., human error is the primary cause of roughly 85% of manned mishaps, but only 17% of unmanned ones." Two theories were offered to explain this observation. First, human influence in UAVs is significantly reduced (e.g., "70% less") and is countered by increased automation. Second, human error rates remain constant between UAVs and manned aircraft and are simply overshadowed by the higher unreliability of other subsystems in UAVs. Although no breakdown of human factors was provided, the study reported "three of the areas (power/propulsion, flight control, and operator training) have historically accounted for 80 percent of UAV reliability failures" and "overall mishap rates for UAVs could be significantly reduced by focusing reliability improvement efforts in these areas," implying human error-induced mishaps were related to training deficiencies. Additionally, the study suggested UAV operator situational awareness may be degraded by the challenges of "human-machine synergy" when the human is on the ground. **Recommendations included enhance operator training, particularly through simulation in the ground control station (GCS) environment, automate launch and recovery operations, and employ enhanced synthetic vision technology to help UAV operators maintain flight and sensor perspective.** The only additional human factors identified in the Defense Science Board's UAV study (20) were the limited experience level of UAV operators and maintainers, inadequate overall professional development of UAV personnel, and the need to better address takeoff and landing errors.

{Emphasis added.}

Thus, there is good reason to believe that USAF's MQ-1, MQ-9, and other UAVs have and use synthetic vision.

## **Costs**

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I have Web sites where I write about issues of general interest as well as issues of more specific interest.

Here are some examples.

**1.** I wrote about my experiences at O'Connor Hospital in San Jose, California because, as is fairly standard hospital practice, they proposed to charge me more than twice the amount they charge insurance companies for the same services. I also investigated their activities and discovered they were violating the terms of their 501(c)(3) tax-exempt status.

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/Jed Margolin/

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Email Separator

## Jed Margolin

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**From:** "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <Tameka.Lualhati@holloman.af.mil>  
**To:** "Jed Margolin" <jm@jmargolin.com>; "Holloman FOIA" <Holloman.FOIA@holloman.af.mil>;  
 "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK" <Melanie.Marquez@holloman.af.mil>  
**Sent:** Wednesday, August 04, 2010 8:06 AM  
**Subject:** RE: FOIA Request- 2010-0030/eFOIA 2010-06428-F  
 Mr. Margolin,

I did read your fee waiver request, the first time it was submitted. Based on the information you provided, you are Cat II, which fee's cannot be waived.

V/r  
 TAMEKA L. LUALHATI, SSgt, USAF  
 Acting Freedom of Information Act (FOIA) Manager  
 49th Communications Squadron  
 Holloman Air Force Base  
 Tel: 575-572-7248

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

From: Jed Margolin [mailto:jm@jmargolin.com]  
 Sent: Tuesday, August 03, 2010 2:23 PM  
 To: Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK; Holloman FOIA; Marquez, Melanie J SrA USAF ACC 49 CS/SCOK  
 Subject: Re: FOIA Request- 2010-0030/eFOIA 2010-06428-F

> In accordance with the Freedom of Information Act, you must confirm a  
 > willingness to pay or address why you feel a waiver of fees may be  
 > appropriate. You can provide a dollar amount and request if it costs  
 > over that amount that you be contacted.

Dear SSgt Lualhati.

It appears you did not read my fee waiver request, so I am attaching it to this email. See attached file jm\_usaf\_fees.pdf .

To save time you should know:

1. USAF is the only Federal Agency to ever deny my request for a fee waiver.
2. I received a full fee waiver on USAF FOIA Case No. 2010-04191-F. See attached file: f1\_15\_patrick.pdf .
3. My fee waiver request on USAF FOIA Case 2010-5988 & 5989 was initially denied. Then I was informed I would receive the first 100 pages free and would be required to pay \$0.15 per page thereafter but there would be no other fees. See attached file: f2\_06\_langley.pdf

4. I asked for reconsideration based on the following:

- a. I had already been granted a full fee waiver in Case 2010-04191-F.
- b. USAF has been visiting my Web sit for years and obtaining useful information.

See attached files: f2\_07\_langley.pdf and f2\_07a\_langley\_jm\_af1.pdf

My request for reconsideration was denied but the offer to waive search fees and the first 100 pages was repeated. I am considering whether to accept this offer or combine this case with a Complaint I expect to file in U.S. District Court for the District of Nevada regarding a different FOIA request to USAF.

SSgt Lualhati, I would like you to reconsider your denial of my fee waiver, and waive all fees in this case.

Sincerely yours,

Jed Margolin

=====

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

From: "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK"

<[Tameka.Lualhati@holloman.af.mil](mailto:Tameka.Lualhati@holloman.af.mil)>

To: <[jm@jmargolin.com](mailto:jm@jmargolin.com)>

Cc: "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK"

<[Melanie.Marquez@holloman.af.mil](mailto:Melanie.Marquez@holloman.af.mil)>

Sent: Tuesday, August 03, 2010 11:34 AM

Subject: FOIA Request- 2010-0030/eFOIA 2010-06428-F

> Mr. Margolin,

>

> Please see attached acknowledgement of your FOIA request.

>

> In accordance with the Freedom of Information Act, you must confirm a  
> willingness to pay or address why you feel a waiver of fees may be  
> appropriate. You can provide a dollar amount and request if it costs over  
> that amount that you be contacted.

>

>

> Thank you.

