



Homeland  
Security

April 22, 2013

**SUBMITTED VIA EMAIL TO: LGARCIA@JUDICIALWATCH.ORG**

Lisette Garcia  
Judicial Watch  
425 Third St, SW  
Suite 800  
Washington, District of Columbia 20024

Re: **2013-HQFO-00304**

Dear Ms. Garcia:

This is our first interim response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated January 8, 2013, and to your request for a waiver of all assessable FOIA fees. You are seeking all records concerning, referring, or relating to interrupted mail service. The timeframe for this request is January 21, 2009 through the inception of the agency's search for responsive records to this request.

To date, a search for documents responsive to your request produced a total of 379 pages. Of those pages, I have determined that 302 pages of the records are releasable in their entirety, 53 pages are partially releasable, and 24 pages are withheld in their entirety pursuant to Title 5 U.S.C. § 552 (b)(5) and (b)(7)E, FOIA Exemptions 5, b7(E).

FOIA Exemption 5 protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. After carefully reviewing the responsive documents, I determined that portions of the responsive documents qualify for protection under the Deliberative Process Privilege. The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

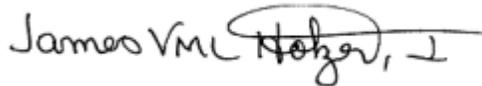
Exemption 7(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

You have a right to appeal the above withholding determination; however, we do request that you hold any appeals in abeyance pending the issuance of our final response. Your agreement to do so will have no effect on the adjudication of your appeal. 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 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](http://www.dhs.gov/foia).

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because you have been granted a blanket waiver of fees, there is no charge associated with this response.

If you need to contact our office again about this matter, please refer to **2013-HQFO-00304**. This office can be reached at 866-431-0486.

Sincerely,

A handwritten signature in black ink that reads "James VML Holzer, J." with a stylized flourish at the end.

James Holzer  
Director  
Disclosure and FOIA Operations

Enclosure(s): Responsive Documents, 355 pages