

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

-----X  
)  
Christopher-Earl: Strunk © in esse, )  
593 Vanderbilt Ave. - 281 Brooklyn N.Y.11238 )  
Telephone (845) 901-6767 )  
Plaintiff, )  
)  
v. ) Civil Action No.: 08-2234 (RJL)  
)  
U.S. DEPARTMENT OF STATE et al. )  
)  
Defendants. )  
)  
-----X

**PLAINTIFF DECLARATION IN OPPOSITION TO DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT TO DISMISS**

I, Christopher-Earl: Strunk © in esse, declare under penalty of perjury,  
pursuant to 28 U.S.C. §1746:

1. Declarant / Plaintiff declares opposition to Defendant's Notice of Motion and Memorandum in Support of Defendants' Motion for Summary Judgment to Dismiss by Assistant U.S. Attorney Brigham J. Bowen (Counsel) with Department of State supporting declarations of Alex Galovich Acting Director of the Office of Information and Programs and Services of the United States Department of State (DOS) and Dorothy Pullo Director of the Freedom of Information Division, Office of international Trade, U.S. Customs and Border Protection (CBP) dated July 29, 2010.

2. Plaintiff opposes Defendants' Motion for Summary Judgment on the grounds that Defendants' agents:
- a. have not made a good faith effort to search for and disclose records within the purview of their fiduciary responsibility and duty to safeguard and disclose under 5 USC §552 and related law;
  - b. have spoliated records associated with the commission of high crimes and misdemeanors perpetrated by John O. Brennan, Barack Hussein Obama (a.k.a. Soebarkah "Barry" Soetoro), Michelle Obama, Eric Holder, Sovereign Military Order of Malta members Hillary Clinton, Robert Mueller, Janet Napolitano, Leon Panetta, Zbigniew Brzezinski and others as yet named in violation of the U.S. Constitution, National Security Act of 1947 and related law including the Foreign Affairs and other laws too numerous to list herein for the purposes of this declaration;
  - c. have spoliated records associated with the egregious violation of Article 2 Section 1 Clause 5 in regard to a cover-up involving Soebarkah "Barry" Soetoro and Barack Hussein Obama (BHO);
  - d. that by spoliation and concealment have maliciously aided and abetted BHO to conceal Soebarkah Soetoro's acts of treason <sup>(1)</sup> having taken the

---

<sup>1</sup> ACTS OF TREASON, inter alia, by Aiding and Abetting: (a) nations, organizations, entities and persons who support and promote terrorism and the overthrow of the USA;

oath of office to uphold the U.S. Constitution and protect the united States of America and the People against all enemies foreign or domestic his real name is (plaintiff does not know) and who at birth has a multiple allegiances simultaneously to Great Britain and Kenya through his natural father, notwithstanding where Soebarkah Soetoro may have been born is immaterial in the matter of multiple allegiances under the requirement of the U.S. Constitution Article 2 Section 1 Clause 5, and that based upon the facts associated with the documents released to date Soebarkah Soetoro is an Indonesian Citizen from six years of age till the present by the BHO adoption by Lolo S. Soetoro Mangunharjo, an Indonesian colonel in General Suharto's Armed Forces;

e. that by spoliation intended to conceal that Soebarkah Soetoro never renounced the allegiance to Great Britain, Kenya and Indonesia, with citizenship there that when he attained majority he failed to take an oath

---

(b) willful failure to protect the USA borders for the purpose of unjust enrichment in commission of crimes by enemies of the People of the USA; (c) the Chinese Red Army in acquisition of preferred stockownership in British Petroleum control of Alaska Petroleum Production; (d) destruction of the California San Joaquin Valley Agricultural sector by maliciously withholding water with intent of Chinese Red Army ownership and control over food production to starve of the People of California and the USA; (e) creation of a private army dedicated only to his service without allegiance to the US Constitution; (f) Personal enrichment since 2005 in direct ownership in the pharmaceutical company that as a US Senator he advanced legislation for to produce a deadly virus and antidote; (g) as a US Senator supported and promoted the Election of Odinga whose acts of genocide were carried out against Christians in Africa by Muslims; (h) the Chinese Red Army partnership in the Lippo Group of Indonesia, James Riady and others in the usurpation of strategic minerals vital to the National Security of the People of the USA; (i) violation of the Logan Act and related Foreign Affairs Laws.

of allegiance to the USA and renounce all other allegiances, and that even upon his marriage to natural Born Citizen Michelle Robinson failed to take an oath of naturalization required under the Immigration and Naturalization Act and related law (INA), BHO falsified his application for admission to the Illinois Bar, and when he affirmed his oath(s) as a Senator for the Illinois State Senate, U.S. Senate from Illinois, and POTUS challenged by Declarant, who duly fired him on January 23, 2009 in the matter of BHO multi-allegiances.

- f. have aided and abetted a conspiracy to deny Plaintiff substantive due process and equal treatment with 5 USC §552 along with those similarly situated to maintain a republican form of government and thereby violate Plaintiff's 1<sup>st</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> Amendment right to protection associated with life, liberty, the pursuit of happiness associated to the right to own property including but not limited to the right to contract and expectation of honest services associated with the oath of office of each member of the Executive Branch including Defendants' Counsel;

3. That Plaintiff has employed the expert services of the retired Senior Border Patrol Agent of the Immigration & Naturalization Service, U.S. Department of Justice. Philip Hans Jacobsen. who also served as the leader of the Association of Border Patrol Agents, to make an affidavit in

regard to his applied experience and similar application for passport documents filed before 1968 along with his analysis supporting Plaintiff's above summarized contention of Defendants' bad faith herein, see Exhibit 1 with Sub-exhibits A through F annexed thereto (the Jacobsen Affidavit).

4. In the Jacobsen Affidavit the set of circumstances in his own FOIA of his own mother that coincide with passport and related documents are dated from May 26, 1953 through October 28, 1985 that generally coincide with the same time frame of Plaintiffs FOIA requested of Stanley Ann Dunham with Barack Hussein Obama also named on those documents too.

5. The DOS / CBP response to Mr. Jacobsen is dated January 25, 2010 by Marionette Pleasant Team Leader, Law Enforcement Liaison Division Off of Legal Affairs Passport Services shown as Exhibit 1 Sub-exhibit B, provides a detailed listing of all resultant documents provided during the same time frame requested without any document missing from the period 1953 through 1985.

6. That Mr. Jacobsen affirms in the Affidavit facts as to his own FOIA request that support Plaintiffs challenge to the Defendants response allegations and facts related to his own FOIA request at Exhibit 1 paragraphs 8 through 12, and as such Plaintiff realleges each and every allegation contained in the Jacobsen Affidavit paragraphs 8 through 12

shown in Exhibit 1 with the same force and effect as though herein set forth at length omits it for brevity.

7. That Plaintiff challenges the July 29, 2010 letter of Jonathan M. Rolbin, Director of the Office of Legal and Law Enforcement Liaison Bureau of Consular Affairs Passport Services in the matter with Case Control Number 200807238 with twelve pages of documents attached shown as Exhibit 1 Sub-exhibit A that says:

“We have completed a search for your records responsive to your request. The search resulted in the retrieval of six documents that *are responsive* to your request. After careful review of the documents, we have determined that all six documents may be released in full.”

Further says

“We did not locate a 1965 passport application referenced in an application for amendment of passport that is included in the released documents. Many, passport applications and other non-vital records from that period were destroyed during the 1980s in accordance with guidance from the General Services Administration.”

8. That Mr. Jacobsen’s applied research in his expert capacity is at paragraphs 15 through 21 on pages 4 through 7 shown as Exhibit 1 and forms the basis for Plaintiff to challenge the veracity of Defendants’ agents to meet the requirements of 5 USC §552 and the Court herein, and that Plaintiff contends have committed a fraud upon the court.

9. That the Jacobsen Affidavit affirms his own FOIA request for passports records that the DOS provided within the same time frame prior

to 1967 (1953 through 1985) and that type of records requested conflicts with the Defendants' allegations and partial provision of records to Plaintiff.

10. That there is a matter of denial of substantive due process and equal treatment under the law injuring Plaintiff when the July 29, 2010 letter of Jonathan M. Rolbin fails to provide: (a) any legal controlling authority for the alleged destruction; (b) any chain of custody of any of the documents to be provided and or alleged destroyed; (c) any record of security standard operating procedures in use in order to track the whereabouts and custody to audit the records; (d) any kind of Index of documents; (e) any administrative records related to the documents in question; (f) any confirmation of actual destruction; (g) any current administrative records within the October 2008 through present discussing the records requested; and (h) any records and or work product referencing the records after the alleged destruction between the 1980s until the Present.

11. That with regard to Defendants' supporting declarations of Alex Galovich Acting Director of the Office of Information and Programs and Services of the DOS and Dorothy Pullo Director of the Freedom of Information Division, Office of international Trade, U.S. Customs and CBP based upon the above contentions Defendants have failed to proved sufficient facts to which Plaintiff may respond without a more definite

statement provided and accordingly reserves the right to amend and extend Plaintiff's response at the appropriate time or before trial is had.

12. That as a matter of denial of equal treatment, substantive due process and spoliation Defendants injures Plaintiff in the handling of the October 2008 and November 22, 2008 FOIA requests through the present, and in that regard the Associated Press (AP) reported on July 21, 2010 by Ted Bridis reported in the Article "AP IMPACT: A political filter for info requests" reported (see Exhibit 2) :

"WASHINGTON - For at least a year, the Homeland Security Department detoured hundreds of requests for federal records to senior political advisers for highly unusual scrutiny, probing for information about the requesters and delaying disclosures deemed too politically sensitive, according to nearly 1,000 pages of internal e-mails obtained by The Associated Press.

...

The foot-dragging reached a point that officials worried the department would get sued, one email shows.

"We need to make sure that we flip these ASAP so we can eliminate any lag in getting the responses to the requesters," the agency's director of disclosure, Catherine Papoi, wrote to two of Secretary Janet Napolitano's staffers. "Under the statute, the requester now has the right to allege constructive denial and take us to court. Please advise soonest."

Under the directive, career employees were ordered to provide Napolitano's political staff with information about people who asked for records, such as where they lived and whether they were reporters, and details about their organizations.



If a member of Congress sought such documents, employees were told to specify Democrat or Republican.

A department spokesman, Sean Smith, said the mandatory reviews by political appointees never blocked records that otherwise would have been released.

E-mails obtained by AP do not show political appointees stopping records from coming out. Instead they point to acute political sensitivities that slowed the process, a probing curiosity about the people and organizations making the requests for records and considerable confusion.

The directive laid out an expansive view of what required political vetting.

Anything that related to an Obama policy priority was pegged for this review. So was anything that touched on a "controversial or sensitive subject," that could attract media attention or that dealt with meetings involving business and elected leaders..."

13. It is alleged that beginning before the 2008 General Election the Defendant in conjunction with other agents in the Executive branch involving both private citizens and entities along with John O. Brennan, Barack Hussein Obama, Soebarkah "Barry" Soetoro, Michelle Obama, Eric Holder, and not limited to Hillary Clinton, Leon Panetta, Robert Mueller, Janet Napolitano and to others as yet named.

14. That as shown in the docket record of this proceeding on January 23, 2009 Plaintiff replied in protest by email to Defendants' Counsel's request for an extension of time to respond, and that Plaintiff referenced the January 12, 2009 Newsmax.com Article (see **Exhibit 3**) by Ken

Timmerman reporting on the nefarious activities of John O. Brennan and Barack Hussein Obama in the matter of breaking and entering into the US Department of State's passport data base to effect spoliation of documents in criminal violation of law.

15. That before or during the month of March 2008 John O. Brennan, Barack Hussein Obama and their agents (spoliators) entered into a conspiracy for spoliation of government records in violation of the law, and notwithstanding an apology by then Secretary of State Rice after the fact, any apology by whomever does not lessen the matter of spoliators crime having been committed; and by the nature of the act(s) absolutely is an estoppel against use of privacy waiver of access to such documents, bars any waiver to access under privacy, that otherwise without a crime would prevent public access, now mandates that the public see the fruits of such crime by spoliators John O. Brennan, Barack Hussein Obama and their agents acting together in conspiracy.

16. As shown in the record of this proceeding that after January 27, 2009, when Barack Hussein Obama in esse was notified he is fired, fired fired by Plaintiff and when combined with the January 7, 2009 request for permission, the usurpers: Barack Hussein Obama in esse and Eric Holder in esse, committed a fraud upon the Court, in a conspiracy to conceal and

cover-up, substituted Defendants' counsel without due notice to Plaintiff without approval thereby injuring Plaintiff.

17. That there is a continuing conspiracy to defraud involving spoliation and or concealment from the public of official documents under the control of the DOS, the Department of Homeland Security and elsewhere that started according to the DOS's Office of Inspector General (OIG) there was the passport file snooping discovered in March 2008 whose nature was characterized as "imprudent curiosity" by contract employees hired to help DOS process passport applications.

18. However, notwithstanding such OIG characterization, Plaintiff complains is part of the cover-up and effort by Barack Hussein Obama in esse while acting in his official capacity as a U.S. Senator with others to withhold facts essential and germane herein for proving that he is not a natural-born citizen, having multiple Foreign allegiances; and

19. That Plaintiff filed with the Court the evidence of the pattern of concealment by Barack Hussein Obama as the discovery of the conspiracy reported by NewsMax in the press on January 12, 2009, with the theft of the DOS Data Disks containing the Obama passport data from the National Archives believed to be associated with the April 2008 assassination of the material witness Federal Officer Quarles Harris Jr.; and

20. That on February 20, 2009 Plaintiff filed an additional FOIA Request B8984 for the Defendants DOS's OIG severely redacted that obliterated the 104 page Report issued on or about July 4, 2008, and that the DOS OIG FOIA Officer letter in the response on March 19, 2009 provided the 104 page OIG Report entirely redacted despite the fact that the matter was only classified "sensitive but unclassified for public use", and Plaintiff especially objects in light of the above bad actions is germane herein.

21. That the public has an overwhelming need to know what spoliation and cover-up directly pertains to the FOIA request herein and in light of the outrageous acts of spoliation committed by Defendant and others yet named as reported by the AP shown in Exhibit 2 and in Exhibit 3.

22. There is an equal protection issue with substantive due process and spoliation injury to Plaintiff and others similarly situated described by the AP Article and Newsmax shown as Exhibit 2 and Exhibit 3 as a matter complained of before this Court; and as such Plaintiff was contacted by a witness experiencing such injury by treatment of those FOIA requesters similarly situated to Plaintiff for the information on Stanley Ann Dunham.

23. Such additional FOIA Information on Stanley Ann Dunham was also requested by Jeffery Otherson, a Natural Born U.S. Citizen of Port Clinton, Ohio, 07/25/48 - 62 years old with the background from: 1966-1975 - US

Navy; 1976-1980 - U.S. Border Patrol, I&NS, DOJ; 1980-1990 - Business Owner, Trucking Industry; 1991-1998 - Private Investigations, Businessman; 1999-2007 - Employee, Wholesale Food Distributor; 2007-Current - Business Owner, Trucking Industry (licensed both intrastate and interstate); and Mr. Otherson is located for service at 2570 Biola Avenue San Diego, CA 92154-4207 Email: [jotherson@cox.net](mailto:jotherson@cox.net), Office Phone - (619) 651-7077. see Exhibit 4,

24. Mr. Otherson's FOIA request(s) follow a sequential chronology of events recorded by Mr. Otherson (see Exhibit 5) as quoted below:

**“08/03/09** – I submitted standard FOIA request assigned #2009-06568 via fax (sender's fax machine verified receipt.)

**09/03/09** – I received written notice from State dated 08/28/09 that it will begin processing request #2009-06568.

**09/21/09** – I called to check status of #2009-06568, was informed a search of the records had been started but that no estimate was available for completion.

**09/30/09** – I submitted SIMPLE FAST TRACK FOIA REQUEST assigned #2010-01092 via fax (sender's fax machine verified receipt)

**01/13/10** – I called to request status of both requests and was informed there are no relevant records at State for #2009-06568 and that the request had been forwarded to Passports. I was also informed that there was no record of receipt of #2010-01092, which I then resubmitted via fax (sender's fax machine again verified receipt.)

**01/20/10** – I received a telephone call from State and was informed request #2010-01092 had been “lost” – I again resubmitted via fax (sender’s fax machine again verified receipt.)

**03/01/10** – I called to request status on both requests and was informed that both requests were in Passports and that I would receive a call back shortly with the status (no return call was ever received.)

**03/10/10** – I received written notice from State (undated) that it will begin processing request #2010-01092.

**08/03/10** – I called to request status and was informed that both requests are still in Passports, that no further information was available, and that a call to Passports to request status was not possible...”

25. To date Mr. Otherson’s FOIA requested information has not been forthcoming from DOS.

26. Like Mr. Otherson, Plaintiff was singled out for arbitrary and capricious treatment in violation of his rights referenced by the AP Article shown as Exhibit 2, and as part of a conspiracy shown in Exhibit 3.

27. That germane to this matter in this instant action before the Court is that Plaintiff requires a more definite statement on the part of Defendants, as there is insufficient evidence and facts available for an order of dismissal; and that Plaintiff provides a timeline of events only through 1971 gleaned from the FOIA evidence released to date shown in Exhibit 1A by Defendants and documents on Stanley Ann Dunham and her activities:

a. **Sept. 18, 1962** - Lolo Soetoro, a 32-year-old citizen of Indonesia, was

admitted to the United States as an exchange visitor under Section 212(a) of the Immigration and Nationality Act to participate in graduate studies at the Center for Cultural Technical Interchange between East and West, University of Hawaii. Lolo Soetoro's program at the University of Hawaii terminated June 15, 1964. On June 19, 1964, the university granted permission for him to remain in the United States for practical training until June 15, 1965.

- b. **March 20, 1964** - Stanley Ann Dunham Obama divorced Barack Hussein Obama in the Circuit Court of the First Circuit, State of Hawaii.
- c. **March 24, 1965** - Stanley Ann Dunham marries Lolo S. Soetoro Mangunharjo in Molokai, Hawaii, as documented by Certificate of Marriage, License No. 80296, State of Hawaii, Department of Health, Research, Planning and Statistics Office (to be divorced from Soetoro in 1980);
- d. **July 19, 1965** - Stanley Ann Dunham is issued Passport No. F777788 by U.S. Department of State (passport application destroyed by State Department in 1980s). It is unknown whether Dunham had a U.S. passport prior to 1965, because the State Department claims (notwithstanding her June 29, 1967 passport amendment application) her passport records prior to 1968 were destroyed in the 1980s in

accordance with unspecified "guidance" from the General Services Administration.

- e. **Dec. 12, 1966** - Application by Lolo S. Soetoro Mangunharjo to obtain a waiver of the foreign residency requirements of the student visa that allowed him to come to Hawaii to attend the University of Hawaii is denied, as documented by letter dated Dec. 12, 1966, from John F. O'Shea, district director, U.S. Department of Justice, Immigration and Naturalization Service. Lolo Soetoro argues that the hostility in Indonesia made it unsafe for his wife to travel to Indonesia and that the separation caused by forcing him to return to Indonesia would be a financial hardship for his wife. The INS rejected the argument, saying in Mr. Shea's letter Dec. 12, 1966, that the hardship Lolo Soetoro described was "usual" in such cases.
- f. **July 20, 1966** - Lolo Soetoro leaves Hawaii to return to Indonesia, according to multiple references within DOJ and INS documents.
- g. **June 29, 1967** - Dunham applies to the State Department to amend her U.S. Passport No. F777788 to change her name from Stanley Ann Dunham to her married name Stanley Ann Soetoro. The marriage to Lolo Soetoro is listed on the amendment form as having occurred
- h. **March 15, 1965**, in Molokai, Hawaii.



- i. **October 1967** - Ann Dunham Soetoro travels from Honolulu, Hawaii, to Jakarta, Indonesia, via Japan Airlines, using U.S. Passport No. 777788, documented by a request Dunham Soetoro to obtain an exception allowing Stanley Ann Dunham Soetoro and or BHO to travel on an expired passport as appears on the 1965 Passport as amended 1967. The request was granted by the State Department Oct. 21, 1971. In 1967 Barack Obama accompanies his mother, traveling as a child named on her U.S. Passport No. 777788. Obama incorrectly identifies the 1967 flight with his mother to Indonesia as being on a Pan Am jet, and he recalls a three-day stopover in Japan (Source: Dreams from My Father, page 31). State Department records list no other travel to Indonesia by Dunham Soetoro from 1967-1971.
- j. **Aug. 13, 1968** - Dunham Soetoro applies from Jakarta, Indonesia, to the U.S. State Department to renew her Passport No. F777788, issued July 19, 1965 as amended in 1967, for an additional two years. The passport is renewed until July 18, 1970, five years from its issuance.
- k. In the same application, she amends her Passport No. F777788 to exclude her child, identified as Barack Hussein Obama (Soebarkah), from her U.S. passport.
- l. **Aug. 15, 1970** - Obama's half-sister, Maya Soetoro-Ng, was born to Lolo

Soetoro and Stanley Ann Dunham Soetoro in Indonesia.

- m. **1971, unidentified date** - Barack Obama lived in Indonesia for "over three years by that time," discussing a visit with his mother to the U.S. Embassy in Jakarta at an unspecified time before BHO and SADS (traveling together or separately) returned to the U.S. on or before October 20, 1971. (Source: Dreams from My Father, p. 30).
- n. "In Indonesia, I had spent two years at a Muslim school, two years at the Catholic school" (Source: "Dreams from My Father," p. 154).
- o. Obama was in Indonesia from the time he was 6 years old until age 10, from 1967 to 1971.
- p. On an unspecified date in 1971: Barry Barack Hussein Obama Soetoro returns from Indonesia to Hawaii alone, unaccompanied by his mother (Source: "Dreams from My Father," p. 53). Obama asserts he hands his grandparents his U.S. passport upon arrival in Honolulu (Source: Dreams from My Father, p. 54) Passport No. F777788, issued July 19, 1965 as amended in 1967 since he is named therein that he used for such travel and not the August 13 1968 renewal where BHO is removed.
- q. Nothing in the released FOIA State Department documents indicates Dunham Soetoro assisted her son in obtaining a U.S. passport in Indonesia after she amended her passport to remove his name.

- r. To date, Obama has refuse to release to the U.S. public his State Department passport records and international travel documentation.
- s. **Oct. 21, 1971** - U.S. Department of State allows Stanley Ann Dunham Soetoro to enter the United States on her expired passport No. F777788 not indicating where in was the 1965, 1967 or 1968 edition that expired in 1970. The State Department exception form notes the departure from the U.S. related to the trip was the Oct. 1967 flight Stanley Ann Dunham Soetoro took to Indonesia from Hawaii on Japan Airways.
- t. **Oct. 20-21, 1971** - Stanley Ann Dunham Soetoro departs from Jakarta, Indonesia with BHO, on Pan American Airlines Flight No. 812, arriving Oct. 21, 1971, in Honolulu, Hawaii, traveling on the exception granted by the State Department on Oct. 21, 1971, to use her expired passport No. F777788.
- u. **End of October 1971** - Barack Obama Sr. travels from Kenya to Honolulu to attend a school reunion at the University of Hawaii and to visit his son and ex-wife. Obama's father travels to Hawaii two weeks after his mother travels from Indonesia to Hawaii; father returns to Kenya and mother returns to Indonesia after New Year's Day, Jan. 1, 1972.  
(Source: "Dreams from My Father," p. 62).

