

# EXHIBIT D

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commandant  
United States Coast Guard

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WASHINGTON DC 20593-7501  
Staff Symbol: CG-INV-3  
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5720  
FOIA 2020-CGFO-01682

Mr. Patrick Lai  
Lee, Hong, Degerman, Kang & Waimey  
660 S. Figuera St., Suite 2300  
Los Angeles, CA 90017-3440

JUN 23 2020

Dear Mr. Lai:

This is the final response to your Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG), dated April 13, 2020, for an unredacted copy of the Merchant Vessels of the United States Data file.

A search of the Marine Information for Safety and Law Enforcement (MISLE) database for documents responsive to your request produced a total of 374,713 rows of data containing the Merchant Vessels of the United States Data file. Of those data rows, I have determined that 76,520 rows of data are releasable in their entirety, 298,193 rows of data are partially releasable, and 0 pages are withheld in their entirety and pursuant to Title 5 U.S.C. § 552 (b)(6) and (b)(7)(C).

Enclosed are 374,713 rows of data with certain information withheld as described below:

**Exemption 6** exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. The types of documents and/or information that we have withheld may consist of the names of individuals and their addresses. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

**Exemption 7(C)** protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

I am the person responsible for the partial denial of your request. Also participating in this decision are Ms. Dawn Patterson, Chief, FOIA and Data Administration Division and CDR A. M. Galinanes, Office of Information and Intelligence Law.

If you are not satisfied with the response to this request, you have the right to appeal. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Commandant (CG-611), ATTN: FOIA APPEALS, 2703 Martin Luther King Ave., S.E. STOP 7710, Washington DC, 20593-7710 following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

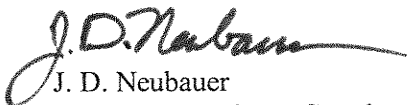
Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below \$ 14 minimum, there is no charge.

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If you need any further assistance or would like to discuss any aspect of your request, please contact CG-INV-3 that processed your request. You may send an e-mail to [efoia@uscg.mil](mailto:efoia@uscg.mil) or you may contact our FOIA Public Liaison, Mrs. Amanda Ackerson, at 202-475-3522 in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



J. D. Neubauer  
Captain, U. S. Coast Guard  
Chief, Office of Investigations and Casualty Analysis  
By direction

Enclosure(s): (1) Merchant Vessels of the US data file (Redacted)  
(2) 374,714 data rows/ (01) Spreadsheet Released

COMMANDANT (CG-INV-3)  
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2703 Martin Luther King Jr Ave SE  
Washington DC 20593-7501

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