

From: HQS-SMB-FOIA EFOIA@uscg.mil 
Subject: RE: U.S. Coast Guard Freedom of Information Act (FOIA) Request 2015-CGFO-02207
Date: October 30, 2015 at 1:12 PM
To: tran@epic.org
Cc: butler@epic.org



Mr. Tran:

This is an electronic interim response to your May 29, 2015, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG) for documents concerning the Nationwide Automatic Identification System (NAIS). The Coast Guard received your request on June 30, 2015 and it was assigned FOIA number 2015-CGFO-02207.

This response references the following items from your request:

2. All USCG policies and procedures for the collection, storage, analysis, use, retention, and deletion of data obtained through NAIS;
3. All policies and procedures concerning the sharing Level A or Level B NAIS data with other agencies, governments, non-governmental entities, and individuals;
4. All records detailing agencies, governments, non-governmental entities, and individuals with whom Level A or Level B NAIS data has been shared and how often it has been shared with them;
5. All civil rights and civil liberties impact assessments of NAIS, whether prepared by the Office for Civil Rights and Civil Liberties or another unit.

Regarding your request for records described in items two through four, we are granting your request under the FOIA, Title 5 U.S.C. § 552, as amended, and DHS' implementing regulations, 6 C.F.R. Chapter I and Part 5. After carefully reviewing the responsive documents, it has been determined that they are appropriate for public release. They are enclosed in their entirety; no deletions or exemptions have been claimed.

Unfortunately, we were unable to locate or identify any responsive records for your request for records concerning civil rights and civil liberties impact assessments. This is not a denial. We conducted a comprehensive search of files within the USCG Civil Rights Directorate (CG-OOH) for records that would be responsive to your request. On September 28th, September 29th, October 8th, and October 26th Mr. Vesone Dean, Dr. Faynetta Jennings, Mr. Reginal Diggins, Mr. Ahmad Razavi, Ms. Gina Huck, and Ms. Erica Selmon of CG-OOH searched local and electronic files using key words "Nationwide Automatic Identification System", "NAIS", "NAIS impact", "Maritime Transportation Security Act", "administrative", "assessment", "MTSA", and "impact assessment".

While an adequate search was conducted, you have the right to appeal this determination that no records exist within CG-OOH that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this correspondence, to:

COMMANDANT (CG-611)
US COAST GUARD
ATTN: FOIA/PA OFFICER
2703 MARTIN LUTHER KING AVE. STOP 7710
WASHINGTON DC 20593-7710

Following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact us about this request, please refer to FOIA number 2015-CGFO-02207. You may contact this office at 202-475-3522.

Sincerely,

Amanda C. Ackerson
Management and Policy Analyst
U.S. Coast Guard (CG-611)
Office of Information Management
2703 MARTIN LUTHER KING JR AVE SE STOP 7710
WASHINGTON DC 20593-7710
Phone: 202-475-3522
Fax: 202-372-8413

-----Original Message-----

From: John Tran [mailto:tran@epic.org]
Sent: Thursday, October 15, 2015 4:17 PM
To: HQS-SMB-FOIA
Cc: Alan Butler
Subject: Re: U.S. Coast Guard Freedom of Information Act (FOIA) Request 2015-CGFO-02207

Subject: Re: U.S. Coast Guard Freedom of Information Act (FOIA) request 2015-CGFO-02207

Dear Ms. Ackerson:

EPIC has initiated a lawsuit against U.S. Coast Guard in this matter and will address the production of records in the course of the litigation. The case is EPIC v. U.S. Coast Guard (D.D.C. filed Sept. 18, 2015). The agency was served on Oct. 1, 2015.

Sincerely,
John Tran

John Tran
EPIC FOIA Counsel
Coordinator, EPIC Open Government Project Electronic Privacy Information Center
1718 Connecticut Ave., NW
Washington, DC 20009
202.483.1140, x123
<https://epic.org/presskit/>
tran@epic.org
@tjohntran

Defend Privacy. Support EPIC.
<https://www.epic.org/donate/>

On Sep 29, 2015, at 10:47 AM, HQS-SMB-FOIA <EFOIA@uscg.mil> wrote:

Good morning,

Please see the attached acknowledgement letter concerning your request as well as a copy of your request. Within the request, we have asked if you would be willing to accept interim responses to your request.

If you have any questions, please contact me.

Regards,

Amanda C. Ackerson
Management and Policy Analyst
U.S. Coast Guard (CG-611)
Office of Information Management
2703 MARTIN LUTHER KING JR AVE SE STOP 7710
WASHINGTON DC 20593-7710
Phone: 202-475-3522
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Encl_1_COMDTINST_5
230_80_NA...haring.pdf



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