28. That the matter of Defendants' allegation that the GSA had

destroyed unimportant records before 1967 rings absolutely hollow and false, not only because of the obvious contradiction with the release of documents of similar years shown by Mr. Jacobsen; but because the background of the entire Dunham family is anything but unimportant and that documents are of high value not only to be preserved but used in ongoing investigations back then and into the present.

29. As such Plaintiff summarizes reasons that the records were to be preserved and that at best DOS is being disingenuous with the Court in bad faith:

- a. In 1965, President Sukarno was ousted with the help of Barack Hussein Obama's stepfather Lolo S. Soetoro Mangunharjo.
- b. In 1967, Dunham moved with six-year old Barack Obama to Jakarta. In 1966, as Suharto consolidated his power, Colonel Soetoro was battling Communist rebels in the country after return on July 29, 1966.
- c. Dunham moved back to Hawaii in 1972, a year after Barry Barak Hussein Obama Soetoro left Indonesia to attend school in Hawaii, and Stanley Ann Dunham in 1980 divorced Lolo Soetoro who had been hired by Mobil Oil Company to be a liaison officer with Suharto's dictatorship. Lolo Soetoro died in 1987 at the age of 52. Stanley Ann Dunham died in 1995, also at the age of 52. Obama, Sr. died in an automobile accident

in Kenya in 1982 at the age of 46. Obama, Sr. attended the University of Hawaii courtesy of a scholarship arranged by Kenyan nationalist leader Tom Mboya. Obama and Dunham married in 1961. However, Obama Sr. and Stanley Ann Dunham Obama officially divorced in March 20, 1964, the same year Stanley Ann Dunham claimed to have married Lolo Soetoro March 5, 1964 and again on March 15, 1965.

- d. Obama, Sr. met his old friend Mboya, the Kenyan Minister of Economic Planning and Development shortly before Mboya was gunned down by an assassin in Nairobi in 1969. Kenya's autocratic president Jomo Kenyatta was viewed as being behind the assassination of Mboya, a would-be rival for the presidency. Mboya was 39 when he was assassinated. Obama, Sr. testified at the trial of Mboya's accused assassin and shortly thereafter, Obama, Sr. was the target of an attempted hit-and-run assassination attempt.
- e. In the matter of conflicting facts presented on previous application by Stanley Ann Dunham, the Files released by the State Department on Dunham's name-change passport application lists two dates and places of marriage to Soetoro: March 5, 1964, in Maui and March 15, 1965, in Molokai -- almost a year's difference. In her 1968 passport renewal application, Barack Obama's name is listed as Barack Hussein Obama

(Soebarkah). In passport renewal and amendment applications filed from Jakarta, Dunham uses two different names: Stanley Ann Dunham Soetoro and Stanley Ann Soetoro.

- f. Stanley Ann Dunham again applied for a passport from Jakarta in 1981 while working for the Ford Foundation. Her New York-based boss at the time was Peter Geithner, the father of Obama's Treasury Secretary Timothy Geithner. Dunham also worked in rural villages in Java for the US Agency for International Development (USAID).
- g. Stanley Ann Dunham and Barack Hussein Obama's father, Barack Obama, Sr., a native of the British colony of Kenya, met in a Russian language class at the University of Hawaii in 1959. The teaching of Russian in Hawaii, which hosted a number of US military bases and intelligence operations, is significant since a Russian language class during the height of the Cold War would normally attract a majority of U.S. intelligence professionals.
- h. At the time Dunham met Obama, Sr. at Russian-language class at the University of Hawaii, the CIA was engaged in major covert operations in Asia, including attempted assassinations of Asian leaders that are referenced in book "*Confessions of Economic Hitman*" by John Perkins.
- i. At the same time Barry Soetoro was attending Occidental [College in

Los Angeles, 1979-81], BHO used the name Barry Soetoro and an Indonesian passport issued under the same name, traveled to Pakistan during the U.S. buildup to assist the Afghan Mujaheddin. Where informed sources in Kabul stated that Barry Soetoro currently has been extremely friendly, through personal correspondence on White House letterhead, with a private military company that counts among its senior personnel a number of Afghan Mujaheddin-Soviet war veterans who fought alongside the late Northern Alliance commander Ahmad Shah Masood.

- j. That In 1981 while supposedly attending Columbia University, Barry Soetoro spent time in Jacobabad and Karachi, Pakistan, and appeared to have an older American 'handler,'.; and where Barry Soetoro also crossed the border from Pakistan and spent some time in India. At the time of Obama's stay in Pakistan, the country was being built up as a base for the anti-Soviet Afghan insurgency by President Carter's National Security Adviser Zbigniew Brzezinski and later by President Reagan's CIA director William Casey.
- k. It is no secret that BHO has suspiciously refused to release his transcripts from Occidental, Columbia University and Harvard and that he has remained cagey about his post-Columbia employment with

Business International Corporation where his half brother still works.

- I. As referenced above in early 2008, when employees of The Analysis Corporation, headed up at the time by Obama's current deputy national security adviser John O. Brennan, a former CIA official, were illegally accessing Obama's State Department passport files and further reported by informed sources that in 1981 Barry Soetoro was hosted by the family of Muhammadmian Soomro, a Pakistani Sindhi who became acting President of Pakistan after the resignation of General Pervez Musharraf on August 18, 2008.
- m. Stanley Ann Dunham Soetoro was in Indonesia when the Soviets invaded Afghanistan in 1979; and when Barry Soetoro visited Lahore, Pakistan, is where his mother worked as a 'consultant,' in 1981.
- n. According to a declassified Top Secret CIA document titled 'Worldwide Reaction to the Soviet Invasion of Afghanistan,' dated February 1980, Indonesia became a hotbed of anti-Soviet student demonstrations after Moscow's invasion of Afghanistan. The report states:

“Indonesian students have staged several peaceful demonstrations in Jakarta and three other major cities. They have also demanded the recall of the Soviet Ambassador because of remarks he made to a student delegation on 4 January and have called for a severance of Soviet-Indonesian relations.”
- o. Stanley Ann Dunham having divorced Lolo Soetoro, changed her name



back to her maiden name was in Lahore as a consultant for the Asian Development Bank.

- p. BHO's grandmother, Madelyn Dunham, known to Obama as "Toot"; began working for the Bank of Hawaii in 1960, a year after her daughter met Obama, Sr. and in 1970 she became one of the first female bank vice presidents. Madelyn Dunham retired from the bank in 1986. That the Bank of Hawaii acted as a financial vehicle for American business operations in Asia and the South Pacific. The Bank of Hawaii has, including links to the Indonesian Lippo Group and Mochtar Riady's contributions to the presidential re-election campaign of Bill Clinton; American International Group (AIG) -- bailed out by BHO; the Nugan Hand Bank in Australia; the Bank of Credit and Commerce International (BCCI) and an affiliate bank in the Cook Islands, Commercial Bank of Commerce Cook Islands, Ltd. (CBCCI) in Rarotonga -- which in the 1980s were funneling money to South Pacific islands to counter Soviet influence in the region; global bullion trader Deak International; European Pacific investments; and a company in Honolulu called Bishop Baldwin Rewald Dillingham Wong (BBRDW), Ltd., which maintained financial and political links to Asia-Pacific leaders, including Philippines President Ferdinand Marcos, Prime Minister Rajiv Gandhi of India,

Suharto in Indonesia, the Sultan of Brunei, the chiefs of the New Zealand Security Intelligence Service -- which acted with South Pacific small island states, and maintained slush fund accounts in the Cayman Islands, the Cook Islands, Spain, and South America; and took over the assets of the collapsed Nugan Hand Bank in Australia, also used actor Jack Lord, from Hawaii 5-0 fame, on its promotional material as a way to "open doors" and maintained close links with the U.S. Pacific Command based in Hawaii.

- q. In the 1960s, the Bank of Hawaii began opening up branches all over the Pacific: Palau, Guam, Yap, Ponape, and Kosrae. It also bought the Bank of American Samoa and the First National Bank of Arizona and had gained significant, if not fully controlling, financial stakes in the Bank of New Caledonia, Bank Indosuez in Vanuatu, National Bank of the Solomon Islands, Bank of Queensland, Bank of Tonga, and Bank Indosuez Niugini in Papua New Guinea, Bank Paribas Polynesia. The Bank of Hawaii also opened up branches in Suva, Saipan, and Tokyo. By the time Madelyn Dunham retired in 1986, the bank was also deeply connected to John Waihee, the first Native Hawaiian governor to Hawaii, elected in 1986. The Canadian Far East Trading Corporation, also maintained close links with Waihee and Governor George Ariyoshi.

- r. When Barry Soetoro graduated from the private Punahou High School in Hawaii in 1979 and transferred to Occidental College in Los Angeles. Punahou High School was also the alma mater of another US Senator, Hiram Bingham III of Connecticut, who was said to be the inspiration for Indiana Jones, the movie character popularized by George Lucas and Steven Spielberg. At the time, the CIA was engaged in a major recruiting campaign, including on college campuses, after Admiral Stansfield Turner, the CIA director, was ordered by President Jimmy Carter to clean up the agency after previous scandals.
- s. The Hawaii-based Asia-Pacific financial operation appears to have been the brain child of Ray S. Cline, a proponent of paying pro-American strongmen around the world large sums of cash to ensure their loyalty, including Mobutu Seso Seko of Zaire, King Hussein of Jordan, Chiang Kai-shek in Taiwan, General Lon Nol of Cambodia, the Shah of Iran, Suharto, and Marcos. Helping to assist these operations was Madelyn Dunham who was in charge of the Bank of Hawaii's secretive escrow account business.
- t. During her grandson's presidential campaign in 2008, Madelyn Dunham refused all media interview requests. She died in Hawaii two days before her grandson was elected president. With the death of "Toot," the early

chapters of the life of Barack Obama, Jr., his father, mother, and stepfather buried – the Public has a right to know about these matters.

30. If only for the above facts and reasons, Plaintiff will not believe the records were somehow eaten by the dog without the DOS provision of proof that the GSA backed up a forklift to put them into a dumpster doesn't wash as alleged in the DOS letter shown as Exhibit 1 A:

“We did not locate a 1965 passport application referenced in an application for amendment of passport that is included in the released documents. Many, passport applications and other non-vital records from that period were destroyed during the 1980s in accordance with guidance from the General Services Administration.”

31. Wherefore Plaintiff wishes an order of the Court denying Defendants' motion for summary judgment to dismiss subject to a more definite statement of facts by order of Defendants and their agent to provide:

- (a) any legal controlling authority for the alleged destruction;
- (b) any chain of custody of any of the documents to be provided and or alleged destroyed;
- (c) any record of security standard operating procedures in use in order to track the whereabouts and custody to audit the records;
- (d) any kind of Index of documents;
- (e) any administrative records related to the documents in question;
- (f) any confirmation of actual destruction;

(g) any current administrative records within the October 2008 through present discussing the records requested; and

(h) any records and work product referencing the records after the alleged destruction between the 1980s until the Present;

(i) assignment of a U.S. Marshal at the DOS Archives to safeguard the records from further tampering until all the additional records are provided or accounted for; and

(j) further and different relief deemed necessary by the Court for justice to be done herein.

Dated: August 8<sup>th</sup>, 2010  
Brooklyn New York

/s/

---

Christopher-Earl: Strunk in esse  
593 Vanderbilt Avenue #281  
Brooklyn New York 11238  
(845) 901-6767 Email: [chris@strunk.ws](mailto:chris@strunk.ws)

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**STRUNK DECLARATION IN OPPOSITION TO SUMMARY JUDGMENT**

# Exhibit 1

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

-----X  
)  
Christopher-Earl: Strunk © in esse, )  
593 Vanderbilt Ave. - 281 Brooklyn 11238 )  
)  
Plaintiff, )  
)  
v. ) Civil Action No.: 08-2234 (RJL)  
)  
U.S. DEPARTMENT OF STATE, et al.)  
)  
Defendants. )  
-----X

**AFFIDAVIT of Philip Hans Jacobsen**

STATE OF CALIFORNIA )  
) ss.  
COUNTY OF SAN DIEGO )

Accordingly, I, **Philip Hans Jacobsen**, being duly sworn, depose and say under penalty of perjury:

1. I am over 18 years of age, not a party herein and am located for service at 1158 Thalia Street, San Diego, CA 92154; Phone (619) 424-3385.

2. I am a Natural Born Citizen of the United States of America.

3. I am licensed by the State of California as a Private Investigator, California State License #PI15945, and I have been so licensed since

1992.

4. I am a retired Senior Border Patrol Agent, Immigration & Naturalization Service, U.S. Department of Justice.

5. Plaintiff requests that I make this affidavit in regards to my applied experience and my recently made, similar application for passport documents dated before 1968.

6. I have read the July 29, 2010 letter of Jonathan M. Rolbin, Director of the Office of Legal and Law Enforcement Liaison Bureau of Consular Affairs Passport Services in the matter with Case Control Number 200807238 with twelve pages of documents attached in regards to the above captioned FOIA Case filed by Plaintiff, and I am familiar with its contents (see Exhibit A).

7. I have personal knowledge of all the facts contained herein and will freely testify in open court to all of the same.

8. On September 23, 2009 I requested all the Passport records of my deceased mother from the U.S. Department of State.

9. On January 25, 2010 The U.S. Department of State sent me the requested information from the passport records of my mother. They located five (5) documents that appeared relevant to my request.

10. The records received were dated from May 26, 1953 through October



28, 1985.

11. Attached is a redacted copy of the letter from the State Department outlining the records they released in my own request, see Exhibit B.

12. I was included on my mother's passport and renewal(s) until I was 7 years old at which time I was excluded by amendment to her passport. I received my own passport at approximately the same time.

13. During my employment with the U.S. Border Patrol and while assigned to an Investigations Unit, I had occasion to access Alien Registration Files, commonly called "A" files. The files were located onsite or they were located at remote offices. To obtain one of these files I would first check the A number or subject's name in a Master Index and determine where the file was located, either locally or in another, nationwide office. In order to access files it was necessary to fill out, and sign, a request slip and take the slip to a separate secured file room to access the files, if the files were onsite. The files were checked in and out by a file clerk and, upon return of the file, a record was made of its access and the file was returned to its proper location by the clerk. If the files were offsite a request was submitted for access and, when received at the local office, the officer requesting the files would be notified. I became aware that certain procedures were implemented to keep the files in certain locations and

were designed to insure security of the files at all times.

14. During the course of my employment I also became aware that different documents had different retention schedules that directed how long different types of documents were to be kept before destruction was permissible.

15. I searched the National Archives and Records Administration and found on their website the following information:

“United States passport applications records from October, 1795 to March, 1925 are stored at the National Archives and Records Administration, and that Passport application Records from April 1925 to the present date are at the U.S. State Department “ (see Exhibit C)

16. I investigated the State Department’s website to determine the types of files they had and the procedures they had for retaining Passport Files before destroying them or transferring them to the National Archives. On the State Department’s website it states:

“Passport Services maintains United States passport records for passports issued from 1925 to the present. These records normally consist of applications for United States passports and supporting evidence of United States citizenship, and are protected by the

Privacy Act of 1974, (5 USC 552(a))." (see Exhibit D)

17. Additionally on the same State Department website, I located a website page titled "*Records Disposition Schedules*". On that page is a list of "*Domestic Records Disposition Schedules*". Link- A 13 is titled Passport Records. Upon following the website link I was directed to a pdf file titled U.S. Department of State Records Schedule, Chapter 13, Passport Records. The first two entries referenced passport records and applications from 1925 to 1970. These records were listed as either permanent, transfer to the National Archives when 50 years old or destroy when 100 years old. Newer passport records have different disposition schedules with different dates for transferring to WNRC (Washington National Records Center, Suitland Maryland) or for destruction depending on whether they are paper, microfilm or other types.

18. Upon checking further in the Records Disposition Schedule, I observed on page 4 bottom entry, Passport Authorization Sheets or Records, listed as item a-13-001-03b and described as follows:

"b. Index cards. Arranged Alphabetically. **Master Index to issuance's 1909 through 1978 (paper records)**. Contains index cards with information on passport issuance, registration, consular reports of birth, and other information. It further states "*Disposition transfer immediately*

*to WNRC. Destroy when 100 years old.”* (emphasis added by affiant)

Page five (5) shows two entries for Microfilm Master Index to issuance's 1909- 1978. The first entry states that the Original Silver Halide (archival) are to be transferred to WRNC and destroyed when 100 years old. The second entry states that the Duplicate Diazo copies are to be retained in PPT and destroyed when active agency use ceases. See the Exhibit E, printed copies of the online pdf's at the U.S. State Department website.

19. On January 9, 2008 in the Federal Register, volume 73, no 6, pages 1660 to 1665, the State Department published Public Notice 6055.

20. In that notice, which is an update of its system of records notice (SORN), it states:

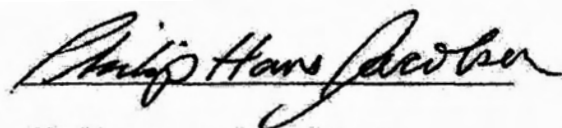
“the State Department maintains an electronic index of all passport application records created since 1978, and some passport application records created between 1962 and 1978.”

It further describes in detail the high security used to maintain the records and the capabilities to audit access to records. Copies of the pages are attached, see Exhibit F.

21. Based on my investigation of passport records held by the U.S. State

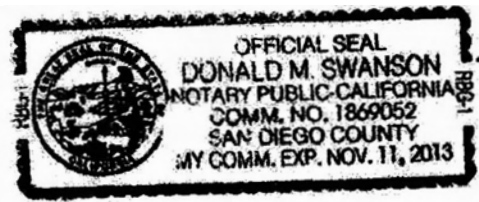
Department, it appears that, by law, the U.S. Government either at the State Department, or the WNRC (Washington National Records Center, Suitland, Maryland) must maintain passport applications and related records for 100 years. In addition, it appears the government maintains a Master Index to all issuances of passports from 1909 to 1978, as well as Index Cards (paper records) of passport issuances from 1909 to 1978. Additionally, the U.S. State Department maintains an electronic index of all passport application records created since 1978 and some passport application records from 1962 to 1978.

22. I do solemnly swear under penalty of perjury of under the laws of the State of California this date, August 5, 2010 in the County of San Diego, State of California that the facts and circumstances described above are true and correct to the best of my knowledge.

  
Philip Hans Jacobsen

Sworn to before me  
This 5 day of August, 2010

  
Notary Public



Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**AFFIDAVIT of Philip Hans Jacobsen**

**Exhibit A**



United States Department of State

Washington, D.C. 20520

**JUL 29 2010**

In reply refer to:

CA/PPT/L/LE – Case Control Number: 200807238

Christopher E. Strunk  
593 Vanderbilt Avenue, #281  
Brooklyn, NY 11238

Dear Mr. Strunk:

The following is in response to your request to the Department of State, dated November 22, 2008, requesting the release of material under the provisions of the Freedom of Information Act (5 U.S.C. § 552).

We have completed a search for records responsive to your request. The search resulted in the retrieval of six documents that are responsive to your request. After careful review of these documents, we have determined that all six documents may be released in full.

We did not locate a 1965 passport application referenced in an application for amendment of passport that is included in the released documents. Many passport applications and other non-vital records from that period were destroyed during the 1980s in accordance with guidance from the General Services Administration.

Passport records typically consist of applications for United States passports and supporting evidence of United States citizenship. Passport records do not include evidence of travel such as entrance/exit stamps, visas, residence permits, etc., since this information is entered into the passport book after issuance.

This completes the processing of your request.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jonathan M. Rolbin', written over the word 'Sincerely,'.

Jonathan M. Rolbin, Director  
Office of Legal Affairs and Law Enforcement Liaison  
Bureau of Consular Affairs  
Passport Services

Enclosures:  
As stated



DEPARTMENT OF STATE  
FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

POST Djakarta, Indonesia

APPLICATION FOR  
 RENEWAL     AMENDMENT     EXTENSION  
 OF  
 PASSPORT     CARD OF IDENTITY  
 REGISTRATION     CERTIFICATE OF IDENTITY

REFERRED TO DEPARTMENT FOR ACTION  
 RENEWED (EXTENDED) TO Jul. 18, 1970  
 AMENDED AS REQUESTED

Document No. F 777788 Date Issued July 19, 1969 \$ 5.00 FEE COLLECTED  
 NO FEE COLLECTED

(PLEASE PRINT NAME IN FULL)  
 I, Stanley Ann Dunham Soetoro, a citizen of the United States, do hereby apply for the service indicated above. (If amendment, set forth details on REVERSE.)

DATE OF BIRTH (Month, day, year) Nov. 29, 1942 PLACE OF BIRTH Wichita, Kansas

NOW RESIDING AT Djakarta, Indonesia

UNITED STATES RESIDENCE (Street address, city, county, state)

IN THE EVENT OF DEATH OR ACCIDENT NOTIFY (Name in full, relationship, street address, city, state)  
Stanley Armour Dunham, Bank of Hawaii, Honolulu

HAVE YOU EVER BEEN REFUSED A PASSPORT OR REGISTRATION AS A CITIZEN OF THE UNITED STATES?  
 IF THE ANSWER IS YES, EXPLAIN WHEN AND WHY  
NO

PROPOSED TRAVEL PLANS	IF RETURNING TO U. S. COMPLETE THE FOLLOWING
I INTEND TO RETURN TO THE UNITED STATES PERMANENTLY TO RESIDE WITHIN <u>Indefinite</u> YEARS MONTHS	PORT OF DEPARTURE
I INTEND TO CONTINUE TO RESIDE ABROAD FOR THE FOLLOWING PERIOD AND PURPOSE <u>INDEFINATE - MARRIED TO AN INDONESIAN CITIZEN</u>	NAME OF SHIP OR AIRLINE
	DATE OF DEPARTURE

I have not (and no other person included or to be included in the passport or documentation has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; voted in a political election in a foreign state or participated in an election or plebiscite to determine the sovereignty over foreign territory; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.

(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person included in the passport or documentation, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)

Stanley Ann Dunham Soetoro  
 (To be signed by Applicant)

Subscribed and Sworn to (affirmed) before me this 13th day of August, 1968  
 (SEAL) Thomas M. La Porta  
 Vice Consul of the United States at Djakarta, Indonesia

(The Department will assume that the consular officer, forwarding the application for the Department's decision, is fully satisfied as to the applicant's identity unless a notation to the contrary is made.)

