



DEPARTMENT OF THE NAVY  
NAVAL AIR SYSTEMS COMMAND  
RADM WILLIAM A. MOFFETT BUILDING  
47123 BUSE ROAD, BLDG 2272  
PATUXENT RIVER MARYLAND 20670-1161

5720.9b  
V900000/2020-006828  
February 7, 2023

John Greenwald, Jr.  
27305 W. Live Oak Road, Suite 1203  
Castaic, CA 91384

Dear John Greenwald,

SUBJECT: FREEDOM OF INFORMATION ACT CASE DON-NAVY-2020-006828

This responds to your Freedom of Information Act (FOIA) request of April 17, 2020 in which you seek: "I respectfully request a copy of records, electronic or otherwise, of the following: 1) All communications, e-mails, letters, memos, internal communications, notes etc. regarding AFOSI investigation case #3290517356125. Although this is an AFOSI investigation, in it, it states that the Division Head, Naval Air Warfare Center - Aircraft Division, Naval Air Station Patuxent River, MD was contacted. There was analysis on three videos which they determined there was "no sensitive symbology or other items of concern." I am seeking all records pertaining to this, which would include, but not be limited to, memos, emails, letters, reports, notes, etc."

Enclosed is a copy of "All communications, e-mails, letters, memos, internal communications, notes etc. regarding AFOSI investigation case #3290517356125". We have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions. Portions of the documents have been withheld under the following FOIA Exemptions:

**Exemption (b)(5)** (5 U.S.C. § 552 (b)(5)) protects information which includes internal advice, recommendations, or subjective evaluations pertaining to the decision-making process of the Agency.

**Exemption (b)(6)** (5 U.S.C. § 552 (b)(6)) protects personal information which if disclosed would result in an unwarranted invasion of personal privacy.

We have withheld one internal communication document in its entirety under the following FOIA Exemption:

**Exemption (b)(5)** (5 U.S.C. § 552 (b)(5)) protects information which includes internal advice, recommendations, or subjective evaluations pertaining to the decision-making process of the Agency.

There are no fees associated with the processing of your request in this instance.

You have the right to an appeal. It must be received (i.e., post-marked if by mail, sent if by email, submitted if by FOIAonline) within 90 calendar days from the date of this letter. Please provide the appellate authority (see below) the following in an envelope marked “Freedom of Information Act Appeal”:

- a letter requesting an appeal that explains what you are appealing with any supporting arguments or reasons you think may be worthy of consideration;
- a copy of your initial request;
- a copy of the letter of denial.

Also, please provide us a copy of your appeal letter at:

COMMANDER  
ATTN FREEDOM OF INFORMATION ACT OFFICE  
NAVAIRWARCENACDIV  
22095 FORTIN CIRCLE BUILDING 1489 SUITE 115  
PATUXENT RIVER MD 20670

There are two ways to file an appeal: through FOIAonline or by mail.

1. Through FOIAonline. This will work only if you set up an account on FOIAonline before you make the request that you would like to appeal. To set up an account, go to FOIAonline (this is a website that will appear as the top hit if you search the internet for “FOIAonline”), click “Create Account” (a link located within the blue banner at the top in the upper right corner), enter your data into the field that subsequently appears, and click “Save” (at the bottom left of the screen). With your account thereby created, you will have the power to file an appeal on FOIAonline to any request you file on FOIAonline thereafter. To do so, locate your request (enter a keyword or the request tracking number in the “Search for” field on the “Search” tab), click on it, then the "Create Appeal" tab in the left-hand column. Complete the subsequent field, click “Save,” and FOIAonline will submit your appeal.
2. By mail. Address your appeal to:

The Judge Advocate General (Code 14)  
1322 Patterson Avenue SE, Suite 3000,  
Washington Navy Yard, DC 20374-5066

If you have any questions, please contact the FOIA coordinator at [AD\\_FOIA.GM.fct@navy.mil](mailto:AD_FOIA.GM.fct@navy.mil). You may also contact the DON FOIA Public Liaison, Christopher Julka, at [Christopher.a.julka.civ@us.navy.mil](mailto:Christopher.a.julka.civ@us.navy.mil), (703) 697-0031.