>

> V/r

> TAMEKA L. LUALHATI, SSgt, USAF

> Acting Freedom of Information Act (FOIA) Manager

- > 49th Communications Squadron Holloman Air Force Base
- > Tel: 575-572-7248
- >



DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 49TH WING (ACC)  
HOLLOMAN AIR FORCE BASE, NEW MEXICO

August 2, 2010

49 CS/SCOK  
Holloman Freedom of Information Act (FOIA) Office  
1321 Tularosa Road  
Holloman AFB, NM 88330  
[Holloman.FOIA@holloman.af.mil](mailto:Holloman.FOIA@holloman.af.mil)

Jed Margolin  
1981 Empire Rd.  
Reno, NV 89521-7430  
775-847-7845  
[jm@jmargolin.com](mailto:jm@jmargolin.com)

Dear Mr. Margolin,

The Holloman Air Force Base (AFB) FOIA office has received your July 30, 2010 dated Freedom of Information Act request on August 2, 2010, for "all documents relating to the use of Synthetic Vision in operating the MQ-1 and MQ-9 Unmanned Aircraft Systems as well as any other Unmanned Aircraft Systems (UAVs) or Unmanned Combat Aerial Vehicles (UCAVs) flown at or by Holloman AFB."

This letter serves as an official acknowledgement of receipt of your FOIA request on August 2, 2010. The request has been issued an eFOIA Case number of 2010-06428-F and a Holloman FOIA Case number of 2010-0030. In accordance with DoD 5400.7-R, section C1.4.2., *Requesters should also indicate a willingness to pay fees associated with the processing of their request or, in the alternative, why a waiver of fees may be appropriate.* In accordance with the Freedom of Information Act, the requester must confirm a willingness to pay or address why you feel a waiver of fees may be appropriate.

Currently the law allows 20 working days to process a FOIA request, hence the 20 business day timeline outlined in 5 U.S.C. § 552 and under DoD 5400.7-R. If you have any questions concerning this matter, you may contact the FOIA office at (575) 572-7247, write us at the above referenced address, or you may email us at [Holloman.FOIA@holloman.af.mil](mailto:Holloman.FOIA@holloman.af.mil). Please reference HAFB FOIA Case # 2010-0030 and FOIA Express # 2010-06428-F when making inquiries.

  
TAMEKA L. LUALHATI, SSgt, USAF  
Holloman AFB FOIA/PA Manager

FOIA Express 2010-06428-F  
HAFB FOIA 2010-0030

Jed Margolin  
Phone: 775-847-7845

1981 Empire Rd.  
Email: [jm@jmargolin.com](mailto:jm@jmargolin.com)

Reno, NV 89521-7430  
July 30, 2010

## **Freedom of Information Act Fee Waiver Request - Journalist Exemption**

I claim the journalist exemption.

I have Web sites where I write about issues of general interest as well as issues of more specific interest.

Here are some examples.

**1.** I wrote about my experiences at O'Connor Hospital in San Jose, California because, as is fairly standard hospital practice, they proposed to charge me more than twice the amount they charge insurance companies for the same services. I also investigated their activities and discovered they were violating the terms of their 501(c)(3) tax-exempt status.

As a result of my article, the California Statewide Communities Development Authority (CSCDA) stopped issuing them tax-free bonds until they re-qualified for them.

Not long afterwards, the Daughters of Charity (owners of O'Connor Hospital) came out with a new policy where they promised to charge people without medical insurance the rates equal to what Managed Care would pay.

See: <http://www.jmargolin.com/med/charges1.htm> and <http://www.jmargolin.com/med/charges2.htm>

**2.** My mailing address has a zip code in Washoe County even though I live in Storey County. I wanted to know if the Census Bureau was going to count me for the county where I actually live because if they counted me for the wrong county then my county would lose money and representation.

I investigated and found the answer. It wasn't easy because many people at the Census Bureau didn't know the answer.

See: <http://www.jmargolin.com/vch/census.htm>

There are other people in a similar situation. Now they can know the answer, too.

**3.** When a Developer came into Storey County (population ~4,600) and wanted to build a Master Planned Community for 50,000 people many of us were concerned because, among other things, the Developer refused to say where he was planning to get the water for his community. (Water is always an issue in the West.)

When I learned that the Storey County Web site was not set up to archive and index the large number of documents involved in the issue I set up a Web site on my own: <http://www.cordevistahoa.org>

I also did some independent investigation.

The Storey County Planning Commission denied the Developer's Application for a change to the County's Master Plan and for a change in zoning, and the Storey County Commissioners accepted the recommendation of the Planning Commission in denying the Developer's applications.

I was publicly thanked by the Planning Commission for setting up the Web site.

This is more than a purely local issue.

The Developer sued the County. The case was heard by Retired Nevada Supreme Court Chief Justice Miriam Shearing. In her decision in favor of the County she said:

This court must give deference to the legislative determination of the Storey County Commission that it did not wish to amend its Master Plan. Although the Nevada Supreme Court has not dealt directly with the standard of review of a county decision not to amend a master plan, it is clear that the court must be highly deferential to the enacting body. As the Nevada Supreme Court said in *Coronet Homes, Inc. v. McKenzie*, 84 Nev. 250, 255-56, 439 P.2d 219, 223 (1968), in the context of a land use request:

The days are fast disappearing when the judiciary can look at a zoning ordinance and, with nearly as much confidence as a professional zoning expert, decide upon the merits of a zoning plan and its contribution to the health, safety, morals or general welfare of the community. Courts are becoming increasingly aware that they are neither super boards of adjustment nor planning commissions of last resort.

