



CENTER FOR HUMAN RIGHTS AND CONSTITUTIONAL LAW

256 SOUTH OCCIDENTAL BOULEVARD

LOS ANGELES, CA 90057

Telephone: (213) 388-8693

Facsimile: (213) 386-9484

www.centerforhumanrights.org

August 2, 2012

Commandant (CG6-611)
ATTN: FOIA OFFICE
US Coast Guard
2100 2nd ST. SW, Stop 7101
Washington DC 20593-7101

Re: Freedom of Information Act Appeal – CASE NUMBER: 2012-1625

To Whom It May Concern:

This is an appeal concerning the United States Coast Guard's refusal to disclose certain documents or portions of documents within its control.

On August 31, 2007, I requested documents and records relating to the February 24, 1996 shoot-down of two Brothers to the Rescue planes by the government of Cuba. Copy enclosed.

On June 4, 2012, I was sent a letter signed by Captain P.J. Hatch of the U.S. Coast Guard. Copy enclosed.

We are appealing the decision to withhold the additional pages or redactions. (Copy of June 4, 2012 FOIA denial is attached.)

This appeal is made because we believe that the Initial Denial Authority has improperly withheld information pursuant to 5 U.S.C. § 552(b)(3) and (b)(6). We do not believe that the withheld information may reasonably be classified or treated as non-disclosable under 10 U.S.C. § 424, 50 U.S.C. § 403, or § 552(b)(6) (privacy), and the June 4, 2012 letter from Captain Hatch fails to explain anything about the requested materials or why the stated exemptions apply.

In the event that we do not receive a timely response to this appeal, we may treat a non-response as a denial of this appeal and seek judicial review. However, we clearly prefer to have this appeal adjudicated within a reasonably prompt period of time.

Sincerely,

Peter A. Schey
Attorney at Law

enclosures