

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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THE NATIONAL SECURITY)
ARCHIVE FUND, INC.¹)
)
Plaintiff,)
)
v.)
	Civil Action No. 05-00571 (RMC))
)
THE UNITED STATES DEPARTMENT)
OF THE AIR FORCE)
)
Defendant.)
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ORDER

For the reasons stated in the Memorandum Opinion in this matter issued contemporaneously herewith, it is:

ORDERED that Plaintiff’s Motion for Partial Judgment on the Pleadings is treated as a Motion for Partial Summary Judgment and is **GRANTED**; and it is

ORDERED that Defendant is declared to have violated the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, with respect to Plaintiff’s FOIA Requests 1, 6, 7, 13, 14, 15, 16, 20, 22, 23, 24, 25, 27, 29, 30, 32, 36, 37, 38, 40, 41, 45, 46, 50, 53, 54, 55, 63, 67, 70, 72, 73, 74, 77, 78, and 81; and it is

ORDERED that Defendant is declared to have violated the FOIA with respect to the appeals concerning Plaintiff’s FOIA Requests 38, 44, 48, 58, 60, 61, 63, 64, and 69; and it is

¹Plaintiff’s Motion for Partial Judgment on the Pleadings indicates that its true name is The National Security Archive, Inc., not The National Security Archive Fund, Inc. as set forth in the caption.

ORDERED that Defendant is declared to have engaged in a pattern or practice of violating the FOIA with regard to Plaintiff's FOIA requests and appeals; and it is

ORDERED that Defendant provide Plaintiff, to the extent practicable and on or before **May 22, 2006**, the following information:

(a) The approximate number of pages responsive to each of the following outstanding Requests: 1, 6, 7, 13, 14, 15, 16, 20, 22, 23, 24, 25, 27, 29, 30, 32, 36, 37, 38, 40, 41, 45, 46, 50, 53, 54, 55, 63, 70, 72, 73, 74, 77, 78, and 81;

(b) The number of pending FOIA requests that are ahead of each and every one of the FOIA Requests identified in paragraph (a), *supra*;

(c) The approximate rate of processing FOIA requests at each subcomponent that is currently responsible for any of the FOIA Requests identified in paragraph (a), *supra*;

(d) the number of FOIA appeals ahead of each and every one of Plaintiff's appeals with respect to its Requests 38, 44, 48, 58, 60, 61, 63, 64, and 69; and

(e) the approximate rate of processing FOIA appeals; and it is

ORDERED that Defendant issue determinations for Requests 54, 74, and 77 on or before **May 12, 2006**; and it is

ORDERED that Defendant issue determinations within twenty days after receiving recommendations from all sister agencies for Requests 1, 24, 37, 72, 73, and 78; and it is

ORDERED that Defendant shall resolve each and every one of Plaintiff's Requests covered by this Order with immediacy of attention and result; and it is

ORDERED that Defendant shall notify all agencies to which it has or will refer any of Plaintiff's Requests covered by this Order that Defendant is operating under Court Order to resolve

