

**Defense Threat Reduction Agency**

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Ft Belvoir, VA 22060-6201

DEC 19 2003

Mr. Steven Aftergood
Federation of American Scientists
1717 K. Street, NW, Suite 209
Washington, DC 20036

Dear Mr. Aftergood:

This is an acknowledgement of and an interim response to your December 12, 2003, Freedom of Information Act (FOIA) Appeal regarding the denial of an unclassified Defense Threat Reduction Agency (DTRA) report, entitled, "Lessons from the Anthrax Attacks: Implications for U.S. Bioterrorism Preparedness," dated April 2002 and requested by you on August 14, 2003. We received your appeal on December 17, 2003, and assigned it FOIA Case Number 04-APP-01.

In your appeal, you requested that DTRA reverse its decision to withhold the above referenced report on the following grounds:

- a. The report is not withholdable under FOIA Exemption (b) (2) (High);
- b. The fact that the report discusses potential weaknesses in US biopreparedness is not a sufficient basis for withholding the report; and
- c. The Attorney General's October 12, 2001, FOIA policy guidance memorandum cannot and does not create any new exemptions to the FOIA, therefore, the Attorney General does not have the authority to override the FOIA, or to legislate new restrictions on "The public distribution of information related to homeland security and protection of critical infrastructure."

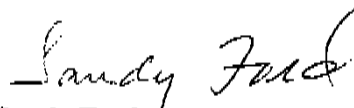
As it relates exclusively to the issue in Subparagraph (c), DTRA withdraws this as a basis for withholding any information associated with the requested document. Our reference to the Attorney General's memorandum in this respect was in error.

We are in the process of reviewing the appealed document and will address your concerns in Subparagraphs (a) and (b) in the near future. We make every effort to respond within the 20 business days stipulated in the FOIA, but often are unable to meet that time limit because of the volume or complexity involved in clearing out documents

for release. You will be promptly notified when the document has been reviewed and a release determination is made.

If you need further assistance, please feel free to contact me at (703) 325-7095.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Ford".

Sandy Ford
Freedom of Information Act/
Privacy Act Officer