UNITED STATES COURT OF APPEALS

THURGOOD MARSHALL UNITED STATES COURTHOUSE
40 FOLEY SQUARE
NEW YORK, NY 10007

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

(212) 857-8585 FAX (212) 857-8710

August 6, 2008

Carl Malamud Public.Resource.Org 1005 Gravenstein Highway North Sebastopol, CA 05472

Dear Mr. Malamud:

Your May 3, 2008 Memorandum to the United States Judicial Conference on Rules and Procedure, which you copied to Chief Judge Dennis Jacobs, has been referred to me for response on behalf of the United Stated Court of Appeals for the Second Circuit.

As your analysis demonstrates, this Court has long been committed to protecting the personal identification information of litigants as that term is defined in the E-Government Act of 2002. The immigration alien number included on decisions does not fall within that definition. Indeed, the inclusion of the alien number on court orders ensures that each decision is properly filed, distributed and relied upon by the individual to whom the proceeding pertains.

Accordingly it is the present intention of this Court to continue to use the alien number in all appropriate cases.

Very truly yours,

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Catherine O'Hagan Wolfe