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V900000/2020-006828

In addition, the Office of Government Information Services provides a voluntary mediation process for resolving disputes between persons making FOIA requests and the DON. For more information, go to <https://www.archives.gov/ogis/about-ogis/contact>.

Sincerely,

2/7/2023

X Merry C. Whelan

---

Merry C. Whelan

NAVAIR FOI IDA

Signed by: WHELAN.MERRY.C.1073213424

This document is made available through the declassification efforts  
and research of John Greenewald, Jr., creator of:

# The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA)  
document clearinghouse in the world. The research efforts here are  
responsible for the declassification of hundreds of thousands of pages  
released by the U.S. Government & Military.

**Discover the Truth** at: <http://www.theblackvault.com>

UNCLASSIFIED

(b) (6)

**From:** (b) (6)  
**Sent:** Monday, March 26, 2018 9:07 AM  
**To:** (b) (6)  
**Subject:** FW: 2 Navy Cockpit Videos for Review  
**Attachments:** FLIR1.mp4; GoFast.wmv

Classification: UNCLASSIFIED

-----Original Message-----

**From:** (b) (6)  
**Sent:** Thursday, March 22, 2018 3:57 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** 2 Navy Cockpit Videos for Review

**Classification:** [REDACTED]  
**Caveats:** NOFORN

Good Day Gentlemen,

Attached are two Navy cockpit videos in need of a classification review. They are similar in nature of the last video provided but are 2 entirely different videos.

We would like a classification review of the video as a whole, to include the metadata on the screen.

Your help is most appreciated.

(b) (6)

UNCLASSIFIED

UNCLASSIFIED

(b) (6)

Attachment Classification: [REDACTED]  
Attachment Caveats: NOFORN  
Classification: [REDACTED]  
Caveats: NOFORN

CLASSIFIED BY: (b) (6) [REDACTED]  
DERIVED FROM: Multiple Sources  
DECLASSIFY ON: 20460326

Classification: UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

(b) (6)

**From:** (b) (6)  
**Sent:** Monday, March 26, 2018 1:40 PM  
**To:** (b) (6)  
**Cc:**  
**Subject:** (U) \*\*P/A (b) (6) (U) 2 Navy Cockpit Videos for Review

**Importance:** High

**Tracking:** Recipient (b) (6) Read  
Read: 4/4/2018 11:11 AM

Classification: UNCLASSIFIED

(b) (6)

(U) EO/IR has reviewed the videos, and from an EO/IR the "FLIR 1" is UNCLASSIFIED. For "GoFast", from an EO/IR perspective that video is also UNCLASSIFIED.

(U) From a non-EO/IR perspective, I'm providing the following comments on the GoFast video (see attached presentation for some additional information):

1) (U) Both videos contain symbology (b) (5) This data was determined to be UNCLASSIFIED during a similar ATFLIR exercise a few weeks ago. I believe there was a verbal determination by (b) (5) that the (b) (5) data was UNCLASSIFIED, so over to you on that determination.

2) (U) The GoFast video indicates (b) (5)  
(b) (5)

V/R,

(b) (6)

-----Original Message-----

**From:** (b) (6)  
**Sent:** Monday, March 26, 2018 9:07 AM  
**To:** (b) (6)  
**Subject:** FW: 2 Navy Cockpit Videos for Review

UNCLASSIFIED

UNCLASSIFIED

Attachment Classification: [REDACTED]  
Attachment Caveats: NOFORN  
Classification: [REDACTED]  
Caveats: NOFORN

UNCLASSIFIED

(b) (6)

From: (b) (6)  
Sent: Friday, March 23, 2018 11:41 AM  
To: (b) (6)  
Cc: (b) (6)  
Subject: RE: SIPR Email

(b) (6) Note 26 Mar 18) - NOT IN ORIGINAL EMAIL:

Reviewed files and responded on SIPR (incl Presentation). From an EO/IR perspective, both were Unclassified.