SOETORO (LAST NAME)  
 STANLEY (FIRST NAME)  
 ANN (MIDDLE NAME)  
 DUNHAM

AMEND TO INCLUDE (EXCLUDE) (WIFE)(HUSBAND)

NAME	BIRTHPLACE	BIRTHDATE
------	------------	-----------

SPOUSE WAS PREVIOUSLY MARRIED TO	PREVIOUS MARRIAGE TERMINATED BY <input type="checkbox"/> DIVORCE <input type="checkbox"/> DEATH
----------------------------------	--

NUMBER OF MY SPOUSE'S PREVIOUS PASSPORT <u>INDO</u>	DISPOSITION OF MY SPOUSE'S PREVIOUS PASSPORT <input type="checkbox"/> ATTACHED <input type="checkbox"/> CANCELED _____ (DATE)
--	--

AMEND TO INCLUDE (EXCLUDE) CHILDREN

NAMES	RESIDENCE	BIRTHPLACE	BIRTHDATE
<del>BARACK HUSSEIN OBAMA (SEPARATE)</del>			

AMEND TO READ IN MARRIED NAME

NAME
------

DATE MARRIED	PLACE MARRIED	MARRIED TO
--------------	---------------	------------

CITIZENSHIP OF HUSBAND <input type="checkbox"/> U. S. CITIZEN <input type="checkbox"/> ALIEN-CITIZEN OF _____
--

OTHER AMENDMENT(S) (DESCRIBE IN DETAIL ACTION REQUESTED)

DOCUMENTARY EVIDENCE SUBMITTED TO DEPARTMENT BY CONSULAR OFFICER

DOCUMENTARY EVIDENCE SEEN AND RETURNED TO APPLICANT BY CONSULAR OFFICER

STATEMENT OF ACTION BY POST UPON DEPARTMENT'S AUTHORIZATION (To be executed only in connection with cases referred to Dept.)

THE <input type="checkbox"/> PASSPORT	WAS	<input type="checkbox"/> RENEWED TO _____ DATE _____
<input type="checkbox"/> CARD OF IDENTITY		<input type="checkbox"/> AMENDED AS REQUESTED
<input type="checkbox"/> CERTIFICATE		<input type="checkbox"/> EXTENDED TO _____

AUTHORITY \_\_\_\_\_ (Consul of the United States of America)

X

(Photo required for inclusions)

STAPLE ONE PHOTO HERE  
DO NOT MAR FACE

The passport photos required must be approximately 2½ by 2½ inches in size; be on thin unglazed paper, show full front view of applicant with a plain, light background; and have been taken within 2 years of date submitted. When dependents are included they should be shown in a group photograph. The consul will not accept photos that are not a good likeness. Color photographs are acceptable.

*Do not staple second photo. Attach loosely by paper clip.*

X

OPINION OF CONSULAR OFFICER

\_\_\_\_\_ (Consul of the United States of America)

AVOID THE LAST MINUTE RUSH

(PLEASE TYPE OR PRINT)

DON'T PUT IT OFF APPLY NOW

DEPARTMENT OF STATE APPLICATION FOR PASSPORT BY MAIL

Your previous passport issued within the past eight years, two signed photographs and the fee of \$10 MUST accompany this application.

(Passport Office Use Only) R D NF ENL 030097

P2

SERIES C

JAN 1972

DEPARTMENT OF STATE HONOLULU, HAWAII

(First name) (Middle name) (Last name)

Stanley ANN DUNHAM SOETORO

a citizen of the United States, do hereby apply to the Department of State for a passport.

MAIL PASSPORT TO:

IN CARE OF (If applicable) Stanley DUNHAM
STREET 1617 South Beretania
CITY HONOLULU STATE Hawaii ZIP CODE 96814
PHONE NOS. Area Code: Home: 949-2317 Business: -

DATE OF BIRTH PLACE OF BIRTH (City, State, Province, Country)

Nov 29 42 Wichita, Kansas

HEIGHT COLOR OF HAIR COLOR OF EYES APPROXIMATE DATE OF DEPARTURE

5 FT. 5 1/2 IN. brown brown Jan 14, 1972

VISIBLE DISTINGUISHING MARKS OCCUPATION Teacher

Coogan 1/14/72

MOST RECENT PASSPORT ISSUED WITHIN PAST 8 YEARS MUST BE ATTACHED SOCIAL SECURITY NUMBER

No. F777788 Issue Date July 19, 1965

MY PERMANENT RESIDENCE (If same as mailing address, write "Same") IF YOU WERE BORN ABROAD, WERE BOTH OF YOUR PARENTS U.S. CITIZENS AT THE TIME OF YOUR BIRTH?

DTL. TAMAN MATRAMAN BARAT 22 PAV. DIKARTA, INDONESIA

Yes No

IN THE EVENT OF ACCIDENT OR DEATH NOTIFY (Do not show name of a person who will accompany you when traveling; (Name in full) (Relationship) (Street address, City, State, ZIP Code)

STANLEY A. DUNHAM FATHER 1617 S. BERETANIA HONOLULU

PROPOSED TRAVEL PLANS

PURPOSE OF TRIP MEANS OF TRANSPORTATION COUNTRIES TO BE VISITED

return home Departure Return Sea Air Other

PROPOSED LENGTH OF STAY DO YOU EXPECT TO TAKE ANOTHER TRIP ABROAD?

INDEFINITE Yes No IF SO, WITHIN 1 year 2 Years 3 Years

INDONESIA

WARNING: False statements made knowingly and willfully in passport applications or affidavits or other supporting documents are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542.

I have not since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath, or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the Government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States; or been convicted by a court of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.

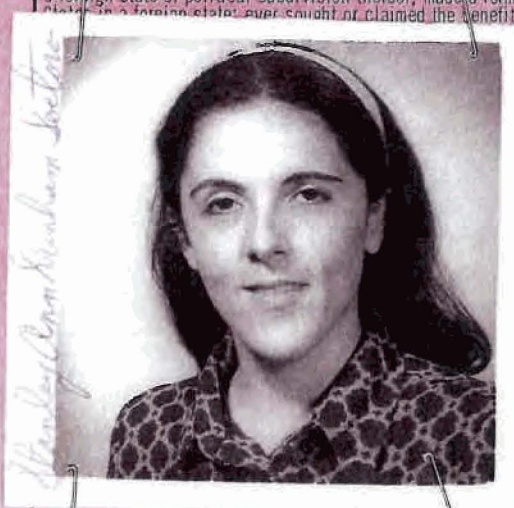
(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, the portion which applies should be struck out, and a supplementary explanatory statement should be attached, signed and made a part of this application.)

DECLARATION

I declare under the penalties of 18 USC 1001 and 1542 (see WARNING, above) that the statements made in this application are true and complete to the best of my knowledge and belief. I further declare that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without mental reservation or purpose of evasion.

Jan 4, 1972 Stanley Ann Dunham Soetoro (Date) (Signature of applicant)

JAN-4-72 120023 (Passport Office Use Only) - AGUANI 10



Stanley Ann Dunham Soetoro

File

DEPARTMENT OF STATE  
REQUEST BY UNITED STATES NATIONAL FOR AND REPORT OF  
EXCEPTION TO SECTION 53.1, TITLE 22 OF THE CODE OF FEDERAL REGULATIONS

REQUEST

I have been informed that my passport is not valid and that a valid passport is required by law to enter the United States. I request that an exception be granted to me, as provided in Section 53.2(h), Title 22 of the Code of Federal Regulations. I understand that a fee of \$25 is required under Section 53.2(h) and I will remit such fee to the Passport Office, Department of State, Washington, D. C., 20524, within 30 days.

*Stanley Ann Dunham Soetoro*  
(Signature)

REPORT - Pursuant to Section 215 of the Immigration and Nationality Act of 1952

TO  
Director, Passport Office  
Department of State  
Washington, D. C. 20524  
Attn: PT/AC

SUBJECT

NAME  
STANLEY ANN SOETORO

DESCRIPTION 5'6"  
Brown Brown  
135 lb.

HOME ADDRESS Djalan Taman Matreman 22 Pav., Djakarta, Indonesia  
(Honolulu, 1617 South Beretania, c/o Stanley Dunham)

96814

BIRTHDATE  
Nov. 29, 1942

NATURALIZATION DATE  
N. A.

PASSPORT NO., DATE AND PLACE OF ISSUANCE  
F 777788  
07-19-65  
Honolulu, Hawaii

BIRTHPLACE  
Wichita, Kansas

DEPARTURE FROM UNITED STATES

DATE AND PLACE OF DEPARTURE  
October 1967, Honolulu, Hawaii

DESTINATION  
Djakarta, Indonesia

FLIGHT NUMBER OR VESSEL  
-

NAME OF CARRIER  
Japan Airlines

TRAVEL TO UNITED STATES

DATE AND PLACE OF DEPARTURE FROM ABROAD  
October 20, 1971, Djakarta, Indonesia

IDENTITY DOCUMENTS PRESENTED  
Passport as shown above ✓

FLIGHT NUMBER OR VESSEL  
FAA 812

NAME OF CARRIER  
Pan American Airways

DATE AND PLACE OF ENTRY  
October 21, 1971, Honolulu, Hawaii

DESTINATION  
Honolulu, Hawaii

ACTION TAKEN

Identity and citizenship established.  
Exception granted under 22 CFR 53.2(h).

OCT 21 1971  
(Inspector's Stamp)

PLACE (Immigration and Naturalization Service)  
HONOLULU, HAWAII

SIGNATURE (Immigration Officer)  
*Leonard Soan*

FORM 25-1423  
BILL SENT - 11/29/71 ✓ with records 11-29-71

DEPARTMENT OF STATE  
APPLICATION FOR AMENDMENT OF PASSPORT

(Passport Office Use Only)

Amend as shown in section:

- B  C  D  E  F  
 Add visa pages.

P3

INSTRUCTIONS: All requests for inclusion of persons must be sworn to (or affirmed) before an Agent of the Department of State or Clerk of Court. Photographs, which meet the requirements below, and evidence of citizenship must be submitted for all persons to be included by this amendment. If such persons have had, or been included in, a previous passport, it should be submitted instead of other documents, and Section G completed.

**A** PASSPORT NO. OF APPLICANT: 777753 DATE ISSUED: July 19, 1965  
 MAIL PASSPORT TO: 2234 University Ave.  
 STREET: Honolulu, Hawaii  
 CITY: Honolulu STATE: Hawaii  
 IN CARE OF: \_\_\_\_\_  
 (PLEASE PRINT NAME IN FULL)  
 (First name) (Middle name) (Last name)

BIRTH CERTIFICATE(S) SEEN  
 CHILD(REN)'S (WIFE'S) (HUSBAND'S)  
 FILED SR CR CITY FILED SR CR CITY  
 MARRIAGE CERT. NAT'N. CERT. OTHER  
 S & R  S & R  OTHER

**A** IN CARE OF: \_\_\_\_\_  
 (PLEASE PRINT NAME IN FULL)  
 (First name) (Middle name) (Last name)  
Stanley Ann Soetoro, a citizen of the United States, do hereby request that my passport, which is enclosed, be amended as indicated below.

**B** INCLUDE MY CHILD(REN), AS FOLLOWS: (Also complete Section H if child(ren) acquired citizenship by naturalization, and have not had a previous passport.)

NAME IN FULL	PLACE OF BIRTH (City, State)	DATE OF BIRTH

**C** INCLUDE MY (WIFE) (HUSBAND), AS FOLLOWS: (Also complete Section H if (wife) (husband) acquired citizenship by naturalization, and/or Section I if wife was previously married before March 3, 1931.)

(WIFE'S) (HUSBAND'S) FULL LEGAL NAME	PLACE OF BIRTH (City, State)
DATE OF BIRTH	DATE OF MARRIAGE

**D** EXCLUDE PERSONS, AS FOLLOWS:

<input type="checkbox"/> MY WIFE	WHO IS/ARE <input type="checkbox"/> TO APPLY FOR SEPARATE PASSPORT <input type="checkbox"/> NOT TO ACCOMPANY <input type="checkbox"/>
<input type="checkbox"/> MY HUSBAND	
<input type="checkbox"/> MY CHILDREN (Give name(s))	

**E** CHANGE TO READ IN MARRIED NAME, AS FOLLOWS:

MARRIED NAME: Stanley Ann Soetoro SOETORO  
 PLACE OF MARRIAGE (City, State): Molokai, Hawaii  
 DATE OF MARRIAGE: 3/15/65  
 HUSBAND'S NAME IN FULL: Lolo Soetoro  
 WHO IS:  A UNITED STATES CITIZEN  
 A CITIZEN OF Indonesia

**F** CHANGE TO READ AS FOLLOWS:

**G** (CHILD(REN)'S) (WIFE'S) (HUSBAND'S) LAST U. S. PASSPORT

NUMBER	DATE ISSUED

IN NAME OF: \_\_\_\_\_  
 IS SUBMITTED HEREWITH  
 OTHER DISPOSITION (State)

TO BE PRINTED IN FULL  
 (Last name) Stanley Ann  
 (First name) Stanley  
 (Middle name) Ann  
 (Photo requirements for inclusion)  
 STAPLE ONE PHOTO HERE  
 DO NOT MAR FACE  
 Photos must be ONLY of persons to be included by this amendment. The two photos must be duplicates, approximately 2 1/2 by 2 1/2 inches in size; be on thin, unglazed paper with a plain, light background and have been taken within 2 years of date submitted. Photos should be front view, but not full-length, and may not be snapshot, Polaroid, acetate or film base prints. When more than 1 person is to be included, a group photo is required. Color photos are acceptable.  
 DO NOT STAPLE SECOND PHOTO  
 ATTACH BY PAPER CLIP  
 (STAPLE HERE)  
 (STAPLE HERE)  
 (STAPLE HERE)

**H** TO BE COMPLETED BY AN APPLICANT REQUESTING INCLUSION IN THE PASSPORT OF A RELATIVE WHO ACQUIRED CITIZENSHIP THROUGH NATURALIZATION

MY IMMIGRATED TO THE U. S. ON (Month, day, year)	ACQUIRED U. S. CITIZENSHIP ON (Month, day, year)	THROUGH THE NATURALIZATION OF <input type="checkbox"/> SELF <input type="checkbox"/> PARENT <input type="checkbox"/> FORMER HUSBAND
--	--	--

WHO WAS NATURALIZED BEFORE THE (Name of court)	LOCATED IN (City, State)
--	--------------------------

AS SHOWN BY THE ACCOMPANYING CERTIFICATE OF NATURALIZATION NO.

**I** TO BE COMPLETED BY AN APPLICANT WHOSE WIFE WAS PREVIOUSLY MARRIED BEFORE MARCH 3, 1931, AND WHO IS TO BE INCLUDED IN PASSPORT (If married more than twice, set forth facts in a supplemental statement)

HER MAIDEN NAME WAS	DATE OF PREVIOUS MARRIAGE
---------------------	---------------------------

NAME OF FORMER HUSBAND	PLACE OF PREVIOUS MARRIAGE
------------------------	----------------------------

FORMER HUSBAND'S PLACE OF BIRTH	MARRIAGE WAS TERMINATED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE	DATE
---------------------------------	---	------

**J** IN THE EVENT OF DEATH OR ACCIDENT NOTIFY

NAME IN FULL	RELATIONSHIP	STREET ADDRESS, CITY, STATE
--------------	--------------	-----------------------------

**K** I have not (and no other person included or to be included in the passport has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; voted in a political election in a foreign state or participated in an election or plebiscite to determine the sovereignty over foreign territory; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.

*(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person included or to be included in the passport, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)*


I solemnly swear (affirm) that the statements herein made are true and that I have not previously asked to have these additional persons included in my passport; that they are not now in possession of valid passports, and that they have not made application for passports and been refused.

X Stanley Ann Sotara  
(Signature of Applicant)

Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
(Agent, Department of State or Clerk of Court)

DEPARTMENT OF STATE APPLICATION FOR <input checked="" type="checkbox"/> PASSPORT <input type="checkbox"/> REGISTRATION				POST LOCATION <b>Jakarta, Indonesia</b>	
Complete ALL entries in all sections that apply to you. If information is unknown, write "Unknown". Do not leave blank spaces. Use additional sheets where space provided is not adequate.				POST ACTION PASSPORT ISSUED No. <b>Z2433100</b> REGISTRATION APPROVED <b>P4</b> Date <b>June 2, 1976</b> Expires _____ Expires <b>June 1, 1981</b> CARD OF IDENTITY AND REG. No. _____ Date _____	
TO BE COMPLETED BY ALL APPLICANTS					
(First name)		(Middle name)		(Last name)	
<b>STANLEY</b>		<b>ANN</b>		<b>SOETORO</b>	
of the United States, do hereby apply for (a passport) (registration)					
DATE OF BIRTH Month Day Year <b>11 29 42</b>		PLACE OF BIRTH (City, state/province, country) <b>WICHITA, KANSAS, USA</b>			
HEIGHT <b>5</b> Ft. <b>5 1/2</b> in.	COLOR OF HAIR (Spell out) <b>BROWN</b>	COLOR OF EYES (Spell out) <b>BROWN</b>	SOCIAL SECURITY NO. <b>535-40-8522</b>		
VISIBLE DISTINGUISHING MARKS <b>NONE</b>			OCCUPATION <b>GRAD. STUDENT</b>		
NOW RESIDING AT <b>DTL. HADJI ROMLI 23 MENTENG DALAM, JAKARTA</b>			MY LAST PASSPORT WAS OBTAINED FROM (Note: If included in another's passport, state name of bearer) Location of Issuing Office: <b>HONOLULU</b> Date of Issuance: <b>JAN. 4, 1972</b>		
PERMANENT RESIDENCE (Street address, city, state/province, country) (If same as above) <b>1617 S. BERETANIA, HONOLULU, HAWAII</b>			Number: <b>C 030097</b> Bearer: <b>self</b>		
IN THE EVENT OF DEATH OR ACCIDENT NOTIFY (Name in full, relationship, street address, city, state) <b>STANLEY DUNHAM (FATHER) 1617 S. BERETANIA # 1008 HONOLULU, HAWAII</b>			<input type="checkbox"/> Submitted herewith <input checked="" type="checkbox"/> Cancelled and returned <input type="checkbox"/> Seen and returned <input type="checkbox"/> Other disposition (state)		
HAVE YOU EVER BEEN REFUSED A PASSPORT OR REGISTRATION AS A CITIZEN OF THE UNITED STATES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			IF ANSWER IS "YES", EXPLAIN WHEN AND WHY		
TO BE COMPLETED BY AN APPLICANT WHO BECAME A CITIZEN THROUGH NATURALIZATION					
I IMMIGRATED TO THE U.S. (Month, year)		I RESIDED CONTINUOUSLY IN THE U.S. From (Year) To (Year)		NATURALIZATION CERTIFICATE NO. <input type="checkbox"/> Submitted herewith <input type="checkbox"/> Seen and returned <input type="checkbox"/> Previously submitted	
PLACE NATURALIZED (City, state)		NATURALIZATION COURT		DATE NATURALIZED	
COMPLETE ONLY IF OTHERS ARE TO BE INCLUDED IN PASSPORT OR REGISTRATION AND SUBMIT GROUP PHOTOGRAPH					
(WIFE'S) (HUSBAND'S) FULL LEGAL NAME			<input type="checkbox"/> NATIVE BORN <input type="checkbox"/> NATURALIZED NATURALIZATION CERTIFICATE NO. <input type="checkbox"/> Seen and returned		
PLACE NATURALIZED (City, state)			NATURALIZATION COURT		DATE NATURALIZED
(WIFE'S) (HUSBAND'S) PLACE OF BIRTH (City, State or Province, Country)				DATE OF BIRTH (Mo., Day, Year)	
NAME IN FULL OF CHILDREN INCLUDED		PLACE OF BIRTH (City, state/province, country)		DATE OF BIRTH (Month, day, year)	RESIDED IN U.S. (From-To)
EVIDENCE OF PRIOR DOCUMENTATION OF ABOVE-NAMED PERSONS TO BE INCLUDED (For completion by Consular Office)					
NAMES	PASSPORT NO.	DATE OF ISSUE	CANCELED OR OTHER DISPOSITION	DATE OF REGISTRATION OR BIRTH REPORT	LOCATION OF OFFICE
OTHER EVIDENCE OF U.S. CITIZENSHIP PRESENTED (State disposition)					

<b>F</b>	FATHER'S NAME <b>STANLEY DUNHAM</b>	FATHER'S PLACE OF BIRTH (City, State, Province or Country) <b>WICHITA, KANSAS</b>	<input checked="" type="checkbox"/> U.S. CITIZEN <input type="checkbox"/> NOT U.S. CITIZEN
	DATE NATURALIZED	PLACE NATURALIZED (City, state)	
<b>G</b>	FATHER'S DATE OF BIRTH <b>MARCH 23, 1918</b>	<input type="checkbox"/> FATHER DECEASED <input checked="" type="checkbox"/> FATHER RESIDING AT <b>HONOLULU, HI</b>	FATHER RESIDED IN U.S. From <b>BIRTH</b> To <b>PRESENT</b>
	MOTHER'S MAIDEN NAME <b>MADELYN PAYNE</b>	MOTHER'S PLACE OF BIRTH (City, State, Province or Country) <b>PERU, KANSAS</b>	<input checked="" type="checkbox"/> U.S. CITIZEN <input type="checkbox"/> NOT U.S. CITIZEN
<b>G</b>	MOTHER'S DATE OF BIRTH <b>OCT. 26, 1922</b>	<input type="checkbox"/> MOTHER DECEASED <input checked="" type="checkbox"/> MOTHER RESIDING AT <b>HONOLULU, HI</b>	MOTHER RESIDED IN U.S. From <b>BIRTH</b> To <b>PRESENT</b>
	<input type="checkbox"/> I WAS NEVER MARRIED <input checked="" type="checkbox"/> I WAS LAST MARRIED ON (Date) <b>MARCH 15, 1965</b>		PRESENT FULL LEGAL NAME OF HUSBAND OR WIFE <b>LOLO SOETORO</b>
<b>H</b>	HUSBAND'S OR WIFE'S PLACE OF BIRTH (City, state) <b>BANDUNG, INDONESIA</b>	HUSBAND'S OR WIFE'S DATE OF BIRTH <b>JAN. 2, 1935</b>	<input type="checkbox"/> HUSBAND OR WIFE IS U.S. CITIZEN <input checked="" type="checkbox"/> HUSBAND OR WIFE IS NOT U.S. CITIZEN
	HUSBAND OR WIFE NOW RESIDING AT <b>DJAKARTA, INDONESIA</b>		
<b>H</b>	<input checked="" type="checkbox"/> MARRIAGE NOT TERMINATED <input type="checkbox"/> MARRIAGE TERMINATED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE ON		
	PROPOSED TRAVEL PLANS <input checked="" type="checkbox"/> I INTEND TO RETURN TO THE UNITED STATES WITHIN <u>1</u> MONTHS _____ YEARS TO <input type="checkbox"/> RESIDE <input checked="" type="checkbox"/> VISIT. <input type="checkbox"/> INDEFINITE <input type="checkbox"/> I NEVER INTEND TO RETURN TO THE UNITED STATES		
<b>I</b>	I INTEND TO CONTINUE TO RESIDE ABROAD FOR THE FOLLOWING REASON <b>PLAN TO RETURN TO INDONESIA SEPT. 15 FEB, 77 TO COMPLETE DISSERTATION RESEARCH</b> COMPLETE IF RETURNING TO U.S.		
	PORT OF DEPARTURE <b>DJAKARTA</b>	DATE OF DEPARTURE <b>JUNE 16, 1976</b>	
<b>J</b>	NAME OF SHIP OR AIRLINE <b>PAN AM</b>		
	WARNING: False statements made knowingly and willfully in passport applications or in affidavits or other supporting documents submitted therewith are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 USC 1543. The use of a passport in violation of the restrictions contained therein or of the passport regulations is punishable by fine and/or imprisonment under 18 USC 1544.		
I have not (and no other person included in the application has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.			
(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person to be included in the passport or registration, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)			
I solemnly swear (or affirm) that the statements made on all the pages of this application are true and that the photograph attached is a likeness of me and of those persons to be included in the passport.			
			
