UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Office of Law Enforcement
Headquarters
1315 East West Highway
Silver Spring, MD 20910

May 16, 2018

Mr. Adam Carlesco
Public Employees for Environmental Responsibility (PEER)
962 Wayne Ave Suite 610
Silver Spring, MD 20910

Re: FOIA Request No. DOC-NOAA-2018-000763

Dear Mr. Carlesco,

This letter is in response to your Freedom of Information Act (FOIA) request, which was received by our office on February 21, 2018. You requested for:

(1) Summary of all incidents of violence, threats, or harassment against NOAA employees that occurred in calendar year 2017. The summary should include the date, location, and nature of the incident or threat together with a summary of what, if any, outcomes stemmed from the incident or threat (e.g., arrest, conviction, ongoing investigation).

(2) A summary of all incidents of violence, threats, or harassment against professional observers, including government contractors, that occurred in calendar year 2017. The summary should include incidents against observers aboard NOAA vessels or while otherwise carrying out their duties as NOAA contractors, and include the date, location, and nature of the incident or threat together with a summary of what, if any, outcomes stemmed from the incident or threat (e.g., arrest, conviction, ongoing investigation)."

On March 29, 2018, we provided you with the first interim release of "summary of all incidents of violence, threats, or harassment against professional observers, including government contractors that occurred in calendar year 2017" and a tally of open incidents that are still pending enforcement action from the Office of Law Enforcement Pacific Islands and Southeast Divisions. Subsequently, on April 30, 2018, we provided you with the second interim release of "summary of all incidents of violence, threats, or harassment against professional observers, including government contractors that occurred in calendar year 2017" from the Office of Law Enforcement West Coast Division. You were granted full access to this record, and a copy is enclosed.

For this third interim release, we are providing you with records responsive to Request One of your FOIA request, "Summary of all incidents of violence, threats, or harassment against NOAA employees that occurred in calendar year 2017." The Office of Security's Investigation and Threat Management Division, NOAA-ERSO and NOAA- WRSO, conducted searches on behalf of the Office of Security. This search found 2 documents responsive to your request. You are granted full access to the records, and a copy is enclosed.

To ensure the inclusiveness and accuracy of the responsive records, the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Office of Law Enforcement is continuing the review of the records responsive to your request. When we complete processing them, we will produce all non-exempt portions to you as soon as possible. Please note that Request One of your FOIA request is being processed by other establishments separate from the National Oceanic and Atmospheric Administration, National Marine Fisheries Service Office of Law Enforcement.

Although we do not consider this to be a denial of your request, you have the right to file an administrative appeal if you are not satisfied with our response to your FOIA request. All appeals should include a statement of the reasons why you believe the FOIA response was not satisfactory.

An appeal based on documents in this release must be received within 90 calendar days of the date of this response letter at the following address:

Assistant General Counsel for Litigation, Employment, and Oversight
U.S. Department of Commerce
Office of General Counsel
Room 5875
14th and Constitution Avenue, N.W.
Washington, D.C. 20230

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov, by facsimile (fax) to 202-482-2552, or by FOIAonline at https://foiaonline.regulations.gov/foia/action/public/home#.

For your appeal to be complete, it must include the following items:

- a copy of the original request,
- our response to your request,
- a statement explaining why the withheld records should be made available, and why the denial of the records was in error.
- "Freedom of Information Act Appeal" must appear on your appeal letter. It should also be written on your envelope, e-mail subject line, or your fax cover sheet.

FOIA appeals posted to the e-mail box, fax machine, FOIAonline, or Office after normal business hours will be deemed received on the next business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.
FOIA grants requesters the right to challenge an agency's final action in federal court. Before doing so, an adjudication of an administrative appeal is ordinarily required.

The Office of Government Information Services (OGIS), an office created within the National Archives and Records Administration, offers free mediation services to FOIA requesters. They may be contacted in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

Email: ogis@nara.gov

Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

If you have questions regarding your request, please contact Arlyn Penaranda at Arlyn.Penaranda@noaa.gov, or call (301) 427-8256 or the NOAA FOIA Public Liaison Robert Swisher at (301) 628-5755.

Sincerely,

Logan Gregory Digitally signed by Logan Gregory
Date: 2018.05.22 07:29:59 -04'00'

Logan Gregory
Deputy Director
Office of Law Enforcement