DEPARTMENT OF THE NAVY
NAVAL UNDERSEA WARFARE CENTER DIVISION
610 DOWELL STREET
KEYPORT, WASHINGTON 98345-7610

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00L/028
AUG 2 6 2018

Bob Johnston
19392 Powderhill Place NE
Poulsbo, WA 98370

Dear Mr. Johnston:

This acknowledges receipt of your June 21, 2018, Freedom of Information Act (FOIA) request for a copy of "…all email correspondence from and to [Kevin] [Green]…. The search can be limited to dates between FY2009 and current date (i.e., Oct 2008 and Jun 21, 2018). The email search can also be limited to email's(sic) that contain the following word/names: (ASMi, Johnston, Paladin, Smithley, Nall)."

Your case was transferred to Naval Undersea Warfare Center Division, Keyport by NAVSEA on July 3, 2018. Your case tracking number is DON-NAVY-2018-008801. We consider your request to be for the specific items outlined above. If you want additional information, please submit a specific request.

In regards to your request for expedited processing, in order to receive expedited processing, a requester must demonstrate a "compelling need" for the information. To establish a compelling need, the requester must show (1) that a failure to obtain the records requested "could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, or (2) if the requester is a "person primarily engaged in disseminating information" and demonstrates an urgency to inform the public that alleged Federal Government activity exists. 5 U.S.C. § 552(a)(6)(E)(v)(I).

You have identified the necessity of expedited processing to "support of my shareholder legal research project." You have not demonstrated that the records to which you seek will prevent an imminent threat to a person's life or physical safety. An example of such would be a request for documentation that would stay the execution of a prisoner. Without that document, that person may experience imminent threat to his or her life or physical safety. And, unfortunately you are not a person primarily engaged in disseminating information to the public; such as public news, that is urgent to inform the public; therefore, neither situation applies to your request.

As such, your request is DENIED and it will be handled in the order in which it was received. Due to the nature of your request, outside entities will need to be contacted to search for any applicable emails, which can extend the processing beyond the 20-day requirement.

I am the official responsible for this decision. You may submit a written administrative appeal of my decision, or seek assistance/alternative dispute resolution from the Navy's FOIA Public Liaison.

If you decide to file an appeal, it must be received within 90 calendar days from the date of this letter. Attach a copy of this letter, your initial request, a short statement of why you are appealing, and mark your appeal and the envelope **FREEDOM OF INFORMATION ACT APPEAL.** Mail the original appeal to:

Department of the Navy
Office of the General Counsel
1000 Navy Pentagon
Washington, DC 20350

Please send a copy of your appeal to:

The Naval Undersea Warfare Center, Keyport
Attn: Code 00L
610 Dowell Street
Keyport, WA 98345-7610.

If you decide to seek assistance and/or dispute resolution services, please contact The DON's FOIA Public Liaison, Mr. Christopher Julka, who can be reached via email at christopher.a.julka@navy.mil or via telephone at (703) 697-0031.

If you have any questions regarding the processing of your request, please contact Mr. Andrew Phillips at (360) 396-2785, or andrew.j.phillips1@navy.mil, citing your FOIA case number: DON-NAVY-2018-008801.

Sincerely,

E. D. LaCoste
Commanding Officer