

U.S. Department of Homeland Security  
Washington, DC 20528



## Homeland Security

Office of Policy, Mail Stop 3128

October 14, 2010

Ms. Katherine Gallagher  
Senior Staff Attorney  
Center for Constitutional Rights  
666 Broadway, 6<sup>th</sup> Floor  
New York, NY 10012

Re: **DHS/OS/PLCY & PRIV 10-0824**

Dear Ms. Gallagher:

On behalf of the Office of Policy, this letter is the electronic final response to your August 13, 2010 Freedom of Information Act (FOIA) request addressed to the Department of Homeland Security (DHS). You requested all records relating to the May 31, 2010 Israeli military operation that occurred in international waters in the Mediterranean Sea involving a six-foot boat flotilla headed to Gaza with humanitarian supplies, including the U.S. registered "Challenger I" and Comoros-registered "Mavi Marmara," which was forcefully intercepted by Israeli Defense Forces, resulting in the death of nine (9) passengers on board the Mavi Marmara, including one U.S. Citizen and the injury of many more. Your request was referred to us from the Privacy Office and was received in the Office of Policy on September 24, 2010.

The documents forwarded for our review and release determination were nonresponsive. However, as an additional courtesy, our subcomponent entity, the Office of International Affairs, conducted an exhaustive search for records in response to your FOIA request and found no records.

While an adequate search was conducted, you have the right to appeal this determination that no records exist within the Office of Policy that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

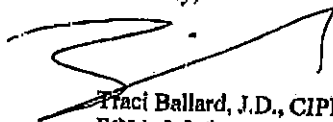
The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that

OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at [ogis@nara.gov](mailto:ogis@nara.gov) or call 1-877-684-6448.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact my office concerning this request, please call 202-447-3497 or email [PolicyFOIA@hq.dhs.gov](mailto:PolicyFOIA@hq.dhs.gov) and refer to PLCY & PRIV 10-0824.

Sincerely,



Traci Ballard, J.D., CIPP  
FOIA & Information Disclosure Officer  
Office of Policy