



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Silver Spring, MD 20910

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH

SEP 5 2012

Drone Watch
MuckRock News
DEPT MR 1543
PO Box 55819
Boston, MA 55819

Re: Freedom of Information Act Request No. 2012-00432

Dear Drone Watch:

This letter is in response to your letter dated July 24, 2012 requesting documents which refer or relate to aerial drones, UAVs and UASs, under the Freedom of Information Act (FOIA).

We have located 48 pages of responsive records. You are granted full access to those records and a copy is enclosed. Because the cost to process your request is less than \$25.00, the fee is waived.

If you have any questions regarding your request, you may contact Mr. Bruce Gibbs, at 301-734-1134.

Sincerely,

Robert S. Detrick, PhD.
Assistant Administrator

Enclosures



Printed on Recycled Paper





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
Audit, Internal Control and Information Management

July 24, 2012

MEMORANDUM FOR: Rhea Donfor – OAR
FROM: Wendy Schumacher *WTS*
NOAA FOIA Officer
SUBJECT: FOIA Request No. 2012-00432

I am forwarding a copy of the attached FOIA request for your immediate attention. Please produce two or three, in the case of withheld documents, sets of all documents (retain your originals in accordance with the proper record schedule) that may be responsive to the request. One set is released to the requester and the other is maintained in accordance with the FOIA records schedule for six years. If any documents or parts of documents are withheld, you must keep both the unredacted version and a copy of the redacted set sent to the requester. These documents may include final documents, drafts, notes, informal records, and electronic records. You must search every place that could reasonably be expected to have responsive documents.

Make sure that you identify any documents or portions of documents that originated with another office, agency or bureau that need to be referred for disclosure determinations.

One set of copies (not original documents) should be produced without additional annotation; on the second set, please identify whether you believe the document, or any portion of it, should be withheld from disclosure because it is not an agency record, outside the scope of the request, privileged, confidential, an invasion of personal privacy, or for any other legitimate reason recognized by FOIA. You must include the FOIA exemption next to any information you identify as protected from disclosure. Please ensure that the information withheld under FOIA is **securely redacted**. The office that originated a document must make disclosure determinations for that document. Keep a copy of the redacted documents in your files for six years in accordance with the FOIA records schedule.

The cut off date for the search period is July 24, 2012. Documents created after this date are not responsive to the request. If the search is delayed for any reason, please notify the NOAA FOIA Office at FOIA@NOAA.gov immediately, but no later than 24 hours from the date listed.

Refer to FOIA Exemptions for Tasker Memo (http://www.corporateservices.noaa.gov/~foia/sample_letters/) for list of FOIA exemptions for your use in making disclosure determinations.

In order to complete to this request in a timely manner, please respond to the requester by **August 21, 2012**.

In accordance with the NAO (http://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_205/205-14.html), and as instructed on the CD-244, please send the close-out letter; completed CD-244 and the completed Tasker (this document) to foia@noaa.gov within one day of responding to the requester.

Please include in your files documentation of:

- 1) Which office(s) originated the documents.
- 2) Who in the originating office made the disclosure determination(s).

THIS RESPONSE MUST BE SIGNED BY A SENIOR OFFICIAL IN YOUR OFFICE.

Do not hesitate to contact me at (301) 713-3540 X206 if you have any questions.

Please sign this sheet of paper and check **all** of the appropriate boxes.

My office closed this request due to non-payment of fees or requester's failure to respond to correspondence (aka administrative close-out).

My office copied for our files and transmitted to the requester all documents in our possession that are responsive and can be released in entirety.

My office copied, noted the exemption, and held all documents in our possession which are responsive and we have found reason to partially withhold.

My office copied, noted the exemption, and held all documents in our possession which are responsive and we have found reason to withhold entirely.


My office referred all documents in our possession which are responsive to the originating office, bureau, or federal agency for disclosure determination(s).

My office conducted a search and did not find any responsive documents.

A foreseeable harm review and analysis has been completed for all withheld documents and portions of documents and it has been determined that disclosure of the withheld materials would result in harm to an interest protected by the asserted exemption or that disclosure is prohibited by law. Name of person most knowledgeable with the issue of foreseeable harm _____.

