



U.S. Department of Justice
Office of Information Policy
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Nusrat Choudhury, Esq.
ACLU/National Security Project
18th Floor
125 Broad Street
New York, NY 10004-2400

Re: DAG/12-00406 (F)
VRB:DRH:GEB

Dear Ms. Choudhury:

This our second interim response to your Freedom of Information Act (FOIA) request dated March 1, 2010, and received in this Office on February 8, 2012, for records pertaining to the Federal Bureau of Investigation's eGuardian Threat Tracking System. This response is made on behalf of the Office of the Deputy Attorney General.

By letter dated August 20, 2012, we advised that we had 2,122 pages remaining to be processed. At this time we have completed our review of six pages of material. I have determined that three pages are appropriate for release without excision, and copies are enclosed. I have also determined that three pages are appropriate for release with excisions made pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552 (b)(5), (6). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of a third party. None of this information is appropriate for discretionary disclosure. Accordingly, we have 2,116 pages remaining to be processed.

As we also indicated in our August 20, 2012 letter, the material located in the Offices of the Deputy Attorney General and Privacy and Civil Liberties and referred by the Office of Justice Programs contain information of interest to other entities and we can respond only after consulting with those Offices regarding their information. See 28 C.F.R. § 16.4(c)(1) (2011). Our consultations are still pending on approximately 200 pages. Once our consultations are complete and our disclosure determinations are made, we will write to you again.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to file an administrative appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vanessa R. Brinkmann', with a stylized flourish at the end.

Vanessa R. Brinkmann
Counsel, Initial Request Staff

Enclosures