Nevada law, thus, is consistent with the law of Minnesota as articulated in *Concept Properties, LLP v. City of Minnetrista*, 694 N.W. 2d 804, 814 (Minn. App. 2005). A municipal body acts in a legislative capacity when it adopts or amends a comprehensive land-use plan. *Id.* Municipal bodies have broad discretion in making zoning and land-use decisions. *Id.* Courts will reverse zoning decisions only where there are no grounds for reasonable debate and where the action of the municipal body is arbitrary, capricious, discriminatory, or illegal. *Id.* The evidence presented by Virginia Highlands was not sufficient to support the view that any of these defects apply to the Storey County refusal to amend its Master Plan.

Thus, she clearly articulated the apparently novel ideas that:

1. Courts are not a Super-Planning Commission.
2. Counties have the right to determine their own destiny.

It should be noted that the Developer chose a name for his company (Virginia Highlands LLC) that is remarkably similar to my community's name (Virginia City Highlands), which did not endear him to us.

**4.** A huge Japanese conglomerate using a Reno company as its local face proposed to put up 70 huge wind turbines on land managed by the Bureau of Land Management (BLM). Some of the wind turbines would have been less than a mile from historic Virginia City. Some of them would have been less than a mile from my community (which they left off their map.)

I set up a Web site (<http://www.storeycountywindfarms.org>), obtained documents from BLM including the Application and public comments (most of which were opposed to the project), and the project is now moribund.

**5.** I blogged my experiences with the U.S. Patent and Trademark Office, and then the Court of Appeals For the Federal Circuit, so people could see how their Government works.

See: **Patent Office Story - How the U.S. Patent Office Jumped the Shark**  
<http://www.jmargolin.com/dcs/dcsfile.htm>

and **The Story Continues** ([http://www.jmargolin.com/cafc/dcs\\_cafc.htm](http://www.jmargolin.com/cafc/dcs_cafc.htm))

**6.** I am currently blogging my experiences with the National Aeronautics and Space Administration (NASA). I filed suit against NASA in U.S. District Court for the District of Nevada for NASA's refusal to comply with the Freedom of Information Act.

See: **How NASA Treats Independent Inventors** (<http://www.jmargolin.com/nasa/nasa.htm>)

Again, this is to show people how their Government works.

**7.** In *Federal Cure v. Harley G. Lappin*, heard in the District Of Columbia District Court (Case Number 1:2007cv00843), the Court ruled that a fee waiver cannot be denied simply because the Requestor distributes material solely through a website.

**8.** In the interests of full disclosure, I am the named inventor on U.S. Patent 5,566,073 ('073) **Pilot aid using a synthetic environment** and U.S. Patent 5,904,724 ('724) **Method and apparatus for remotely piloting an aircraft**. The '073 patent teaches the use of what is now called *synthetic vision* in manned aircraft. The '724 patent teaches the use of synthetic vision for controlling unmanned aerial vehicles (UAVs).

In June 2003 I filed an administrative claim for patent infringement with the NASA Headquarters Office of General Counsel for NASA's use of synthetic vision in their X-38 project. (It was NASA's idea for me to file the claim.) NASA's criminal misconduct in handling my claim was revealed as a result of the 4,000 or so pages of documents NASA has produced as a result of my FOIA lawsuit against them.

I no longer own the Patents. When I assigned the Patents to Optima Technology Group the claim went with them.

Although I have a financial interest in the Patents in the form of royalties I do not control them. The odds that I will make money from the Patents as a result of my FOIA requests are small.

My FOIA requests are not about money.

They are about fairness and honesty and how Government works.

For example, an article was published in the December 2008 issue AUVSI's *Unmanned Systems Magazine* titled **Synthetic Vision Technology for Unmanned Systems: Looking Back and Looking Forward**. The authors are Jeff Fox, Michael Abernathy, Mark Draper and Gloria Calhoun.

Jeff Fox is with NASA, Michael Abernathy is with Rapid Imaging Software, Mark Draper and Gloria Calhoun are with AFRL The article presents a spurious history of synthetic vision. It asserts (wrongly) that NASA invented it. The article is malicious.

I responded with the article **Synthetic Vision – The Real Story**.  
(See [www.jmargolin.com/svr/auvsi\\_response\\_index.htm](http://www.jmargolin.com/svr/auvsi_response_index.htm))

Although the editor of AUVSI Magazine had promised me the opportunity to respond in the magazine, he later refused to even mention the controversy about the Abernathy article.

I say the “Abernathy article” because Jeff Fox’s inclusion as an author was a late addition; his name was not included on the preview copy Abernathy gave NASA. There is no evidence that Fox contributed in a material way to the article. His name was added to give the article credibility.

Mark Draper and Gloria Calhoun are both USAF employees at AFRL and are listed as such in the article. By allowing their affiliation to be used, USAF gave its approval to the article.

The information I am requesting in my FOIA request is likely to significantly contribute to public understanding of the operations of USAF because the American People deserve to know if USAF is run by a bunch of crooks.

**9.** I am currently blogging my experiences with my first two Freedom of Information Act Requests with USAF so people can see how USAF works.

See: **How the United States Air Force Plays the Shell Game with the Freedom of Information Act and How They Treat Independent Inventors** ([http://www.jmargolin.com/usaf/usaf\\_web.htm](http://www.jmargolin.com/usaf/usaf_web.htm))

Both of these will probably end up in U.S. District Court for the District of Nevada, one of them because of USAF’s refusal to grant me the Journalist’s Exemption.

Sincerely yours,

/Jed Margolin/

.end

**Jed Margolin**

---

**From:** "Valliere, Shelly L Civ USAF AFSPC 45 SCS/SCX" <Shelly.Valliere@patrick.af.mil>  
**To:** <jm@jmargolin.com>  
**Sent:** Wednesday, April 28, 2010 4:28 AM  
**Attach:** Ack Ltr.doc  
**Subject:** FOIA Request - Case No. 2010-04191-F

Dear Mr. Margolin,

This memo is acknowledgement of receipt of your FOIA request (see attached memo).

