



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

April 15, 2020

Enid Zhou
EPIC
Open Government Counsel
Zhou@epic.org
FOIA@epic.org

Re: FOIA Tracking No. FY20-071

Dear Ms. Zhou:

This letter acknowledges receipt of your March 24, 2020 Freedom of Information Act ("FOIA") request to the Office of Information Policy ("OIP"), in which you sought "legal memos, analysis, communications, and guidance documents, in the possession of the Department of Justice, concerning the collection or use of GPS data and cell phone location data for public health surveillance." OIP referred your request to the Office of Legal Counsel ("OLC") for our direct response to you. We received your request on April 3, 2020, and it has been assigned tracking number **FY20-071**. For your information, consistent with 28 C.F.R. § 16.4(a), we construe your request as seeking records from December 1, 2019, to the date a search is begun.

Your request for expedited processing has been granted and your request has been assigned to the "expedited" processing track. Because of the considerable number of FOIA requests received by OLC prior to your request, including other previously expedited requests, we likely will be unable to comply with the twenty-day statutory deadline for responding to your request. Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some additional delay in the processing of your request. I regret the necessity of this delay, but I assure you that your request will be processed as soon as practicable.

We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether fees will be assessed for this request.

In the meantime, if you have any questions or wish to discuss your request, you may contact Melissa Golden, OLC's FOIA Public Liaison, at usdoj-officeoflegalcounsel@usdoj.gov, (202) 514-2053, or at Office of Legal Counsel, United States Department of Justice, 950 Pennsylvania Ave., N.W., Room 5511, Washington, DC 20530.

Sincerely,

A handwritten signature in black ink that reads "Jared Kaprove". The signature is written in a cursive style.

Jared Kaprove
FOIA and Records Management Attorney