

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

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FOIA 2020-CGFO-01852

Austin R. Evers
American Oversight
foia@americanoversight.org

Dear Austin R. Evers:

This letter is the final response to your May 1, 2020, Freedom of Information Act (FOIA) request addressed to the U.S. Coast Guard (USCG). Your request was received in this office on June 25, 2020. You requested the following:

1. Any report of an incident of white supremacist, white nationalist, white separatist, far-right, alt-right, or pro-Nazi activity or ideology among military personnel.
2. Any study concerning incidents of white supremacist, white nationalist, white separatist, far-right, alt-right, or pro-Nazi activity or ideology among military personnel in the possession of or created, utilized, maintained, received, or distributed by the U.S. Coast Guard.
3. Records sufficient to identify the number of incidents or reports of white supremacist, white nationalist, white separatist, far-right, alt-right, or pro-Nazi activity or ideology among military personnel, and any ensuing action recommended or executed by your agency, since January 1, 2017, or the earliest date thereafter for which this information is available.

To the extent that this information is aggregated and maintained in a database or spreadsheet, we would accept as responsive a printout from the database containing fields reflecting the date and key facts of each incident or report as well as any ensuing action recommended or executed by the U.S. Coast Guard. American Oversight does not object to the redaction of names, addresses, or other personally identifying information from records responsive to this request.

Please provide all responsive records from January 1, 2017, through the date the search is conducted.

Further clarification was requested on July 16, 2020. On July 21, 2020, you responded with the following:

1. **Date range:** As noted on page 2 of the request, for item 2 (and for all parts of the request), please provide responsive records from January 1, 2017, through the date the search is conducted.

2. **Items 1 and 3:** Items 1 and 3 are related, but not precisely the same. Item 1 seeks “[a]ny report of an incident of white supremacist, white nationalist, white separatist, far-right, alt-right, or pro-Nazi activity or ideology among military personnel,” while item 3 seeks records sufficient to identify the *number* of such reports. If Coast Guard can provide every responsive report requested in item 1, we would likely consider this response adequate to satisfy item 3. However, if any reports are withheld or produced in such a manner that the total number of reports cannot be determined, then records sufficient to identify the number of reports—such as a database or spreadsheet, if such information is maintained this way—would likely be responsive to the request. If Coast Guard does not maintain this information in spreadsheets or databases, I would be happy to discuss further with you how these records are stored and what types of records might satisfy Item 3 of the request.

Your response was received by this office on August 27, 2020.

A search of the Civil Rights Directorate for documents responsive to requests (1)-(3) produced a total of 1 page. I have determined that it is being partially released pursuant to 5 U.S.C. §§ 552(b)(6) (Exemption 6) because there are clearly identifiable privacy interests in this information. I have determined that release of this material would likely cause particular harm to those privacy interests. I have considered the general public interest in releasing this information, but in each case where I recommend withholding information under Exemption 6, the balance clearly tilts in favor of protecting the privacy interest of individuals rather than any general public interest in release.

A comprehensive search was conducted by Elizabeth Mercado-Prioleau, Formal Complaints Manager, on June 26, 2020. The search was conducted through the databases and files maintained by the Civil Rights Directorate

If you need any further assistance or would like to discuss any aspect of your request, please contact the (Unit/Directorate) that processed your request. You may send an e-mail to 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 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

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 STOP 7710, Washington DC, 20593-7710. following the procedures outlined in the DHS 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 our office concerning this request, please call (202) 372-4500 and refer to **2020-CGFO-01852**.

Sincerely,


Terri Dickerson
Director
Civil Rights Directorate

Enclosure:

Requests 1-3:

(1) Confederate Flag Incidents, (1) page



Incidents of the Confederate Flag at CG Locations

AHHI Case Number	Date Reported	Location	Aggrieved Person	Alleged Person Responsible	Incident	Media Attention	Findings	Actions Taken	Notes
1	(b) (6)	Academy-Cadets	Unknown	Unknown	White cadets took a picture wearing MAGA caps with a picture of a Confederate flag in the background with MAGA	Yes	NA	None	Command determine incident not a potential hate incident
2	10/27/2017	Academy-Cadets	(b) (6)	(b) (6)	An African American cadet was harassed by a fellow cadet who came into the African American cadet room playing a song on his phone that glorified the Confederacy. Later, the AM cadet's laptop was changed to show a picture of an Confederate flag	Yes	Substantiated	NJP/Captains Mast, Training, Expectations Communicated	N/A
3	Ongoing	Cape May	Unknown	Unknown	CRD has received numerous inquiries from recruits who wish to display Confederate flag memorabilia, and others who have complained about it. Stating that it's offensive	Unknown	Unknown	Unknown	No further information. Not reported in AHHI database
4	6/26/2019	CG Arista Borinquen	(b) (6)	Unknown	A Command Master Chief (CMC) overheard a conversation that LT A mention that LT B had a Confederate Flag on his truck. The CMC went to the parking lot to look at LT B's truck after overhearing the conversation and did not recognize any hate symbols or Confederate Flags. The CMC researched the different types of Confederate Flags and recognized the flag on the truck's front license plate as the first official Confederate Flag. He then discussed the issue with the command and addressed the issue with LT B, the owner of the truck. LT B stated that it had historical significance to him as the original Confederate flag and does not represent any type of racism.	No	Unsubstantiated	The flag was voluntarily removed immediately following notification that it could be offensive to others	Command did not consider this a potential hate incident
5	7/16/2019	New Orleans, LA	Unknown	Unknown	Website post of a picture of three males joining the Coast Guard standing in front of three flags, which one flag was the Mississippi flag that depicted the image of the Confederate flag. The website post was sent to an employee in the public affairs department.	Yes	N/A	None	Incident was not reported in AHHI database
6	8/26/2019	CG Sector Columbia River	Unknown	Unknown	A CG pilot's spouse noticed an obsolete Air Station Savannah unit patch, which included a depiction of a Confederate Flag, as part of a display of patches on the wall of the Sector Columbia River Wardroom alongside 3 dozen various patches. This depiction of the flag on the patch was removed from Coast Guard service in the 1980's.	No	N/A	The pilot removed the patch from the display without any command notification or authorization.	Report was made by a spouse of CG Military member offended by the confederate flag symbol on patch. Incident not reported in AHHI database
7	5/22/2020	CGC SENECA	(b) (6)	(b) (6)	SENECA Facebook page had an inadvertent posting to commemorate the 84th anniversary of the first flight of a rotary winging aircraft. The historical photograph of the aircraft German markings of that time period (circa 1936)	No	Pending	The posting was immediately removed from the SENECA Facebook page and Operational Commander	N/A