

U.S. Department of Justice



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CHAMBERS OF
ALVIN K. HELLERSTEIN
U.S.D.J.

United States Attorney
Southern District of New York

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ELECTRONICALLY FILED
FILED: 9/2/09

86 Chambers Street
New York, New York 10007

August 31, 2009

*So ordered
Sep 1, 2009
Alvin K. Hellerstein*

BY FACSIMILE

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007-1312

Re: ACLU, et al., v. Department of Defense, et al., No. 04 Civ. 4151 (AKH)

Dear Judge Hellerstein:

Pursuant to the Government's August 14, 2009 proposal to the Court, adopted in pertinent part by the Court's August 25, 2009 Order, the CIA has completed its manual search of the CIA Office of Inspector General (OIG) records "relating to the destruction of the tapes, which describe the persons and reasons behind their destruction" (the so-called "paragraph 4 records") for the periods of April 1, 2002 to June 30, 2003 and June 1, 2005 to January 31, 2006.

The manual search of the potentially-responsive OIG records has yielded approximately 100 responsive documents. These documents, the majority of which are classified TOP SECRET, must now undergo a manual line-by-line review to determine what, if any, information is non-exempt and can be released. Given the sensitivity of the documents, the Agency estimates that it can complete the processing by October 19, 2009. The Government proposes releasing any non-exempt information from the documents at issue on that date, and producing a Vaughn declaration justifying any withheld information by October 27, 2009.

Respectfully,

PREET BHARARA
United States Attorney

By:

[Signature]

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