



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

April 12, 2005

VIA FACSIMILE
(202) 483-1248

Ms. Marcia Hofmann
Director, Open Government Project
Electronic Privacy Information Center
Suite 200
1718 Connecticut Avenue Northwest
Washington, D.C. 20009

Subject: **PATRIOT Act Provisions**
FOIA No.: **1017326**

Dear Ms. Hofmann:

This is in response to your request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, dated March 29, 2005, in which you have sought access to the following information:

1. Any information concerning the FBI's use of authorities granted or expanded by Sections 201, 202, 203(b), 203(d), 204, 206, 207, 209, 212, 214, 217, 218, and 220 of the USA PATRIOT Act from October 26, 2001 to the present.
2. Any information concerning the FBI's use of Section 215 of the USA PATRIOT Act from February 23, 2003 to the present.
3. Any information or communications concerning sunset of USA PATRIOT Act provisions.

In your March 29, 2005 letter, you stated that "[t]his request warrants expedited processing because it pertains to a matter about which there is an 'urgency to inform the public about an actual or alleged federal government activity,' and the request is made by 'a person primarily engaged in disseminating information.'" (citing to 28 C.F.R. § 16.5(d)(1)(ii)). Following a review of your letter, I have decided to grant your request for expedition pursuant to 28 C.F.R. § 16.5(d)(1)(ii). Your FOIA request will be assigned shortly and the FBI will begin to conduct a search for any potentially responsive records.

Ms. Marcia Hofmann

In addition, your March 29, 2005 letter requests a fee waiver pursuant to the "representative of the news media" contained in the FOIA and in 28 C.F.R. § 16.11(b)(6). Please be advised that we are in the process of evaluating your fee waiver request, and we will notify you in the near future regarding our decision.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'D. Hardy', written over a horizontal line.

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division