

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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ELECTRONIC FRONTIER FOUNDATION,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

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)  
)  
)  
) Civ. A. No. 06-CV-1708 (CKK)  
)  
)  
)  
)

**Exhibit A**



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

ESQ. MARCIA HOFMANN  
ELECTRONIC FRONTIER FOUNDATION  
454 SHOTWELL STREET  
SAN FRANCISCO, CA 94110

November 19, 2007

Subject: SYSTEM DCS-3000 and RED HOOK

FOIPA No. 1056287- 000 and FOIPA#1056307-1

Dear Hofmann:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552		Section 552a
<input checked="" type="checkbox"/> (b)(1)		<input type="checkbox"/> (d)(5)
<input checked="" type="checkbox"/> (b)(2)		<input type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3) _____	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)
_____	<input checked="" type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)
_____	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)
<input checked="" type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)

763 page(s) were reviewed and 494 page(s) are being released.

- Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
  - referred to the OGA for review and direct response to you.
  - referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001 within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division

Enclosure(s)

Please be advised that this is the sixth interim release as ordered by the court on May 7, 2007 for documents concerning surveillance systems known as DCS-3000 and Red Hook.

The first page of this correspondence reflects that 763 pages were reviewed for this release. There were actually 831 pages reviewed, however, after a review by the technical operations group that manages the system, they determined that 68 pages of this material was not responsive to the request.

A decision has not been made concerning your request for a waiver of fees. We will be corresponding with you concerning that request in the near future. In the interim, we are providing you with the enclosed documents. Pursuant to Title 28, Code of Federal Regulations, Section 16.11, there is a fee of ten cents per page for duplication. No fees are assessed for the first 100 pages. If it is determined that you do not qualify for a fee waiver, duplication fees will be assessed accordingly.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

ELECTRONIC FRONTIER FOUNDATION, )

Plaintiff, )

v. )

U.S. DEPARTMENT OF JUSTICE, )

Defendant. )

---

Civ. A. No. 06-CV-1708 (CKK)

**Exhibit B**



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

ESO, MARCIA HOFMANN  
ELECTRONIC FRONTIER FOUNDATION  
454 SHOTWELL STREET  
SAN FRANCISCO, CA 94110

December 17, 2007

Subject: SYSTEM DCS-3000 and RED HOOK

FOIPA No. 1056287- 000 and FOIPA#1056307-1

Dear Ms. Hofmann :

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552		Section 552a
<input checked="" type="checkbox"/> (b)(1)		<input type="checkbox"/> (d)(5)
<input checked="" type="checkbox"/> (b)(2)		<input type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3) _____	<input checked="" type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (k)(1)
_____	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (k)(2)
_____	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(3)
_____	<input checked="" type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(4)
	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(7)
<input checked="" type="checkbox"/> (b)(6)	<input type="checkbox"/> (b)(9)	

659 page(s) were reviewed and 659 page(s) are being released.

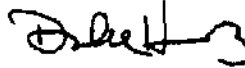
- Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
  - referred to the OGA for review and direct response to you.
  - referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001 within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division

Enclosure(s)

Please be advised that this is the eighth interim release as ordered by the court on May 7, 2007 for documents concerning surveillance systems known as DCS-3000 and Red Hook.

The first page of this correspondence reflects that 659 pages were reviewed for this release. There were actually 1,022 pages reviewed, however, after a review by the technical operations group that manages the system, they determined that 363 pages of this material was not responsive to the request.

A decision has not been made concerning your request for a waiver of fees. We will be corresponding with you concerning that request in the near future. In the interim, we are providing you with the enclosed documents. Pursuant to Title 28, Code of Federal Regulations, Section 16.11, there is a fee of ten cents per page for duplication. No fees are assessed for the first 100 pages. If it is determined that you do not qualify for a fee waiver, duplication fees will be assessed accordingly.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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ELECTRONIC FRONTIER FOUNDATION, )  
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 Plaintiff, )  
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 v. )  
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 U.S. DEPARTMENT OF JUSTICE, )  
 )  
 Defendant. )

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Civ. A. No. 06-CV-1708 (CKK)

**Exhibit C**



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

JANUARY 14, 2008

ESQ. MARCIA HOFMANN  
ELECTRONIC FRONTIER FOUNDATION  
454 SHOTWELL STREET  
SAN FRANCISCO, CA 94110

Subject: SYSTEM DCS-3000and RED HOOK

FOIPA No. 1056287- 000 and 1056307-1

Dear Requester:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552		Section 552a
<input checked="" type="checkbox"/> (b)(1)		<input type="checkbox"/> (d)(5)
<input checked="" type="checkbox"/> (b)(2)		<input type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3) _____	<input checked="" type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (k)(1)
_____	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (k)(2)
_____	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(3)
_____	<input checked="" type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(5)
<input checked="" type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(6)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(7)
	<input type="checkbox"/> (b)(9)	

1181 page(s) were reviewed and 585 page(s) are being released.

Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

- referred to the OGA for review and direct response to you.
- referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001 within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other



individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely yours,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division

Enclosure(s)

Please be advised this is the ninth interim release as ordered by the court on May 7, 2007 for documents concerning surveillance systems known as DCS-3000 and Red Hook.

The first page of this correspondence reflects that 1,181 pages were reviewed for this release. There were actually 1,490 pages reviewed, however, after a review by the technical operations group that manages the system, they determined that 309 pages of this material was not responsive to the request.

A decision has not been made concerning your request for a waiver of fees. We will be corresponding with you concerning that request in the near future. In the interim, we are providing you with the enclosed documents. Pursuant to the Title 28, Code of Federal Regulations, Section 16.11, there is a fee of ten cents per page for duplication. No fees are assessed for the first 100 pages. If it is determined that you do not qualify for a fee waiver, duplication fees will be assessed accordingly.