



**SUMMARY OF
REPORT TO THE CONGRESS**

**DEPARTMENT OF DEFENSE
FREEDOM OF
INFORMATION ACT
PROGRAM**

CY 1980

PREPARED BY:

**OFFICE OF THE ASSISTANT SECRETARY
OF DEFENSE, PUBLIC AFFAIRS,
DIRECTORATE FOR FREEDOM OF INFORMATION
AND SECURITY REVIEW**



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

February 24, 1981

PUBLIC AFFAIRS

This Summary Report has been issued as an overview of the Department of Defense performance in the Freedom of information Program during Calendar Year 1980, as required by subsection 3 (d), Section 552 of Title 5, United States Code. The enclosed pages were included with the seventeen separate Defense Agency reports transmitted to Congress as the 'Report to the Congress, Freedom of Information', CY 1980.

Data on each item required by Congress is presented in chart and statistical form reflecting overall Agency and Department of Defense totals.

A handwritten signature in cursive script, reading "Charles W. Hinkle", is positioned above the typed name.

Charles W. Hinkle
Director, Freedom of Information
and Security Review

**Department of Defense
FOI Appeal and Program Officials**

<u>Agency Abbreviation</u>	<u>Appellate Authority</u>	<u>Program Official</u>
OSD/OJCS	Thomas B. Ross Ass't SecDef Public Affairs	Charles W. Hinkle Director, FOI and Security Review, OASD/PA
Dept. Army	General Counsel Secretary of the Army	Guy Oldaker Chief, Records Mgmt Division The Adjutant General Center
Dept. Navy	Judge Advocate General/ General Counsel for Secretary of the Navy	Donald Carr PA/FOIA Coordinator Naval Records Mgmt Division OPNAV
Dept. AF	Robert J. McCormick Admin Ass't to the Secretary of the Air Force	Charles C. Ratcliff OPR for Freedom of Information Documentation Systems Division
DCA	LtGen W. J. Hilsman, USA Director	John T. Whealen General Counsel
DCAA	Darrel J. Oyer Ass't Director, Resources	Ms. Connie Miller Records Administrator
DIA	John Brock DIA Counsel	R. Herbert Holzbauer Reference Library Branch Central Reference Division Deputy Director for Support
DIS	Bernard J. O'Donnell Director	LTC Dale L. Hartig, USA Ass't for Information
DLA	LtGen Gerald J. Post, USAF, Director	Colonel R. F. McCormack, USA Staff Director, Administration
DMA	RAdm E. L. Wilkinson USN, Deputy Director	Edward J. Obloy General Counsel
DNA	LtGen Harry A. Griffith, USA Director	Major Dale F. Keller Jr., USA Public Affairs Officer
NSA	N. Z. Caracristi Appellate, FOI/Privacy	Eugene F. Yeates Chief, Office of Policy
CINCLANTCOM	Thomas B. Ross Ass't SecDef Public Affairs	CDR H. L. Matson, USN Public Affairs Officer
CINCEUCOM	Thomas B. Ross Ass't SecDef Public Affairs	Mr. Frank Lane Records Management & Privacy Officer
CINCPACOM	Thomas B. Ross Ass't SecDef Public Affairs	Col R. G. Ament, USA, Chief, HQ Administrative Division
CINCREDCOM	Thomas B. Ross Ass't SecDef Public Affairs	LTC William N. Hall, USA Adjutant General
CINCSO	Thomas B. Ross Ass't SecDef Public Affairs	LCDR E. T. Lindberg, USN Assistant Legal Advisor

**Department of Defense
Reporting Agencies under the Freedom of Information Act
(As of December 31, 1980)**

<u>Agency Abbreviation</u>	<u>Agency</u>	<u>Agency Head</u>
OSD/OJCS	Office of the Secretary of Defense (Including the Organization of the Joints Chiefs of Staff)	Harold Brown
Dept. Army	Secretary of the Army	Clifford L. Alexander
Dept. Navy	Secretary of the Navy	Edward Hidalgo
Dept. AF	Secretary of the Air Force	Hans M. Mark
DCA	Defense Communications Agency	LtGen W. J. Hilsman, USA
DCAA	Defense Contract Audit Agency	Frederick Neumann
DIA	Defense Intelligence Agency	LtGen Eugene F. Tighe, Jr., USAF
DIS	Defense Investigative Service	Bernard J. O'Donnell
DLA	Defense Logistics Agency	LtGen Gerald J. Post, USAF
DMA	Defense Mapping Agency	MGen W. L. Nicholson, III, USAF
DNA	Defense Nuclear Agency	LtGen Harry A. Griffith, USA
NSA	National Security Agency Central Security Service	VADM Bobby R. Inman, USN
CINCLANTCOM	Commander-In-Chief, Atlantic Command	Adm H. D. Train, USN
CINCEUCOM	Commander-in-Chief, U.S. European Command	Gen B. W. Rogers, USA
CINCPACOM	Commander-in-Chief, Pacific Command	Adm R. L. J. Long, USN
CINCREDCOM	Commander-in-Chief, U.S. Readiness Command	Gen V. L. Warner, USA
CINCISO	Commander-in-Chief, U.S. Southern Command	LtGen W. H. Nutting, USA

