

Exhibit K



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

March 23, 2017

Ms. Kaitlyn Gentile
Lamda Legal
120 Wall Street, 19th Floor
New York, NY 10005
kgentile@lamdalegal.org

Re: DOJ-2017-002953 (AG)
DOJ-2017-003114 (DAG)
DOJ-2017-003115 (ASG)
DOJ-2017-003116 (OLP)
DOJ-2017-003117 (PAO)
VRH:DRH:ERH

Dear Ms. Gentile:

This is to acknowledge receipt of your letter dated and received in this Office on March 13, 2017, in which you requested records pertaining to “the Title IX Transgender Guidance Materials” as described in your request. This response is made on behalf of the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Legal Policy, and Public Affairs.

You have requested expedited processing of your request pursuant to the Department’s standard permitting expedition for requests involving “[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information.” See 28 C.F.R. § 16.5(e)(1)(ii) (2015). Based on the information you have provided, I have determined that your request for expedited processing under this standard should be denied. The primary activity of your organization does not appear to be information dissemination, which is required for a requester to qualify for expedited processing under this standard.

The records you seek require searches in other Offices, and so your request falls within “unusual circumstances.” See 5 U.S.C. 552 § (a)(6)(B)(i)-(iii). Because of these unusual circumstances, we need to extend the time limit to respond to your request beyond the ten additional days provided by the statute. For your information, we use multiple tracks to process requests, but within those tracks we work in an agile manner, and the time needed to complete our work on your request will necessarily depend on a variety of factors, including the complexity of our records search, the volume and complexity of any material located, and the order of receipt of your request. At this time we have assigned your request to the complex track. In an effort to speed up our process, you may wish to narrow the scope of your request to limit the number of potentially responsive records so that it can be placed in a different processing track. You can also agree to an alternative time frame for processing, should records be located; or you may wish to await the completion of our records search to discuss either of these options. You may also contact the Office of Government Information Services (OGIS) of the National Archives and Records Administration to inquire into the FOIA mediation services they provide. OGIS can be contacted at the following:

-2-

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

Telephone: (202) 741-5770
Facsimile: (202) 741-5769
Toll-Free: (877) 684-6448
Email: ogis@nara.gov

In note that you agree to pay fees up to \$500.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact Eric Hotchkiss the analyst processing your request, by telephone at the above number or you may write to him at the above address. In addition, you may contact our FOIA Public Liaison at the telephone number listed above to discuss any aspect of your request.

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to your request for expedited processing, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Vanessa R. Brinkmann
Senior Counsel