

EXHIBIT A

Zachary Griefen

From: Secord, Kevin T CIV USN RLSO NW BROFF WBY WA (USA) <kevin.secord@navy.mil>
Sent: Friday, March 20, 2020 1:08 PM
To: Zachary Griefen
Cc: Shorter, Michelle MARIE CADOR PO1 USN CNIC WASHINGTON DC (USA); Dave Bricklin
Subject: Re: FOIA REQUEST DON-NAVY-2020-000552
Attachments: image001.png

Mr. Griefen,

Your FOIA request numbered DON-NAVY-2020-000552 is being processed as expeditiously as possible. Because all components of your FOIA request potentially relate to "flight data" which is a category of DOD Critical Infrastructure Security Information, multiple offices have been involved in the review of potential application of FOIA exemption (b)(3) to the responsive records. After the FOIA request was staffed through Commander, Naval Air Forces (CNAF), the Department of the Navy Chief Information Officer (DON CIO) - the final review authority - received a package for review specifically for this FOIA request two weeks ago and we expect a response soon as to the correct application of the exemption while they finish consultation on the policy with their counterparts in the Department of Defense. It is extremely difficult to predict an estimated completion date while the policies that govern the response are being weighed at the current level. However, once we receive confirmation about the application of the exemption, you should have all responsive records within a week from that date. We believe that some responsive records will be exempted but others will not, but we can't know for sure which records would be exempted, if any, until we receive guidance back from DON CIO about the correct application of the exemption to remain consistent Navy-wide. Thank you for your continued patience.

Very respectfully submitted,

Mr. Kevin Secord

From: Zachary Griefen <griefen@bnd-law.com>
Sent: Thursday, March 19, 2020 2:14 PM
To: Secord, Kevin T CIV USN RLSO NW BROFF WBY WA (USA)
Cc: Shorter, Michelle MARIE CADOR PO1 USN CNIC WASHINGTON DC (USA); Dave Bricklin
Subject: [Non-DoD Source] RE: FOIA REQUEST DON-NAVY-2020-000552

Mr. Secord,

It has now been more than five months since I submitted request numbered DON-NAVY-2020-000552 on behalf of my clients. We have not yet received an estimated completion date, let alone the responsive documents.

Please provide an estimated completion date.

Thank you,

Zak Griefen

[cid:image003.png@01D20D90.5FBF4CF0]

Zachary Knox Griefen
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phone: 206.264.8600

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From: Secord, Kevin T CIV RLSO NW, WHIDBEY ISLAND [<mailto:kevin.secord@navy.mil>]

Sent: Tuesday, January 07, 2020 3:52 PM

To: Zachary Griefen <griefen@bnd-law.com>

Cc: Shorter, Michelle MARIE CADOR PO1 USN CNIC WASHINGTON DC (USA) <michelle.m.shorter@navy.mil>

Subject: RE: FOIA REQUEST DON-NAVY-2020-000552

Good day Mr. Griefen,

Your FOIA request numbered DON-NAVY-2020-000552 is being processed by the staff at Commander, Navy Region Northwest (CNRNW) with the staff at Region Legal Service Office Northwest providing administrative support. I have been in contact with the staff at CNRNW and have been advised that they are gathering records retained in the ordinary course of business that cover the information you requested for all of the year 2019 consistent with your request. However, identified documents responsive to your FOIA request include material that may qualify as DoD Critical Infrastructure Security Information to be withheld from FOIA disclosure under 10 USC § 130e. Accordingly, a review process for DoD Critical Infrastructure Security Information needs to be performed for those documents in accordance with Enclosure (5) of Secretary of The Navy Instruction 5720.42G of 15 Jan 2019.

Your request numbered DON-NAVY-2020-000552 is undergoing that review process now. Offices involved in that review process include the Department of The Navy Office of the Chief Information Officer (DONOCIO), and staff at Commander, Naval Air Forces Pacific (CNAP). While the staff at CNRNW is trying to prod the review process along as expeditiously as possible, they were unable to provide an expected completion date.

