



Homeland Security

Privacy Office, Mail Stop 0655

August 3, 2011

Mr. Andrew Christy
Law Clerk
Electronic Privacy Information Center
1718 Connecticut Avenue NW, Suite 200
Washington, D.C. 20009

Re: **DHS/OS/PRIV 11-1104**

Dear Mr. Christy:

This is the electronic final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Privacy Office, dated July 26, 2011, and seeking the following documents:

1. "All contracts and communications with Lockheed Martin, CSC, SAIC, Northrop Grumman or any other defense contractors regarding the new NSA pilot program;
2. All contracts and communications with AT&T, Verizon and CenturyLink or any other ISPs regarding the new NSA pilot program;
3. All analyses, legal memoranda, and related records regarding the new NSA pilot program;
4. Any memoranda of understanding between NSA and DHS or any other government agencies or corporations regarding the new NSA pilot program;
5. Any privacy impact assessment performed as part of the development of the new NSA pilot program."

Your request was received by this office on July, 27, 2011.

As it pertains to item five, a search was conducted in the DHS Privacy Office for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records. Because this pilot program belongs to another agency, there is no DHS privacy impact assessment.

While an adequate search was conducted, you have the right to appeal this determination that no records exist within the Privacy Office that would be responsive to item number five of your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

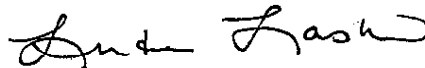
The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Upon further review of your request, I have determined that the information you are seeking, which appears to be overly broad, is under the purview of the DHS National Protection and Programs Directorate (NPPD). Therefore, I am referring your request to the FOIA Officer for NPPD, Lizzy Gary, for processing and direct response to you. NPPD will apprise you regarding the scope of your request. You may contact that office in writing at U.S. Department of Homeland Security, National Protection and Programs Directorate, Washington, D.C. 20528, nppd.foia@dhs.gov, or via telephone at 703-235-2211.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact our office concerning this request, please call 866-431-0486 and refer to **DHS/OS/PRIV 11-1104**.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lasko". The signature is fluid and cursive, written in a professional style.

Linda Lasko
FOIA Program Specialist