

Date: Sent Sep 24, 2025

To FOIA-Appeals,FOIAStatus@state.gov,FOIA\_Inquiry@state.gov,OGIS

Dear Appeals Officer,

I am filing this administrative appeal regarding the Department of State's handling of FOIA Case **F-2025-28025**, submitted on **August 4, 2025**.

### Grounds for Appeal

1. **Missed statutory deadline** – Under 5 U.S.C. § 552(a)(6)(A)(i), the Department was required to respond by **September 4, 2025**. No acknowledgment was received until **September 11, 2025** — a full week after the legal deadline.
2. **Improper invocation of “unusual circumstances”** – The acknowledgment letter cited 5 U.S.C. § 552(a)(6)(B), but this extension must be invoked **before** the statutory deadline expires. Issuing the notice late does not cure the violation.
3. **Substantive importance** – The request seeks the **complete consular file on U.S. Army veteran Sgt. Kelvin Blas**, including communications with Capt. Michael Burleson and Embassy Lomé staff. These records directly impact the safety and welfare of a U.S. citizen stranded abroad and are of urgent public interest.

### Relief Requested

- Immediate processing and production of all responsive records.
- A written explanation of why the statutory deadline was missed.
- Corrective measures to ensure compliance with FOIA deadlines in future cases.

Please treat this appeal as urgent. If the Department fails to act promptly, I will escalate further through the Office of Government Information Services, congressional oversight committees, and public accountability channels.

Sincerely,

David Burger

Director, Covenant for Forgotten Warriors