		T H e r e i s a p h o t o g r a p h o f t h e a p p l i c a n t a n d o f t h o s e p e r s o n s t o b e i n c l u d e d i n t h e p a s s p o r t r e g i s t r a t i o n a n d i t s c o n t e n t s a r e t r u e a n d c o r r e c t i n a l l r e s p e c t s.	
		L. Ann Dunham Soetoro (To be signed by Applicant in presence of person administering oath)	
		Alfred Harding IV Consul of the United States at <b>Jakarta, Indonesia</b>	
(To be signed at same time by husband/wife to be included in passport)			
Subscribed and sworn to (affirmed) before me this <u>1st</u> day of <u>June</u> , 19 <u>76</u> .			
IDENTIFYING DOCUMENTS SUBMITTED (See 8 FAM 243, Procedures)			



APPLICATION FOR  PASSPORT  REGISTRATION

POST LOCATION Jakarta, Indonesia

ALL entries in all sections that apply to you. If information is unknown, write "Unknown." Do not leave blank spaces. Use additional sheets where space provided is not adequate. PRINT OR TYPE ENTRIES.

POST ACTION: PASSPORT ISSUED No. E3037221 Date 4/28/81 REGISTRATION APPROVED No.          Date          EXPIRES 4/27/86 CARD OF IDENTITY AND REG. No.          Date           \$3 Application fee collected  \$10 Fee collected  No Fee passport  Official passport  \$5 fee collected (for card)  48-page  96-page passport

TO BE COMPLETED BY ALL APPLICANTS

(First name) (Middle name) (Last name) STANLEY ANN DUNHAM a citizen of the United States, do hereby apply for (a passport) (registration).

SEX (M-F) F BIRTHPLACE (City, State or Province, Country) WICHITA, KANSAS, U.S.A. BIRTH DATE Month Nov. Day 29 Year 1942

HEIGHT 5 Ft 1/2 In. COLOR OF HAIR (Spell out) BROWN COLOR OF EYES (Spell out) BROWN SOCIAL SECURITY NO. (Not mandatory) 535-40-8522

APPLICANT'S EVIDENCE OF CITIZENSHIP  Birth Certificate  Passport  Certificate of Naturalization or Citizenship Date: 6/2/76 Bearer's Name: self  Submitted Herewith No.: 22433100  Canceled & Returned Place: Jakarta  Seen & Returned

NOW RESIDING AT Jalan Daksa I/14, Kebayoran Baru Jakarta Selatan, Indonesia

MY LAST REGISTRATION AS A CITIZEN OF THE UNITED STATES WAS APPROVED

PERMANENT RESIDENCE (Street Address, City, State, U.S. ZIP Code) (If same as above, so indicate) 1617 South Beretania, Apt.1008, Honolulu, Hawaii

Location of Registering Office Date of Registration

IN THE EVENT OF ACCIDENT OR DEATH NOTIFY (Not mandatory) (Do not give name of a person who will accompany you when traveling) Name in full: Stanley Dunham Relationship: Father Address: 1617 South Beretania, Apt. 1008, Honolulu, Hawaii Phone No.: (808) 949-2317

HAVE YOU EVER BEEN REFUSED A PASSPORT OR REGISTRATION AS A CITIZEN OF THE UNITED STATES?  Yes  No IF ANSWER IS "YES," EXPLAIN WHEN AND WHY



FATHER'S NAME STANLEY DUNHAM BIRTHPLACE WICHITA, KANSAS, U.S.A. BIRTH DATE March 23, 1918 U.S. CITIZEN  Yes  No

MOTHER'S MAIDEN NAME MADLYN PAYNE BIRTHPLACE PERU, KANSAS, U.S.A. BIRTH DATE Oct. 26, '22 U.S. CITIZEN  Yes  No

I WAS LAST MARRIED ON March 5, '64 TO (Wife's/Husband's full legal/maiden name - complete when married, widowed or divorced) Lolo Soetoro, MAUI, HAWAII  I WAS NEVER MARRIED

WIFE'S/HUSBAND'S BIRTHPLACE Bandung, Indone- WIFE'S/HUSBAND'S BIRTH DATE Jan. 2, 1936 U.S. CITIZEN  Yes  No  MARRIAGE NOT TERMINATED  MARRIAGE TERMINATED BY  DEATH  DIVORCE ON Aug. 28, 1980

HAVE YOU OR ANYONE INCLUDED IN SECTION B OF THIS APPLICATION BEEN ISSUED OR INCLUDED IN A U.S. PASSPORT?  Yes  No

IF YES, SUBMIT PASSPORT. IF UNABLE TO SUBMIT MOST RECENT PASSPORT, STATE ITS DISPOSITION: Am submitting No. 22433100 Issue Date: June 2, 1976

(PHOTO REQUIREMENTS FOR PERSONS TO BE INCLUDED) Photos must be ONLY of persons to be included (other than passport bearer). When more than one person is to be included, a group photograph of the inclusions is required. CONSULATE WILL STAPLE PHOTO OF INCLUSIONS HERE. DO NOT IMPRESS SEAL ON PHOTOGRAPHS.

COMPLETE IF CHILDREN OR BROTHERS AND SISTERS UNDER AGE 13, AND/OR WIFE/HUSBAND, ARE TO BE INCLUDED AND SUBMIT PHOTO (CONSULAR OFFICE USE ONLY) WIFE'S/HUSBAND'S EVIDENCE

WIFE'S/HUSBAND'S FULL LEGAL NAME  Submitted Herewith  Canceled & Returned  Seen & Returned BIRTHPLACE (City, State or Province, Country) BIRTH DATE (Mo., Day, Yr.)

CHILD(REN)'S NAME(S) IN FULL BIRTHPLACE(S) (City, State or Country) BIRTH DATE(S) (Mo., Day, Yr.) CHILD(REN)'S EVIDENCE  Submitted Herewith  Canceled & Returned  Seen & Returned

I have not (and no other person included in this application has), since acquiring United States citizenship, performed any of the acts listed in section I on the reverse of this application form (unless explanatory statement is attached). I solemnly swear (or affirm) that the statements made on all of the pages of this application are true and the photograph(s) attached is (are) a likeness of me and of those persons to be included in the passport.

(To be signed at same time by husband/wife to be included in passport) (SEAL) S. Ann Dunham (To be signed by Applicant in presence of person administering oath)

Subscribed and sworn to (affirmed) before me this 27 day of April 19 81.

Consul          of the United States at Jakarta, Indonesia (Signature of person taking application)

TO BE COMPLETED BY AN APPLICANT WHO BECAME A CITIZEN THROUGH NATURALIZATION

I IMMIGRATED TO THE U.S. (Month, year)	I RESIDED CONTINUOUSLY IN THE U.S. From (Year) To (Year)	NATURALIZATION CERTIFICATE NO. <input type="checkbox"/> Submitted herewith <input type="checkbox"/> Seen and returned <input type="checkbox"/> Previously submitted
PLACE NATURALIZED (City, state)		NATURALIZATION COURT
		DATE NATURALIZED

TO BE COMPLETED BY ALL APPLICANTS

OCCUPATION PROGRAM OFFICER, FORD FOUNDATION	VISIBLE DISTINGUISHING MARKS none
--	--------------------------------------

WOMEN MUST COMPLETE FOLLOWING IF CHILDREN OF A PREVIOUS MARRIAGE ARE INCLUDED OR IF PREVIOUSLY MARRIED BEFORE MARCH 3, 1931

I WAS PREVIOUSLY MARRIED ON	TO (Full legal name)	WHO WAS BORN AT (City, State, Country)
ON (Date of birth)	<input type="checkbox"/> FORMER HUSBAND WAS U.S. CITIZEN <input type="checkbox"/> FORMER HUSBAND WAS NOT U.S. CITIZEN	PREVIOUS MARRIAGE TERMINATED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE ON (Date)

COMPLETE IF APPLICANT OR ANY PERSON INCLUDED IN SECTION B WAS NOT BORN IN THE UNITED STATES AND CLAIMS CITIZENSHIP THROUGH PARENTS

ENTERED THE U.S. (Month) (Year) <input type="checkbox"/> Applicant <input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Child	IF FATHER NATURALIZED:		IF KNOWN, FATHER'S RESIDENCE PHYSICAL PRESENCE IN U.S. From (Year) To (Year)
	Date	Certificate No.	
	Before (Name of Court)	Place (City, State)	
RESIDENCE/CONTINUOUS PHYSICAL PRESENCE IN U.S. From (Year) To (Year) <input type="checkbox"/> Applicant <input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Child	IF MOTHER NATURALIZED:		IF KNOWN, MOTHER'S RESIDENCE PHYSICAL PRESENCE IN U.S. From (Year) To (Year)
	Date	Certificate No.	
	Before (Name of Court)	Place (City, State)	

PROPOSED TRAVEL PLANS (Not Mandatory)

I INTEND TO CONTINUE TO RESIDE ABROAD FOR THE FOLLOWING PERIOD AND PURPOSE

Two years contract with Ford Foundation from January 1981 - December 1982.

I INTEND TO RETURN TO THE UNITED STATES PERMANENTLY TO RESIDE WITHIN \_\_\_\_\_ YEARS \_\_\_\_\_ MONTHS

DATE OF DEPARTURE \_\_\_\_\_

PRIVACY ACT STATEMENT

The information solicited on this form is authorized by, but not limited to, those statutes codified in Titles 8, 18, and 22, United States Code, and all predecessor statutes whether or not codified, and all regulations issued pursuant to Executive Order 11295 of August 5, 1966. The primary purpose for soliciting the information is to establish citizenship, identity and entitlement to issuance of a United States Passport or related facility, and to properly administer and enforce the laws pertaining thereto.

The information is made available as a routine use on a need-to-know basis to personnel of the Department of State and other government agencies having statutory or other lawful authority to maintain such information in the performance of their official duties; pursuant to a subpoena or court order; and, as set forth in Part 6a, Title 22, Code of Federal Regulations (See Federal Register Volume 40, pages 45756, 47419 and 47420).

Failure to provide the information requested on this form may result in the denial of a United States Passport, related document or service to the individual seeking such passport, document or service.

NOTE: The disclosure of your Social Security Number or of the identity and location of a person to be notified in the event of death or accident is entirely voluntary. However, failure to provide this information may prevent the Department of State from providing you with timely assistance or protection in the event you should encounter an emergency situation while outside the United States.

ACTS OR CONDITIONS

(If any of the below-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person to be included in the passport, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)

I have not (and no other person included in this application has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.

WARNING: False statements made knowingly and willfully in passport applications or in affidavits or other supporting documents submitted therewith are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 USC 1543. The use of a passport in violation of the restrictions contained therein or of the passport regulations is punishable by fine and/or imprisonment under 18 USC 1544. All statements and documents submitted are subject to verification.

(FOR USE OF OFFICE TAKING APPLICATION)

APPLICANT'S IDENTIFYING DOCUMENT(S) <input type="checkbox"/> Certificate of Naturalization or Citizenship No.: <input type="checkbox"/> Passport Issue Date: <input type="checkbox"/> Driver's License Place of Issue: <input type="checkbox"/> Other (Specify): Issued in Name of:		IDENTIFYING DOCUMENT(S) OF WIFE/HUSBAND TO BE INCLUDED IN PASSPORT <input type="checkbox"/> Certificate of Naturalization or Citizenship No.: <input type="checkbox"/> Passport Issue Date: <input type="checkbox"/> Driver's License Place of Issue: <input type="checkbox"/> Other (Specify): Issued in Name of:	
---	--	--	--

UNITED STATES DEPARTMENT OF STATE  
APPLICATION FOR PASSPORT BY MAIL

0 0 C N 0 0 5 0

P 6

**IMPORTANT**  
**URGENT**  
READ INSTRUCTIONS ON BACK OF FORM  
TYPE OR PRINT IN INK IN WHITE AREAS ONLY

**IDENTIFYING INFORMATION**

NAME  
FIRST/MIDDLE **STANLEY ANN**  
LAST **DUNHAM**

**MR31G 155268**

HONOLULU PASSPORT AGENCY

MAILING ADDRESS (In Care Of if applicable, Street, City, State, ZIP Code)

~~1512 SPRECKELS ST.~~ **WILL CALL** \*\*  
~~APT. 402~~ **4/1 2 pm**  
~~HONOLULU, HAWAII~~ **96822**

Issue Date \_\_\_\_\_  
Endorsement **R D O DP**

SEX  Male  Female  
PLACE OF BIRTH **WICHITA, KANSAS USA**  
City, State or Province, Country

DATE OF BIRTH **11 29 42** SOCIAL SECURITY NUMBER **535408522**  
Month Day Year (Not Mandatory)

HEIGHT **56** COLOR OF HAIR **BROWN** COLOR OF EYES **BROWN** HOME PHONE **81089428454** BUSINESS PHONE \_\_\_\_\_  
inches (Area Code) (Area Code)

MOST RECENT PASSPORT ISSUED WITHIN PAST 8 YEARS MUST BE ATTACHED  
PASSPORT NUMBER **2310372211** ISSUE DATE **4 27 81** OCCUPATION **CONSULTANT** DEPARTURE DATE **APRIL 6, 8**  
Month Day Year

**\* 4/9/86 - ppt mailed to perm. address per her written request - attached**  
PERMANENT ADDRESS (Street, City, State, ZIP Code)  
**1512 SPRECKELS ST APT 402 HONOLULU, HI**

SUBMIT TWO RECENT IDENTICAL PHOTOS SIGNED ON THE REVERSE

**PROPOSED TRAVEL PLANS AND EMERGENCY ADDRESS** (Not Mandatory)

LENGTH OF STAY **1 WEEK** COUNTRIES TO BE VISITED **PHILIPPINES**  
PERSON TO NOTIFY IN CASE OF EMERGENCY (Not Traveling With You)  
NAME IN FULL **STANLEY ANN MADELYN DUNHAM**  
ADDRESS **1617 S. BERETANIA #1008**  
PHONE NUMBER **810894923117** RELATIONSHIP **PARENTS**



**OATH AND SIGNATURE** (If any of the below-mentioned acts or conditions have been performed by or apply to the applicant, the portion which applies should be lined out, and a supplementary explanatory statement should be attached, signed, and made a part of this application.)

I have not, since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath, or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the Government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, or conspiring to overthrow, put down or destroy by force the Government of the United States.

**WARNING:** False statements made knowingly and willfully in passport applications or affidavits or other supporting documents are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. The alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under 18 USC 1543. The use of a passport in violation of the restrictions therein is punishable by fine and/or imprisonment under 18 USC 1544.

**DECLARATION:** I declare that the statements made in this application are true and complete to the best of my knowledge and belief, that the attached photographs are a true likeness of me, and that I have not been issued or included in a passport issued subsequent to the one submitted herein.

**X** **March 27, 1986**  
(Date)

**X** **Stanley Ann Dunham**  
Signature of applicant (Must be signed by applicant)

FOLLOW INSTRUCTIONS CAREFULLY - INCOMPLETE OR UNACCEPTABLE APPLICATIONS WILL DELAY THE ISSUANCE OF YOUR PASSPORT.

**FOR PASSPORT SERVICES USE ONLY** RECORD: Type of Document(s), Number, Date Filed/Issued, Court/Place, Bearer's Name as Appropriate.

Passport  Evidence of Name Change  Other:  
Bearer's Name: **same** No.: **23037221** Issued: **4/27/81** Place: **Jakarta**

APPLICATION APPROVAL  
**memasu**  
Examiner Name  
**PT/HH 3/27/86**  
Office, Date

FEE **350K** POST \_\_\_\_\_

My trip was delayed by 1 month  
Please mail my passport to

S. ANN DUNHAM  
1512 SPRECKELS ST.  
APT 402  
HONOLULU, HI 96822

Stanley Ann Dunham

PH 942-8454

RECEIVED  
APR - 9 1986

Honolulu Passport Agency

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**AFFIDAVIT of Philip Hans Jacobsen**

**Exhibit B**



United States Department of State

Washington, D.C. 20520

In reply refer to:

CA/PPT/L/LE – JACOBSEN, [REDACTED]

Case Officer: CVColeman

JAN 25 2010

Philip H. Jacobsen  
[REDACTED]

Dear Mr. Jacobsen:

I am responding to your letter requesting the release of information from the passport record of your mother, [REDACTED] Jacobsen (Deceased).

We conducted a search of our records from 1945 to present and were able to locate five documents that appear relevant to your request. Enclosed please find copies of the following:

- application for United States passport #683 issued to [REDACTED] Jacobsen (Deceased), including minor children [REDACTED] and Philip Hans Jacobsen, on May 26, 1953, at the Department of State. [Released in Part - Pursuant to the Freedom of Information Act, subsection (b)(6). We have redacted material, the release of which, would constitute a clearly unwarranted invasion of personal privacy of third party.]

- application for Renewal of United States passport # 683 issued to [REDACTED] Jacobsen (Deceased) renewing passport for two years on March 31, 1955, at the Department of State. [Released in Part - Pursuant to the Freedom of Information Act, subsection (b)(6). We have redacted material, the release of which, would constitute a clearly unwarranted invasion of personal privacy of third party.]

- application for United States passport #172196 issued to [REDACTED] Jacobsen (Deceased), including minor children [REDACTED] and Philip Hans Jacobsen, on March 28, 1956, at the Department of State. [Released in Part - Pursuant to the Freedom of Information Act, subsection (b)(6). We have redacted material, the release of which, would constitute a clearly unwarranted invasion of personal privacy of third party.]

- application for Amendment of United States passport #172196 issued to [REDACTED] Jacobsen (Deceased) on March 28, 1956, amending passport on June 12, 1957, to exclude minor children, [REDACTED] and Philip Hans Jacobsen at the American Consulate [REDACTED] [Released in Part - Pursuant to the Freedom of Information Act, subsection (b)(6). We have redacted material, the release of which, would constitute a clearly unwarranted invasion of personal privacy of third party.]

- application for United States passport #031562885 issued to [REDACTED] Jacobsen (Deceased) on October 28, 1985, at the Los Angeles Passport Agency. [Released in Part - Pursuant to the Freedom of Information Act, subsection (b)(6). We have redacted material, the release of which, would constitute a clearly unwarranted invasion of personal privacy of third party.]

We excised information under subsection (b)(6) of the Freedom of Information Act (5 U.S.C. § 552), which exempts materials that would constitute a clearly unwarranted invasion of the personal privacy of another person.

You may overcome the Freedom of Information Act/Privacy Act restrictions by providing either notarized consent from the file subject authorizing release of the information, credible evidence that the subject is deceased, or a court order signed by a judge of competent jurisdiction. If you are unable to provide these items but feel you are entitled to this information, please provide this office with your justification for having access to the excised information.

A certified copy of your mother's passport record is available upon a written request and submission of the \$30.00 certification fee. You may make payment by check or money order made payable to the Department of State.

I hope the enclosed documentation will be of assistance to you. If we can be of further assistance, please let us know.

Sincerely,



Handwritten signature of Marionette Pleasant in black ink, featuring a stylized 'M' and 'P'.

Marionette Pleasant

Team Leader, Law Enforcement Liaison Division  
Office of Legal Affairs  
Passport Services

Enclosures:  
As stated



Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**AFFIDAVIT of Philip Hans Jacobsen**

**Exhibit C**

[Genealogists/Family Historians](#)
[Passport Applications](#)
**GENEALOGISTS/  
FAMILY HISTORIANS**
[Print](#)
[E-mail](#)
[Bookmark/Share](#)
[What You Can Do on This  
Web Site](#)
[Forms, Tools & Aids](#)
[Start Your Genealogy  
Research](#)
[Research Topics for  
Genealogists](#)
[Genealogy Links](#)
[FAQs](#)
**GENEALOGY  
RESOURCES**
[Caring for Your Family  
Archives](#)
[Publications](#)
[Genealogy Workshops](#)
[Visit Us](#)
[National Archives Online  
Catalogs](#)
[Hire an Independent  
Researcher](#)
[Go to the Research  
Main Page](#)

## Passport Applications

*Updated August 15, 2008*

### Table of Contents

- [Part 1: Introduction](#)
- [Part 2: Search Strategy](#)
- [Part 3: Types of Passport Applications](#)
  - [Regular](#)
  - [Emergency](#)
  - [Special](#)
  - [Insular](#)
  - [Miscellaneous Related Records](#)
- [Part 4: Where to Find these Records](#)
- [Part 5: For More Information](#)

### Part 1: Introduction

Passport applications can be an excellent source of genealogical information, especially about foreign-born individuals. The National Archives and Records Administration (NARA) has passport applications from Oct. 1795-Mar. 1925; the [U.S. Department of State](#) has passport applications from Apr. 1925 to the present.

The Department of State has issued passports to American citizens traveling abroad since 1789, but did not have sole authority to do so until August 23, 1856, when Congress passed an act (11 Stat. 60) prohibiting other governmental entities, such as state and judicial authorities, from issuing passports.

Foreign travel in the nineteenth century was much more frequent than one might expect. Overseas travelers included businessmen, the middle class, and [naturalized U.S. citizens](#) who returned to their homelands to visit relatives. For example, statistics show that the State Department issued 130,360 passports between 1810 and 1873, more than 369,844 between 1877 and 1909, and more than 1,184,085 between 1912 and 1925. It is unknown how many American citizens traveled abroad with passports issued by state or judicial authorities prior to 1856 or without any passport prior to 1918.

Although 95 percent of mid-19th century passport applicants were men, many **women** also traveled overseas. If the applicant was to be accompanied by his wife, children, servants, or other females under his protection, their names, ages, and relationship to the applicant were stated on the passport application. One passport was then issued to cover the whole group. Likewise, when children traveled abroad solely with their mother, their names and ages were indicated on the mother's passport application. Passport applications by women in their own names became more frequent in the latter part of the nineteenth century, and by 1923 women constituted over 40 percent of passport applicants.

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**AFFIDAVIT of Philip Hans Jacobsen**

**Exhibit D**

## Obtain Copies of Passport Records

---

There are two options for obtaining copies of your passport records:

### 1. **Passport Records for Issuances 1925 – Present**

#### a. Requesting Your Own Record

Passport Services maintains United States passport records for passports issued from 1925 to the present. These records normally consist of applications for United States passports and supporting evidence of United States citizenship, and are protected by the Privacy Act of 1974, (5 USC 552(a)). Passport records do not include evidence of travel such as entrance/exit stamps, visas, residence permits, etc., since this information is entered into the passport book after it is issued.