Your request was received on 27 Apr 10. Your case has been assigned No 2010-04191-F. We will respond to your request by 24 May 10. Your fee waiver has been granted.

If you have any questions concerning your request, you may contact me at (321)494-2341. Please reference your assigned case number when making inquiries.

v/r

Shelly Valliere  
Wing FOIA/PA Manager  
45 SCS/SCX  
(321)494-2341

**Jed Margolin**

---

**From:** "ACC FOIA" <acc.foia@langley.af.mil>  
**To:** "Jed Margolin" <jm@jmargolin.com>  
**Cc:** "Cunningham, Susan A Civ USAF ACC 99 CS/SCOKR" <Susan.Cunningham@nellis.af.mil>;  
"Gonzalez, Alexis R SrA USAF ACC 9 CS/SCOK" <alexis.gonzalez@beale.af.mil>  
**Sent:** Monday, August 02, 2010 4:36 AM  
**Subject:** RE: FOIA Case 2010-5988 & 5989 Fee Waiver  
Mr. Margolin,

Since you were previously granted news media status, we will grant your request. You will however be billed 15 cents per page for pages in excess of 100.

Linda

///Signed-lb///  
LINDA BROWN  
Freedom of Information Act Manager  
Directorate of Communications  
DSN: 574-2265  
COMM: (757) 764-2265  
FAX: (757) 764-0706

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

From: Jed Margolin [mailto:jm@jmargolin.com]  
Sent: Monday, July 26, 2010 11:14 PM  
To: Kennerly, Chris TSgt MIL USAF HAF/IMIO  
Cc: Bethea, Rand Civ USAF ACC HQ ACC/A6CK; [david.hunninghake@langley.af.mil](mailto:david.hunninghake@langley.af.mil)  
Subject: Re: FOIA Case 2010-5988 & 5989 Fee Waiver

Dear TSgt Kennerly,

As you may know I filed a second FOIA Request on July 18. See attached file  
[jm\\_foia2\\_1.pdf](#)

I received a response today via email from Colonel David Hunninghake denying my request for the journalist exemption. See attached file [jm\\_foia2\\_2.pdf](#) .

Since I was given the journalist exemption in my first FOIA Request by several USAF Locations and by several other Federal Agencies in my FOIA Requests to them, I consider this an overtly hostile action by USAF.

Please ask Colonel Hunninghake to change his mind.

Sincerely yours,

Jed Margolin  
[www.jmargolin.com](http://www.jmargolin.com)

=====

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

From: Bethea, Rand Civ USAF ACC HQ ACC/A6CK <<mailto:Rand.Bethea@langley.af.mil>>

To: '[jm@jmargolin.com](mailto:jm@jmargolin.com)'

Sent: Monday, July 26, 2010 12:29 PM

Subject: FOIA Case 2010-5988 & 5989 Fee Waiver

Please find our response to your fee waiver for FOIA case 2010-5988 and 5989.

RAND BETHEA

Freedom of Information Act

Privacy Act Action Officer

Directorate of Communications

DSN 574-2261 (757) 764-2261

**Jed Margolin**

**From:** "Jed Margolin" <jm@jmargin.com>  
**To:** "ACC FOIA" <acc.foia@langley.af.mil>  
**Cc:** "Cunningham, Susan A Civ USAF ACC 99 CS/SCOKR" <Susan.Cunningham@nellis.af.mil>; "Gonzalez, Alexis R Sra USAF ACC 9 CS/SCOK" <alexis.gonzalez@beale.af.mil>; <chris.kennerly@pentagon.af.mil>  
**Sent:** Tuesday, August 03, 2010 1:40 AM  
**Attach:** jm\_af1.txt  
**Subject:** Re: FOIA Case 2010-5988 & 5989 Fee Waiver

> **Mr. Margolin,**

>  
 > **Since you were previously granted news media status, we will grant your request.**  
 > **You will however be billed 15 cents per page for pages in excess of 100.**

Dear Ms. Brown.

I am inclined to accept your offer.

However, over the years USAF has visited my Web site so many times that I feel you should sweeten your offer just a bit.

Please see attached file *jm\_af1.txt* for **af.mil** visits to my Web site.

Many of USAF's visits are related to the field of synthetic vision or are useful in implementing synthetic vision.

I will list some of the most popular ones. The accesses are only exemplars.

**uvmath.htm - Unit Vector Math for 3D Graphics**

```
ext-enterprise.edwards.af.mil - - [21/Jan/2003:19:20:16 -0500]
"GET /uvmath/uvmath.htm HTTP/1.0" 200 40231 "http://www.google.com/search?
hl=en&lr=&ie=UTF-8&oe=UTF-8&q=3d+vector+math&btnG=Google+Search" "Mozilla/4.0
(compatible; MSIE 6.0; Windows NT 5.0)"
-----
```

**euler.doc - The Relationship between Unit Vector Rotations and Euler Angle Functions**

```
px1o.wpafb.af.mil - - [24/Feb/2003:08:43:51 -0500] "GET /uvmath/euler.doc
HTTP/1.0" 200 120832 "http://www.google.com/search?hl=en&ie=UTF-8&oe=UTF-8&q=%
22Euler+Angle%22&btnG=Google+Search" "Mozilla/4.0 (compatible; MSIE 6.0;
Windows NT 5.0; Q312461)"
-----
```