Interim response

Final response



Signature (Senior Official)

9/5/12

Date

Attachments: Copy of FOIA request
CD-244



Rhea Donfor <rhea.donfor@noaa.gov>

FOIA 2012-00432

Roxie Allison-Holman <roxie.allison-holman@noaa.gov>

Thu, Aug 23, 2012 at
2:32 PM

To: Rhea Donfor <rhea.donfor@noaa.gov>

Great! Let's move it out and make room for the next one.

[Quoted text hidden]



Bruce Gibbs <bruce.t.gibbs@noaa.gov>

Follow up to Freedom of Information Request: NOAA Drone Documents

1 message

1543-66100357@requests.muckrock.com <1543-66100357@requests.muckrock.com>

Thu, Aug 2, 2012 at 11:36 AM

To: rhea.donfor@noaa.gov

Cc: roxie.allison-holman@noaa.gov, bruce.t.gibbs@noaa.gov, wendy.schumacher@noaa.gov

August 2, 2012
National Oceanic and Atmospheric Administration
National Oceanic and Atmospheric Administration
Jean Carter-Johnson
FOIA/PA Officer
Room 10641, SSMC-3
1315 East West Highway
Silver Spring, MD 20910-3281

This is a follow up to a previous request:

Dear Ms. Donfor,

Please limit the request to the past ten years (2002-2012). Please include all documents, including but not limited to: emails (both internal and external), memos, reports, contracts and meeting minutes.

Thank you for your assistance and quick response.

Best regards,
Shawn Musgrave
MuckRock News

—

On July 25, 2012:

Hello Drone Watch Representative

We are looking over your FOIA request here in NOAA OAR and would like to compile an estimate of delivery and costs. I anticipate that we may have boxes based on the broad scope of your request. Would you like to narrow your request to a specific time frame, or types of documents (e.g., all/no internal or external email messages, memos, notes, or particular types of drones)? We are here to provide you with a reasonable search and look forward to delivering your request. Here is a link to our NOAA video and UAS website

<http://uas.noaa.gov/> Hopefully this will give you a bit of background information that you are seeking, and may help with narrowing your request.

MuckRock News
DEPT MR 1543
PO Box 55819
Boston, MA 02205-5819

PLEASE NOTE the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.

2012-00432



FOIA Office <foia@noaa.gov>

RE: Freedom of Information Request: NOAA Drone Documents

1 message

Dolan, Brenda <BDolan1@doc.gov>

Mon, Jul 23, 2012 at 3:03 PM

To: FOIA Office <foia@noaa.gov>, "Boyd, Harriette" <hBoyd1@doc.gov>

Wendy,

To date we have not received this request. I have heard of MuckRock News and have received request from them before.

The note at the bottom of the request seems to explain why they did not provide a requestors name. If MuckRock refuses to give a requestors name, I suppose you could use Drone Watch as your requestor and MuckRock as the organization.

Brenda

—Original Message—

From: FOIA Office [mailto:foia@noaa.gov]

Sent: Friday, July 20, 2012 3:56 PM

To: FOIA, Electronic

Subject: Fwd: Freedom of Information Request: NOAA Drone Documents

Brenda or Harriette,

Did you get this request? The description is for "department" records.

Doesn't an individual have to make a FOIA request? An Internet search did not produce a person with this name.

Thanks, NOAA FOIA Office
(301) 713-3540

——— Forwarded message ———

From: <1543-66100357@requests.muckrock.com>

Date: Fri, Jul 20, 2012 at 2:55 PM

Subject: Freedom of Information Request: NOAA Drone Documents

To: FOIA@noaa.gov

July 20, 2012

National Oceanic and Atmospheric Administration National Oceanic and Atmospheric Administration Jean
Carter-Johnson FOIA/PA Officer Room 10641, SSMC-3
1315 East West Highway
Silver Spring, MD 20910-3281