(b) (6)

(b) (6)

Following up to my call. As stated, the FLIR1 video looks to be unclass, but the GoFast video looks as if it is classified. Therefore, I will be requesting (b) (6) EO/IR Team review for a classification determination. I expect completion by Mon/Tue of next week if all goes well.

Please have (b) (6) publish (b) (6) certificates to the GAL and do a separate handshake with everyone so (b) (6) can read encrypted emails.

(b) (6)

The videos are on the functional acct. Please contact (b) (6) for access if needed.

V/R,

(b) (6)

"If you are ashamed to stand by your colors, you had better seek another flag."  
~ General Bernard W. Rogers

(b) (6)

~~CAUTION: This message may contain competitive, sensitive or other non-public information or information which is FOR OFFICIAL USE ONLY (FOUO) that must be protected under the Privacy Act of 1974 (see 5 U.S.C. 552) or other statutes and is not to be disclosed outside of official government channels. Do not disseminate this message without the approval of the originator's office. If you received this message in error, please notify the sender by reply e-mail and delete all copies of this message.~~

-----Original Message-----

From: (b) (6)

Sent: Friday, March 16, 2018 7:34 AM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

Will do gentlemen. I will send out a NIPR email when we are ready with the video.

-----Original Message-----

From: (b) (6)

Sent: Thursday, March 15, 2018 4:59 PM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

Send here please.

(b) (6)

V/R,

(b) (6)

"If you are ashamed to stand by your colors, you had better seek another flag."

~ General Bernard W. Rogers

(b) (6)

SIPRNET:

~~Caution: This message may contain competitive, sensitive or other non-public information or information which is FOR OFFICIAL USE ONLY (FOUO) that must be protected under the Privacy Act of 1974 (see AFI 33-332) or other statutes and is not to be disseminated outside of official channels. Do not disseminate this message with the approval of the originator's office. If you received this message in error, please notify the sender by reply e-mail and delete all copies of this message.~~

-----Original Message-----

From: (b) (6)

Sent: Thursday, March 15, 2018 4:50 PM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

(b) (6)

Please provide the SIPR address you would like the information sent to. I originally received the request and forwarded.

Thank you,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Thursday, March 15, 2018 1:04 PM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

(b) (6)

We will certainly review and provide responses. Please send to the same SIPR email addresses as before.

Thank You.

V/R,

(b) (6)

"If you are ashamed to stand by your colors, you had better seek another flag."

~ General Bernard W. Rogers

(b) (6)

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-----Original Message-----

From: (b) (6)

Sent: Thursday, March 15, 2018 11:06 AM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

Good Morning All,

First off I'd like to thank you again for your help/guidance in the matter below.

I wanted to give you a heads up that there are two more videos in the public domain similar to the one reviewed by your shop. Maybe you have seen them?

One video seems to be focused on a stationary object and then the other one is an overhead view of an object along the water.

We plan to have these videos ready for review, hopefully, within a week.

Would your office be willing to do 2 more reviews? Any help would be most appreciative.

Thanks again,

(b) (6)

A large rectangular area of the document is completely redacted with black ink. The redaction starts below the signature and extends across most of the page width.

-----Original Message-----

From: (b) (6)

Sent: Friday, March 9, 2018 12:35 PM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email  
Importance: High

(b) (6)

It was determined to be UNCLASS by Radar and EO\_IR IPT leads... No sensitive symbology or other items of concern...

V/R,  
(b) (6)

"If you are ashamed to stand by your colors, you had better seek another flag."  
~ General Bernard W. Rogers

(b) (6)

A rectangular area at the bottom of the page is redacted with black ink.