**This is my patent for Method and apparatus for remotely piloting an aircraft (5,904,724)**

```
joshua-ext.edwards.af.mil - - [22/Feb/2005:17:31:02 -0500]
"GET /patents2/5904724.htm HTTP/1.1" 200 50772 "http://www.google.com/search?
hl=en&lr=&q=F-16+radar+scan+pattern%2C+diagram" "Mozilla/4.0 (compatible; MSIE
6.0; Windows NT 5.1; .NET CLR 1.0.3705)"
-----
```

**Provisional Application for a Patent - System and Method For Safely Flying UAVs in Civilian Airspace.**

```
dhcp-235-120.hq.af.mil - - [25/Jul/2005:10:48:33 -0400] "GET /todo/uavs.htm
HTTP/1.1" 200 16193 "http://www.google.com/search?
hl=en&q=uav+in+civil+airspace&btnG=Google+Search" "Mozilla/4.0 (compatible;
MSIE 6.0; Windows NT 5.1)"
-----
```

**AFRL looked at it in 2006.**

```
cacheflow2.afrl.kirtland.af.mil - - [18/Jun/2006:01:01:44 -0400]
"GET /todo/uavs.htm HTTP/1.1" 200 16193 "-" "Goldfire Server"
-----
```

**So did AFOTEC.**

```
stpeter.afotec.af.mil - - [11/Oct/2006:11:51:34 -0400] "GET /todo/uavs.htm
HTTP/1.1" 200 16193 "http://search.yahoo.com/search?
p=uavs+in+manned+airspace&fr=yfp-t-500&toggle=1&cop=mss&ie=UTF-8" "Mozilla/4.0
(compatible; MSIE 6.0; Windows NT 5.1; SV1; .NET CLR 1.1.4322; InfoPath.1;
.NET CLR 2.0.50727)"
-----
```

**Beale didn't find it until February 2009.**

```
bab-cits-pr02.beale.af.mil 132.56.180.7 - - [18/Feb/2009:10:43:16 -0500]
"GET /todo/uavs.htm HTTP/1.1" 200 16193 www.jmargin.com
"http://www.google.com/search?hl=en&q=flying+a+uav&aq=f&oq=" "Mozilla/4.0
(compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322; .NET CLR 2.0.50727;
InfoPath.2; MS-RTC LM 8; .NET CLR 3.0.04506.648; .NET CLR 3.5.21022)" "-"
-----
```

**Here it is as a published patent application:**

```
px21o.wpafb.af.mil - - [24/Mar/2008:14:56:39 -0400]
"GET /uavs/pg3604_files/AppFThdr.gif HTTP/1.1" 200 3872 "-" "Mozilla/4.0
-----
```

(compatible;)"

Now you know where WPAT gets their best ideas.

And Nellis, too.

```
lsv-cits-pr01.nellis.af.mil - - [24/Mar/2008:15:12:34 -0400] "GET /tomcat/tomcat.htm HTTP/1.1" 200 10367 "http://images.google.com/imgres?imgurl=http://www.jmargolin.com/tomcat/Tcw10.jpg&imgrefurl=http://www.jmargolin.com/tomcat/tomcat.htm&h=373&w=493&sz=12&hl=en&start=68&sig2=3Fq%3Drunway%2Blights%26start%3D54%26imgsz%3Dsmall%257Cmedium%257Clarge%257Cxlarge%26gbv%3D2%26ndsp%3D18%26hl%3Den%26sa%3DN" "Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322; .NET CLR 2.0.50727; InfoPath.2)"
```

And here, WPAT learned about Digital Terrain Elevation Databases.

```
px5o.wpafb.af.mil 198.97.67.58 - - [13/May/2009:13:03:00 -0400] "GET /patents2/pilotrefs/PolygonDatabases2.pdf HTTP/1.1" 200 271555 www.jmargolin.com "http://www.google.com/search?q=DTED+Reading&hl=en&rls=com.microsoft:en-US&start=20&sa=N" "Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322; .NET CLR 2.0.50727; InfoPath.2)" "-"
```

-----  
This is an index to my answer to Abernathy's (AFRL's) spurious history of synthetic vision.

```
hol-cits-pr02.holloman.af.mil 132.5.72.10 - - [21/Apr/2009:15:00:38 -0400] "GET /svr/auvsi_response_index.htm HTTP/1.1" 200 2673 www.jmargolin.com "http://www.jmargolin.com/" "Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322; .NET CLR 2.0.50727; InfoPath.2; MS-RTC LM 8; .NET CLR 3.0.04506.648; .NET CLR 3.5.21022)" "-"
```

-----  
Please tell the guys and gals at WPAT, Beale, and Nellis that this is the one they should read: United States Provisional Application for a Patent **System and Method For Sensing Aircraft and Other Objects** Application Number 61/256,765.

It teaches how to sense other aircraft without being sensed. The USPTO forgot to send it out for a security review.

