



Office of the Chief
Records Officer for the
U.S. Government

Sent Via Email. No Hard Copy to Follow.

January 10, 2024

Tonya Price
Department of Defense
Department of the Navy
1000 Navy Pentagon
Washington, DC 22350

Dear Tonya Price,

The National Archives and Records Administration (NARA) has been notified of a potential unauthorized disposition of records. A member of the public has alleged that the Department of the Navy, Office of the Judge Advocate General (OJAG), has destroyed FOIA case processing records of FOIA Appeal DON-NAVY-2018-005727 sought under FOIA Request DON-NAVY-2022-006030.

In accordance with 36 CFR 1230.14(a), NARA requests that the Navy respond within 30 calendar days to this allegation. If it is determined that an unauthorized disposition of records has occurred, the response should include the following information:

- A complete description of the records with volume and dates if known;
- The office maintaining the records;
- A statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records;
- A statement of the safeguards established to prevent further loss of documentation; and
- Details of the actions taken to salvage, retrieve, or reconstruct the records.

If it is determined that there has been no unauthorized disposition, please provide us with sufficient documentation to support that finding. I appreciate your attention to this matter. If you have any questions or wish to discuss further, please contact me at laurence.brewer@nara.gov.

Sincerely,

LAURENCE BREWER
Chief Records Officer
for the U.S. Government



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Records Officer for the
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November 21, 2024

Tonya Price
Department of Defense
Department of the Navy
1000 Navy Pentagon
Washington, DC 22350

Dear Tonya Price:

The National Archives and Records Administration (NARA) acknowledges receipt of the Department of Navy's (DON) report regarding an allegation that the Department of the Navy, Office of the Judge Advocate General (OJAG), destroyed case processing records of FOIA Appeal DON-NAVY-2018-005727.

According to the report, the Navy Records Officer investigated the matter and determined that all records relating to the request were provided to the requester. According to an October 12, 2022 letter accompanying the report, the Navy Office of the Judge Advocate General, Director of Litigation Division, performed a search of its electronic archived database and was unable to find any records responsive to the request. A copy of the letter and Navy's FOIA procedures were provided to the requester. In a subsequent telephone conversation, the Navy Records Officer assured us that all records relating to the FOIA appeal have not been destroyed and are available. Since no records were destroyed, we understand that no recovery efforts or safeguard were necessary per 36 CFR 1230.14.

I appreciate your attention to this matter. If you have any questions or wish to discuss this further, please contact the Records Management Oversight and Reporting Program by email at UnauthorizedDisposition@nara.gov.

Sincerely,

WILLIAM FISCHER
Chief Records Officer
for the U.S. Government (Acting)