DEPARTMENT OF THE NAVY
COMMANDER
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK, VA 23551-2487

5720
Ser N01P (2015-03-000382)/022
03 November 2014

Kathryn A. Donovan
(b)(6)

Dear CAPT Donovan:

This letter responds to your Freedom of Information Act (FOIA) request dated July 22, 2014, received by the Naval Inspector General (NAVINSGEN) Office in Washington, D.C. and forwarded to U.S. Fleet Forces Command (USFF) for processing and direct response to you. It was received in USFF on October 8, 2014, and assigned case file number USFF 2015-03-000382.

Your request was processed under applicable provisions of the FOIA statute, as amended, and the implementing Navy Department directive (SECNAVINST 5720.42F).

In your request, you listed the documents you wanted provided to you:

a. *ONE NCD JAGMAN Investigation of 5 Jul 2012*: This document is the purview of Navy Expeditionary Combat Command (NECC). On October 8, 2014, this portion of your request was forwarded there for action and direct response to you.

b. *NECC Navy Hotline Completion Report of 15 Aug 13 and Legal Sufficiency Review (LSR) for the Investigation*. These documents are also the purview of NECC. On October 8, 2014, this portion of the request was forwarded there for action and direct response to you.

c. *USFF IG analytical review of NIGHTS case 201201366 of 21 Feb 14*. This document was provided to you by NAVINSGEN, and receipt confirmed by you in an email to the USFF FOIA Coordinator dated October 17, 2014.

d. *Legal Sufficiency Review of USFF Inspector General's analysis of 28 Mar 14*. This document is withheld in its entirety pursuant to 5 U.S.C. § 552(b)(5), primarily under the deliberative process privilege, as information described as internal advice, recommendations, and subjective evaluations, as contrasted with factual matters, reflected in deliberative records pertaining to the decision making process of an agency. Additionally, because as it was prepared by an attorney in contemplation of administrative and/or criminal proceedings, it is considered attorney work-product, and therefore constitutes confidential communications between an attorney and client.

e. *USFF Hotline Completion Report of 30 May 2014*. This document was provided to you by NAVINSGEN, and receipt confirmed by you in an email to the USFF FOIA Coordinator dated October 17, 2014.

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The fees associated with processing your request are less than $15.00 and will not be charged in this case.

Because your request has been partially denied, you may appeal this determination, in writing, to:

Office of the Judge Advocate General
Department of the Navy
Attn: FOIA Appeals, Code 14
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be received within sixty (60) calendar days from the date of this letter. A copy of your initial request and this denial 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.

I am the person responsible for this determination. Please contact Ms. Linda Alvers at (757) 836-3630 or linda.alvers@navy.mil if you require further assistance.

Sincerely,

J. E. CAMPBELL
By direction

Copy to:
NECC N02L
USFF N01IG, N01L
Case File
Serial File