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DEPARTMENT OF DEFENSE
OFFICE OF FREEDOM OF INFORMATION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155

FEB 13 2013

Ref: 12-F-1364

Mr. John Greenewald, Jr.



Dear Mr. Greenewald:

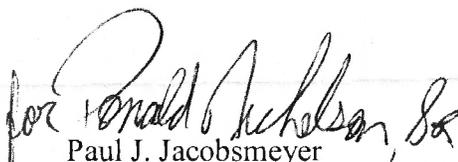
This is in response to your September 19, 2012, electronic Freedom of Information Act (FOIA) request for, a copy of "all documents pertaining to any warnings to the United States regarding a potential terrorist attack on our around September 11th, 2012. Please do not limit this search to only warnings relating to the Benghazi attack, but do include it." We received your request on the same day it was submitted and assigned it case number 12-F-1364.

Mr. Mark S. Patrick, an Initial Denial Authority for the Joint Staff has determined that at this time, due to an ongoing investigation, it would be premature at this time to make a determination for release of any responsive records. Accordingly, any responsive records should be withheld in their entirety pursuant to 5 U.S.C. § 552 (b)(1), which pertains to information that is currently and properly classified in the interest of national defense or foreign policy, in accordance with Executive Order 13526, Section 1.4 (a), which pertains to military plans, weapons, or operations; Executive Order 13526, Section 1.4(b), which concerns foreign government information; Executive Order 13526, Section 1.4(d), which pertains to foreign relations, or foreign activities of the United States, including confidential sources; 5 U.S.C. § 552(b)(5), which pertains to certain inter- or intra-agency communications protected by the deliberative process privilege, 5 U.S.C. § 552 (b)(6), which pertains to information, the release of which would constitute a clearly unwarranted invasion of the personal privacy of others, 5 U.S.C. § 552 Section (b)(7)(A), which pertains to information compiled for law enforcement purposes that could reasonably be expected to interfere with law enforcement proceedings, 5 U.S.C. § 552 (b)(7)(D), which pertains to information which could disclose the identity of a confidential source; and 5 U.S.C. § 552(b)(7)(E), which pertains to information which could disclose investigative techniques and procedures.

Additionally, Mr. Steven A. Cantrell, Director, Defense Analysis, Office of the Under Secretary of Defense for Intelligence (OUSDI) advises that he reasonably believes that his organization would not have records in his file which would be responsive to your request, therefore a search was not conducted. You are advised that if you have not done so already, the Defense Intelligence Agency (DIA), United States Africa Command (AFRICOM), the Department of State (DOS) and the National Security Agency/Central Security Service (NSS/CSS) may have records responsive to your request.

If you are not satisfied with this action, you may appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense, by writing directly to the Defense Freedom of Information Policy Office, Attn: Mr. James Hogan, 1155 Defense Pentagon, Washington, D.C. 20301-1155. Your appeal should be postmarked within 60 calendar days of the date of this letter, should cite to case number 12-F-1364, and should be clearly marked "Freedom of Information Act Appeal." There are no processing fees associated with this request. Accordingly, your request has been closed in this office.

Sincerely,


Paul J. Jacobsmeyer
Chief