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

1. any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase and/or use of aerial drones, UAs, UAVs, and UASs (hereinafter "drones");
2. any policies, guidelines, manuals and/or instructions on department use of drones, including on the legal process required (such as a warrant or court order), if any, before operating a drone;
3. any departmental records concerning this department's use of drones now or plans to use drones in the future including:
 - a. the types of investigations or instances in which this department is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office;
 - b. policies, guidelines, manuals and/or instructions on storage requirements or procedures for video or static images obtained through use of drones, including retention times;
 - c. the altitude at which drones can or do fly;
 - d. drones' ability to carry weapons.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter.
I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Drone Watch

Filed via MuckRock.com
E-mail (Preferred): 1543-66100357@requests.muckrock.com

For mailed responses, please address (see note):
MuckRock News
DEPT MR 1543
PO Box 55819
Boston, MA 02205-5819

PLEASE NOTE the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.

FOIA REQUEST AND ACTION RECORD
(Pursuant to 5 U.S.C. 552 and 15 CFR 4)

2. Request No.
2012-00432

PART I

3. Name, address, (phone) of requester
Drone Watch
MuckRock News

4. Description of records requested
Documents regarding the acquisition or use of drones.

5. Request Received | Date: 7/24/12 | Time: | By: Wendy Schumacher

6. _____ request returned or requester contacted: to clarify, or for other reason. Explain on reverse side of White Copy.

7. Request fulfilled by facility | Date: | Time: | By:

8. ACTION ASSIGNED TO: OAR | Date: 7/24/12

9. Due Date. By law, this request must be answered no later than:
8/21/12

10. Comments or Instructions:
Please send to foia@noaa.gov: 1) close-out letter and 2) completed CD-244 and tasker. Thanks.

11. Received In Action Office | Date: | Time: | By:

12. Fee Provisions
a. Without further notice, requester agrees to pay: _____ full amount, or _____ up to \$ _____.
b. _____ Fees reduced or waived, and by whom; attach explanation; 4.9(b) applies.
c. Notification of fees sent to requester on: _____, 19/20 _____.
d. Payment of \$ _____ received on _____.

13. Tolling of time Provisions (see 4.9,(d))
a. _____ estimated fee exceeds authorization.
b. _____ estimated fee exceeds \$250 and lacks authorization.
c. _____ requester delinquent in past payments.

14. Initial Determination (Summarize per subparagraph 7.04d.3., DAO 205-14; attach another sheet if necessary; 4.6 applies.)

PART II

14.a. Clearance Official(s)
Name: _____
Office Title: _____
Date: _____

15. Collectible Cost per Fee Schedule (4.9(b))

	Estimated	Actual
Search fee	\$ _____	\$ _____
Copying fee	_____	_____
Review	_____	_____
Total Collectible	\$ 0.00	\$ 0.00

16. Non-collectible Costs

17. Action Office | Signature: | Position title: | Date:



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
Audit, Internal Control and Information Management

July 24, 2012

VIA EMAIL

Drone Watch
MuckRock News
DEPT MR 1543
PO Box 55819
Boston, MA 02205-5819
1543-66100357@requests.muckrock.com

Re: FOIA Request No. 2012-00432

Dear Drone Watch:

This letter is in regards to your Freedom of Information Act (FOIA) request dated July 20, 2012, in which you requested documents which refer or relate to aerial drones, UAs, UAVs and UASs.

In your request letter, you seek a waiver of fees. Pursuant to procedures established in 15 CFR, Part 4.11(k), I will rely on the following factors in determining whether the statutory standard for granting a fee waiver has been met:

- 1) The subject of the requested records must concern identifiable operations or activities of the Federal Government.
- 2) The disclosable portions of the requested records must be meaningfully informative about Government operations or activities in order to be "likely to contribute" to and increase public understanding of those operations or activities.
- 3) The disclosure of the requested information must contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester. For example, tell us about publications or websites where the information will be posted.
- 4) The disclosure of the requested information is likely to contribute "significantly" to the public's understanding of Government operations or activities.
- 5) Whether the requester has a commercial interest that would be furthered by the requester.