More information about release exemptions under 10 USC § 130e can be found at the following website:

<https://open.defense.gov/Transparency/FOIA.aspx><<https://open.defense.gov/Transparency/FOIA.aspx>>

Very respectfully submitted,

Mr. Kevin Secord, Paralegal Specialist

Region Legal Service Office NW

Branch Office Whidbey Island

(360) 257-8803 (DSN: 820)

FAX (360) 257-6751

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From: Zachary Griefen <griefen@bnd-law.com<<mailto:griefen@bnd-law.com>>>

Sent: Monday, January 6, 2020 9:01 AM

To: Horner, Ronnell A CIV USN CNIC WASHINGTON DC (USA)

<ronnell.horner@navy.mil<mailto:ronnell.horner@navy.mil>>

Cc: Secord, Kevin T CIV RLSO NW, WHIDBEY ISLAND <kevin.secord@navy.mil<mailto:kevin.secord@navy.mil>>; Shorter,

Michelle MARIE CADOR PO1 USN CNIC WASHINGTON DC (USA)

<michelle.m.shorter@navy.mil<mailto:michelle.m.shorter@navy.mil>>

Subject: [Non-DoD Source] RE: FOIA REQUEST DON-NAVY-2020-000552

Thank you, Mr. Horner.

Mr. Secord, please respond to my email of 12/27/2019.

Thank you,

Zak Griefen

[cid:image003.png@01D20D90.5FBF4CF0]

Zachary Knox Griefen

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From: Horner, Ronnell A CIV USN CNIC WASHINGTON DC (USA) [<mailto:ronnell.horner@navy.mil>]

Sent: Monday, January 06, 2020 5:17 AM

To: Zachary Griefen <griefen@bnd-law.com<mailto:griefen@bnd-law.com>>

Cc: Secord, Kevin T CIV RLSO NW, WHIDBEY ISLAND <kevin.secord@navy.mil<mailto:kevin.secord@navy.mil>>; Shorter,

Michelle MARIE CADOR PO1 USN CNIC WASHINGTON DC (USA)

<michelle.m.shorter@navy.mil<mailto:michelle.m.shorter@navy.mil>>

Subject: RE: FOIA REQUEST DON-NAVY-2020-000552

Mr. Griefen,

I am no longer employed with Commander, Navy Installations Command.

Respectfully,

Ron Horner

Deputy Director, Command Administrative Services (SEA 00AD) Naval Sea Systems Command

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Washington Navy Yard, DC 20376-5122

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From: Zachary Griefen <griefen@bnd-law.com<mailto:griefen@bnd-law.com>>
Sent: Friday, December 27, 2019 7:50 PM
To: Horner, Ronnell A CIV USN CNIC WASHINGTON DC (USA)
<ronnell.horner@navy.mil<mailto:ronnell.horner@navy.mil>>
Cc: Secord, Kevin T CIV RLSO NW, WHIDBEY ISLAND <kevin.secord@navy.mil<mailto:kevin.secord@navy.mil>>
Subject: [Non-DoD Source] RE: FOIA REQUEST DON-NAVY-2020-000552

Dear Mr. Horner and Mr. Secord,

It has been more than 60 days since I submitted FOIA request DON-NAVY-2020-000552. Please advise as to the status of your review and response to this request, including an estimated date of completion.

Thank you,

Zak Griefen

[cid:image003.png@01D20D90.5FBF4CF0]

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From: Horner, Ronnell A CIV USN CNIC WASHINGTON DC (USA) [mailto:ronnell.horner@navy.mil]
Sent: Monday, October 28, 2019 2:10 PM
To: Zachary Griefen <griefen@bnd-law.com<mailto:griefen@bnd-law.com>>
Cc: Secord, Kevin T CIV RLSO NW, WHIDBEY ISLAND <kevin.secord@navy.mil<mailto:kevin.secord@navy.mil>>
Subject: FOIA REQUEST DON-NAVY-2020-000552

Zak Griefen,

On October 24, 2019, Commander Navy Installations Command received your FOIA request DON-NAVY-2020-000552 from Naval Facilities Engineering Command. We have determined the information you are seeking may be maintained by Region Legal Service Office Northwest (RLSO-NW). Therefore, we have forwarded your request to that office for action and direct response to you. Kevin Secord is the RLSO-NW FOIA Coordinator who will be handling your request. If you have any questions regarding this request, please contact him at kevin.secord@navy.mil<mailto:kevin.secord@navy.mil>.

Questions regarding the action this office has taken during the initial processing of your request may be directed to me.

Respectfully,

Ron Horner
Management Analyst

Office of General Counsel
Commander, Navy Installations Command (CNIC)
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Washington Navy Yard, DC 20374
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