-----  
In an article I wrote about my experience in a hospital in San Jose I found out what was in the GI Cocktail they gave me. It wasn't what they told me was in it in the ER. There are some conditions for which the GI Cocktail is the worst thing to give someone, like it was for me. I may have saved an airman's life with that information.

```
auab-n.auab.aorcentaf.af.mil - - [08/Apr/2005:01:18:48 -0400] "GET /med/charges1.htm HTTP/1.1" 200 69577 "http://www.google.com/search?q=GI+COCKTAIL&hl=en&lr=&start=10&sa=N" "Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.0)"
```

-----  
Many accesses were for the design of random scan video displays that I worked on at Atari. The articles have been very popular with Defense Contractors, Government Labs, and Military Commands such as USAF. I didn't think they were interested in old video game technology. I realized that my articles taught how to precisely control magnetic fields, and one of the uses for precisely controlling magnetic fields is for Free Electron Lasers (FELs). (If you are interested in an improved Wiggler for FELs let me know. It's simpler, cheaper, and more rugged than the Wiggles currently being used.)

```
lenora.ocp.rl.af.mil - - [06/Jun/2003:10:42:47 -0400] "GET /xy/xymons.htm HTTP/1.1" 200 1669 "http://www.jmargolin.com/" "Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1)"
```

```
wpl.mountainhome.af.mil - - [27/Jun/2005:11:06:24 -0400] "GET /vgens/vgens.htm HTTP/1.1" 200 137466 "http://members.tripod.com/kmi9000/kmi_multim.htm" "Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1)"
```

-----  
The above are a very small sample of USAF's visits.

Ms. Brown, in view of my service to USAF over the years I think you should waive the per-page fee entirely.

At the very least, you should give me the first 4,000 pages for free.

If there are more than 4,000 pages, tell me how many, and then we can talk about money.

Sincerely yours,

Jed Margolin

P.S. - I seem to have some fans at Vandenberg. However, lately they have been using afnoc as a proxy server. One of the reasons for using a proxy server is to hide your location. Tell them that it didn't work. (They probably didn't want me to know that they had Googled me.)

```
vandenberg-pxyw1.afnoc.af.mil 132.3.61.68 - - [20/Jul/2010:07:24:04 -0700] "GET / HTTP/1.1" 200 18010 "http://www.google.com/search?hl=en&source=hp&q=jed+margolin&aq=f&aql=g1&aql=&oq=&gs_rfai=CxABki7FFTLqCov8jQPCjsj3DQAAAKoEBU_Q0Dpm" "Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 6.0; SLCC1; .NET CLR 2.0.50727; .NET CLR 3.0.30618; .NET CLR 3.5.30729; InfoPath.2)"
```

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

From: "ACC FOIA" <[acc.foia@langley.af.mil](mailto:acc.foia@langley.af.mil)>

To: "Jed Margolin" <[jm@jmargolin.com](mailto:jm@jmargolin.com)>

Cc: "Cunningham, Susan A Civ USAF ACC 99 CS/SCOKR" <[Susan.Cunningham@nellis.af.mil](mailto:Susan.Cunningham@nellis.af.mil)>; "Gonzalez, Alexis R SrA USAF ACC 9 CS/SCOK" <[alexis.gonzalez@beale.af.mil](mailto:alexis.gonzalez@beale.af.mil)>

Sent: Monday, August 02, 2010 4:36 AM

Subject: RE: FOIA Case 2010-5988 & 5989 Fee Waiver

Mr. Margolin,

Since you were previously granted news media status, we will grant your request. You will however be billed 15 cents per page for pages in excess of 100.

Linda

///Signed-lb///  
LINDA BROWN  
Freedom of Information Act Manager  
Directorate of Communications  
DSN: 574-2265  
COMM: (757) 764-2265  
FAX: (757) 764-0706

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

From: Jed Margolin [mailto:jm@jmargolin.com]  
Sent: Monday, July 26, 2010 11:14 PM  
To: Kennerly, Chris TSgt MIL USAF HAF/IMIO  
Cc: Bethea, Rand Civ USAF ACC HQ ACC/A6CK; [david.hunninghake@langlev.af.mil](mailto:david.hunninghake@langlev.af.mil)  
Subject: Re: FOIA Case 2010-5988 & 5989 Fee Waiver

Dear TSgt Kennerly,

As you may know I filed a second FOIA Request on July 18. See attached file jm\_foia2\_1.pdf

I received a response today via email from Colonel David Hunninghake denying my request for the journalist exemption. See attached file jm\_foia2\_2.pdf .

Since I was given the journalist exemption in my first FOIA Request by several USAF Locations and by several other Federal Agencies in my FOIA Requests to them, I consider this an overtly hostile action by USAF.

Please ask Colonel Hunninghake to change his mind.

Sincerely yours,

Jed Margolin  
[www.jmargolin.com](http://www.jmargolin.com)

=====

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

From: Bethea, Rand Civ USAF ACC HQ ACC/A6CK <<mailto:Rand.Bethea@langlev.af.mil>>  
To: 'jm@jmargolin.com'  
Sent: Monday, July 26, 2010 12:29 PM  
Subject: FOIA Case 2010-5988 & 5989 Fee Waiver

Please find our response to your fee waiver for FOIA case 2010-5988 and 5989.

RAND BETHEA

Freedom of Information Act

Privacy Act Action Officer

Directorate of Communications

DSN 574-2261 (757) 764-2261

Email Separator

**Jed Margolin**

---

**From:** "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <Tameka.Lualhati@holloman.af.mil>  
**To:** "Jed Margolin" <jm@jmargolin.com>; "Holloman FOIA" <Holloman.FOIA@holloman.af.mil>;  
 "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK" <Melanie.Marquez@holloman.af.mil>  
**Sent:** Wednesday, August 04, 2010 8:14 AM  
**Subject:** RE: FOIA Request- 2010-0030/eFOIA 2010-06428-F  
 Mr. Margolin,

I was just informed that your fee waiver was reconsidered and you will be granted the first 2 hours and 100 pages free. I do need a willingness from you, to pay any fees, that come after the 100 pages.

