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Via Email

September 17, 2019

Aaron Mackey
Andrew Crocker
Electronic Frontier Foundation
815 Eddy Street
San Francisco, CA 94109

Re: *Electronic Frontier Foundation v. U.S. Dep't of Justice*, Case No. 17-cv-03263-VC

Dear Aaron and Andrew:

In the above-captioned FOIA case, we stipulated that, instead of searching for and processing records that document or reflect FBI agents' determinations regarding whether to maintain or to terminate nondisclosure orders accompanying National Security Letters reviewed subject to the FBI's NSL review procedures, the FBI would provide to EFF aggregate data indicating, during the period covered by EFF's FOIA request,¹ how many times there were determinations regarding whether to maintain or to terminate nondisclosure orders accompanying NSLs reviewed subject to the FBI's NSL review procedures, and how many times the determination was made to maintain or to terminate such nondisclosure orders. The FBI has informed me that those aggregate data are as follows:

Total number of reviews – 11,874
Nondisclosure obligations terminated – 760
Nondisclosure obligations continued – 11,114

I look forward to working further with you to address EFF's fee demand, to try to resolve this matter without further litigation.

Best regards,

/s/ *Julia A. Heiman*

JULIA A. HEIMAN
Senior Counsel

¹ Specifically, the data cover the timeframe from the date on which the FBI's Termination Procedures for [NSL] Nondisclosure Requirement went into effect, through September 7, 2017.