



**DEPARTMENT OF DEFENSE  
OFFICE OF FREEDOM OF INFORMATION  
1155 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1155**

**DEC 23 2010**

Ref: 10-F-1242

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

Dear Ms. Gallagher:

This is the final response to your June 30, 2010, Freedom of Information Act (FOIA) request for, "information regarding the May 31, 2010 Israeli military operation that occurred in international waters in the Mediterranean Sea involving a six-boat flotilla headed to Gaza with humanitarian supplies, including the U.S. – registered "*Challenger I*" and the Comoros-registered "*Mavi Marmara*" which was forcefully intercepted by the Israeli Defense Forces, resulting in the death of 9 passengers on board the *Mavi Marmara*, including one U.S. citizen, and the injury of many more." The Joint Staff conducted a two-hour search and located four documents responsive to your request.

Mr. Mark Patrick, an Initial Denial Authority (IDA) for the Joint Staff, reviewed the responsive material and determined that one document, consisting of four pages, is exempt from release in its entirety pursuant to 5 U.S.C. § 552(b)(1), which pertains to information that is currently and properly classified in the interest of national defense or foreign policy, in accordance with Executive Order 13526, Section 1.4 (b), which concerns foreign government information; Section 1.4 (c), which concerns intelligence activities (including covert action), intelligence sources or methods, or cryptology; and Section 1.4 (d), which concerns foreign relations or foreign activities of the United States, including confidential sources; 5 U.S.C. § 552(b)(2), which pertains to information about internal practices and personnel rules, which if released would risk circumvention of agency regulations; and 5 U.S.C. § 552(b)(5), which pertains to certain inter- or intra-agency communications which contain information considered privileged as pre-decisional under deliberative process.

We have determined that the remaining documents require reviews by other agencies; one document requires a review by the Defense Intelligence Agency (DIA); one document requires a review by the Department of State (DOS), and one document requires a review by the National Geospatial-Intelligence Agency (NGA). Accordingly, we have referred the documents to these agencies for their processing and direct response to you. You may correspond with the DIA, the DOS, and the NGA at the following addresses:

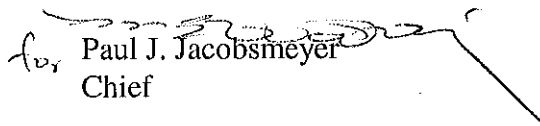
Defense Intelligence Agency  
Attn: DAN-1A Rm E4-234  
Washington, DC 20340-5100

Department of State  
Director, Information Programs and Services  
Room 8113 SA-2  
Washington, DC 20522-8113  
Office of Legal Advisor (Rm 6001 SA-2)

National Geospatial-Intelligence Agency (NGA)  
FOIA Requester Service Center  
4600 Sangamore Road, D-10 FOIA  
Bethesda, MD 20816-5003

If you are not satisfied with this action, you may appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense, by writing directly to the Defense Freedom of Information Policy Office, Attn: Mr. James Hogan, 1155 Defense Pentagon, Washington, D.C. 20301-1155. Your appeal should be postmarked within 60 calendar days of the date of this letter, should cite to case number 10-F-1242, and should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

  
for Paul J. Jacobsmeyer  
Chief

Enclosures:  
As stated