

Thursday, September 17, 2020 at 12:41:00 Eastern Daylight Time

Subject: RE: Status Re: FOIA Expedited Processing Disposition Reached for DON-NAVY-2019-010941

Date: Thursday, September 12, 2019 at 11:05:15 AM Eastern Daylight Time

From: Julka, Christopher A CIV (USA)

To: Robert DeBuse

Sir,

I have contacted the Navy FOIA program headquarters on this matter. They have not agreed to reconsider the denial of your application for expedited processing.

However, they have told me they are personally taking action to ensure imminent completion of a response to the request itself. They estimated the response will take two weeks.

Regards,
Christopher Julka
Department of the Navy
Freedom of Information Act/Section 508
Policy Director and Public Liaison
Christopher.a.julka@navy.mil
(703) 697-0031

From: Julka, Christopher A CIV (USA) <christopher.a.julka@navy.mil>

Sent: Wednesday, September 11, 2019 11:30 AM

To: Robert DeBuse <robdebuse@me.com>

Subject: Status Re: FOIA Expedited Processing Disposition Reached for DON-NAVY-2019-010941

Sir:

I have yet to get a response from the FOIA processor in this case. I shall continue to push on my end. At the same time, filing an appeal (to the denial of your request for expedited processing) remains an option.

Regards,
Christopher Julka
Department of the Navy
Freedom of Information Act/Section 508
Policy Director and Public Liaison
Christopher.a.julka@navy.mil

(703) 697-0031

From: Robert DeBuse <robdebuse@me.com>
Sent: Monday, September 09, 2019 3:50 PM
To: Julka, Christopher A CIV (USA) <christopher.a.julka@navy.mil>
Subject: [Non-DoD Source] Re: FOIA Expedited Processing Disposition Reached for DON-NAVY-2019-010941

Nomination for promotion to captain as of 1 sep 2014.

See PN 558 if this congressional session

Rob DeBuse
3318 Tranquility Way
Berthoud, CO 80513

571-358-4731

On Sep 9, 2019, at 1:47 PM, Julka, Christopher A CIV (USA) <christopher.a.julka@navy.mil> wrote:

Sir:

I am making inquiries. In the justification for your application for expedited processing, you stated: " This request from the SASC has been submitted since at least July and most likely before the end of May 2019. I request expedited processing to ensure that this nomination is considered before the next Senate recess." What is the nomination to which you referred?

Regards,
Christopher Julka
Department of the Navy
Freedom of Information Act/Section 508
Policy Director and Public Liaison
Christopher.a.julka@navy.mil
(703) 697-0031

From: Robert DeBuse <robdebuse@me.com>
Sent: Monday, September 09, 2019 6:56 AM
To: Julka, Christopher A CIV (USA) <christopher.a.julka@navy.mil>
Subject: [Non-DoD Source] Fwd: FOIA Expedited Processing Disposition Reached for DON-NAVY-2019-010941

CDR Julka,

I am seeking immediate and favorable resolution on my expedited FOIA request for information requested from the SASC.

My request is based on my claim that no expedited processing will result in a loss of due process.

- From April 2010 through 21 Feb 2016, my due process rights were violated and the Navy never allowed me the opportunity to know the full extent of allegations made against me, did not allow me to adequately respond to allegations made against me, did not allow me to know when allegations made against me were cleared and dropped from my record.
- In 2016, I was finally able to respond to erroneous, malicious, and negligent allegations and the processing of these allegations
- In April 2017, I was cleared of all wrongdoing. All of these initial investigations were revealed to have significant material errors and injustices in them.
- From April 2017 through to today, I have been jumping through endless bureaucratic hoops, which have involved significant delays in processing, in order to secure a final retirement from the Navy. One of the errors in the processing is that I have never been able to know what information has been provided to decision makers in in my case.
- The whole ordeal is convoluted and confusing from outside activities. If not properly characterized I am confident persons without adequate background will make another error in my promotion.
- This issue is of utmost concern to me, I have been wronged and continue to be wronged as inaccurate and misleading information may be relayed to SASC regarding my situation without my knowledge.

This denial of expedited processing on this FOIA claim is another example of the Navy and DoD preventing me from discovering communications between Congress and the Navy which directly affect my well-being. There also is no way for me to know what is being provided by the Navy to the SASC, and I have all rights to know.

In order to prevent the further denial of my due process rights, I request immediate disclosure of the documents requested.

Rob DeBuse

**robdebuse@me.com | 571.358.4731 cell | 3318 Tranquility Way
Berthoud, CO 80513**

Begin forwarded message:

From: admin@foiaonline.gov
Subject: FOIA Expedited Processing Disposition Reached for DON-NAVY-2019-010941
Date: September 7, 2019 at 2:35:03 AM MDT
To: robdebuse@me.com

Your request for Expedited Processing for the FOIA request DON-NAVY-2019-010941 has been denied. Additional details for this request are as follows:

- Request Created on: 09/05/2019
- Request Description: My nomination to be promoted to Captain (PN 558 with the 116th Congress) has been at the Senate Armed Services Committee since 4/1/2019. The SASC requested additional information from The DOD/Navy. I request
 - (1) a copy of the SASC request for information
 - (2) a copy of any and all information shared between the SASC and the Navy/DoD to coordinate answering the SASC request for information, which should include electronic correspondence (emails, texts,) or actual documents, letters, or facsimiles
 - (3) a copy of the Navy and DoD provided data to the SASC as of today (9/5/2019) which should include electronic correspondence (emails, texts,) or actual documents, letters, or facsimiles
 - (4) a status update on when Navy and DoD will complete this task
- Expedited Processing Original Justification: This request from the SASC has been submitted since at least July and most likely before the end of May 2019. I request expedited processing to ensure that this nomination is considered before the next Senate recess.
- Expedited Processing Disposition Reason: Sir,

For this determination, you have the right to seek dispute resolution services from either the DoD Navy Component FOIA Public Liaison, Mr. Chris Julka, at: Christopher.a.julka@navy.mil, via phone: (703) 697-0031; or by contacting the Office of Government Information Services at: (<https://ogis.archives.gov/>), (202) 741-5770, ogis@nara.gov. You have indicated that you desire the Expedited Processing of your FOIA request.

As the Department of the Navy's designated adjudication official for requests for Expedited processing and request for Fee waivers, I am responsible for the approval or denial of this request.

In order to grant Expedited Processing, your request must meet the criteria of at least one of the following statements:

Lack of expedited treatment could lead to an imminent threat to the life or physical safety of an individual;

Lack of expedited treatment could lead to a loss of substantial due process rights and how the requested information is not otherwise

available (thus if an attorney could get this information for you through the discovery process, expedited processing would not be available for you); or

It is urgent to inform the public about an actual or alleged federal government activity, and the requestor is a person primarily engaged in disseminating information to the public.

As this FOIA request does not meet the criteria of any of the three aforementioned instances, I must deny your request for Expedited Processing at this time.

Questions regarding the action this office has taken to process your request may be directed to our FOIA Service Center at (202) 685-0412 or via email at donfoia-pa@navy.mil.

Sincerely,
C. T. Messner
By direction