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**Initial Determinations Resulting in not
Providing all or a Portion of Record Requested**

Reporting Activity	Total Demands		Reasons		
	Completed Public Requests	Completed Reportable Requests*	Statutory Exemptions	Other	= Total
OSD/OJCS	1,358	1,397	97	367	464
DEPT ARMY	28,913	28,913	1,035	862	1,897
DEPT NAVY	7,832	8,524	462	1,185	1,647
DEPT AF	14,219	16,648	891	2,705	3,596
DCA	68	71	2	3	5
DCAA	150	189	7	109	116
DIA	841	886	44	226	270
DIS	105	105	34	61	95
DLA	2,890	2,890	41	1,390	1,431
DMA	154	188	18	27	45
DNA	94	138	19	73	92
NSA	420	545	179	224	403
CINCLANTCOM	0	0	0	0	0
CINCEUCOM	0	0	0	0	0
CINCPACOM	9	9	0	0	0
CINCREDCOM	0	0	0	0	0
CINCSO	0	0	0	0	0
DoD Totals	57,053	60,503	2,829	7,232	10,061

*A reportable request is that portion of an FOI request resulting in a single record or group of records pertaining to one general subject area being acted upon by one IDA who concludes that a single type of determination applies.

Item 2(a)

Exemptions Invoked on Initial Determinations**Exemptions by Number (522(a))**

Reporting Activity	1	2	3	4	5	6	7	8	9	Total*
OSD/OJCS	111	3	10	11	43	9	10	0	0	197
DEPT ARMY	95	20	5	230	315	161	401	0	0	1,227
DEPT NAVY	28	17	14	93	195	107	12	0	0	466
DEPT AF	88	61	18	241	344	358	140	0	0	1,250
DCA	2	0	0	0	1	0	0	0	0	3
DCAA	0	0	0	0	5	0	6	0	0	11
DIA	39	0	33	0	4	1	0	0	0	77
DIS	0	0	0	0	0	20	14	0	0	34
DLA	0	1	0	285	15	3	4	0	0	308
DMA	2	0	0	3	12	1	0	0	0	18
DNA	8	0	1	5	2	3	0	0	0	19
NSA	81	0	179	6	12	7	22	0	0	307
CINCLANTCOM	0	0	0	0	0	0	0	0	0	0
CINCEUCOM	0	0	0	0	0	0	0	0	0	0
CINCPACOM	0	0	0	0	0	0	0	0	0	0
CINCREDCOM	0	0	0	0	0	0	0	0	0	0
CINCSO	0	0	0	0	0	0	0	0	0	0
DoD Totals	454	102	260	874	948	670	609	0	0	3,917
Percent of Total	11.6	2.6	6.6	22.3	24.2	17.1	15.6	0	0	100%

* Totals may not agree with Item 1 because of cases where two or more exemptions were cited.

**Item 2(b)
Statutes Invoked on Initial Determinations**

Statute	Number of Times by Agency							DoD Total*
	OSD/OJCS	DEPT. ARMY	DEPT. NAVY	DEPT. AF	DIA	DNA	NSA	
5 U.S.C. 2411				1				1
10 U.S.C. 2202				1				1
18 U.S.C. 798							74	74
18 U.S.C. 1905	8	5	14	14				41
28 U.S.C. 2071							1	1
42 U.S.C. 2161				2				2
50 U.S.C. 403					33		80	113
Atomic Energy Act of 1954	1						1	2
Public Law 86-36							173	173
Public Law 80-253	1							1
Agency Totals	10	5	14	18	33	1	328	409

*Total does not agree with 552(b)(3) exemptions because of cases within NSA where two or more statutes were cited.

