



Homeland Security

October 23, 2007

Mr. Scott L. Amey
General Counsel
Project on Government Oversight (POGO)
666 Eleventh Street, NW, Suite 500
Washington, DC 20001-4542

Re: **DHS/OS/PRIV 07-1095/Amey**

Dear Mr. Amey:

This is to advise you of further action taken on your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated August 24, 2007, and to your request for a waiver of all assessable FOIA fees. Your request was received in this office on September 11, 2007. Specifically, you requested the following:

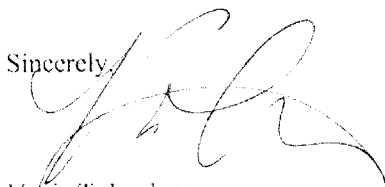
- 1) A copy of any conflict of interest policy governing employment and post-employment practices as they pertain to Deputy Secretary Michael P. Jackson and Deputy Director of the Office of Intelligence and Analysis Jack Tomarchio;
- 2) All records of communications to/from Jackson and Tomarchio and Traffic.com or its parent company and phone logs, calendars, memos, etc.;
- 3) All records of Jackson or Tomarchio regarding recusal or disqualification from any communications or dealings with Traffic.com or its parent company;
- 4) A copy of any opinion and/or waiver provided by the DHS Office of the General Counsel (OGC) or any DHS ethics office setting out the Department's approval, partial approval, or disapproval of Jackson and Tomarchio's communications or dealings with Traffic.com or its parent company;
- 5) Copies of Jackson and Tomarchio's appointment calendars from the inception of their employment with DHS to the present; and
- 6) Copies of Jackson and Tomarchio's phone logs registering calls to and from Traffic.com or its parent company, to include calls placed or received by their staff, including:
 - a. Mr. Mark A. Holman
 - b. Ms. Ashley Davis
 - c. Ms. Melissa Foxman
 - d. Mr. C.J. Zane
 - e. Mr. David Jannetta
 - f. Mr. Mark DeNino
 - g. Mr. Christopher Rothery
 - h. Mr. John Collins
 - i. Mr. Harry Voccola
 - j. Mr. Robert Denaro

Our September 18, 2007 acknowledgement of your request informed you that the DHS Privacy Office would coordinate with the Office of Intelligence and Analysis, as well as other DHS components, and issue a consolidated response on behalf of all DHS Headquarters elements involved in processing your request. However, this letter is to inform you that the Office of the General Counsel will process your

request independently, as it relates to **Items 1, 3, and 4** of your request, and will provide a separate response directly to you. Should you wish to contact that office, you may write to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, DC 20528.

We appreciate your patience as this office continues to process the remainder of your request, specifically **Items 2, 5, and 6**. Should you have any questions regarding this response, you may contact this office at 1-866-431-0486 or 703-235-0790.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Lockett', written over the word 'Sincerely,'.

Vania T. Lockett
Associate Director, Disclosure & FOIA Operations