The Privacy Act allows you to obtain copies of records in your own name and the records of your minor children. To request these records, please submit a typed or clearly printed NOTARIZED request that provides:

1. Your full name at birth and any subsequent name changes and/or the full name of your minor child or children, if you are requesting their records;
2. Your date and place of birth and/or those of your minor child or children;
3. Your current mailing address;
4. Your current daytime telephone number;
5. Your current e-mail address, if available;
6. Your reason for the request;
7. The dates or estimated dates your passports were issued;
8. Your passport numbers or any other information that will help us locate your records; and
9. A copy of requestor's valid photo identification

A search for your passport record is free with your notarized request. However, there is a \$60.00 search fee for each individual, other than yourself and your minor children, for whom a record search is requested. A check or money order made payable to "Department of State" must be included with your request.

#### b. Certified Passport Records

Certified copies of passport records may be requested. If you would like a certified copy of a passport record, the certification fee is \$30.00 for the first certified copy of an individual's record and \$20.00 for each additional authenticated copy of that record. Checks or money orders should be made payable to "Department of State".

#### c. Third-Party Requests

Third party requests must include one of the following:

1. Notarized consent from the owner of the passport records,
2. Proof of guardianship,

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**AFFIDAVIT of Philip Hans Jacobsen**

**Exhibit E**



[Home](#) » [Under Secretary for Management](#) » [Bureau of Administration](#) » [U.S. Department of State Freedom of Information Act \(FOIA\)](#) » [FOIA/Privacy Act Reference Materials](#) » [Records Disposition Schedules](#)

[Subscribe to Updates](#)

## Records Disposition Schedules

### Domestic Records Disposition Schedules

- A 01 Secretary of State [23 Kb]
- A 02 Principal Officers [165 Kb]
- A 03 Records Common to Most Organizational Areas [139 Kb]
- A 04 Personnel Records [384 Kb]
- A 05 Bureau of Resource Management (formerly FMP) [190 Kb]
- A 06 Bureau of Administration Records [338 Kb]
- A 07 Information Resources Management Records [140 Kb]
- A 08 Overseas Buildings Operations [420 Kb]
- A 09 Foreign Service Institute Records [92 Kb]
- A 10 Office of Foreign Missions [42 Kb]
- A 11 Diplomatic Security Records [301 Kb]
- A 12 Medical Services Records [36 Kb]
- A 13 Passport Records [96 Kb]
- A 14 Visa Records (also see B 09 Consular Records) [42 Kb]
- A 15 Overseas Citizens Services Records [44 Kb]
- A 16 Oceans & Intern'l Environmental Scientific Affairs [107 Kb]
- A 17 Intelligence and Research [138 Kb]
- A 18 International Organization Affairs Records [79 Kb]
- A 19 Family Liaison Office Records [27 Kb]
- A 20 Economic, Energy, and Business Affairs Records [122 Kb]
- A 21 Geographic Area Affairs Records [264 Kb]
- A 22 Public Affairs Records [84 Kb]
- A 23 Legal Affairs Records [129 Kb]
- A 24 Arms Control and International Security Records [263 Kb]
- A 25 Population, Refugees, and Migration Records [63 Kb]
- A 26 Protocol Records [50 Kb]
- A 27 Executive Secretariat Records [36 Kb]
- A 28 Legislative Affairs Records [36 Kb]
- A 29 Inspector General Records [36 Kb]
- A 30 Democracy, Human Rights and Labor [40 Kb]
- A 32 Intern'l Narcotics and Law Enforcement Affairs [24 Kb]
- A 35 Consular Affairs [57 Kb]
- A 36 Bureau of Educational and Cultural Affairs [85 Kb]
- A 37 Coordinator of International Information Programs [67 Kb]

### Foreign Records Disposition Schedules

- B 01 Historical - Foreign Policy and Relations Records [31 Kb]
- B 02 Records Common To All Sections At Post [25 Kb]
- B 03 Budget and Fiscal Records [54 Kb]
- B 04 Information Management [27 Kb]
- B 05 General Services [59 Kb]
- B 06 Health and Medical Records [28 Kb]
- B 07 Personnel [28 Kb]
- B 08 Security [39 Kb]
- B 09 Consular Records (also see A 14 Visa Records) [128 Kb]
- B 11 International Conference [18 Kb]
- B 12 Refugee and Migration [39 Kb]
- B 13 United Nations [57 Kb]
- B 14 International Organizations [62 Kb]
- B 15 Freedom of Information and Privacy Act Records [18 Kb]
- B 16 Public Diplomacy [32 Kb]

The Office of Electronic Information, Bureau of Public Affairs, manages this site as a portal for information from the U.S. State Department. External links to other Internet sites should not be construed as an endorsement of the views or privacy policies contained therein.

---

---

**U.S. Department of State Records Schedule**

---

**Chapter 13: Passport Records**

---

**Passport Records**

<b>A-13-001-01a(1)</b>	<b>Passport Case Files - Passport and Citizenship Case Files, 1925-1970.</b>
<b>Description:</b>	a. Case files containing one or more of the following types of records: passport applications; Reports of Birth of American Citizens Abroad; Certificates of Witness to Marriage; Applications for Amendment or Extension of Passport; Certificates of Loss of Nationality; and other supporting forms, documents and correspondence pertaining to each case.  (1) Reports of Birth of American Citizens Abroad, Certificates of Witness to Marriage, Certificates of Loss of Nationality, and Oaths of Repatriation.
<b>Disposition:</b>	Permanent. Transfer to the National Archives when 50 years old.
<b>DispAuthNo:</b>	NC1-59-79-12, item 2a
<b>Date Edited:</b>	2/24/2009
<b>A-13-001-01a(2)</b>	<b>Passport Case Files - Passport and Citizenship Case Files, 1925-1970.</b>
<b>Description:</b>	a. Case files containing one or more of the following types of records: passport applications; Reports of Birth of American Citizens Abroad; Certificates of Witness to Marriage; Applications for Amendment or Extension of Passport; Certificates of Loss of Nationality; and other supporting forms, documents and correspondence pertaining to each case.  (2) All other records.
<b>Disposition:</b>	Destroy when 100 years old. (Supersedes NN 165-119, item 1)
<b>DispAuthNo:</b>	NC1-59-79-12, item 2b
<b>Date Edited:</b>	2/24/2009
<b>A-13-001-01b(1)</b>	<b>Passport Case Files - Passport Case Files, 1978-1982.</b>
<b>Description:</b>	b. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence.  (1) Paper records that have been microfilmed (beginning in 1978).
<b>Disposition:</b>	Transfer to WNRC in quarterly accumulations after it has been determined that the microfilm copies have been made in accordance with GSA and NARA regulations and are adequate substitutes for the paper records. Destroy when 15 years old.
<b>DispAuthNo:</b>	NC1-59-79-12, item 1a
<b>Date Edited:</b>	2/24/2009

---

---

**U.S. Department of State Records Schedule**

---

**Chapter 13: Passport Records**

---

<b>A-13-001-01b(2)(a)</b>	<b>Passport Case Files - Passport Case Files, 1978-1982.</b>
<b>Description:</b>	b. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence.  (2) Microfilm, 1978-82.  (a) Original Silver Halide (Archival).
<b>Disposition:</b>	Transfer to WNRC monthly. Destroy when 100 years old.
<b>DispAuthNo:</b>	NC1-59-79-12, item 1b
<b>Date Edited:</b>	2/24/2009
<b>A-13-001-01b(2)(b)</b>	<b>Passport Case Files - Passport Case Files, 1978-1982.</b>
<b>Description:</b>	b. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence, subject to Freedom of Information and Privacy Act protection.  (2) Microfilm, 1978-82.  (b) Duplicate Diazo copies.
<b>Disposition:</b>	Retain in PPT. Destroy when active agency use ceases. (ref. NC1-59-79-12, item 1b)
<b>DispAuthNo:</b>	N1-59-04-2, item 1b(2)(b)
<b>Date Edited:</b>	2/26/2009
<b>A-13-001-01b(3)</b>	<b>Passport Case Files - Passport Case Files, 1971-1978.</b>
<b>Description:</b>	b. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence.  (3) Paper records not microfilmed, 1971-1978.
<b>Disposition:</b>	Transfer to WNRC when 5 years old. Destroy when 100 years old. (Ref. NN-165-119, item 1b. Supersedes NC159-79-12, item 1c)
<b>DispAuthNo:</b>	N1-59-90-23, item 1(3)
<b>Date Edited:</b>	2/24/2009

---



## U.S. Department of State Records Schedule

### Chapter 13: Passport Records

---

<b>A-13-001-01c(1)</b>	<b>Passport Case Files - Passport Case Files, 1983-1999.</b>
<b>Description:</b>	c. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence.  (1) Paper records that have been microfilmed.
<b>Disposition:</b>	Transfer to WNRC in weekly accumulations after it has been determined that the microfilm copies have been made in accordance with GSA and NARA regulations and are adequate substitutes for the paper records. Destroy when 15 years old.
<b>DispAuthNo:</b>	NC1-59-79-12, item 1a
<b>Date Edited:</b>	2/24/2009
<hr/>	
<b>A-13-001-01c(2)(a)</b>	<b>Passport Case Files - Passport Case Files, 1983-1999.</b>
<b>Description:</b>	c. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence.  (2) Microfilm.  (a) Original Silver Halide (Archival).
<b>Disposition:</b>	Transfer to WNRC monthly. Destroy when 100 years old.
<b>DispAuthNo:</b>	NC1-59-79-12, item 1b
<b>Date Edited:</b>	2/24/2009
<hr/>	
<b>A-13-001-01c(2)(b)</b>	<b>Passport Case Files - Passport Case Files, 1983-1999.</b>
<b>Description:</b>	c. Consist of passport applications with photograph attached; applications for amendment or extension of passports; and related correspondence, subject to Freedom of Information and Privacy Act protection.  (2) Microfilm.  (b) Duplicate Diazo copies.
<b>Disposition:</b>	Retain in PPT. Destroy upon imaging to optical disk or when active agency use ceases. (ref. NC1-59-79-12, item 1b)
<b>DispAuthNo:</b>	N1-59-04-2, item 1c(2)(b)
<b>Date Edited:</b>	2/26/2009
<hr/>	
<b>A-13-001-01d</b>	<b>Passport Case Files - A &amp; P Passport and Citizenship Case Files 1910-present.</b>
<b>Description:</b>	d. Consists of a wide variety of citizenship files including abandoned applications, registration applications, expired look-out files and other related material.
<b>Disposition:</b>	Transfer to WNRC on an annual basis. Disposition not approved.
<b>DispAuthNo:</b>	N1-59-96-5, item 1d
<b>Date Edited:</b>	2/24/2009

---

## U.S. Department of State Records Schedule

### Chapter 13: Passport Records

---

<b>A-13-001-02</b>	<b>Passport Books: Recovered, Surrendered, Unclaimed or Found</b>
<b>Description:</b>	These passport books were issued to individuals who have returned them on their own initiative or at the request of the Department of State or other Government agency or have been found, recovered, and/or forwarded to Passport Services (PPT/TO/RS). They include Diplomatic or other official passports issued to military personnel who are either discharged, retired or deceased during the validity period of the passport; No Fee passports issued to Peace Corps volunteers; tourist passports; and all other passports.
<b>Disposition:</b>	Destroy after receipt has been logged into PIERS database or successor electronic database. (ref. N1-59-96-5, item 2)
<b>DispAuthNo:</b>	N1-59-04-2, item 2
<b>Date Edited:</b>	3/2/2006

---

<b>A-13-001-03a(1)</b>	<b>Passport Authorization Sheets or Records</b>
<b>Description:</b>	a. Lists Issued by Consular Posts. Arranged numerically, giving passport number, name and address of person to whom issued.  (1) Paper.
<b>Disposition:</b>	Transfer immediately to WNRC. Destroy when 50 years old. (ref. N1-59-96-5, item 3a(1))
<b>DispAuthNo:</b>	N1-59-04-2, item 3a(1)
<b>Date Edited:</b>	3/2/2006

---

<b>A-13-001-03a(2)</b>	<b>Passport Authorization Sheets or Records</b>
<b>Description:</b>	a. Lists Issued by Consular Posts. Arranged numerically, giving passport number, name and address of person to whom issued.  (2) Microfilm.
<b>Disposition:</b>	Destroy when 100 years old.
<b>DispAuthNo:</b>	N1-59-96-5, item 3a(2)
<b>Date Edited:</b>	4/1/1999

---

<b>A-13-001-03b</b>	<b>Passport Authorization Sheets or Records</b>
<b>Description:</b>	b. Index Cards. Arranged alphabetically. Master index to issuance's 1909 through 1978 (paper records). Contains index cards with information on passport issuance, registration, consular reports of birth, and other information.
<b>Disposition:</b>	Transfer immediately to WNRC. Destroy when 100 years old.
<b>DispAuthNo:</b>	N1-59-96-5, item 3b
<b>Date Edited:</b>	4/1/1999

---

---

**U.S. Department of State Records Schedule**

---

**Chapter 13: Passport Records**

---

<b>A-13-001-03c(1)</b>	<b>Passport Authorization Sheets or Records</b>
<b>Description:</b>	c. Microfilm Master Index to Issuance's, 1909-1978. (1) Original Silver Halide (Archival).
<b>Disposition:</b>	Transfer to WNRC. Destroy when 100 years old.
<b>DispAuthNo:</b>	N1-59-96-5, item 3c(1)
<b>Date Edited:</b>	4/1/1999
<hr/>	
<b>A-13-001-03c(2)</b>	<b>Passport Authorization Sheets or Records</b>
<b>Description:</b>	c. Microfilm Master Index to Issuance's, 1909-1978. (2) Duplicate Diazo copies.
<b>Disposition:</b>	Retain in PPT. Destroy when active agency use ceases. (ref. N1-59-96-5, item 3c(2))
<b>DispAuthNo:</b>	N1-59-04-2, item 3c(2)
<b>Date Edited:</b>	3/2/2006
<hr/>	
<b>A-13-001-04</b>	<b>Reports of Passports Issued</b>
<b>Description:</b>	Accounting statistical reports.
<b>Disposition:</b>	Destroy when 5 years old. (ref. N1-59-96-5, item 4)
<b>DispAuthNo:</b>	N1-59-04-2, item 4
<b>Date Edited:</b>	3/2/2006
<hr/>	
<b>A-13-001-05a</b>	<b>Passport Accounting Records - Accounting records showing money received, deposited, or refunded by Passport Services. Also includes copies of cash receipts.</b>
<b>Description:</b>	a. Consular cash receipts (DS-233).
<b>Disposition:</b>	Destroy when 2 years old. (ref. N1-59-96-5, item 5a)
<b>DispAuthNo:</b>	N1-59-04-2, item 5a
<b>Date Edited:</b>	3/2/2006
<hr/>	
<b>A-13-001-05b</b>	<b>Passport Accounting Records - Accounting records showing money received, deposited, or refunded by Passport Services. Also includes copies of cash receipts.</b>
<b>Description:</b>	b. All other accounting records.
<b>Disposition:</b>	Destroy when 5 years old. (ref. N1-59-96-5, item 5b)
<b>DispAuthNo:</b>	N1-59-04-2, item 5b
<b>Date Edited:</b>	3/6/2006

---

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

AFFIDAVIT of Philip Hans Jacobsen

**Exhibit F**

participant organizations with no off-floor traders in the same member/participant organization would be assessed a monthly fee of \$2,100, which is the same fee that is currently assessed on member/participant organizations with one to ten off-floor traders.

Additionally, the Exchange proposes to assess the Examinations Fee on inactive organizations, thereby eliminating the current inactive member/participant organization exemption.<sup>9</sup> As a result, inactive member/participant organizations for whom the Exchange is the DEA will be assessed the Examinations Fee based on the number of off-floor traders in that inactive member/participant organization.<sup>10</sup>

The Exchange intends to implement the Examinations Fee as set forth in this proposal beginning January 1, 2008.

The Exchange states that the purpose of revising the Examinations Fee is to more efficiently and effectively assess member/participant organizations for costs in connection with conducting examinations of member/participant organizations that do not have any off-floor traders for whom the Exchange is the DEA and for those that choose to elect an "inactive status."

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the objectives of section 6 of the Act<sup>11</sup> in general, and furthers the objectives of section 6(b)(4) of the Act<sup>12</sup> in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities. According to the Exchange, assessing member/participant organizations an Examinations Fee as set forth in this proposal should more efficiently and effectively charge those member/participant organizations for

on persons registered with affiliated broker-dealers or operate utilizing a "black box" trading technology.

<sup>9</sup> The Exchange represents that it will continue to conduct examinations of member/participant organizations that have chosen to elect an "inactive status." See telephone conversation between Cynthia Hoekstra, Vice President, Phlx, and Christopher Chow, Special Counsel, Division of Trading and Markets, Commission, on January 2, 2008.

<sup>10</sup> Member organizations operating through one or more Phlx markets that demonstrated that 25% or more of its revenue as reflected on the most recently submitted FOCUS report or transactions as reflected on its purchase and sales blotter are derived from securities transactions on Phlx will continue to be exempt from the assessment of the Examinations Fee.

<sup>11</sup> 15 U.S.C. 78f(b).

<sup>12</sup> 15 U.S.C. 78f(b)(4).

costs associated with conducting examinations of these organizations.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has been designated as a fee change pursuant to section 19(b)(3)(A)(ii) of the Act<sup>13</sup> and Rule 19b-4(f)(2)<sup>14</sup> thereunder, because it establishes or changes a due, fee, or other charge imposed by the Exchange. Accordingly, the proposal took effect upon filing with the Commission. At any time within 60 days of the filing of such proposed rule change the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-Phlx-2007-94 on the subject line.

#### Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2007-94. This file number should be included on the

subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2007-94 and should be submitted on or before January 30, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>15</sup>

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E8-150 Filed 1-8-08; 8:45 am]

BILLING CODE 8011-01-P

## DEPARTMENT OF STATE

[Public Notice 6055]

### Privacy Act of 1974; System of Records

**Summary:** Passport Services has prepared an update of its system of records notice (SORN) as required by the Privacy Act 5 U.S.C. 552a and Appendix I to OMB Circular A-130 ("Federal Agency Responsibilities for Maintaining Records About Individuals"). Publication in the **Federal Register** of the updated SORN will establish a number of new "routine uses" for sharing passport records outside the Department of State. The purpose in granting access to other entities varies, but principally encompasses the following functions:

<sup>13</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>14</sup> 17 CFR 240.19b-4(f)(2).

<sup>15</sup> 17 CFR 200.30-3(a)(12).

- To support national defense, border security, and foreign policy activities;
- To ensure the proper functioning and integrity of law enforcement, counterterrorism, and fraud-prevention activities by supporting law enforcement personnel in the conduct of their duties;
- To support the investigatory process; and
- To assist with verification of passport validity to support employment eligibility and identity corroboration for public and private employment.

New routine users listed in the SORN include the Department of Homeland Security, the National Counter-Terrorism Center, the Department of Justice (including components such as the FBI), foreign governments, and entities such as Interpol, for counterterrorism and other purposes such as border security and fraud prevention.

New routine uses are not considered effective until after a 40-day period enabling review and comment by the public, OMB and Congress.

**SYSTEM NAME:**

Passport Records (STATE-26).

**SECURITY CLASSIFICATION:**

Classified and unclassified.

**SYSTEM LOCATION:**

Department of State, Passport Services, Annex 17, 1111 19th Street, NW., Washington, DC 20522-1705.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Records are maintained in the Passport Records system about individuals who:

- (a) Have applied for the issuance, amendment, extension, or renewal of U.S. passport books and passport cards;
- (b) Were issued U.S. passport books or cards, or had passports amended, extended, renewed, limited, revoked, or denied;
- (c) Have applied to have births overseas reported as births of U.S. citizens overseas;
- (d) Were issued a Consular Report of Birth Abroad of U.S. citizens or for whom Certification(s) of Birth have been issued;
- (e) Applied at American Diplomatic or Consular posts for registration and have so registered;
- (f) Were issued Cards of Registration and Identity as U.S. citizens;
- (g) Were issued Certificates of Loss of Nationality of the United States by the Department of State;
- (h) Applied at American Diplomatic or Consular Posts for issuance of

Certificates of Witness to Marriage, and individuals who have been issued Certificates of Witness to Marriage;

- (i) Were deceased individuals for whom a Report of Death of an American Citizen Abroad has been obtained;
- (j) Although U.S. citizens, are not or may not be entitled under relevant passport laws and regulations to the issuance or possession of U.S. passport books, cards, or other documentation or service(s);
- (k) Have previous passport records that must be reviewed before further action can be taken on their passport application or request for other consular services;
- (l) Requested their own or another's passport records under FOIA or the Privacy Act, whether successfully or not; or
- (m) Have corresponded with Passport Services concerning various aspects of the issuance or denial of a specific applicant's U.S. passport books or cards.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

- (a) 8 U.S.C. 1401-1503 (2007) (Acquisition and Loss of U.S. Citizenship or U.S. Nationality; Use of U.S. Passports);
- (b) 18 U.S.C. 911, 1001, 1541-1546 (2007) (Crimes and Criminal Procedure);
- (c) 22 U.S.C. 211a-218, 2651a, 2705 (2007); Executive Order 11295, August 5, 1966, 31 FR 10603; (Authority of the Secretary of State in granting and issuing U.S. passports); and
- (d) 8 U.S.C. 1185 (2007) (Travel Control of Citizens).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Passport Services maintains U.S. passport records for passports issued from 1925 to the present, as well as vital records related to births abroad, deaths, and witnesses to marriages overseas. The passport records system does not maintain evidence of travel such as entrance/exit stamps, visas, or residence permits, since this information is entered into the passport book after it is issued. The passport records system includes the following categories of records:

- Passport books and passport cards, applications for passport books and passport cards, and applications for additional visa pages, amendments, extensions, replacements, and/or renewals of passport books or cards (including all information and materials submitted as part of or with all such applications);
- Applications for registration at American Diplomatic and Consular Posts as U.S. citizens or for issuance of Cards of Identity and Registration as U.S. Citizens;

- Consular Reports of Birth Abroad of United States citizens;
- Certificates of Witness to Marriage;
- Certificates of Loss of United States Nationality;
- Oaths of Repatriation;
- Consular Certificates of Repatriation;
- Reports of Death of an American Citizen Abroad;
- Cards of Identity and Registration as U.S. citizens;
- Lookout files which identify those persons whose applications for a consular or related service require other than routine examination or action; and
- Miscellaneous materials, which are documents and/or records maintained separately, if not in the application, including but not limited to the following types of documents:
  - Investigatory reports compiled in connection with granting or denying passport and related services or prosecuting violations of passport criminal statutes;
  - Transcripts and opinions on administrative hearings, appeals and civil actions in federal courts;
  - Legal briefs, memoranda, judicial orders and opinions arising from administrative determinations relating to passports and citizenship;
  - Birth and baptismal certificates;
  - Court orders;
  - Arrest warrants;
  - Medical, personal and financial reports;
  - Affidavits;
  - Inter-agency and intra-agency memoranda, telegrams, letters, and other miscellaneous correspondence;
  - An electronic index of all passport application records created since 1978, and some passport application records created between 1962 and 1978;
  - An electronic index of Department of State Reports of Birth of American Citizens abroad; and/or
  - Records of lost and stolen passports.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:**

The information maintained in the Passport Services records is used to establish the U.S. citizenship and identity of persons for a variety of legal purposes including, but not limited to, the adjudication of passport applications and requests for related services, social security benefits, employment applications, estate settlements, and federal and state law enforcement investigations.