Item 2(c)

Other Reasons Cited on Initial Determinations

Reporting Activity	Category*					Total
	1	2	3	4	5	
OSD/OJCS	313	43	0	0	11	367
DEPT ARMY	385	224	45	194	14	862
DEPT NAVY	454	287	105	185	154	1,185
DEPT AF	166	1,998	258	167	116	2,705
DCA	0	2	0	1	0	3
DCAA	51	34	21	0	3	109
DIA	37	163	22	0	4	226
DIS	13	32	2	13	1	61
DLA	1,371	10	2	1	6	1,390
DMA	11	14	0	0	2	27
DNA	25	44	3	0	1	73
NSA	16	155	0	37	16	224
CINCLANTCOM	0	0	0	0	0	0
CINCEUCOM	0	0	0	0	0	0
CINCPACOM	0	0	0	0	0	0
CINCREDCOM	0	0	0	0	0	0
CINCSO	0	0	0	0	0	0
DoD Totals	2,842	3,006	458	598	328	7,232

* Types of Categories

1. Transferred Request.
 2. Lack of Records
 3. Failure of Requester to Reasonably Describe Record
 4. Other Failures by Requesters to Comply with Published Rules and/or Directives.
 5. Request Withdrawn by Requester.
- (See following page for description of each category.)

DESCRIPTION OF OTHER REASONS

1. Transferred Request (Appeal):

This category applies when responsibility for making a determination or a decision on categories listed below is shifted from one Component to another Component/Agency.

2. Lack of Records:

This category covers situations wherein the requester is advised the agency has no record, or has no statutory obligation to create a record.

3. Failure of Requester to Reasonably Describe Record:

This category is specifically based on Section 522 (a)(3)(A) of the FOIA.

4. Other Failures by Requesters to Comply with Published Rules and/or Directives:

This category is based on Section 552 (a)(3)(B) of the FOIA and includes instances of failure to follow published rules concerning time, place, fees, and procedures.

5. Request (Appeal) Withdrawn by Requester:

This category covers situations when the requester asks an agency to disregard the request (or appeal) or pursues the request outside FOIA channels.

**Initial Denial Officials by Participation
(Agency Reports List Names and Titles)**

A. Exemption Denials

Agency	Officials Authorized	Number of Officials Categorized by Instances of Participation						Total Officials*
		Number of Instances						
		1	2-3	4-5	6-10	11-40	41+	
OSD/OJCS	35	15	6	5	4	5	0	35
DEPT ARMY	21	0	1	2	2	4	11	20
DEPT NAVY	99	10	9	5	12	11	9	56
DEPT AF	105	25	27	14	14	20	5	105
DCA	2	0	0	1	0	0	0	1
DCAA	7	0	0	1	5	1	1	8
DIA	1	0	0	0	1	3	2	6
DIS	1	0	0	0	0	0	1	1
DLA	47	4	4	3	5	0	1	17
DMA	26	2	3	1	0	2	0	8
DNA	1	0	0	0	0	0	1	1
NSA	1	0	1	0	0	1	4	6
CINCLANTCOM	1	0	0	0	0	0	0	0
CINCEUCOM	1	0	0	0	0	0	0	0
CINCPACOM	1	0	0	0	0	0	0	0
CINCREDCOM	1	0	0	0	0	0	0	0
CINCSSO	1	0	0	0	0	0	0	0
DoD Totals	351	56	51	32	43	47	35	264

*Total officials may exceed number authorized due to personnel turnover.

(Cont'd)

B. Other Authority Denials*

Agency	Number of Officials Categorized by Instances of Participation							Total Officials
	Number of Instances							
	1	2-3	4-5	6-10	11-20	21-40	41 +	
OSD/OJCS	7	4	2	0	0	0	1	14
DEPT ARMY	1	1	1	1	3	2	3	12
DEPT NAVY	10	10	5	8	5	4	9	51
DEPT AF	0	0	0	0	0	0	0	0
DCA	0	1	0	0	0	0	0	1
DCAA	0	0	1	5	0	0	1	7
DIA	0	0	0	0	0	1	2	3
DIS	0	0	0	0	0	0	1	1
DLA	1	0	1	2	0	0	1	5
DMA	3	3	1	0	1	0	0	8
DNA	0	0	0	0	0	0	1	1
NSA	1	1	0	0	0	0	2	4
CINCLANTCOM	0	0	0	0	0	0	0	0
CINCEUCOM	0	0	0	0	0	0	0	0
CINCPACOM	0	0	0	0	0	0	0	0
CINCREDCOM	0	0	0	0	0	0	0	0
CINCSO	0	0	0	0	0	0	0	0
DoD Total	23	20	11	16	9	7	21	107

*Other category determination processing is not limited to statutory exemption denial authorities.

