

Exhibit 4



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

September 13, 2019

BY EMAIL

Brett Max Kaufman
ACLU Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Re: *ACLU v. Department of Defense et al.*,
No. 17 Civ. 9972 (ER)

Dear Brett:

We write in response to your letter dated June 27, 2019, which attached a document that your letter indicates you obtained from the Department of Defense (“DoD”). DoD does not have authority to declassify the information at issue. *See* Executive Order 13526 § 3.1(b). Accordingly, the defendant agencies maintain their Glomar response to the FOIA request.

Very truly yours,

JOSEPH H. HUNT
Assistant Attorney General

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United States Attorney for
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