The principal users of this information outside the Department of State include the following users:

- Department of Homeland Security for border patrol, screening, and security purposes; law enforcement, counterterrorism, and fraud prevention activities; and for verification of passport validity to support employment eligibility and identity corroboration for public and private employment;
- Department of Justice, including the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the U.S. Marshals Service, and other components, for law enforcement, counterterrorism, border security, fraud prevention, and criminal and civil litigation activities;
- Internal Revenue Service for the current addresses of specifically identified taxpayers in connection with pending actions to collect taxes accrued, examinations, and/or other related tax activities;
- INTERPOL and other international organizations for law enforcement, counterterrorism, fraud prevention, criminal activities related to lost and stolen passports;
- National Counterterrorism Center to support strategic operational planning and counterterrorism intelligence activities;
- Office of Personnel Management (OPM), other federal agencies, or contracted outside entities to support the investigations OPM, other federal agencies, and contractor personnel conduct for the federal government in connection with verification of employment eligibility and/or the issuance of a security clearance;
- Social Security Administration to support employment-eligibility verification for public and private employers, and for support in verification of social security numbers used in processing U.S. passport applications;
- Federal, state, local, or other agencies having information on an individual's history, nationality, or identity, to the extent necessary to obtain information from these agencies relevant to adjudicating an application for a passport or related service, or where there is reason to believe that an individual has applied for or is in possession of a U.S. passport fraudulently or has violated the law;
- Federal, state, local or other agencies for use in legal proceedings as government counsel deems appropriate, in accordance with any understanding reached by the agency with the U.S. Department of State;
- Public and private employers seeking to confirm the authenticity of the U.S. passport when it is presented

as evidence of identity and eligibility to work in the United States;

- Immediate families when the information is required by an individual's immediate family;
- Private U.S. citizen "wardens" designated by U.S. embassies and consulates to serve, primarily in emergency and evacuation situations, as channels of communication with other U.S. citizens in the local community;
- Attorneys representing an individual in administrative or judicial passport proceedings when the individual to whom the information pertains is the client of the attorney making the request;
- Members of Congress when the information is requested on behalf of or at the request of the individual to whom the record pertains;
- Contractor personnel conducting data entry, scanning, corrections, and modifications;
- Foreign governments, to permit such governments to fulfill passport control and immigration duties and their own law enforcement, counterterrorism, and fraud prevention functions, and to support U.S. law enforcement, counterterrorism, and fraud prevention activities; and
- Government agencies other than the ones listed above that have statutory or other lawful authority to maintain such information may also receive access on a need-to-know basis; however, all information is made available to users only for a previously-established routine use.

Also see the "Routine Uses" paragraph of the Department of State Prefatory Statement published in the **Federal Register**.

**STORAGE:**

Hard copy, electronic media.

**RETRIEVABILITY:**

By individual name or passport book or card number.

**SAFEGUARDS:**

Passport records are protected by the Privacy Act of 1974, 5 U.S.C. 552a (2007). All employees of the Department of State have undergone a thorough background security investigation and contractors have background investigations in accordance with their contracts. Access to the Department of State and its annexes is controlled by security guards, and admission is limited to those individuals possessing a valid identification card or individuals under proper escort. Passport office annexes have security access controls (code entrances) and/or security alarm systems. All records containing personal

information are maintained in secured file cabinets or in restricted areas, access to which is limited to authorized personnel. Access to computerized databases is password-protected and under the responsibility of the system manager and persons who report to him or her. The system manager has the capability of viewing and printing audit trails of access from the electronic media, thereby permitting monitoring of computer usage.

**RETENTION AND DISPOSAL:**

Retention of these records varies depending upon the specific record involved. They are retired or destroyed in accordance with published record schedules of the Department of State and as approved by the National Archives and Records Administration. More specific information may be obtained by writing to the Office of Information Programs and Services, SA-2, 555 22nd Street, NW., Washington, DC 20522.

**SYSTEM MANAGER AND ADDRESS:**

Deputy Assistant Secretary of State for Passport Services, Room 5807; Department of State; 2201 C Street, NW., Washington, DC 20520-4818.

**NOTIFICATION PROCEDURE:**

An individual seeking to determine whether Passport Services maintains records pertaining to him/her must submit a written request for notification of whether the system of records contains a record pertaining to him/her. The body of the request must state that s/he wishes the Passport Records database to be checked, and must include the following information:

- Name;
- Date and place of birth;
- Current mailing address;
- Signature, and
- Passport number, if known.

A request to search Passport Records, STATE-26, will be treated also as a request to search Overseas Citizens Services Records, STATE-05, when it pertains to passport, registration, citizenship, birth, or death records transferred from STATE-05 to STATE-26. Requests should be mailed to the following address: Department of State, Passport Services, Law Enforcement Liaison Division, Room 500, 1111 19th Street, NW., Washington, DC 20524-1705.

Responses to such requests will consist of a letter indicating the records that exist in the passport records system.

Additional information regarding applicable fees, third-party requests, certified copies, and frequently asked

questions is available at [http://www.travel.state.gov/passport/services/copies/copies\\_872.html](http://www.travel.state.gov/passport/services/copies/copies_872.html).

#### RECORD ACCESS AND AMENDMENT PROCEDURES:

Individuals who wish to gain access to or amend records pertaining to themselves or their minor children should write to the appropriate address listed below. There are several ways individuals may gain access to or amend passport records pertaining to themselves or their minor children. First, individuals may request access to records in his/her name and the records of any minor children under the Privacy Act of 1974, 5 U.S.C. 552a (2007). Alternatively, third parties may request access to records under the guidelines of the Freedom of Information Act, 5 U.S.C. 552 (2007). Additionally, individuals may request access to their passport and/or vital records through the applicable Passport Office request process, as described below. Access may be granted to third parties to the extent provided for under applicable laws and regulations. Please refer to <http://www.travel.state.gov> for detailed information regarding applicable fees, third-party requests, certified copies, and frequently asked questions.

The appropriate methods by which passport records and vital records may be requested are as follows:

#### I. Privacy Act of 1974 and Freedom of Information Act

Under the Privacy Act of 1974, individuals have the right to request access to his or her records at no charge, and to request that the Department of State amend any such records that s/he believes are not accurate, relevant, timely, or complete. 5 U.S.C. 552a(d)(3) (2007). Additionally, third parties may request passport and vital records information from 1925 to the present, within the guidelines of the Privacy Act and the Freedom of Information Act, 5 U.S.C. 552 (2007). Written requests for access to or amendment of records must comply with the Department's regulations published at 22 CFR part 171.

In accordance with 22 CFR 171.32 and 171.33, amendment requests must include the following information:

- Verification of personal identity (including full name, current address, and date and place of birth), either notarized or submitted under penalty of perjury;
- Any additional information if it would be needed to locate the record at issue;
- A description of the specific correction requested;

- An explanation of why the existing record is not accurate, relevant, timely, or complete; and
- Any available documents, arguments, or other data to support the request.

Requests under the Privacy Act and/or the Freedom of Information Act must be made in writing to the following office: Office of Information Programs and Services, U.S. Department of State, SA-2, Room 8100, 515 22nd Street, NW., Washington, DC 20522-8100.

#### II. Access to Records through the Passport Office Request Process

##### A. Passport Records

##### 1. 1925 to the Present

Individuals must submit a typed or clearly printed, notarized request that provides the following information to request passport records for themselves and/or their minor children:

- Full name at birth and any subsequent name changes, and/or the full name of any minor child or children, if requesting their records;
- Date and place of birth, and/or date and place of birth for any minor child or children;
- Current mailing address;
- Current daytime telephone number;
- Current e-mail address, if available;
- Reason for the request;
- Dates or estimated dates the passport was issued;
- Passport numbers or any other information that will help locate the records; and
- A copy of the requestor's valid photo identification.

All requests for passport records issued from 1925 to the present should be mailed to the following address: Department of State, Passport Services, Law Enforcement Liaison Division, Room 500, 1111 19th Street, NW., Washington, DC 20524-1705.

##### 2. Prior to 1925

The National Archives and Records Administration maintains records for passport issuances prior to 1925, which may be requested by writing to the following address: National Archives and Records Administration, Archives 1, Reference Branch, 8th & Pennsylvania Ave., NW., Washington, DC.

#### B. Vital Records—Certificates of Birth Abroad, Report of Death, Certificate of Witness to Marriage, and Certification of No Record

Submit a signed and notarized written request including all pertinent facts of the occasion along with a copy of the requestor's valid photo identification. Only the subject, parent, or legal guardian may request a birth record. The following information must be included in the request:

#### General Background Information

- Date of request.
- Purpose of request.
- Document Requesting (Certificate of Birth, Report of Death, Certificate of Witness of Marriage (prior to 1985), or Certification of No Record).
- Number of documents requesting.
- Current mailing address and daytime telephone number.

#### Facts of Birth, Death, or Marriage

- Name (at birth/death/marriage).
- Name after adoption (if applicable).
- Date of birth/death/marriage.
- Country of birth/death/marriage.
- Father's name.
- Father's date and place (state/country) of birth.
- Mother's name.
- Mother's date and place (state/country) of birth.

#### Previous Passport Information

- Passport used to first enter the U.S. (if applicable).
- Name of bearer.
- Date of issuance.
- Passport number.
- Date of inclusion (if applicable, and if passport was not issued to the subject).

#### Current Passport Information

- Name of bearer.
- Date of issuance.
- Passport number.

If requesting an amendment or correction to a Consular Report of Birth Abroad, please include certified copies of all documents appropriate for effecting the change (i.e., foreign birth certificate, marriage certificate, court ordered adoption or name change, birth certificates of adopting or legitimating parents, etc.). The original or replacement FS-240, or a notarized affidavit concerning its whereabouts also must be included.

All requests for vital records through the Passport Office request process should be mailed to the following address: U.S. Department of State, Passport Services, Vital Records Section, 1111 19th Street, NW., Suite 510, Washington, DC 20522-1705.

#### RECORD SOURCE CATEGORIES:

These records contain information obtained primarily from the individual who is the subject of these records; law enforcement agencies; investigative intelligence sources; investigative security sources; and officials of foreign governments.

#### SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Certain records contained within this system of records may be exempt from the requirements of the Privacy Act when it is necessary to:



- Protect material required to be kept secret in the interest of national defense and foreign policy;

- Prevent individuals that are the subject of investigation from frustrating the investigatory process, to ensure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to maintain the confidence of foreign governments in the integrity of the procedures under which privileged or confidential information may be provided, and to fulfill commitments made to sources to protect their identities and the confidentiality of information and to avoid endangering these sources and law enforcement personnel; or

- Preclude impairment of the Department's effective performance in carrying out its lawful protective responsibilities under 18 U.S.C. 3056 and 22 U.S.C. 4802.

Records meeting any of the above criteria are exempt from the following subsections of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f) (2007). See 22 CFR 171.36(b)(1), (b)(2), and (b)(3) (2007).

Dated: December 31, 2007.

**Maura Hartly,**

*Assistant Secretary for the Bureau of Consular Affairs, Department of State.*

[FR Doc. E8-202 Filed 1-8-08; 8:45 am]

BILLING CODE 4710-06-P

## DEPARTMENT OF STATE

[Public Notice 6056]

### Privacy Act of 1974; System of Records

**Summary:** This report is submitted in compliance with Appendix I to OMB Circular Number A-130 entitled "Federal Agency Responsibilities for Maintaining Records about Individuals." The Department of State ("Department") intends to alter an existing system of records, "Passport Records" (STATE-26), to reflect additional routine uses for the information maintained in the Passport Records System.

**Purpose:** The information collected and maintained in the system of records entitled "Passport Records" is in keeping with the Department's responsibility to adjudicate applications for U.S. passports. Proposed alterations appear in the routine uses section of the system description. The purpose in granting access to other entities varies, but principally encompasses the following functions:

- To support national defense, border security, and foreign policy activities;

- To ensure the proper functioning and integrity of law enforcement, counterterrorism, and fraud-prevention activities by supporting law enforcement personnel in the conduct of their duties;

- To support the investigatory process; and

- To assist with verification of passport validity to support employment eligibility and identity corroboration for public and private employment.

This Systems of Records Notice (SORN) documents an updated list of routine uses for records maintained in the passport records system to include disclosure to the following entities:

- Department of Homeland Security for law enforcement; counterterrorism; border patrol, screening, and security purposes; fraud prevention activities; and verification of passport validity to support employment eligibility and identity corroboration for public and private employment;

- Department of Justice, including the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the U.S. Marshals Service, and other components, for law enforcement, counterterrorism, border security, fraud prevention, and criminal and civil litigation activities;

- INTERPOL and other international organizations for law enforcement, counterterrorism, fraud prevention, criminal activities related to lost and stolen passports;

- National Counterterrorism Center to support strategic operational planning and counterterrorism intelligence activities;

- Office of Personnel Management (OPM), other federal agencies, or contracted outside entities to support the investigations that OPM, other federal agencies, and contractor personnel conduct for the federal government in connection with verification of employment eligibility and/or the issuance of a security clearance;

- Social Security Administration to support employment-eligibility verification for public and private employers, and for support in verification of social security numbers used in processing U.S. passport applications;

- Federal, state, local or other agencies for use in legal proceedings as government counsel deems appropriate, in accordance with any understanding reached by the agency with the U.S. Department of State.

- Foreign governments, to permit such governments to fulfill passport control and immigration duties and

their own law enforcement, counterterrorism, and fraud prevention functions, and to support U.S. law enforcement, counterterrorism, and fraud prevention activities.

- Public and private employers seeking to confirm the authenticity of the U.S. passport when it is presented as evidence of identity and eligibility to work in the United States;

- Contractor personnel conducting data entry, scanning, corrections, and modifications, or conducting other authorized functions related to passport records.

**Authority:** The authority for maintaining this system is derived from the Secretary of State's authorities with respect to the following provisions: Granting and Issuing U.S. Passports, 22 U.S.C. 211a-218, 2651a, 2705 (2007), and Executive Order 11295, August 5, 1966, 31 FR 10603; the Acquisition and Loss of U.S. Citizenship or U.S. Nationality, 8 U.S.C. 1401-1503 (2007); Travel Control of Citizens, 8 U.S.C. 1185 (2007); and Crimes and Criminal Procedure connected to U.S. Passport Applications and Use, 18 U.S.C. 911, 1001, and 1541-1546 (2007).

**Impact on Privacy:** The information collected and maintained in the system of records is necessary to accomplish the Department's mission as stated above. The Department believes the system offers suitably rigorous protection of privacy under the Privacy Act to the individuals covered by the system of records. Each of the above users either has been granted access to the passport database, or has been given passport information taken from the database, in order to facilitate these entities as they address issues and problems of a legal, investigative, technical, or procedural nature that may arise pursuant to an application for or any use of a U.S. passport. In granting access or providing information from the passport database to a routine user, the Department takes appropriate steps to limit disclosure to only the specific data elements required by each routine user in the performance of its mission, not all items of information that the Department maintains about an individual. To this end, the Department has established varying levels of access that are tailored to release the minimum amount of data necessary to support the attendant routine use.

Prior to granting access to the passport system of records for a proposed routine use, partner agencies generally enter into a Memorandum of Understanding (MOU) with the Department that establishes the parameters that guide and limit the use. In addition, these MOUs establish the partner agency's responsibilities in

relation to the information provided, including proper training, establishing that each user has been cleared to access the sensitive information contained in the passport records system, and ensuring that password-protected access is appropriately safeguarded by users and the agency alike.

Moreover, every user who is granted access to the system is subject to remote monitoring to ensure that s/he is accessing the system for the limited, routine use that has been prescribed in advance for each user. The overall impact on privacy is thereby minimized since each user may only access an individual's information in relation to a concrete, pre-determined purpose that has been authorized by Congress and/or established by a formal, written agreement with the Department. The Department ultimately retains control of the Passport Records System and is able to appropriately limit the amount and type of information each user is able to access. Furthermore, the responsibility and accountability for all users rests with the Directorate of Passport Services. Therefore, access and control of the Passport Records system remains within the Department to allow for appropriate internal checks and balances over all users, whether in the Department of State or at partner entities. Deviations from the predetermined routine uses are not permitted, and employees may be subject to sanctions for mishandling Privacy Act-protected information.

**Safeguards:** Access to the Department of State building and the annexes containing this system of records is controlled by security guards, and admission is limited to those individuals possessing a valid identification card or individuals under proper escort. These records are maintained in secured file cabinets, computer media, and/or in restricted areas, access to which is limited to authorized personnel. The computerized files are password-protected and under the direct supervision of a system manager who can monitor and audit trails of access. The system manager has the capability of printing audit trails of access from the computer media, thereby permitting regular and ad hoc monitoring of computer usage. In addition, the system logs all search and query activities conducted by users, and submits notification alerts to certifying authorities and system administrators if any unusual activity occurs. Any unusual system access patterns by non-Department users are logged and may result in suspension or termination of

an individual user's or an agency's access rights.

In addition, all Department employees have undergone a thorough background investigation prior to their employment. Department employees with access to the passport system are also required to undergo initial training in proper handling of this sensitive data, as well as in the correct method to maintain the security of the passport records system. All Department employees must also engage in refresher training at least annually on basic cyber security awareness, as well as training in any new security protections that may be added. As described above, partner entities also agree to provide initial and updated security training to all users who have any form of access to the passport system.

Additional safeguards regarding access to the Department and its annexes are stated in the system description.

**Compatibility:** The routine uses indicated are necessary for the recipients of information from the Passport Services Office to carry out their responsibilities for dealing with issues and problems of a legal, investigative, technical, or procedural nature that may arise pursuant to an application for or any use of a U.S. passport.

The Department collects data on individual passport applicants in order to establish an individual's unique identity and citizenship for passport issuance. This not only enables the Department to issue passports to qualified U.S. citizens and nationals, but it also facilitates the international travel of millions of passport holders by minimizing potential fraud in the application process, which in turn increases the value and functionality of the U.S. passport as a travel and identification document. Moreover, this database enables the Department to further support the Secure Border, Open Doors initiative by assisting border patrol officers to efficiently process returning U.S. passport holders whose identities are clearly established by their passport document, which in turn is validated by the passport records system.

The routine uses listed above are functionally equivalent to the original purpose of data collection. Passport Services gathers data in order to establish a sound basis to establish and document an individual's unique identity. The proposed routine users listed above likewise must establish an individual's identity in order to carry out their critical missions, which range from law enforcement, to border

security, to verification of potential employment eligibility. For example, the U.S. passport is an I-9-listed Employment Eligibility Verification document that may be presented as proof of employment eligibility; thus, data disclosure to corroborate the passport's validity is compatible with the original purpose of collection.

Additionally, Passport Services has worked to make the U.S. passport an internationally recognized, premier travel document. Of those entities listed above, many carry out travel-related functions that are compatible with the Passport Services mission and, thus, the original purpose of the data collection. Without adequate information and documentation, these entities would be unable or less able to ascertain whether the individual seeking entry into the United States or using the passport for overseas travel, is in fact the individual s/he claims to be.

The passport records system provides a database of information that has already been well-scrutinized and evaluated by Department employees who are trained in fraud detection. Access to this thoroughly inspected database will aid the above-listed routine users as they seek to accomplish their functions. Additionally, providing other agencies the ability to confirm an individual's unique identity supports national defense, border security, and foreign policy activities, and ensures the integrity of law enforcement, counterterrorism, and fraud-prevention activities.

Dated: December 31, 2007.

**Maura Hartly,**

*Assistant Secretary for the Bureau of Consular Affairs, Department of State.*

[FR Doc. E8-203 Filed 1-8-08; 8:45 am]

BILLING CODE 4710-06-P

---

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2007-48]

#### Petition for Exemption; Summary of Petition Received; Correction

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received; correction.

**SUMMARY:** This notice contains a corrected summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**STRUNK DECLARATION IN OPPOSITION TO SUMMARY JUDGMENT**

# **Exhibit 2**

# AP IMPACT: A political filter for info requests



By TED BRIDIS, Associated Press Writer

Wed Jul 21, 7:29 pm ET

WASHINGTON – For at least a year, the Homeland Security Department detoured hundreds of requests for federal records to senior political advisers for highly unusual scrutiny, probing for information about the requesters and delaying disclosures deemed too politically sensitive, according to nearly 1,000 pages of internal e-mails obtained by The Associated Press.

The department abandoned the practice after AP investigated. Inspectors from the department's Office of Inspector General quietly conducted interviews with employees last week to determine whether political advisers acted improperly.

The Freedom of Information Act, the main tool forcing the government to be more open, is designed to be insulated from political considerations. But in July 2009, Homeland Security introduced a directive requiring a wide range of information to be vetted by political appointees for "awareness purposes," no matter who requested it.

The government on Wednesday estimated fewer than 500 requests underwent such political scrutiny; the Homeland Security Department received about 103,000 total requests for information last fiscal year.

These special reviews at times delayed the release of information to Congress, watchdog groups and the news media for weeks beyond the usual wait, even though the directive specified the reviews should take no more than three days.

This, despite President Barack Obama's statement that federal workers should "act promptly" under the information law and Attorney General Eric Holder's assertion: "Unnecessary bureaucratic hurdles have no place in the new era of open government."

The foot-dragging reached a point that officials worried the department would get sued, one e-mail shows.

"We need to make sure that we flip these ASAP so we can eliminate any lag in getting the responses to the requesters," the agency's director of disclosure, Catherine Papoi, wrote to two

of Secretary Janet Napolitano's staffers. "Under the statute, the requester now has the right to allege constructive denial and take us to court. Please advise soonest."

Under the directive, career employees were ordered to provide Napolitano's political staff with information about people who asked for records, such as where they lived and whether they were reporters, and details about their organizations.

If a member of Congress sought such documents, employees were told to specify Democrat or Republican.

A department spokesman, Sean Smith, said the mandatory reviews by political appointees never blocked records that otherwise would have been released.

E-mails obtained by AP do not show political appointees stopping records from coming out. Instead they point to acute political sensitivities that slowed the process, a probing curiosity about the people and organizations making the requests for records and considerable confusion.

The directive laid out an expansive view of what required political vetting.

Anything that related to an Obama policy priority was pegged for this review. So was anything that touched on a "controversial or sensitive subject," that could attract media attention or that dealt with meetings involving business and elected leaders.

Anything requested by lawmakers, journalists, activist groups or watchdog organizations had to go to the political appointees.

The Justice Department office that oversees the Freedom of Information Act across the federal government is unaware of other agencies with similar mandatory review policies, spokeswoman Gina Talamona said.

At Homeland Security, political staffers sometimes reviewed information requests as a way to anticipate troublesome public scrutiny.

One request sought data on expensive international travel by employees during the Bush administration. "Let's make sure we don't have a similar problem," Napolitano's chief of staff, Noah Kroloff, wrote in an e-mail in October to colleagues.

When the department released immigration records in September about President Barack Obama's father, Kroloff wrote: "We haven't released this yet have we? ... I'm hoping this was done in coordination with Sean (Smith), the WH and other relevant and interested parties."

The general counsel's chief of staff, John Sandweg, replied: "WH was made aware early and said treat it as normal."