V/r  
 TAMEKA L. LUALHATI, SSgt, USAF  
 Acting Freedom of Information Act (FOIA) Manager  
 49th Communications Squadron  
 Holloman Air Force Base  
 Tel: 575-572-7248

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

From: Jed Margolin [mailto:jm@jmargolin.com]  
 Sent: Tuesday, August 03, 2010 2:23 PM  
 To: Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK; Holloman FOIA; Marquez, Melanie J SrA USAF ACC 49 CS/SCOK  
 Subject: Re: FOIA Request- 2010-0030/eFOIA 2010-06428-F

> In accordance with the Freedom of Information Act, you must confirm a  
 > willingness to pay or address why you feel a waiver of fees may be  
 > appropriate. You can provide a dollar amount and request if it costs  
 > over that amount that you be contacted.

Dear SSgt Lualhati.

It appears you did not read my fee waiver request, so I am attaching it to this email. See attached file jm\_usaf\_fees.pdf .

To save time you should know:

1. USAF is the only Federal Agency to ever deny my request for a fee waiver.
2. I received a full fee waiver on USAF FOIA Case No. 2010-04191-F. See attached file: f1\_15\_patrick.pdf .
3. My fee waiver request on USAF FOIA Case 2010-5988 & 5989 was initially denied. Then I was informed I would receive the first 100 pages free and would be required to pay \$0.15 per page thereafter but there would be no other fees. See attached file: f2\_06\_langley.pdf

4. I asked for reconsideration based on the following:

- a. I had already been granted a full fee waiver in Case 2010-04191-F.
- b. USAF has been visiting my Web sit for years and obtaining useful information.

See attached files: f2\_07\_langley.pdf and f2\_07a\_langley\_jm\_af1.pdf

My request for reconsideration was denied but the offer to waive search fees and the first 100 pages was repeated. I am considering whether to accept this offer or combine this case with a Complaint I expect to file in U.S. District Court for the District of Nevada regarding a different FOIA request to USAF.

SSgt Lualhati, I would like you to reconsider your denial of my fee waiver, and waive all fees in this case.

Sincerely yours,

Jed Margolin

=====

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

From: "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK"

<[Tameka.Lualhati@holloman.af.mil](mailto:Tameka.Lualhati@holloman.af.mil)>

To: <[jm@jmargolin.com](mailto:jm@jmargolin.com)>

Cc: "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK"

<[Melanie.Marquez@holloman.af.mil](mailto:Melanie.Marquez@holloman.af.mil)>

Sent: Tuesday, August 03, 2010 11:34 AM

Subject: FOIA Request- 2010-0030/eFOIA 2010-06428-F

> Mr. Margolin,

>

> Please see attached acknowledgement of your FOIA request.

>

> In accordance with the Freedom of Information Act, you must confirm a

> willingness to pay or address why you feel a waiver of fees may be

> appropriate. You can provide a dollar amount and request if it costs over

> that amount that you be contacted.

>

>

> Thank you.

>

> V/r

> TAMEKA L. LUALHATI, SSgt, USAF

- > Acting Freedom of Information Act (FOIA) Manager
- > 49th Communications Squadron Holloman Air Force Base
- > Tel: 575-572-7248
- >

Email Separator

**Jed Margolin**

---

**From:** "Jed Margolin" <jm@jmargolin.com>  
**To:** "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <Tameka.Lualhati@holloman.af.mil>; "Holloman FOIA" <Holloman.FOIA@holloman.af.mil>  
**Cc:** "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK" <Melanie.Marquez@holloman.af.mil>  
**Sent:** Saturday, August 07, 2010 7:38 PM  
**Subject:** Re: FOIA Request- 2010-0030/eFOIA 2010-06428-F  
 SSgt Tameka,

I'm sorry, but you have not stated the search fee rate or the total expected amount of search fees. I also don't know how efficiently your department works.

I am not giving USAF a blank check.

Your request for search fees is denied.

Since you have denied my Appeal of your denial of my request for a fee waiver please do the following:

1. Confirm that I have exhausted all the administrative remedies that USAF has to offer.
2. Confirm that the address at which USAF accepts legal service is:

Air Force/JACL  
 1501 Wilson Blvd.  
 Arlington, VA 22209-2403

If you fail to either confirm this address or supply another one, this is the address I will use for serving USAF when I file suit in U.S. District Court for the District of Nevada.

If, later on, USAF asserts that I served the wrong address I will inform the Court of your refusal to provide, or even confirm, the correct address and ask that USAF be sanctioned.

Sincerely yours,

Jed Margolin

=====

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

**From:** "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK" <[Tameka.Lualhati@holloman.af.mil](mailto:Tameka.Lualhati@holloman.af.mil)>  
**To:** "Jed Margolin" <[jm@jmargolin.com](mailto:jm@jmargolin.com)>; "Holloman FOIA" <[Holloman.FOIA@holloman.af.mil](mailto:Holloman.FOIA@holloman.af.mil)>; "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK" <[Melanie.Marquez@holloman.af.mil](mailto:Melanie.Marquez@holloman.af.mil)>  
**Sent:** Wednesday, August 04, 2010 8:14 AM  
**Subject:** RE: FOIA Request- 2010-0030/eFOIA 2010-06428-F