Item 4

Number of Appeals and Results

Reporting Activity	Number of Appeals			Total
	Granted	Granted in Part	Denied	
OSD/OJCS	4	4	11	19
DEPT ARMY	19	50	66	135
DEPT NAVY	18	41	100	159
DEPT AF	18	60	126	204
DCA	0	0	0	0
DCAA	0	0	1	1
DIA	0	1	6	7
DIS	0	0	2	2
DLA	4	9	2	15
DMA	1	0	3	4
DNA	0	1	2	3
NSA	2	5	14	21
CINCLANTCOM	0	0	0	0
CINCEUCOM	0	0	0	0
CINCPACOM	0	0	0	0
CINCREDCOM	0	0	0	0
CINCSSO	0	0	0	0
DoD Totals	66	171	333	570

Item 5(a)

Exemptions Invoked on Appeal Determinations

Exemptions by Number (522(a))

Reporting Activity	1	2	3	4	5	6	7	8	9	Total*
OSD/OJCS	11	0	1	0	5	2	0	0	0	19
DEPT ARMY	26	4	0	24	55	18	18	0	0	145
DEPT NAVY	7	1	2	8	42	31	12	0	0	103
DEPT AF	24	4	1	31	99	50	36	0	0	245
DCA	0	0	0	0	0	0	0	0	0	0
DCAA	0	0	0	0	0	0	0	0	0	0
DIA	4	0	3	0	0	0	0	0	0	7
DIS	0	0	0	0	0	2	0	0	0	2
DLA	0	0	0	4	5	0	0	0	0	9
DMA	0	0	1	2	2	1	0	0	0	6
DNA	2	0	0	0	0	0	0	0	0	2
NSA	12	1	14	1	5	3	0	0	0	36
CINCLANTCOM	0	0	0	0	0	0	0	0	0	0
CINCEUCOM	0	0	0	0	0	0	0	0	0	0
CINCPACOM	0	0	0	0	0	0	0	0	0	0
CINCREDCOM	0	0	0	0	0	0	0	0	0	0
CINCSO	0	0	0	0	0	0	0	0	0	0
DoD Totals	86	10	22	70	213	107	66	0	0	574
Percent of Total	15.0	1.8	3.8	12.2	37.1	18.6	11.5	0	0	100%

*Totals do not agree with Item 4 because of cases where two or more exemptions were cited.

Item 5(b)
Statutes Invoked on Appeal Determinations

Statute	Number of Times by Agency													DoD Totals*			
	OSD/OJCS	DEPT ARMY	DEPT NAVY	DEPT AF	DCA	DCAA	DIA	DIS	DLA	DMA	DNA	NSA	CINCLANTCOM		CINCEUCOM	CINCPACOM	CINCREDCOM
Title 18 U.S.C. 798									1		12						13
Title 50 U.S.C. 403							3				12						15
18 U.S.C. 1905	1		1														2
Public Law 86-36			2								14						16
Agency Totals	1	2	1			3			1		38						46

*Total does not agree with 552(b)(3) exemptions because of cases within NSA where two or more statutes were cited.

Item 5(c)

Other Reasons Cited on Appeal Determinations

Reporting Activity	Category*					Total
	1	2	3	4	5	
OSD/OJCS	0	0	0	0	1	1
DEPT ARMY	16	2	2	2	8	30
DEPT NAVY	19	8	4	11	19	61
DEPT AF	19	6	2	0	2	29
DCA	0	0	0	0	0	0
DCAA	0	0	0	0	1	1
DIA	0	3	0	0	0	3
DIS	0	1	0	0	0	1
DLA	0	0	0	0	2	2
DMA	0	0	0	0	0	0
DNA	0	0	0	0	0	0
NSA	2	0	0	1	0	3
CINCLANTCOM	0	0	0	0	0	0
CINCEUCOM	0	0	0	0	0	0
CINCPACOM	0	0	0	0	0	0
CINCREDCOM	0	0	0	0	0	0
CINCSO	0	0	0	0	0	0
DoD Totals	56	20	8	14	33	131

*Types of categories

1. Transferred Appeal
2. Lack of Records
3. Failure of Requester to Reasonably Describe Record
4. Other Failures by Requesters to Comply with Published Rules and/or Directives
5. Request withdrawn by requester.