The White House generally did not review Homeland Security information requests, the e-mails suggest, but there were exceptions. Requests to see documents about spending under the \$862 billion stimulus law and the calendars for Cabinet members were forwarded there.

In January, Papoi sent an e-mail revealing the frustration the rule was causing between political advisers and career employees in the office that enforces the FOIA.

"These people are going to be the death of me," Papoi wrote to Sandra Hawkins, that office's administration director. "I know, I know," Hawkins wrote.

Political staffers felt the tension. "They really hate us," Jordan Grossman, special assistant to the chief of staff, wrote to his boss, another political appointee.

Homeland Security rescinded the rule requiring prior political approval earlier this month, just as it delivered the 995 e-mails to AP. The department's spokeswoman, Amy Kudwa, said Wednesday that was a coincidence.

Now, records are submitted to Napolitano's political advisers three days before they are made public but can be released without their approval.

AP obtained the e-mails under the FOIA after the Office of Government Information Services mediated a dispute over access. AP's request for the e-mails was itself submitted for review by the political advisers.

---

Online:

Homeland Security Department: <http://www.dhs.gov>

President Obama's order on the Freedom of Information Act:

[http://www.whitehouse.gov/the\\_press\\_office/TransparencyandOpenGovernment](http://www.whitehouse.gov/the_press_office/TransparencyandOpenGovernment)

Office of Government Information Services: <http://www.archives.gov/ogis/>

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**STRUNK DECLARATION IN OPPOSITION TO SUMMARY JUDGMENT**

# **Exhibit 3**

Newsmax.com

## Obama's Intelligence Adviser Involved in Security Breach

Monday, January 12, 2009 1:46 PM

Obama's top terrorism and intelligence adviser, John O. Brennan, heads a firm that was cited in March for breaching sensitive files in the State Department's passport office, according to a State Department Inspector General's report released this past July. The security breach, first reported by the Washington Times and later confirmed by State Department spokesman Sean McCormack, involved a contract employee of Brennan's firm, The Analysis Corp., which has earned millions of dollars providing intelligence-related consulting services to federal agencies and private companies. During a State Department briefing on March 21, 2008, McCormack confirmed that the contractor had accessed the passport files of presidential candidates Barack Obama, Hillary Rodham Clinton, and John McCain, and that the inspector general had launched an investigation. Sources who tracked the investigation tell Newsmax that the main target of the breach was the Obama passport file, and that the contractor accessed the file in order to "cauterize" the records of potentially embarrassing information. "They looked at the McCain and Clinton files as well to create confusion," one knowledgeable source told Newsmax. "But this was basically an attempt to cauterize the Obama file." At the time of the breach, Brennan was working as an unpaid adviser to the Obama campaign. "This individual's actions were taken without the knowledge or direction of anyone at The Analysis Corp. and are wholly inconsistent with our professional and ethical standards," Brennan's company said in a statement sent to reporters after the passport breach was made public. The passport files include "personally identifiable information such as the applicant's name, gender, social security number, date and place of birth, and passport number," according to the inspector general report. The files may contain additional information including "original copies of the associated documents," the report added. Such documents include birth certificates, naturalization certificates, or oaths of allegiance for U.S.-born persons who adopted the citizenship of a foreign country as minors. The Obama campaign acknowledged at its "Fight the Smears" Web site that Obama was a foreign national until the age of 18, by virtue of his father's British then Kenyan citizenship. "Since Sen. Obama has neither renounced his U.S. citizenship nor sworn an oath of allegiance to Kenya, his Kenyan citizenship automatically expired on Aug. 4, 1982," the Web site stated. "Fight the Smears" attempted to debunk rumors that Obama was not a U.S. citizen by producing a 2007 computer-generated copy of his certification of live birth. "The truth is, Barack Obama was born in the state of Hawaii in 1961, a native citizen of the United States of America," the Web site states. However, "native citizen" is a colloquialism, not a legal term. It is not the same as "natural-born citizen," the requirement to be president set out in Article 2, Section 1 of the Constitution. Chief Justice John Roberts has scheduled a Supreme Court conference on Jan. 23 on *Lightfoot v. Bowen*, one of several cases alleging that Obama is not a "natural born" citizen because of his birthright British citizenship. The State Department chalked up the passport file snooping discovered in March 2008 to "imprudent curiosity" by contract employees hired to help process passport applications. Asked by reporters during a campaign stop in Portland, Ore., to comment on the breach, Obama said that attempts to "tap into people's personal records" were "a problem not just for me but for how our government functions." "I expect a full and thorough investigation. It should be done in conjunction with those congressional committees that have oversight so it's not simply an internal matter," he added. Secretary of State Condoleezza Rice phoned Obama and personally apologized for the breach. "I told him that I myself would be very disturbed if I learned that somebody had looked into my passport file," Rice told reporters. She phoned Clinton and McCain and offered similar apologies. Following the breach, State Department managers met with Senate Foreign Relations Committee Chairman Joseph Biden, whose committee has oversight over the Foreign Service and the passport office. Biden will be sworn in as Obama's vice president on Jan. 20. The State Department Office of Inspector General (OIG) issued a 104-page report on the breach last July. Although it is stamped "Sensitive but Unclassified," the report was heavily redacted in the version released to the public, with page after page blacked out entirely. The problems posed by the breach were so serious that the inspector general recommended that the State Department conduct "vulnerability and risk assessments of all passport systems" to identify security weaknesses and suggest "a timetable for implementing corrective actions." Acting Assistant secretary for administration William H. Moser sent a six-page reply concurring with the recommendation, all but one paragraph of which was blacked out because of the sensitivity of the information it contained. Had Brennan been appointed CIA director, as rumored in the Obama campaign shortly after the election, senators also would have questioned him about an article he wrote in an obscure foreign policy magazine over the summer. The article, entitled "The Conundrum of Iran: Strengthening Moderates without Acquiescing to Belligerence," appeared in the July issue of "The Annals of the American Academy of Political and Social Science." Among other recommendations, it argued that the next U.S. administration should grant political legitimacy to the terrorist organizations Hezbollah and Hamas, and should exercise "strategic patience" with Iran rather than engaging in "bellicose" rhetoric and coercive diplomacy. © 2009 Newsmax. All rights reserved.



Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**STRUNK DECLARATION IN OPPOSITION TO SUMMARY JUDGMENT**

# Exhibit 4

**OTHERSON DATA**

Saturday, August 7, 2010 4:27 PM

From: "Jeffrey Otherson" &lt;jotherson@cox.net&gt;

To: cestrunk@yahoo.com

Here ya go,

Natural Born US Citizen, Port Clinton, Ohio, 07/25/48 - 62 years old

1966-1975 - US Navy

1976-1980 - US Border Patrol, I&NS, DOJ

1980-1990 - Business Owner, Trucking Industry

1991-1998 - Private Investigations, Businessman

1999-2007 - Employee, Wholesale Food Distributor

2007-Current - Business Owner, Trucking Industry (licensed both intrastate and interstate)

*Thanks,*

*Jeffrey Otherson*

2570 Biola Avenue

San Diego, CA 92154-4207

*jotherson@cox.net*

Office – (619) 651-7077

Fax – (866) 600-0367

Cell – (619) 942-2336

*The content of this email message and any attachments are confidential and may be legally privileged, intended solely for the addressee. If you are not the intended recipient, be advised that any use, dissemination, distribution, or copying of this email is strictly prohibited. If you receive this message in error, please notify the sender immediately by reply email and destroy the message and its attachments.*

Strunk v. U.S. Department of State et al. DCD 08-cv-2234 (RJL)

**STRUNK DECLARATION IN OPPOSITION TO SUMMARY JUDGMENT**

# Exhibit 5

**OTHERSON FOIA REQUESTS**

Saturday, August 7, 2010 3:08 PM

From: "Jeffrey Otherson" &lt;jotherson@cox.net&gt;

To: cestrunk@yahoo.com

Cc: "Phil Jacobsen" &lt;jacobsen2@cox.net&gt;

5 Files (798KB)



012010\_...

031010\_...

080309\_...

082809\_...

093009\_...

Hi Chris,

Here is a chronology of events regarding my FOIA requests – copies are attached.

08/03/09 – I submitted standard FOIA request assigned #2009-06568 via fax (sender's fax machine verified receipt.)

09/03/09 – I received written notice from State dated 08/28/09 that it will begin processing request #2009-06568.

09/21/09 – I called to check status of #2009-06568, was informed a search of the records had been started but that no estimate was available for completion.

09/30/09 – I submitted SIMPLE FAST TRACK FOIA REQUEST assigned #2010-01092 via fax (sender's fax machine verified receipt)

01/13/10 – I called to request status of both requests and was informed there are no relevant records at State for #2009-06568 and that the request had been forwarded to Passports. I was also informed that there was no record of receipt of #2010-01092, which I then resubmitted via fax (sender's fax machine again verified receipt.)

01/20/10 – I received a telephone call from State and was informed request #2010-01092 had been "lost" – I again resubmitted via fax (sender's fax machine again verified receipt.)

03/01/10 – I called to request status on both requests and was informed that both requests were in Passports and that I would receive a call back shortly with the status (no return call was ever received.)

03/10/10 – I received written notice from State (undated) that it will begin processing request #2010-01092.

08/03/10 – I called to request status and was informed that both requests are still in Passports, that no further information was available, and that a call to Passports to request status was not possible.

Let me know if I can be of any further assistance.

*Thanks,*

*Jeffrey Otherson*

2570 Biola Avenue

San Diego, CA 92154-4207

[jotherson@cox.net](mailto:jotherson@cox.net)

Office – (619) 651-7077

Fax – (866) 600-0367

Cell – (619) 942-2336

*The content of this email message and any attachments are confidential and may be legally privileged, intended solely for the addressee. If you are not the intended recipient, be advised that any use, dissemination, distribution, or copying of this email is strictly prohibited. If you receive this message in error, please notify the sender immediately by reply email and destroy the message and its attachments.*

---

2570 Biola Avenue, San Diego, CA 92154-4207  
(619) 954-4497 – cell  
(866) 600-0367 – fax  
jotherson@cox.net

**JEFFREY L. OTHERSON**

# Fax

**To:** Office of Information Programs  
and Services – U.S. Dept of State      **From:** Jeffrey Otherson

---

**Fax:** (202) 261-8579      **Pages:** 3

---

**Phone:**      **Date:** 8/3/2009

---

**Re:** FOIA REQUEST      **CC:**

---

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

● **Comments:**

**FREEDOM OF INFORMATION ACT REQUEST – ATTACHED.**

August 3, 2009

**SENT VIA FACSIMILE  
(202) 261-8579**

Office of Information Programs and Services  
A/ISS/IPS/RL  
U. S. Department of State  
Washington, D. C. 20522-8100

**SUBJECT: FREEDOM OF INFORMATION ACT REQUEST**

Dear FOIA Officer:

Please provide me with any and all records relating to the following subject:

Maiden name: Stanley Ann Dunham  
Aka: Stanley Ann Obama  
Stanley Ann Soetero  
Ann Soetero  
Ann Dunham Soetero  
Ann Dunham Sutero  
Stanley Ann Dunham Obama Soetero  
Date of Birth: 11/29/1942  
Place of Birth: Witchita, Kansas  
Nationality: United States Citizen  
Social Security: 535-40-8522  
DECEASED: Honolulu, Hawaii, 96826, 11/7/1995 - per the U.S. Social Security Death Index

Request Date Range: Between 11/29/1942 and 11/7/1995, inclusive.

The subject of this request is deceased and is a public figure. She is the mother of the current United States President, Barack Obama. Her life has been documented in many written articles and videos. The public interest in her life outweighs any possible privacy interest.

The records I am requesting include, but are not limited to, any document(s) relating to, and showing all the dates the subject applied for and was granted, or denied, a United States Passport, and shall include all documents that describe the length of time or time period(s) that any of her passports were valid.

The State Department is charged with issuing passports and maintaining records pertaining to the issuance of United States Passports.

I agree to pay fees up to \$100.00. If the fees are estimated to exceed that amount please contact and advise me immediately.

I am an individual seeking this information for personal, non-commercial use.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey L. Otherson". The signature is written in a cursive style with a large initial 'J'.

Jeffrey L. Otherson  
2570 Biola Avenue  
San Diego, CA 92154-4207  
Daytime – (619) 954-4497  
Fax – (866) 600-0367  
Email – [jotherson@cox.net](mailto:jotherson@cox.net)



**Last Transaction**

Date	Time	Type	Station ID	Duration Digital Fax	Pages	Result
Aug 3	7:14AM	Fax Sent	12022618579	0:44 N/A	3	OK

**Note:**

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

2570 Biola Avenue, San Diego, CA 92154-4207  
(619) 954-4497 – cell  
(866) 600-0367 – fax  
jotherson@cox.net

**JEFFREY L. OTHERSON**

# Fax

**To:** Office of Information Programs  
and Services – U.S. Dept of State  
ATTN: CHARLOTTE

**From:** Jeffrey Otherson

**Fax:** (202) 261-8582

**Pages:** 5

**Phone:**

**Date:** 8/7/2010

**Re:** SIMPLE FAST TRACK FOIA REQUEST **CC:**

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

● **Comments:**

Dear Charlotte,

Thank you for your call today regarding my FOIA request.

I have attached a complete copy of the original FOIA request that was sent, and receipted for, on 09/30/09.

Thank you in advance for your attention to this matter.

Sincerely,

Jeffrey Otherson

---



United States Department of State

Washington, D.C. 20520

AUG 28 2009

Case Number: 200906568

Mr. Jeffrey L. Otherson  
2570 Biola Avenue  
San Diego, CA 92154-4207

Dear Mr. Otherson:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request, dated August 3, 2009, for copies of documents concerning U.S. passport applications made by the late mother of President Barack Obama, **Stanley Ann Dunham aka Stanley Ann Obama**. You have especially requested the dates of such applications, whether these applications were granted or denied. The time period of your request is between November 29, 1942 and November 7, 1995.

We will begin the processing of your request based upon the information provided in your communication. We will notify you as soon as responsive material has been retrieved and reviewed.

We wish to advise you that the cut-off date for retrieving records is either the date you have given the Department by specifying a particular time frame, or the date the search initiated.

### Fees

The Freedom of Information Act (FOIA) requires agencies to assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You

---

Office of Information Programs and Services  
U.S. Department of State, SA-2  
Washington, DC 20522-8100  
Website: [www.foia.state.gov](http://www.foia.state.gov)

Inquiries:  
Phone: 1-202-261-8484  
FAX: 1-202-261-8579  
E-mail: [FOIAStatus@state.gov](mailto:FOIAStatus@state.gov)

may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified.

- You have stated your willingness to pay the fees incurred in the processing of this request up to \$100.00.
  
- Please let us know if you are willing to pay the fees that will be incurred in the processing of your request. You may set a limit of the maximum amount that you wish to pay. Please be advised that, without an agreement to pay fees, your request will be processed without cost up to the required first 2 hours of search time (for all other requester category only) and duplication of the first 100 pages (for all other, media, educational and non-commercial scientific requester categories).

We will notify you of the costs incurred in processing your request as soon as the search for, and review of, any responsive documents have been completed.

Based upon the information that you have provided, we have placed you in the requester category checked below. This request will be processed in accordance with the fee schedule designated for that category (see 22 C.F.R. 171, enclosed).

- Commercial Use Requesters – Requires us to assess charges that recover the full direct costs of searching for, reviewing for release, and duplicating the record(s) sought.
- Educational Institution Requesters – Requires us to assess charges that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.
- Non-commercial Scientific Institution Requesters – Requires us to assess charges that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.
- Representatives of the News Media – Requires us to assess charges that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

- All Other Requesters – Requires us to assess charges that recover the full reasonable direct cost of searching for and duplicating the record(s) sought, after the first 100 pages of duplication, and the first two hours of search time.
- You have indicated your inclusion in a category different than the one indicated above. Please forward the information requested on the enclosed sheet titled “Requester Categories” to substantiate your inclusion in a particular category of requester.

### **Fee Waiver**

- Your request for a fee waiver has been granted; therefore, your request will be processed at no charge to you.
- Based upon the information provided in your letter, your request for a fee waiver has been denied. If you wish to appeal this decision, you may write to the Chief, Requester Liaison Division, at the address given on the bottom of this page. Your appeal should address the points listed in the enclosed sheet titled “Requests for Fee Waivers.” Your appeal must be sent to us within 30 days from the date that you receive this letter.

### **Expedition**

- After consideration of your request for expedited processing under the Department’s rules governing Freedom of Information Act requests, we have determined that your request does warrant expedited processing.

Although we cannot promise that the processing of your request will be completed by a specific date, it will be processed ahead of all other requests now pending with the Department, except for those other requests already determined to warrant expedition.

- Our published regulations regarding expedition, 22 C.F.R. 171.12(b), require a specific showing of a compelling need. Expeditious

processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; and (4) loss of substantial due process rights. Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expeditious processing criteria.

If you wish to appeal the denial of expedition, you may write to the Chief, Requester Liaison Division, at the address below, within 30 days of receipt of this letter.

**Other Agency Material**

- Some of the material that you seek appears to have been originated by another agency(ies). If you wish to contact the Freedom of Information/Privacy Office of that agency(ies), the address(es) can be found on the attached list.
  
- Some of the records you seek are no longer in the possession of the State Department. The majority of Department of State records (excluding passport and visa records) which are 25 years or older are transferred to the National Archives and Records Administration (NARA) in accordance with Title 22, Code of Federal Regulations, Part 171.6. Accordingly, requests for such records should be addressed to:

National Archives and Records Administration  
8601 Adelphi Road, Room 311  
College Park, MD 20740-6001

- For pre-1925 passport records, and visa records dating 1910-1940, please contact:

Civil Records  
National Archives & Records Administration  
Washington, DC 20408

If you wish to review further information on our requirements for maintenance or disposal of records, please visit the following website:  
[foia.state.gov/records.asp](http://foia.state.gov/records.asp).

While we will make every effort to meet the time limits cited in the FOIA (5 U.S.C. § 552), unusual circumstances may arise for extending the time limit (see enclosure). We appreciate your patience in this matter.

If you have any questions, please do not hesitate to contact us at the number or address below. We can provide faster service if you include the case number of your request in your communications with us.

We are pleased to be of service to you.

Sincerely,

  
Mary T. Casto, Chief  
Requester Communications Branch  
*ISO 9001:2000 Certified*

Enclosures: As stated.

**§ 171.15 Fees to be charged—  
categories of requesters.**

Under the FOIA, there are four categories of requesters: Commercial use requesters, educational and noncommercial scientific institutions, representatives of the news media, and all other requesters. The fees for each of these categories are:

(a) *Commercial use requesters.* When the Department receives a request for documents for commercial use as defined in § 171.11(l), it will assess charges that recover the full direct costs of searching for, reviewing for release, and duplicating the record sought. Commercial use requesters are not entitled to two hours of free search time or 100 free pages of reproduction of documents. The Department may recover the cost of searching for and reviewing records even if there is ultimately no disclosure of records (*see* § 171.16(b)).

(b) *Educational and non-commercial scientific institution requesters.* The Department shall provide documents to requesters in this category for the cost of reproduction alone, excluding charges for the first 100 pages. To be eligible for inclusion in this category, a requester must show that the request is being made as authorized by and under the auspices of a qualifying institution, as defined in § 171.11(m) and (n), and that the records are not sought for a commercial use, but are sought in furtherance of scholarly (if the request is from an educational institution) or scientific (if the request is from a noncommercial scientific institution) research.

(c) *Representatives of the news media.* The Department shall provide documents to requesters in this category for

the cost of reproduction alone, excluding charges for the first 100 pages. To be eligible for inclusion in this category, a requester must meet the criteria in § 171.11(o), and the request must not be made for a commercial use. A request for records supporting the news dissemination function of the requester shall not be considered to be a commercial use request.

(d) *All other requesters.* The Department shall charge requesters who do not fit into any of the categories above fees that recover the full reasonable direct cost of searching for and reproducing records that are responsive to the request, except that the first 100 pages of reproduction and the first two hours of search time shall be furnished without charge.



§ 171.14 Fees to be charged—  
general.

The Department shall seek to charge fees that recoup the full allowable direct costs it incurs in processing a FOIA request. It shall use the most efficient and least costly methods to comply with requests for documents made under the FOIA. The Department will not charge fees to any requester, including commercial use requesters, if the cost of collecting a fee would be equal to or greater than the fee itself. With the exception of requesters seeking documents for a commercial use, the Department will provide the first two hours of search time and the first 100 pages of duplication without charge. By making a FOIA request, the requester shall be considered to have agreed to pay all applicable fees up to \$25.00 unless a fee waiver has been granted.

(a) *Searches for responsive records.* If the Department estimates that the search costs will exceed \$25.00, the requester shall be so notified. Such notice shall offer the requester the opportunity to confer with Department personnel with the object of reformulating the request to meet the requester's needs at a lower cost. The request shall not be processed further unless the requester agrees to pay the estimated fees.

(1) *Manual searches.* The Department will charge at the salary rate (*i.e.*, basic pay plus 16 percent of basic pay) of the employee making the search.

(2) *Computer searches.* The Department will charge at the actual direct cost of providing the service. This

63939 Federal Register /  
Vol. 69, No. 212 /  
Wednesday, November 3,  
2004 / Rules and  
Regulations  
will include the cost of  
operating the central

processing unit (CPU) for that portion of operating time that is directly attributable to searching for records responsive to a FOIA request and operator/programmer salary attributable to the search.

(b) *Review of records.* Only requesters who are seeking documents for commercial use may be charged for time spent reviewing records to determine whether they are releasable. Charges may be assessed for the initial review only; *i.e.*, the review undertaken the first time the Department analyzes the applicability of a specific exemption to a particular record or portion of a record.

(c) *Duplication of records.* Records shall be duplicated at a rate of \$.15 per page. For copies prepared by computer, such as tapes or printouts, the Department shall charge the actual cost, including operator time, of production of the tape or printout. For other methods of reproduction or duplication, the Department shall charge the actual direct costs of producing the document. If the Department estimates that the duplication costs will exceed \$25.00, the requester shall be so informed. The request shall not be processed further unless the requester agrees to pay the estimated fees.

(d) *Other charges.* The Department shall recover the full costs of providing services such as those enumerated below:

(1) Certifying that records are true copies (*see* part 22 of this chapter); (2) Sending records by special methods such as express mail, overnight courier, *etc.*

(f) Payment shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed to the

Information and Privacy  
Coordinator.

(g) A receipt for fees paid will be given upon request. Refund of fees paid for services actually rendered will not be made.

**§ 171.11 Definitions.**

**Unusual Circumstances**

As used in this subpart, the following definitions shall apply:

(a) *Freedom of Information Act* or *FOIA* means the statute codified at 5 U.S.C. 552, as amended.

