



U.S. Citizenship  
and Immigration  
Services

SEP 15 2005

APP2004000678

Terrence Bressi  
1718 E. Speedway #140  
Tucson, AZ 85719

Re: LNG2003000253

Dear Mr. Bressi:

You appealed the decision of the Laguna Niguel Admin Center regarding your request for access to records pertaining to 12/20/02 Incident report-US Border Patrol-Hwy 86 & mile maker 145.

After careful consideration of your appeal, we have decided to affirm the initial action in this case. We have determined that the Laguna Niguel Admin Center properly withheld certain information that is protected from disclosure under the Freedom of Information Act pursuant to 5 U.S.C. §§ 552(b)(2), (b)(6), and (b)(7)(c). The following provisions protect from disclosure records or information:

Exemption (b)(2) protects from mandatory disclosure records "related solely to the internal personnel rules and practices of an agency."

Exemption (b)(6) protects from disclosure all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy."

Exemption (b)(7)(C) exempts records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information if disclosed could reasonably be expected to constitute an unwarranted invasion of personal privacy.

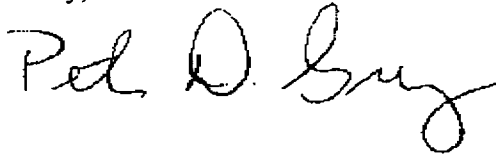
Further, we have also confirmed that there is no interagency agreement between the U.S. Border Patrol and the Tohono O'ohdam Police Department. We did determine that the Laguna Niguel office failed to respond to all of the items in your list (i.e., items one and five). That office has subsequently located records pertaining to these items and will respond to you directly.

Mr. Terrance Bressi

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Finally, we have determined that this information is not appropriate for discretionary release. If you are dissatisfied with our action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "Peter D. Gregory". The signature is written in a cursive style with a large, looped "G" at the end.

Peter D. Gregory, Chief  
Commercial & Administrative Law Division  
Department of Homeland Security  
Citizenship and Immigration Services