Item 6
PARTICIPATION OF APPELLATE AUTHORITIES
(Those Responsible for Denials in Whole or in Part)

Name	Title	No. of Instances of Participation
<u>OSD/OJCS</u>		
Thomas B. Ross	Assistant Secretary of Defense (Public Affairs)	17
Thomas F. Lambert	Principal Deputy ASD (Public Affairs)	2
<u>DEPT ARMY</u>		
Clifford L. Alexander	Secretary of the Army	135
<u>DEPT NAVY</u>		
Coleman S. Hicks	General Counsel	44
C. E. McDowell RADM, JAGC, USN	Judge Advocate General	42
John S. Jenkins RADM, JAGC, USN	Judge Advocate General	53
James J. McHugh RADM, JAGC, USN	Acting Judge Advocate General	19
R. G. Moore, COL, USMC	Acting Judge Advocate General	1
<u>DEPT AF</u>		
Robert J. McCormick	Administrative Assistant, Secretary of the Air Force	3
Robert W. Crittenden	Deputy Administrative Assistant, Secretary of the Air Force	184
Guido J. Casari, Jr.	Chief, General Litigation Division, Office of the Judge Advocate General, HQ, USAF	17
<u>DCAA</u>		
Frederick Neuman	Director	1
<u>DIA</u>		
E. F. Tighe, LtGen, USAF	Director	2
A. L. Kelln, RADM, USN	Deputy Director	2
R. X. Larkin, MGen, USA	Chief of Staff	3

**Item 6
(Cont'd)**

Name	Title	No. of Instances of Participation
<u>DIS</u>		
Bernard J. O'Donnell	Director	2
<u>DLA</u>		
G. J. Post, LtGen, USAF	Director	15
<u>DMA</u>		
W. L. Nicholson, MGen, USAF	Director	3
E. A. Wilkinson, Jr., RADM, USN	Deputy Director	1
<u>DNA</u>		
Harry A. Griffith, LtGen, USA	Director	3
<u>NSA</u>		
Daniel C. Schwartz	FOIA Appeal Authority	21
DoD Totals		570

Item 7

Court Opinions and Action Taken

No court opinions or orders were issued against Department of Defense agencies in 1980 giving rise to a proceeding under Section 552 (a)(4)(F) of Title 5, U.S.C.

Item 8
FOIA IMPLEMENTATION RULES OR REGULATIONS

Agency	Document Identification	Fed. Reg. Ref.
DoD	DoD Directive 5400.7 24 Mar 1980	45 F. R. No. 84 29 Apr 1980, Pg 28323
	DoD Regulation 5400.7-R Dec 1980	45 F. R. No. 236 5 Dec 1980, Pg 80502
OSD/OJCS Unified Commands*	DoD Directive 5400.10 6 Jan 1976	Publication pending
DEPT ARMY	AR 340-17, Change 1 24 Jan 1975	40 F. R. No. 40 27 Feb 1975, Pg 8335
DEPT NAVY	SECNAVINST 5720, 42B 13 Feb 1975	40 F. R. No. 56 21 Mar 75, Pg 12776
DEPT AF	AFR 12-30 19 Feb 1975 Interim Message Change 78-1	40 F. R. No. 37 24 Feb 1975, Pg 7901 (Not Published)
DCA	DCA Instruction 210-225-1 31 Mar 1975	40 F. R. No. 70 10 Apr 1975, Pg 16203
DCAA	DCAA Regulation 5410.5 29 Aug 1977, Change 1	42 F. R. No. 154 10 Aug 1977, Pg 40433
DIA	DIA Regulation 12-39 26 Jun 1978	40 F. R. No. 34 19 Feb 1975, Pg 7292
DIS	DIS Regulation 01-12 14 Feb 1975	40 F. R. No. 34 19 Feb 1975, Pg 7289
DLA	DLA Regulation 5400.14 13 Feb 1975	40 F. R. No. 34 19 Feb 1975, Pg 7282
DMA	DMA Instruction 5400.7A 12 May 1975	40 F. R. No. 29 11 Feb 1975, Pg 6336
DNA	DNA Instruction 5400.7 29 July 1980	Not Published
NSA	NSA/CSS Regulation 10-9 3 Mar 1975	40 F. R. No 34 19 Feb 1975, Pg 7303

*The Unified Commands are under the jurisdiction of the OSD instead of the administering Military Departments only for purposes of administering the DoD FOIA program.

Item 9
FEE SCHEDULE AND FEES
COLLECTED

The attached fee schedule, reprinted from Chapter 6, DoD Regulation 5400.7-R, December 1980, establishes standard costs collectable by Department of Defense Agencies. \$249,998 was collected from the public for making records available. (See Item 10B for Agency totals).