> Mr. Margolin,  
 >

> I was just informed that your fee waiver was reconsidered and you will be  
> granted the first 2 hours and 100 pages free. I do need a willingness from  
> you, to pay any fees, that come after the 100 pages.  
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> V/r  
> TAMEKA L. LUALHATI, SSgt, USAF  
> Acting Freedom of Information Act (FOIA) Manager  
> 49th Communications Squadron  
> Holloman Air Force Base  
> Tel: 575-572-7248  
>  
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> -----Original Message-----  
> From: Jed Margolin [mailto:jm@jmargolin.com]  
> Sent: Tuesday, August 03, 2010 2:23 PM  
> To: Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK; Holloman FOIA; Marquez,  
> Melanie J SrA USAF ACC 49 CS/SCOK  
> Subject: Re: FOIA Request- 2010-0030/eFOIA 2010-06428-F  
>  
>> In accordance with the Freedom of Information Act, you must confirm a  
>> willingness to pay or address why you feel a waiver of fees may be  
>> appropriate. You can provide a dollar amount and request if it costs  
>> over that amount that you be contacted.  
>  
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> Dear SSgt Lualhati.  
>  
> It appears you did not read my fee waiver request, so I am attaching it to  
> this email. See attached file jm\_usaf\_fees.pdf .  
>  
> To save time you should know:  
>  
> 1. USAF is the only Federal Agency to ever deny my request for a fee  
> waiver.  
>  
> 2. I received a full fee waiver on USAF FOIA Case No. 2010-04191-F. See  
> attached file: f1\_15\_patrick.pdf .  
>  
> 3. My fee waiver request on USAF FOIA Case 2010-5988 & 5989 was initially  
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>  
> 4. I asked for reconsideration based on the following:  
>  
> a. I had already been granted a full fee waiver in Case  
> 2010-04191-F.  
> b. USAF has been visiting my Web sit for years and obtaining useful  
> information.  
>  
> See attached files: f2\_07\_langley.pdf and f2\_07a\_langley\_jm\_af1.pdf

>  
> My request for reconsideration was denied but the offer to waive search fees  
> and the first 100 pages was repeated. I am considering whether to accept  
> this offer or combine this case with a Complaint I expect to file in U.S.  
> District Court for the District of Nevada regarding a different FOIA request  
> to USAF.

>  
>  
> SSgt Lualhati, I would like you to reconsider your denial of my fee waiver,  
> and waive all fees in this case.

>  
>  
> Sincerely yours,

>  
>  
> Jed Margolin

>  
> =====  
> ----- Original Message -----  
> From: "Lualhati, Tameka L SSgt USAF ACC 49 CS/SCOK"  
> <[Tameka.Lualhati@holloman.af.mil](mailto:Tameka.Lualhati@holloman.af.mil)>  
> To: <[jm@jmargolin.com](mailto:jm@jmargolin.com)>  
> Cc: "Marquez, Melanie J SrA USAF ACC 49 CS/SCOK"  
> <[Melanie.Marquez@holloman.af.mil](mailto:Melanie.Marquez@holloman.af.mil)>  
> Sent: Tuesday, August 03, 2010 11:34 AM  
> Subject: FOIA Request- 2010-0030/eFOIA 2010-06428-F

>  
>  
>> Mr. Margolin,  
>>  
>> Please see attached acknowledgement of your FOIA request.  
>>  
>> In accordance with the Freedom of Information Act, you must confirm a  
>> willingness to pay or address why you feel a waiver of fees may be  
>> appropriate. You can provide a dollar amount and request if it costs over  
>> that amount that you be contacted.

>>  
>>  
>> Thank you.

>>  
>> V/r  
>> TAMEKA L. LUALHATI, SSgt, USAF  
>> Acting Freedom of Information Act (FOIA) Manager  
>> 49th Communications Squadron Holloman Air Force Base  
>> Tel: 575-572-7248

>>  
>  
>

Email Separator



## DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 49TH FIGHTER WING (ACC)  
HOLLOMAN AIR FORCE BASE, NEW MEXICO

12 Aug 2010

49 CS/SCOK (FOIA)  
1321 Tularosa Road, Bldg 839  
Holloman AFB, NM 88330  
[Holloman.FOIA@holloman.af.mil](mailto:Holloman.FOIA@holloman.af.mil)

Jed Margolin  
1981 Empire Rd.  
Reno, NV 89521-7430  
775-847-7845  
[jm@jmmargolin.com](mailto:jm@jmmargolin.com)

Dear Mr. Margolin,

This is in response to your 30 July 2010 Freedom of Information Act (FOIA) request, Case Number 2010-0030, FOIAexpress Case # 2010-06428-F, which was for "all documents relating to the use of Synthetic Vision in operating the MQ-1 and MQ-9 Unmanned Aircraft Systems as well as any other Unmanned Aircraft Systems (UAVs) or Unmanned Combat Aerial Vehicles (UCAVs) flown at or by Holloman AFB."

A thorough search was accomplished and it was determined there are no records that refer to a reliability study conducted recommending multiple changes to UAVs including the use of synthetic vision technology. This recommendation has not been implemented on MQ-1 nor MQ-9 aircraft flown by the 49<sup>th</sup> Operations group, nor are they aware of any plan or funding to provide for that capability for any MQ-1 or MQ-9 aircraft in the USAF inventory.

This case has been reviewed and no records related to the request exist at Holloman AFB. If you interpret this "no records" response as an adverse action, you may appeal our decision in writing to the Secretary of the Air Force within 60 days from the date of this letter. If no appeal is received, or if the appeal is postmarked after the conclusion of this 60-day period, the appeal may be considered closed. Include your reasons for reconsideration along with a copy of this letter. Mail to:

Secretary of the Air Force  
Thru: HQ ACC/A6XP (FOIA)  
180 Benedict Avenue, Suite 210  
Langley AFB, VA 23665-1993

*Global Power for America*

Department of Defense Regulation 5400.7 indicates fees be assessed for processing this request; however, the fees are waived in this instance.



MELANIE J. MARQUEZ, SrA, USAF  
Holloman AFB FOIA Program Manager

FOIA Case 2010-0030

FOIAexpress Case # 2010-06428-F