



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

August 2, 2011

MS. KATHERINE GALLAGHER  
STAFF ATTORNEY  
CENTER FOR CONSTITUTIONAL RIGHTS  
7TH FLOOR  
666 BROADWAY  
NEW YORK, NY 10012

*Center for Constitutional Rights, Inc. v. DOJ, et al.*  
Civil Action No.: 1:11-cv-03533  
FOIPA Request No.: 1170229-000  
Subject: May 31, 2010 attack on Gaza-bound Aid Flotilla

Dear Ms. Gallagher:

This acknowledges receipt of your Freedom of Information/Privacy Acts (FOIPA) request to the FBI. Although your letter indicates that it was directed to the Mail Referral Unit at the Department of Justice ("DOJ"), it was provided to the FBI by the U. S. Attorney's Office for the Southern District of New York. As such, your request was not deemed received by the FBI until July 26, 2011.

Expedited Processing

Pursuant to the Department of Justice ("DOJ") standards permitting expedition, expedited processing can only be granted when it is determined that a FOIPA request involves one or more of the below categories.

You have requested expedited processing according to:

- 28 C.F.R. §16.5 (d)(1)(i): "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."
- 28 C.F.R. §16.5 (d)(1)(ii): "An urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information."
- 28 C.F.R. §16.5 (d)(1)(iii): "The loss of substantial due process of rights."
- 28 C.F.R. §16.5 (d)(1)(iv): "A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence."

You have not provided enough information concerning the statutory requirements permitting expedition; therefore, your request is denied. Specifically, you have not provided enough information to prove that the primary activity of your organization is information dissemination or that the information will aid in a criminal defense court proceeding.

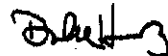
You may appeal this denial by writing to the Office of Information Policy (OIP), United States Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C., 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request to facilitate its identification.

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Search and Fee Waiver

The FBI is searching the indices to our Central Records System for information potentially responsive to your request. You will be informed of the results in future correspondence. Therefore, we have not yet made a decision on your request for a fee waiver. We will do so after we determine whether fees are applicable to your request.

Sincerely yours,



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

cc: John D. Clopper, AUSA