CHAPTER VI
FEE SCHEDULE
Section 1
GENERAL PROVISIONS

6-100 Application

The fees described in this chapter apply to FOIA requests. They reflect direct search and duplication costs, collection of which are permitted by the FOIA. They are neither intended to imply that fees must be charged in connection with providing information to the public in the routine course of business nor are they meant as a substitute for any other schedule of fees, such as DoD Instruction 7230.7 (reference (q)).

6-101 Fee Assessment

- a. Minimum fees shall not be charged.
- b. When direct search and duplication costs for a single FOIA request total less than \$30.00, fees should be waived automatically. The DoD Components, however, may set aside the automatic waiver provision when, on the basis of good evidence, the Component can demonstrate that waiver of fees is not in the public interest. Multiple requests from a single requester or from those acting in behalf of a single requester in an effort to take advantage of the waiver may create a situation in which waiver should be denied by the Component.
- c. Decisions to waive or reduce fees that exceed the automatic waiver threshold shall be made on a case-by-case basis. The following circumstances, however, describe the most common circumstances in which waiver or reduction of fees are most likely to be warranted.
 1. No record is located or all records are denied. However, fee charges are appropriate if the requester insists upon a search and agrees to such fees after being informed that the search is likely to be nonproductive or that the records are all likely to be exempt from release.
 2. A record is voluntarily created to preclude an otherwise burdensome effort to provide voluminous amounts of available records including additional information not requested.
 3. The records are to be made available in response to a news media requester whose requests under this regulation are reasonable in scope and frequency.
 4. The record is for a nonprofit public interest group and the subject of the requested record is known to be of wide public interest, and furnishing the information can be considered as primarily benefiting the general public.
 5. A previous denial is reversed in whole or in part and the search and reproduction costs involved are not substantial.

6-102 Computation of Fees

The fee schedule contained in this chapter is used to compute the search and duplication costs associated with processing a given FOIA request. Search fees shall be computed based on time actually spent. Neither time-based nor dollar-based minimum charges for search and duplication are authorized.

Section 2
COLLECTION OF FEES AND FEE RATES

6-200 Collection of Fees

Collection of charges and fees need not be made in advance of rendering the service unless the costs are expected to exceed the fee waiver threshold and the requester has not indicated a willingness in writing to pay. It frequently is more practical to collect charges and fees at the time of providing the service or property to the recipient when the requester specifically states that the cost involved shall be acceptable or acceptable up to a specified limit that covers anticipated costs. Collection of fees in advance is an appropriate requirement only when the requester has not agreed in writing to pay the anticipated fee or has not honored previous commitments to pay fees that were owed an agency or component.

6-201 Search Fees

a. **Manual Search**

<u>Type</u>	<u>Grade</u>	<u>Hourly Rate (\$)</u>
Clerical	E9/GS8 and below	8
Professional	01-06/GS9-GS-15	16
Executive	07/GS16/ES1 and above	26

b. Computer search is based on direct cost of the central processing unit, input-output devices, and memory capacity of the actual computer configuration.

c. Actual cost of transporting records or personnel to the search site may be included.

6-202 Duplication Fees

<u>Type</u>	<u>Cost per Page (¢)</u>
Printed Material	01
Office Copy	10
Microfiche	25

6-203 Audiovisual Documentary Materials

Search costs are computed as for any other record. Duplication cost is the actual direct cost of reproducing the material, including the wage of the person doing the work. Audiovisual materials provided to a requester need not be in reproducible format or quality.

6-204 Other Records

Direct search and duplication cost for any record not described above shall be computed in the manner described for audiovisual documentary material.

Item 10A

Availability of Records
(New Categories or segregable portions of records now being released)

None

Calendar Year Costs and Fees Collected

Reporting Activity	Annual Cost *	Annual Fees Collected
OSD/OJCS	624,298	4,882
DEPT ARMY	2,325,477	29,112
DEPT NAVY	887,525	77,444
DEPT AF	1,808,980	51,148
DCA	22,890	190
DCAA	85,000	3,853
DIA	157,728	6,576
DIS	3,880	0
DLA	305,243	71,692
DMA	3,921	213
DNA	9,460	388
NSA	564,654	4,500
CINCLANTCOM	0	0
CINCEUCOM	0	0
CINCPACOM	1,038	0
CINCREDCOM	1,867	0
CINCSO	0	0
DoD Totals	6,801,961	249,998

*Based on reporting procedures established March 16, 1977, to capture a "best estimate" cost of administering FOIA as amended. The attached cost outline provides a breakdown of costs by agency.

