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January 23, 2005

Record/Information Dissemination Section
Records Management Division
Federal Bureau of Investigation
Department of Justice
935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

FOIA REQUEST

Fee benefit requested

Fee waiver requested

Expedited review requested

Dear FOI Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of records from 1997 through December 2004 describing investigations of the Portland Division's Joint Terrorism Task Force which (1) involved persons of foreign citizenship present in the United States in violation of federal immigration laws; and (2) included the involvement and participation of any officers from the Portland Police Bureau on assignment to the Portland Division's Joint Terrorism Task Force. Specifically, I am seeking only those records which specify, detail, and/or explain the roles, activities, and levels of involvement and participation of those Portland Police Bureau officers in those investigations.

I would like to receive the information in electronic format. (CD-ROM.)

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on use of Portland police officers in terrorism-related investigations that is of current interest to the public because the City of Portland will shortly be considering renewal of the Memorandum of Understanding governing its participation in the FBI Portland Division's Joint Terrorism Taskforce. This information is being sought on behalf of *Portland Communique* for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. As stated above, the City of Portland shortly will consider renewal of its participation in the local JTTF. In a recent newspaper interview, Special Agent-in-Charge Robert Jordan of the Portland Division detailed a hypothetical scenario in which the FBI would require the assistance of the Portland Police Bureau. That scenario, however, described a situation in which the Portland Police Bureau in reality would be prohibited from participating, due to the restrictions detailed in Oregon Revised Statutes 181.850. As such, it is important for the Portland public to know whether or not the FBI in fact has in the past instructed the Portland police officers assigned to the Portland Division's JTTF to engage in activities which violated ORS 181.850. A report on the results of this FOIA request, as well as copies of any documents provided in response, will be published in *Portland Communique* and thereby freely available and accessible to the people of Portland.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone, rather than by mail, if you have questions regarding this request.

Please provide expedited review of this request which concerns a matter of urgency. As a journalist, I am primarily engaged in disseminating information. The public has an urgent need for information about use of Portland police officers in enforcing federal immigration laws because the City of Portland will soon be considering renewal of its participation in the local Joint Terrorism Task Force. As of this date, it is unknown when that hearing will be held, but it already has been delayed several times, and it is expected to be placed on the City Council agenda within the next couple of months -- if not within the next couple of weeks, which is a very real possibility. I certify that my statements concerning the need for expedited review are true and correct to the best of my knowledge and belief.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

Sincerely,

Christopher Frankonis