



U.S. Department of Justice

Civil Division

Washington, D.C. 20530

JMK:jk:145-FOI-8798

June 13, 2006

Keith Yearman, Assistant Professor of Geography
College of DuPage
425 Fawell Boulevard
Glen Ellyn, Illinois 60137-6599

Dear Professor Yearman:

While processing your November 5, 2005 request for records pertaining to repatriation of Haitian refugees caught at sea, the United States Coast Guard, U.S. Department of Homeland Security (USCG) recently located 523 pages of documents originated by or of interest to the Civil Division. The USCG referred the documents to our office for review and direct response to you regarding their status under the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended. We received your request and attached documents in this office on May 24, 2006.

I determined that forty-seven pages of documents are inter-agency memoranda exempt pursuant to 5 U.S.C. §552(b)(5), based upon the attorney work product. Two documents fall within the responsibility of the Office of Information and Privacy (OIP) for purposes of responding to FOIA requests. I have referred these documents to OIP for a release determination and direct response to you. The contact information for this office is as follows:

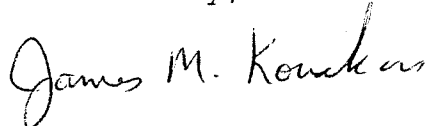
Melanie Ann Pustay, Deputy Director
Office of Information and Privacy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001
(202) 514-FOIA.

I determined that the remaining pages may be released to you pursuant to the FOIA. Copies of these documents are enclosed.

If you disagree with my decision to deny you access to the documents responsive to your request as outlined above, you may appeal by writing within 60 working days of the receipt of this letter to the Director, Office of Information and Privacy, Department of Justice, Suite 11050, 1425 New York Avenue, N.W. Both the letter appealing the decision and the envelope should be clearly marked "FOIA APPEAL."

Thereafter, judicial review would be available in the U.S. District Court in the district in which you reside or have your principal place of business or in the U.S. District Court for the District of Columbia.

Sincerely,

A handwritten signature in cursive script that reads "James M. Kovakas".

James M. Kovakas
Attorney In Charge
FOI/PA Office, Civil Division

Enclosures