

Terrence Bressi

November 11, 2003

Department of Homeland Security
 Attn.: FOIA / P A Appeals Office
 Department of Homeland Security
 425 I St., NW
 Washington, DC 20536

Re.: FOIA/PA Appeal

To whom it may concern;

This is a FOIA Appeal regarding an information request directed to the Tucson Sector Border Patrol & F O I A / P A Officer Erika Knasiak on September 11, 2003 and denied by Officer Knasiak on September 30, 2003. The case number assigned to the FOI request is LNG2003000253.

In my letter, I specifically requested information maintained by the Border Patrol related to a roadblock on Arizona Highway 86 on the weekend of December 20, 2002 in which the Border Patrol was involved. At the roadblock, the following Border Patrol vehicles were observed:

Border Patrol #:	License Plate #:	Type of vehicle:
H9739	5-25037	Patrol
H9483	5-25581	Patrol
E0703	J-26973	Patrol
U1192	J-22316	INS Bus

Border Patrol agents in clearly marked Border Patrol uniforms were also observed interacting with the Tohono O'odham Police & several other agents were observed loading individuals detained at the roadblock into a Border Patrol bus, license number J-22316. Eventually, the Border Patrol bus was observed transporting the detainees away from the scene under Border Patrol custody.

In my letter to the Tucson Sector Border Patrol and officer Knasiak, I specifically requested copies of the following Border Patrol documentation:

- A list of individuals taken into custody by the Border Patrol at the scene of the roadblock along with a description of their current status.
 - All incident reports generated between December 20-22, 2002 related to the above described operation.
 - **All** operational summaries generated between December 20-22, 2002 related to the above described event.
 - Copies of **all** interagency agreements currently in force between the **U.S.** Border Patrol & the Tohono O'odham Police Department.
 - A list of Border Patrol agents associated with the Border Patrol vehicles listed above along with their I.D. or badge numbers.
 - A statistical summary of all Border Patrol operations at the roadblock in question.
- Any other documentation generated between December 20-22, 2002 related to the above described operation.

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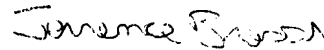
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PS Form 3800, June 2002 See Reverse for Instructions

Much to my amazement, the response I received from Officer Knasiak indicated that no documentation responsive to my requests were found. Clearly, such a result is either a gross error or a fabrication. I, along with several other individuals, personally witnessed multiple Border Patrol agents onscene detaining dozens of individuals, loading these individuals into a Border Patrol bus, and transporting them away from the scene. It is clearly an absurd position for the Border Patrol to take that no paperwork or documentation related to this incident exists. It is equally absurd to believe there is no record as to which Border Patrol agents were assigned to the Border Patrol vehicles observed at the scene of the roadblock. If such was the case, it would constitute gross negligence on the part of the Border Patrol in clear violation of Border Patrol procedures and guidelines.

I am formally appealing the decision made by FOIA/PA Officer Erika Knasiak in accordance with the Freedom of Information Act. Thank you for your time.

Sincerely;

A handwritten signature in black ink, appearing to read "Terrence Bressi". The signature is written in a cursive, somewhat stylized font.

Terrence Bressi