DEPARTMENT OF DEFENSE REPORTING AGENCIES

COST OUTLINE		OSD/OJCS	ARMY	NAVY	AF	DCA	DCAA	DIA
I	Personnel Costs							
1)	A. Estimated manyears	43.82	94.72	25.61	76.51	.60	1.37	2.63
	B. Cost of manyears (grades considered)	435,511	1,507,608	500,092	1,087,851	16,800	56,153	69,059
2)	C. Cost of estimated manhours by category (fee schedule rates)							
	(1) Search time	12,975	68,551	45,471	65,249	190	3,242	9,099
	(2) Review & excising	13,852	42,397	18,225	52,712	1,200	1,262	4,893
	(3) Coordination & approval	5,707	42,744	44,317	79,741	0	2,700	1,844
	(4) Corres. & Form prep.	1,425	25,492	20,007	40,813	54	768	1,240
	(5) Other activities	3,527	34,471	11,837	40,693	0	962	8,526
	(6) Manhour cost total	37,486	213,655	139,857	279,208	1,444	8,934	25,602
	D. Total of IIB and IIC	472,997	1,721,263	639,949	1,367,059	18,244	65,087	94,661
	E. Overhead rate (25%)	118,249	430,316	159,987	341,765	4,561	16,272	23,665
	F. Total of other costs	591,246	2,151,579	799,936	1,708,824	22,805	81,359	118,326
II	Other Case Related Costs							
	A. Computer Search Time Costs	1,356	43,722	14,419	9,871	0	0	24,963
	B. Reproduction Costs	2,021	64,681	25,207	34,777	85	1,905	1,311
	C. Microfiche Reproduction	5	28,768	1,652	2,145	0	0	519
	D. Cost of Printed Records	2,420	3,692	7,182	8,123	0	125	11,087
	E. Total of Other Costs	5,802	140,863	48,460	54,916	85	2,030	37,880
III	A. Reporting Costs							
	(1) Operational	750	15,024	15,015	19,369	0	1,289	1,218
	(2) User	1,050	420	13,695	734	0	0	0
	(3) Overhead (25% of (1) & (2))	450	3,861	7,177	5,026	0	322	304
	B. Other operating costs (voluntary re- porting of items such as postal, travel, computer, etc.)	25,500	13,730	3,242	20,111	0	0	0
	C. TOTAL	27,250	33,035	39,129	45,240	0	1,611	1,522
IV	Summary							
	A. Total costs of I-III	624,298	2,325,477	887,525	1,808,980	22,890	85,000	157,728
	B. Amount collected from public	4,882	29,112	77,444	51,148	190	3,853	6,576

- 1) Personnel assigned full-time or part-time FOI duties.
2) Personnel other than 1) above

Note: Figures may not add due to rounding

**DEPARTMENT OF DEFENSE REPORTING AGENCIES
(Cont'd)**

COST OUTLINE		DIS	DLA	DMA	DNA	NSA	CINCLANT	CINCEUCOM
I	Personnel Costs							
1)	A. Estimated manyears	0	8,26	0	0	7,37	0	0
	B. Cost of manyears (grades considered)	0	147,816	0	0	192,296	0	0
2)	C. Cost of estimated manhours by category (fee schedule rates)							
	(1) Search time	459	17,183	159	1,832	46,190	0	0
	(2) Review & excising	1,210	6,282	1,632	968	12,296	0	0
	(3) Coordination & approval	623	8,954	367	1,991	0	0	0
	(4) Corres. & Form prep.	329	4,823	146	678	0	0	0
	(5) Other activities	148	7,027	441	1,533	0	0	0
	(6) Manhour cost total	2,769	44,269	2,745	7,002	58,486	0	0
	D. Total of IIB and IIC	2,769	192,085	2,745	7,002	250,782	0	0
	E. Overhead rate (25%)	692	48,021	686	1,750	62,695	0	0
	F. Total of other costs	3,461	240,106	3,431	8,752	313,477	0	0
II	Other Case Related Costs							
	A. Computer Search Time Costs	119	49,908	0	164	248,130	0	0
	B. Reproduction Costs	152	7,074	115	217	747	0	0
	C. Microfiche Reproduction	0	303	0	0	0	0	0
	D. Cost of Printed Records	18	1,806	0	15	0	0	0
	E. Total of Other Costs	289	59,091	115	396	248,877	0	0
III	A. Reporting Costs							
	(1) Operational	104	4,004	225	250	1,536	0	0
	(2) User	0	282	75	0	224	0	0
	(3) Overhead (25% of (1) & (2))	26	1,071	75	62	440	0	0
	B. Other operating costs (voluntary re- porting of items such as postal, travel, computer, etc.)	0	689	0	0	100	0	0
	C. TOTAL	130	6,046	375	312	2,300	0	0
IV	Summary							
	A. Total costs of I-III	3,880	305,243	3,921	9,460	564,654	0	0
	B. Amount collected from public	0	71,692	213	388	4,500	0	0

