



U.S. Department of Justice

Federal Bureau of Prisons

South Central Regional Office

4211 Cedar Springs Road, Suite 300
Dallas, Texas 75219

January 27, 2006

E. J. Hurst II
Attorney at Law
PMB No. 124
550M Ritchie Highway
Severna Park, Maryland 21146

Re: Freedom of Information Request Number 2006-02289

Dear Mr. Hurst:

This is in response to your recent letter in which you requested a copy of specific Federal Bureau of Prisons records pertaining to the low security satellite institution at the Federal Correctional Institution (FCI), La Tuna, in Anthony, New Mexico/ Texas. You requested a copy of the following records:

1. All records related to discipline against FCI La Tuna staff from January 2000 through December 14, 2005.
2. Logs, audio and video recordings, transcriptions of calls, and other records related to institutional telephone communications from November 30, through December 2, 2005.
3. Records regarding medical "emergency" situations in the Special Housing Unit (SHU) at FCI La Tuna from January 1, 2002, through December 14, 2005.
4. Staff Rosters and all other records providing the names and ranks of all FCI La Tuna staff on leave for active military service from June 2002, through December 14, 2005.
5. Daily duty logs showing present and absent staff at FCI La Tuna from December 2, through December 14, 2005.
6. Daily reports, logs, or other records prepared by or for FCI La Tuna's (Low) medical staff from November 21, through December 14, 2005.

You also requested that your request be expedited and that you be provided a fee waiver. Pursuant to Title 28, Code of Federal Regulations, Section 16.5(d), a request can be expedited if:

- (1) Circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;
- (2) An urgent need to inform the public about an actual or alleged federal government activity exists;

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- (3) A loss of substantial due process exists;
- (4) The matter is of widespread and exceptional media interest in which there exists possible questions about the government's integrity which affects public confidence;

There is no indication that your request meets the above identified criteria; therefore, your request that the requested information be provided expeditiously is denied.

As for your request for a waiver of fees, Title 5, United States Code, Section 552(a)(4)(A)(iii) and Title 28, Code of Federal Regulations, Section 16.11(k) provide that documents shall be furnished without charge or at a reduced rate if disclosure of the information is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requestor. Your request does not meet these criteria. Therefore, your request for a fee waiver is denied.

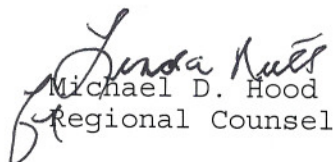
Due to the large number of requests received by the BOP for disclosure of records pursuant to the Freedom of Information and Privacy Acts, and due to the limited resources available to process such requests, the BOP has adopted a "first-in, first-out" practice of processing all incoming requests.

Your request has been placed in chronological order based on the date of receipt and will be handled as expeditiously as possible when it is assigned for processing.

Please be advised that in accordance with Title 28, Code of Federal Regulations, Section 16.3(c), this request constitutes an agreement by you to pay all applicable fees up to \$25.00. Please do not forward payment at this time. You will be advised of the applicable fees, if any.

Pursuant to Title 28, Code of Federal Regulations, Section 16.9, this action may be appealed to the Attorney General within sixty (60) days of the date of this letter by writing to the Office of Information and Privacy, Department of Justice, Flag Building, Suite 570, Washington, D.C. 20530. Please ensure that the envelope and request are clearly marked "FOI Request Appeal."

Sincerely,


Michael D. Hood
Regional Counsel

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OFFICIAL BUSINESS

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