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-----Original Message-----

From: (b) (6)  
Sent: Friday, March 09, 2018 11:08 AM  
To: (b) (6)  
Cc: (b) (6)  
Subject: RE: SIPR Email

(b) (6),

Do we have a status update on the video that was provided for review/classification determination from the DITMAC Office?

Thank you,

(b) (6)

-----Original Message-----

From: (b) (6)  
Sent: Thursday, March 08, 2018 11:30 AM  
To: (b) (6)  
Cc: (b) (6)  
Subject: SIPR Email

Good Morning (b) (6),

Just wanted to give you a heads up that I sent you an email on SIPR. Thanks

(b) (6)

From: (b) (6)  
To: (b) (6)  
Cc: (b) (6)  
Subject: FW: SIPR Email  
Date: Thursday, April 30, 2020 7:58:06 AM  
Importance: High

---

(b) (6)

I unencrypted and did a fwd to you.

V/R.

(b) (6)

"If you are ashamed to stand by your colors, you had better seek another flag."  
~ General Bernard W. Rogers

(b) (6)

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-----Original Message-----

From: (b) (6)  
Sent: Friday, March 23, 2018 1:54 PM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

Thanks for all the help (b) (6) look forward to speaking with you next week.

-----Original Message-----

From: (b) (6)  
Sent: Friday, March 23, 2018 11:41 AM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

(b) (6)

Following up to my call. As stated, the FLIR1 video looks to be unclass, but the GoFast video looks as if it is classified. Therefore, I will be requesting (b) (6) EO/IR Team review for a classification determination. I expect completion by Mon/Tue of next week if all goes well.

Please have (b) (6) publish (b) (6) certificates to the GAL and do a separate handshake with everyone so (b) (6) can read encrypted emails.

(b) (6)

(b) (5) Please contact (b) (6) for access if needed.

V/R,

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To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

Send here please.

(b) (6)

V/R,

(b) (6)

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(b) (6)

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(b) (6)

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(b) (6)

We will certainly review and provide responses. Please send to the same SIPR email addresses as before.

Thank You.

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(b) (6)

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We plan to have these videos ready for review, hopefully, within a week.

Would your office be willing to do 2 more reviews? Any help would be most appreciative.

Thanks again,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Friday, March 9, 2018 12:35 PM

To: (b) (6)

Cc: (b) (6)

Subject: RE: SIPR Email

Importance: High

(b) (6),

It was determined to be UNCLASS by Radar and EO\_IR IPT leads... No sensitive symbology or other items of concern...

V/R,

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Sent: Friday, March 09, 2018 11:08 AM  
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Cc: (b) (6)  
Subject: RE: SIPR Email

(b) (6),

Do we have a status update on the video that was provided for review/classification determination from the DITMAC Office?

Thank you,

(b) (6)

-----Original Message-----

From: (b) (6)  
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To: (b) (6)  
Cc: (b) (6)  
Subject: SIPR Email

Good Morning (b) (6)

Just wanted to give you a heads up that I sent you an email on SIPR. Thanks

(b) (6)

**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** RE: SIPR Email  
**Date:** Thursday, March 15, 2018 11:07:12 AM

---

Good Morning All,

First off I'd like to thank you again for your help/guidance in the matter below.

I wanted to give you a heads up that there are two more videos in the public domain similar to the one reviewed by your shop. Maybe you have seen them? One video seems to be focused on a stationary object and then the other one is an overhead view of an object along the water.

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**Importance:** High

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Cc: (b) (6)  
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Thank you,

(b) (6)

-----Original Message-----

From: (b) (6)  
Sent: Thursday, March 08, 2018 11:30 AM  
To: (b) (6), 3  
Cc: (b) (6)  
Subject: SIPR Email

Good Morning (b) (6),

Just wanted to give you a heads up that I sent you an email on SIPR. Thanks

(b) (6)

[Redacted text block]