



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

May 3, 2019

Patrick Eddington
Cato Institute
1000 Massachusetts Avenue, NW
Washington, DC 20001
peddington@cato.org

Re: DOJ-2019-004235
DRH:VAV:ERH

Dear Patrick Eddington:

This responds to your Freedom of Information Act (FOIA) request dated and received in this Office on April 25, 2019, in which you requested certain records, dating from September 11, 2001, pertaining to (1) implementation of a detention program for persons of Muslim faith, regardless of nationality, and (2) implementation of detention programs for persons of Arab or Persian/Iranian heritage in the event of the declaration of a national emergency, declaration of war, or authorization for the use of military force against certain entities.

With regard to part 1 of your request, please be advised that a search has been conducted of the electronic database of the Departmental Executive Secretariat, which is the official records repository for the Offices of the Attorney General, Deputy Attorney General, and Associate Attorney General. We also conducted a search of the records indices of the Offices of the Attorney General, Deputy Attorney General, and Associate Attorney General. The indices supplement the electronic database of the Departmental Executive Secretariat and list file folder titles, arranged according to subject, for the records of former Office of the Attorney General, Deputy Attorney General, and Associate Attorney General staff. No records responsive to your request were located.

With regard to part 2 of your request, I can neither confirm nor deny the existence of such records. The existence or non-existence of such records would be protected pursuant to Exemption 7(E) of the FOIA, 5 U.S.C. § 552(b)(7)(E), which concerns records or information compiled for law enforcement purposes, the release of which would disclose techniques or procedures for law enforcement investigations or prosecutions.

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 (2012 & Supp. V 2017). 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.

You may contact our FOIA Public Liaison, Douglas Hibbard, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001; telephone at 202-514-3642; or facsimile at 202-514-1009.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Douglas R. Hibbard
Chief, Initial Request Staff