DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5720
Ser DNS-36JP/15U107199
September 28, 2015

Sent via email to: (b) (6) [redacted]

Mr. Robert Hammond
(b) (6) [redacted]

Dear Mr. Hammond,

This is in reference to your Freedom of Information Act (FOIA) request dated December 23, 2014. Your request was received in this office on December 24, 2014, and was assigned case number **DON-NAVY-2015-002019**.

We conducted a search of our offices for records responsive to your request. Our search included the office shared network device used for FOIA matters, hard copy records, and the personal email traffic and network drives assigned to individuals who worked in this office during the time period in question. In addition, we coordinated with the Defense Freedom of Information Policy Office and the DON Chief Information Officer, on the expectation that any final products would have been submitted to those offices. Our search revealed that a draft backlog reduction plan had been prepared, but it was never finalized, due to a lack of continued requirement.

Records indicate that, in anticipation of DOJ backlog plan requirements, following submission of the FY 2011 Annual Report data, DoD required DON to prepare a backlog reduction plan for submission with the FY 2012 Annual Report data. However, in the third quarter of FY 2012 (April-June), DoD indicated that a backlog reduction plan was no longer required. While DON developed a "plan," there was no formal document created that presented a clear and concise explication of this plan, as resources to develop the formal plan were reallocated to regular day-to-day business.

In the interest of transparency, please find attached a draft copy of a proposed backlog reduction plan. Please be advised that this is a draft document that includes proposed actions that had not been finalized, and does not necessarily represent the actual course of events.

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Because no responsive records were located, under 32 CFR §701.12(a), you may appeal the adequacy of search by writing to:

Office of the Judge Advocate General
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be received within sixty calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial decision to be in error.

In this instance, we have elected to not assess fees for the processing of this request. Please be advised, however, that the processing of your request required search well in excess of 100 hours. Additionally, fees, fee categories, and fee waivers are determined on a case-by-case basis, and a previous determination has no influence on future determinations.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412.

Sincerely,

R. Patterson

R. PATTERSON
Head, DON FOIA/PA Program Office