(b) *Department* means the United States Department of State, including its field offices and Foreign Service posts abroad;

(c) *Agency* means any executive department, military department, Government corporation, Government controlled

corporation, or other establishment in the executive branch of the government (including the Executive Office of the President), or any independent regulatory agency;

(d) *Information and Privacy Coordinator* means the Director of the Department's Office of Information Programs and

Services (IPS) who is responsible for processing requests for access to information under the FOIA, the Privacy Act, E.O. 12958, and the Ethics in Government Act;

(e) *Record* means all information under the control of the Department, including information created, stored, and retrievable by electronic means, regardless of physical form or characteristics, made in or received by the Department and preserved as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the Department or because of the informational value of the data contained therein. It includes records of other Government agencies that have been expressly placed under the control of the Department upon termination of those agencies. It does not include personal records created primarily for the personal convenience of an individual and not used to conduct Department business and not integrated into the Department's record keeping system or files. It does not include

records that are not already in existence and that would have to be created specifically to meet a request. However, information available in electronic form shall be searched and compiled in response to a request unless such search and compilation would significantly interfere with the operation of the Department's automated information systems.

(f) *Control* means the Department's legal authority over a record, taking into account the ability of the Department to use and dispose of the record as it sees fit, to legally determine the disposition of a record, the intent of the record's creator to retain or relinquish control over the record, the extent to which Department personnel have read or relied upon the record, and the degree

**63937 Federal Register / Vol. 69, No. 212 / Wednesday, November 3, 2004 / Rules and Regulations** to which the record has been integrated into the Department's record keeping system or files.

(g) *Direct costs* means those costs the Department incurs in searching for, duplicating, and, in the case of commercial requests, reviewing documents in response to a FOIA request. The term does not include overhead expenses.

(h) *Search costs* means those costs the Department incurs in looking for, identifying, and retrieving material, in paper or electronic form, that is responsive to a request, including page-by-page or line-by-line identification of material within documents. The Department shall attempt to ensure that searching for material is done in the most efficient and least expensive manner so as to minimize costs for both the Department and the requester.

(i) *Duplication costs* means those costs the Department incurs in copying

a requested record in a form appropriate for release in response to a FOIA request. Such copies may take the form of paper copy, microfiche, audio-visual materials, or machine-readable electronic documentation (e.g., disk or CD-ROM), among others.

(j) *Review costs* means costs the Department incurs in examining a record to determine whether and to what extent the record is responsive to the FOIA request and the extent to which it may be disclosed to the requester. It does not include costs of resolving general legal or policy issues that may be raised by a request.

(k) *Unusual circumstances*. As used herein, but only to the extent reasonably necessary to the proper processing of the particular request, the term "unusual circumstances" means:

- (1) The need to search for and collect the requested records from Foreign Service posts or other separate and distinct Department offices;
- (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request; or
- (3) The need for consultation with another agency having a substantial interest in the determination of the request or among two or more components of the Department that have a substantial subject matter interest therein. Such consultation shall be conducted with all practicable speed.

(l) *Commercial use request* means a request from or on behalf of one who requests information for a use or purpose that furthers the commercial, trade, or profit interest of the requester or the person on whose behalf the request is made. In determining whether a requester belongs within this category, the Department will look at the use to which the requester will put the information requested.

(m) *Educational institution* means a preschool, a public or private elementary or secondary school, an institution of undergraduate or graduate higher education, an institution of professional education, or an institution of vocational education, that operates a program or programs of scholarly research.

(n) *Non-commercial scientific institution* means an institution that is not operated on a "commercial" basis, as that term is used in paragraph (l) of this section and that is operated solely for the purpose of conducting scientific research, the results of which are not intended to promote any particular product or industry.

(o) *Representative of the news media* means any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public. The term news means information that is about current events or that would be of current interest to the public. News media include television or radio stations broadcasting to the public at large and publishers of periodicals (but only in those instances when they can qualify as disseminators of "news") who make their products available for purchase by the general public. Freelance journalists may be regarded as working for a news organization if they can demonstrate, such as by past publication, a likelihood of publication through a representative of the news media, even though not actually employed by it.

(p) *All other* means an individual or organization not covered by a definition in paragraphs (l), (m), (n), or (o) of this section.

2570 Biola Avenue, San Diego, CA 92154-4207  
(619) 954-4497 – cell  
(866) 600-0367 – fax  
jotherson@cox.net

**JEFFREY L. OTHERSON**

# Fax

**To:** Office of Information Programs  
and Services – U.S. Dept of State  
ATTN: CHARLOTTE

**From:** Jeffrey Otherson

**Fax:** (202) 261-8582

**Pages:** 5

**Phone:**

**Date:** 8/7/2010

**Re:** SIMPLE FAST TRACK FOIA REQUEST **CC:**

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

● **Comments:**

Dear Charlotte,

Thank you for your call today regarding my FOIA request.

I have attached a complete copy of the original FOIA request that was sent, and receipted for, on 09/30/09.

Thank you in advance for your attention to this matter.

Sincerely,

Jeffrey Otherson

---



**United States Department of State**

Washington, D.C. 20520

[www.state.gov](http://www.state.gov)

Case Number: 201001092

Mr. Jeffrey L. Otherson  
2570 Biola Avenue  
San Diego, CA 92154-4207

Dear Mr. Otherson:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request, dated September 30, 2009, for copies of documents concerning the date and month the late mother of President Barack Obama, **Stanley Ann Dunham aka Stanley Ann Obama** was granted a United States Passport in 1961. The date range if your request is between January 1, 1961 and December 31, 1961.

We will begin the processing of your request based upon the information provided in your communication. We will notify you as soon as responsive material has been retrieved and reviewed.

We wish to advise you that the cut-off date for retrieving records is either the date you have given the Department by specifying a particular time frame, or the date the search initiated.

**Fees**

The Freedom of Information Act (FOIA) requires agencies to assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You

may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified.

- | You have stated your willingness to pay the fees incurred in the processing of this request up to \$50.00.
  
- | Please let us know if you are willing to pay the fees that will be incurred in the processing of your request. You may set a limit of the maximum amount that you wish to pay. Please be advised that, without an agreement to pay fees, your request will be processed without cost up to the required first 2 hours of search time (for all other requester category only) and duplication of the first 100 pages (for all other, media, educational and non-commercial scientific requester categories).

We will notify you of the costs incurred in processing your request as soon as the search for, and review of, any responsive documents have been completed.

Based upon the information that you have provided, we have placed you in the requester category checked below. This request will be processed in accordance with the fee schedule designated for that category (see 22 C.F.R. 171, enclosed).

- | Commercial Use Requesters – Requires us to assess charges that recover the full direct costs of searching for, reviewing for release, and duplicating the record(s) sought.
- | Educational Institution Requesters – Requires us to assess charges that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.
- | Non-commercial Scientific Institution Requesters – Requires us to assess charges that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.
- | Representatives of the News Media – Requires us to assess charges that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

- All Other Requesters – Requires us to assess charges that recover the full reasonable direct cost of searching for and duplicating the record(s) sought, after the first 100 pages of duplication, and the first two hours of search time.
- You have indicated your inclusion in a category different than the one indicated above. Please forward the information requested on the enclosed sheet titled “Requester Categories” to substantiate your inclusion in a particular category of requester.

### **Fee Waiver**

- Your request for a fee waiver has been granted; therefore, your request will be processed at no charge to you.
- Based upon the information provided in your letter, your request for a fee waiver has been denied. If you wish to appeal this decision, you may write to the Chief, Requester Liaison Division, at the address given on the bottom of this page. Your appeal should address the points listed in the enclosed sheet titled “Requests for Fee Waivers.” Your appeal must be sent to us within 30 days from the date that you receive this letter.

### **Expedition**

- After consideration of your request for expedited processing under the Department’s rules governing Freedom of Information Act requests, we have determined that your request does warrant expedited processing.

Although we cannot promise that the processing of your request will be completed by a specific date, it will be processed ahead of all other requests now pending with the Department, except for those other requests already determined to warrant expedition.

- Our published regulations regarding expedition, 22 C.F.R. 171.12(b), require a specific showing of a compelling need. Expeditious

processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; and (4) loss of substantial due process rights. Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expeditious processing criteria.

If you wish to appeal the denial of expedition, you may write to the Chief, Requester Liaison Division, at the address below, within 30 days of receipt of this letter.

#### **Other Agency Material**

- Some of the material that you seek appears to have been originated by another agency(ies). If you wish to contact the Freedom of Information/Privacy Office of that agency(ies), the address(es) can be found on the attached list.
  
- Some of the records you seek are no longer in the possession of the State Department. The majority of Department of State records (excluding passport and visa records) which are 25 years or older are transferred to the National Archives and Records Administration (NARA) in accordance with Title 22, Code of Federal Regulations, Part 171.6. Accordingly, requests for such records should be addressed to:

National Archives and Records Administration  
8601 Adelphi Road, Room 311  
College Park, MD 20740-6001



For pre-1925 passport records, and visa records dating 1910-1940, please contact:

Civil Records  
National Archives & Records Administration  
Washington, DC 20408

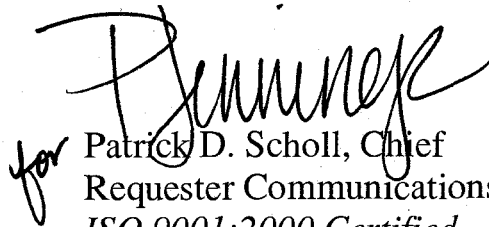
If you wish to review further information on our requirements for maintenance or disposal of records, please visit the following website:  
[foia.state.gov/records.asp](http://foia.state.gov/records.asp).

While we will make every effort to meet the time limits cited in the FOIA (5 U.S.C. § 552), unusual circumstances may arise for extending the time limit (see enclosure). We appreciate your patience in this matter.

If you have any questions, please do not hesitate to contact us at the number or address below. We can provide faster service if you include the case number of your request in your communications with us.

We are pleased to be of service to you.

Sincerely,

  
for Patrick D. Scholl, Chief  
Requester Communications Branch  
*ISO 9001:2000 Certified*

Enclosures: As stated.

**§ 171.14 Fees to be charged—  
general.**

The Department shall seek to charge fees that recoup the full allowable direct costs it incurs in processing a FOIA request. It shall use the most efficient and least costly methods to comply with requests for documents made under the FOIA. The Department will not charge fees to any requester, including commercial use requesters, if the cost of collecting a fee would be equal to or greater than the fee itself. With the exception of requesters seeking documents for a commercial use, the Department will provide the first two hours of search time and the first 100 pages of duplication without charge. By making a FOIA request, the requester shall be considered to have agreed to pay all applicable fees up to \$25.00 unless a fee waiver has been granted.

(a) *Searches for responsive records.* If the Department estimates that the search costs will exceed \$25.00, the requester shall be so notified. Such notice shall offer the requester the opportunity to confer with Department personnel with the object of reformulating the request to meet the requester's needs at a lower cost. The request shall not be processed further unless the requester agrees to pay the estimated fees.

(1) *Manual searches.* The Department will charge at the salary rate (*i.e.*, basic pay plus 16 percent of basic pay) of the employee making the search.

(2) *Computer searches.* The Department will charge at the actual direct cost of providing the service. This

**63939 Federal Register /  
Vol. 69, No. 212 /**

Wednesday, November 3,  
2004 / Rules and Regulations  
will include the cost of operating  
the central processing unit  
(CPU) for that portion of  
operating time that is directly  
attributable to searching for  
records responsive to a FOIA  
request and

operator/programmer salary  
attributable to the search.

(b) *Review of records.* Only  
requesters who are seeking  
documents for commercial use  
may be charged for time spent  
reviewing records to determine  
whether they are releasable.  
Charges may be assessed for the  
initial review only; *i.e.*, the  
review undertaken the first time  
the Department analyzes the  
applicability of a specific  
exemption to a particular record  
or portion of a record.

(c) *Duplication of records.*  
Records shall be duplicated at a  
rate of \$.15 per page. For copies  
prepared by computer, such as  
tapes or printouts, the  
Department shall charge the  
actual cost, including operator  
time, of production of the tape or  
printout. For other methods of  
reproduction or duplication,  
the Department shall charge the  
actual direct costs of producing  
the document.

If the Department estimates that  
the duplication costs will exceed  
\$25.00, the requester shall be so  
informed. The request shall not  
be processed further unless the  
requester agrees to pay the  
estimated fees.

(d) *Other charges.* The  
Department shall recover the full  
costs of providing services such  
as those enumerated below:

(1) Certifying that records are  
true copies (*see* part 22 of this  
chapter); (2) Sending records by  
special methods such as express  
mail, overnight courier, *etc.*

(f) Payment shall be in the form  
either of a personal check or  
bank draft drawn on a bank in  
the United States, or a postal  
money order. Remittances shall  
be made payable to the order of  
the Treasury of the United States  
and mailed to the Information  
and Privacy Coordinator.

(g) A receipt for fees paid will  
be given upon request. Refund of  
fees paid for services actually  
rendered will not be made.

**§ 171.15 Fees to be charged—  
categories of requesters.**

Under the FOIA, there are four categories of requesters: Commercial use requesters, educational and noncommercial scientific institutions, representatives of the news media, and all other requesters. The fees for each of these categories are:

(a) *Commercial use requesters.* When the Department receives a request for documents for commercial use as defined in § 171.11(l), it will assess charges that recover the full direct costs of searching for, reviewing for release, and duplicating the record sought. Commercial use requesters are not entitled to two hours of free search time or 100 free pages of reproduction of documents. The Department may recover the cost of searching for and reviewing records even if there is ultimately no disclosure of records (*see* § 171.16(b)).

(b) *Educational and non-commercial scientific institution requesters.* The Department shall provide documents to requesters in this category for the cost of reproduction alone, excluding charges for the first 100 pages. To be eligible for inclusion in this category, a requester must show that the request is being made as authorized by and under the auspices of a qualifying institution, as defined in § 171.11(m) and (n), and that the records are not sought for a commercial use, but are sought in furtherance of scholarly (if the request is from an educational institution) or scientific (if the request is from a noncommercial scientific institution) research.

(c) *Representatives of the news media.* The Department shall provide documents to requesters in this category for the cost of reproduction alone, excluding charges for the first 100 pages. To be eligible for inclusion in this category, a requester must meet the criteria in § 171.11(o), and the request must not be made for a commercial use. A request for records supporting

the news dissemination function of the requester shall not be considered to be a commercial use request.

(d) *All other requesters.* The Department shall charge requesters who do not fit into any of the categories above fees that recover the full reasonable direct cost of searching for and reproducing records that are responsive to the request, except that the first 100 pages of reproduction and the first two hours of search time shall be furnished without charge.

§ 171.11 Definitions.

Unusual Circumstances.

As used in this subpart, the following definitions shall apply:

(a) *Freedom of Information Act* or *FOIA* means the statute codified at 5 U.S.C. 552, as amended.

(b) *Department* means the United States Department of State, including its field offices and Foreign Service posts abroad;

(c) *Agency* means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the government

(including the Executive Office of the President), or any independent regulatory agency;

(d) *Information and Privacy Coordinator* means the Director of the Department's Office of Information Programs and Services (IPS) who is responsible for processing requests for access to information under the FOIA, the Privacy Act, E.O. 12958, and the Ethics in Government Act;

(e) *Record* means all information under the control of the Department, including information created, stored, and retrievable by electronic means, regardless of physical form or characteristics, made in or received by the Department and preserved as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the Department or because of the informational value of the data contained therein. It includes records of other Government agencies that have been expressly placed under the control of the Department upon termination of those agencies. It does not include personal records created primarily for the personal convenience of an individual and not used to conduct Department business and not integrated into the Department's record keeping system or files. It does not include

records that are not already in existence and that would have to be created specifically to meet a request. However, information available in electronic form shall be searched and compiled in response to a request unless such search and compilation would significantly interfere with the operation of the Department's automated information systems.

(f) *Control* means the Department's legal authority over a record, taking into account the ability of the Department to use and dispose of the record as it sees fit, to legally determine the disposition of a record, the intent of the record's creator to retain or relinquish control over the record, the extent to which Department personnel have read or relied upon the record, and the degree

63937 Federal Register /  
Vol. 69, No. 212 /  
Wednesday, November 3,  
2004 / Rules and Regulations  
to which the record has been  
integrated into the Department's  
record keeping system or files.

(g) *Direct costs* means those costs the Department incurs in searching for, duplicating, and, in the case of commercial requests, reviewing documents in response to a FOIA request. The term does not include overhead expenses.

(h) *Search costs* means those costs the Department incurs in looking for, identifying, and retrieving material, in paper or electronic form, that is responsive to a request, including page-by-page or line-by-line identification of material within documents. The Department shall attempt to ensure that searching for material is done in the most efficient and least expensive manner so as to minimize costs for both the Department and the requester.

(i) *Duplication costs* means those costs the Department incurs in copying

a requested record in a form appropriate for release in response to a FOIA request. Such copies may take the form of paper copy, microfiche, audio-visual materials, or machine-readable electronic documentation (e.g., disk or CD-ROM), among others.

(j) *Review costs* means costs the Department incurs in examining a record to determine whether and to what extent the record is responsive to the FOIA request and the extent to which it may be disclosed to the requester. It does not include costs of resolving general legal or policy issues that may be raised by a request.

(k) *Unusual circumstances*. As used herein, but only to the extent reasonably necessary to the proper processing of the particular request, the term "unusual circumstances" means:

(1) The need to search for and collect the requested records from Foreign Service posts or other separate and distinct Department offices;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request; or

(3) The need for consultation with another agency having a substantial interest in the determination of the request or among two or more components of the Department that have a substantial subject matter interest therein. Such consultation shall be conducted with all practicable speed.

(l) *Commercial use request* means a request from or on behalf of one who requests information for a use or purpose that furthers the commercial, trade, or profit interest of the requester or the person on whose behalf the request is made. In determining whether a requester belongs within this category, the Department will look at the use to which the requester will put the information requested.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

-----X  
)  
Christopher-Earl: Strunk © in esse, )  
593 Vanderbilt Ave. - 281 Brooklyn N.Y.11238 )  
Telephone (845) 901-6767 )  
Plaintiff, )  
)  
v. ) Civil Action No.: 08-2234 (RJL)  
)  
U.S. DEPARTMENT OF STATE et al. )  
)  
Defendants. )  
)  
-----X

**PLAINTIFF’S MEMORANDUM OF LAW IN OPPOSITION TO  
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT TO DISMISS**

I am Christopher-Earl: Strunk in esse self represented without being an attorney with my own declaration and supporting affidavit of Philip Hans Jacobsen as my expert witness in matters of similar FOIA from 1953 through 1985 as well as documents handling procedure and standards of care with annexed Exhibits 1 through 5 filed in opposition to Defendant’s Notice of Motion and Memorandum in Support of Defendants’ Motion for Summary Judgment to Dismiss by Assistant U.S. Attorney Brigham J. Bowen (Counsel) with Department of State supporting declarations of Alex Galovich Acting Director of the Office of Information and Programs and Services of the United States Department of State (DOS) and Dorothy Pullo

Director of the Freedom of Information Division, Office of international Trade, U.S. Customs and Border Protection (CBP) dated July 29, 2010, and opposed on the grounds Plaintiff lists in the Declaration at paragraphs 2 and 29.

In the Jacobsen Affidavit the set of circumstances in his own FOIA of his own mother that coincide with passport and related documents are dated from May 26, 1953 through October 28, 1985 that generally coincide with the same time frame of Plaintiffs FOIA requested of Stanley Ann Dunham with Barack Hussein Obama also named on those documents too.

That Plaintiff challenges the July 29, 2010 letter of Jonathan M. Rolbin, Director of the Office of Legal and Law Enforcement Liaison Bureau of Consular Affairs Passport Services in the matter with Case Control Number 200807238 with twelve pages of documents attached shown as Exhibit 1 Sub-exhibit A that says:

“We have completed a search for your records responsive to your request. The search resulted in the retrieval of six documents that *are responsive* to your request. After careful review of the documents, we have determined that all six documents may be released in full.”

Further says

“We did not locate a 1965 passport application referenced in an application for amendment of passport that is included in the released documents. Many, passport applications and other non-vital records from that period were destroyed during the 1980s in accordance with guidance from the General Services Administration.”

That the Jacobsen Affidavit affirms his own FOIA request for passports records that the DOS provided within the same time frame prior to 1967 (1953 through 1985) and that type of records requested conflicts with the Defendants' allegations and partial provision of records to Plaintiff.

That there is a matter of denial of substantive due process and equal treatment under the law injuring Plaintiff when the July 29, 2010 letter of Jonathan M. Rolbin fails to provide sufficient evidence of record disposition.

That with regard to Defendants' supporting declarations of Alex Galovich Acting Director of the Office of Information and Programs and Services of the DOS and Dorothy Pullo Director of the Freedom of Information Division, Office of international Trade, U.S. Customs and CBP based upon the above contentions Defendants have failed to proved sufficient facts to which Plaintiff may respond without a more definite statement provided and accordingly reserves the right to amend and extend Plaintiff's response at the appropriate time or before trial is had.

That as a matter of denial of equal treatment, substantive due process and spoliation Defendants injures Plaintiff in the handling of the October 2008 and November 22, 2008 FOIA requests through the present

There is an equal protection issue with substantive due process and spoliation injury to Plaintiff and others similarly situated described by the AP

Article and Newsmax shown as Exhibit 2 and Exhibit 3 as a matter complained of before this Court; and as such Plaintiff was contacted by a witness experiencing such injury by treatment of those FOIA requesters similarly situated to Plaintiff for the information on Stanley Ann Dunham.

Such additional FOIA Information on Stanley Ann Dunham was also requested by Jeffery Otherson, that to date Mr. Otherson's FOIA requested information has not been forthcoming from DOS.

Like Mr. Otherson, Plaintiff was singled out for arbitrary and capricious treatment in violation of his rights referenced by the AP Article shown as Exhibit 2, and as part of a conspiracy shown in Exhibit 3.

That germane to this matter in this instant action before the Court is that Plaintiff requires a more definite statement on the part of Defendants, as there is insufficient evidence and facts available for an order of dismissal; and that Plaintiff wishes an order denying Defendants motion for summary judgment and such other and different relief requested and deemed necessary for justice herein for the public has the right to know.

Dated: August 8<sup>th</sup>, 2010  
Brooklyn New York

*/s/ Christopher-Earl: Strunk*

---

Christopher-Earl: Strunk in esse  
593 Vanderbilt Avenue #281  
Brooklyn New York 11238  
(845) 901-6767 Email: [chris@strunk.ws](mailto:chris@strunk.ws)



U.S. District Court for the District of Columbia

Strunk v DOS et al. DCD 08-cv-2234 (RJL)

**CERTIFICATE OF SERVICE**

On August 9, 2010, I, Christopher Earl Strunk, under penalty of perjury pursuant to 28 USC 1746, caused the service of a copy of the Plaintiff's Memorandum of Law and Declaration signed August 8, 2010 with supporting expert Affidavit affirmed August 5, 2010 with exhibits annexed thereto that as a complete set was placed in a sealed folder properly addressed with proper postage served by USPS mail upon:

Brigham J. Bowen  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
P.O. Box 883, 20 Massachusetts Ave., N.W.  
Washington, D.C. 20044

I do declare and certify under penalty of perjury:

Dated: August 9<sup>th</sup>, 2010  
Brooklyn, New York

/s/

\_\_\_\_\_  
**Christopher- Earl : Strunk in esse**  
593 Vanderbilt Avenue - #281  
Brooklyn., New York 11238  
(845) 901-6767 Email: chris@strunk.ws