



DEPARTMENT OF THE NAVY  
OFFICE OF THE JUDGE ADVOCATE GENERAL  
1322 PATTERSON AVENUE SE SUITE 3000  
WASHINGTON NAVY YARD DC 20374-5066

IN REPLY REFER TO

5720  
F10115  
Ser 14/ 377

13 JUL 2010

Mr. Jeff Ruch  
Executive Director  
Public Employees for Environmental Responsibility  
2000 P Street, NW, Suite 240  
Washington, DC 20036

Dear Mr. Ruch:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) APPEAL, OUR  
FILE F10115, CNO FILE DON2010F0838

This responds to your Freedom of Information Act (FOIA) appeal dated May 26, 2010. You based your appeal on the failure of the Office of the Chief of Naval Operations (CNO), or any subordinate commands, to respond to your request in a timely fashion.

Your appeal is a request for a final determination under the FOIA. For the following reasons, I find that your appeal is moot.

Upon receipt of your appeal, my staff contacted CNO's FOIA office to determine what action had been taken and what the status of that action was. As you are aware, CNO referred your request to the Naval Facilities Engineering Command (NAVFAC) and to the Naval Sea Systems Command (NAVSEA). We have been advised that both NAVFAC and NAVSEA have now responded to you. For that reason, I find that your appeal is moot. I have, however, taken further action regarding your original request.

In addition to NAVFAC and NAVSEA, I believe that the Naval Supply Systems Command (NAVSUP) may also maintain documents that are responsive to your request. I have, therefore, remanded this matter to CNO's FOIA office for additional referral to NAVSUP and any other commands reasonably believed to have the kind of documentation you are seeking.