



U.S. Department of Justice

Executive Office for United States Attorneys
Freedom of Information/Privacy Act Unit
600 E Street, N.W., Room 7300
Washington, D.C. 20530
202-616-6757 Fax 202-616-6478

SEP 22 2003

Request Number: 03-2899, 03-2900, 03-2901, and 03-2902

Requester: Marcia Hofmann

Subject of Request: Guy Lewis Patriot Act Memo dated 8/14/03

Dear Ms. Hofmann:

This is in response to your letter dated September 10, 2003 (and received in our office on September 10, 2003), in which you request expedited treatment of your Freedom of Information Act/Privacy Act request. As you may know, expedited treatment allows one requester to receive processing of his or her request ahead of other requesters who have already filed their requests. Not surprisingly, such a displacement of others who have legal rights to a prompt agency response cannot be done except under circumstances that clearly warrant the action, as carefully defined by agency regulation. The Department of Justice has published its rules for granting expedited processing at 28 Code of Federal Regulations 16.5(d).

In accordance with 28 C.F.R. 16.5(d)(2), we referred your request for expedited treatment to the Director of Public Affairs, Department of Justice. The Office of Public Affairs has informed us that they have denied your expedite request. The Office of Public Affairs determined that the subject of your request is not one of exceptional media interest, nor does it raise any questions about the government's integrity which might affect public confidence. Furthermore, after careful consideration of your letter, I have concluded that you have not otherwise presented a case that would warrant granting expedited processing ahead of others. Your letter does not support a finding that there is an urgency to inform the public about an actual or alleged federal government activity (28 C.F.R. 16.5(d)(1)(ii)). Therefore, in the absence of any such justification, I must deny your request for expedited treatment.

We are processing your request in the normal order.

You may appeal my decision to deny expedited processing by writing within sixty (60) days to:

Office of Information and Privacy
United States Department of Justice
Flag Building, Suite 570
Washington, D.C. 20530

Both the envelope and the letter of appeal must be clearly marked "Freedom of Information Act/Privacy Act Appeal."

After the appeal has been decided, you may have judicial review by filing a complaint in the United States District Court for the judicial district in which you reside or have your principal place of business; the judicial district in which the requested records are located; or in the District of Columbia.

Sincerely,

Marie A. O'Rourke
Assistant Director