

U.S. Department of  
Homeland Security

United States  
Coast Guard



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AUG -3 2012

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Appeal 2010-132

Mr. Richard A. Block  
National Mariners Association  
124 North Van Avenue  
Houma, LA 70363

Dear Mr. Block:

This is in response to your letter dated November 23, 2010, which we received December 3, 2010, appealing the decision of the National Maritime Center (NMC) to remove the complete pool of questions used on Coast Guard administered examinations for merchant mariner credentials, from their website. I have carefully reviewed your appeal and all documents associated with it. For the reasons discussed below, your appeal is granted.

On July 6, 2010, the NMC announced that on July 12, 2010, it would be removing deck and engine examination questions and answers from its website. In your appeal, you claim that on July 8, 2010, you notified the commanding officer of the NMC of your objections to the decision to remove the questions and that you received no response to your objection. Additionally, you have provided several documents detailing the history of how the examination questions and answers were released by the Coast Guard in 1988.

Since your appeal was filed, the Supreme Court issued a decision regarding exemptions to the Freedom of Information Act. In light of Milner v. Department of the Navy, 2011 WL 767699 (U.S. March 7, 2011) I am directing the NMC to reinstate the previous policy of publishing examination questions and answers on the NMC website.

This constitutes final agency action on the issues presented in this appeal.

Should you have questions concerning Coast Guard examinations, you are encouraged to contact the National Maritime Center at [IAskNMC@uscg.mil](mailto:IAskNMC@uscg.mil) or (888) I ASK NMC (427-5662).

Sincerely,

A handwritten signature in black ink, appearing to read "Paul F. Thomas".

PAUL F. THOMAS

Captain, U.S. Coast Guard  
Director, Inspections & Compliance

Copy: Commanding Officer, National Maritime Center