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FOIA/Privacy Act Liaison
Federal Bureau of Prisons, Department of Justice
Western Regional Office

Sent Via Email WXRO-FOIA-S@BOP.GOV

**Re: Request For Response, Determination, and Timeline for Release on Expedited Request
2024-04492**

Dear Western Regional Office:

I write to seek a timeline for a substantive **response**,¹ **determination**, and release of records for expedited request number 2024-04492. The BOP acknowledges the date received as 7/5/2024 (See enclosed 2024.07.10 BOP to CKH Assigning Expedited). This was approximately 30 calendar days, and 20 business days ago. BOP **acknowledged**² the request, assigned **tracking number** 2024-04492, and granted **expedited**³ status on 7/10/2024. The FOIA tracking portal indicates "Document Search: We are in the process of searching for your records" but provides no details as to response, determination, and release of records (See enclosed 2024.08.04 BOP FOIA Portal Status Check 2024-04492).

¹ 5 U.S.C. 552(a)(6)(C)(i) states that the BOP's **response** to any request is due no later than twenty business days from receipt of request. Per 5 U.S.C. § 552(a)(6)(A) the twenty day determination begins "on the date on which the request is first received by the appropriate component of the agency, but in any event not later than ten days after the request is first received by any component of the agency" designated in regulations to receive FOIA requests. 28 C.F.R. § 16.5(c) states: "Whenever the statutory time limit for processing a request cannot be met because of "unusual circumstances," as defined in the FOIA, and the component extends the time limit on that basis, the component shall, **before expiration of the 20-day period to respond, notify the requester in writing of the unusual circumstances involved and of the date by which processing of the request can be expected to be completed.** Where the extension exceeds 10 working days, the component shall, as described by the FOIA, provide the requester with an opportunity to modify the request or arrange an alternative time period for processing."

² 28 C.F.R. § 16.6(e)(4) states that "A component shall **acknowledge** the request and assign it an individualized **tracking number** if it will take longer than 10 working days to process."

³ The BOP's **response** to an **expedited** request is due no later than 10 **calendar** days after the request was received by BOP's department designated to receive FOIA requests for agency records. For expedited requests 28 C.F.R. § 16.5(e)(4) states: "A component shall notify the requester within 10 calendar days of the receipt of a request for expedited processing of its decision whether to grant or deny expedited processing. If expedited processing is granted, the request shall be given priority, placed in the processing track for expedited requests, and shall be processed as soon as practicable. If a request for expedited processing is denied, any appeal of that decision shall be acted on expeditiously."

August 16, 2024 will be approximately twenty business days from transmission plus ten business days for potential agency extension. Per 5 U.S.C. § 552(a)(6)(B)(i) the BOP's "**determination**" regarding **any** request is due no later than twenty business days from receipt of request plus 10 additional working days if the agency invokes the exceptional circumstances provisions. Please provide me with a timeline for a substantive **response, determination,** and release of records.

Sincerely,

/s/

Caitlin Kelly Henry, Esq.

Enclosures:

2024.08.04 Letter to BOP

2024.08.04 BOP FOIA Portal Status Check 2024-04492

2024.07.10 BOP to CKH Assigning Expedited