



UNITED STATES DEPARTMENT OF COMMERCE
Office of the General Counsel
Washington, D.C. 20230

SEP 032010

Elizabeth A. Mitchell
Association for Professional Observers
PO Box 933
Eugene, Oregon 97440

Dear Ms. Mitchell:

This is in response to your Freedom of Information Act (5 U.S.C. § 552) (FOIA) appeal dated March 19, 2010, appealing the National Oceanic and Atmospheric Administration's (NOAA) partial denial of your fee waiver request for written guidelines and/or rules given to the staff of each National Marine Fisheries Service Observer Program and the National Observer Program with regard to public access to fisheries observer data and information from 1990-2006. Your appeal is hereby granted and fees will be waived for the requested records.

This is the final decision of the Department of Commerce.

Sincerely,

Barbara S. Fredericks
Assistant General Counsel
for Administration

cc: Eric C. Schwaab