- 1) Personnel assigned full-time or part-time FOI duties.
2) Personnel other than 1) above

DEPARTMENT OF DEFENSE REPORTING AGENCIES (Cont'd)

COST OUTLINE		CINCPAC	CINCRED	CINCISO	TOTALS
I	Personnel Costs				
1)	A. Estimated manyears	.10	0	0	260.99
	B. Cost of manyears (grades considered)	625	0	0	4,013,811
2)	C. Cost of estimated manhours by category (fee schedule rates)				
	(1) Search time	44	6	0	270,650
	(2) Review & excising	92	1,130	0	158,151
	(3) Coordination & approval	24	234	0	189,246
	(4) Corres. & Form prep.	10	44	0	95,829
	(5) Other activities	28	80	0	109,273
	(6) Manhour cost total	198	1,494	0	823,149
	D. Total of IIB and IIC	823	1,494	0	4,836,960
	E. Overhead rate (25%)	206	373	0	1,209,238
	F. Total of other costs	1,029	1,867	0	6,046,198
II	Other Case Related Costs				
	A. Computer Search Time Costs	0	0	0	392,652
	B. Reproduction Costs	9	0	0	138,301
	C. Microfiche Reproduction	0	0	0	33,392
	D. Cost of Printed Records	0	0	0	34,468
	E. Total of Other Costs	9	0	0	598,813
III	A. Reporting Costs				
	(1) Operational	0	0	0	58,784
	(2) User	0	0	0	16,480
	(3) Overhead (25% of (1) & (2))	0	0	0	18,814
	B. Other operating costs (voluntary re- porting of items such as postal, travel, computer, etc.)	0	0	0	63,372
	C. TOTAL	0	0	0	157,450
IV	Summary				
	A. Total costs of I-III	1,038	1,867	0	6,801,961
	B. Amount collected from public	0	0	0	249,998

- 1) Personnel assigned full-time or part-time FOI duties.
2) Personnel other than 1) above

Time Limit Extensions by Agency

Reporting Activity	I		II & III Court Involvement	TOTAL
	Unusual Location	Circumstances Volume Consultation		
OSD/OJCS	16	11	19	46
DEPT ARMY	0	0	0	0
DEPT NAVY	0	15	0	15
DEPT AF	24	33	165	222
DCA	0	0	0	0
DCAA	19	20	0	39
DIA	0	1	0	1
DIS	0	6	0	6
DLA	0	3	0	3
DMA	0	0	0	0
DNA	0	0	7	7
NSA	0	0	0	0
CINCLANTCOM	0	0	0	0
CINCEUCOM	0	0	0	0
CINCPACOM	0	0	0	0
CINCREDCOM	0	0	0	0
CINCSO	0	0	0	0
DoD Totals	59	89	191	339

Internal Memoranda
(Including Directives not Published in Federal Register)

Reporting Activity	No. of Memoranda	No. Available to Public
OSD/OJCS	1	1
DEPT ARMY		
DEPT NAVY		
DEPT AF		
DCA		
DCAA		
DIA		
DIS		
DLA		
DMA	1	1
DNA		
NSA		
CINCLANTCOM		
CINCEUCOM		
CINCPACOM		
CINCREDCOM		
CINCSO		
DoD Totals	2	2

Item 10E (Optional)

Other Information (Opinions) or Recommendations on Administering FOIA

The NSA/CSS continues to support efforts to seek legislative relief from the FOIA such as would have been obtained by H. R. 5129 in the first session of the 96th Congress. The cost benefits of excluding certain operational files from FOIA search are major in terms of personnel and machine time.

Item 11 FOIA INSTRUCTIONAL AND EDUCATIONAL EFFORTS

- DoD The lack of a Department-wide training/educational program remains a major concern in the management of the DoD FOIA program. Resources continue to hamper department-wide efforts in this area. Because of the frequent rotation of personnel in key positions, defense components are encouraged, within available resources, to conduct their own training/educational programs. This overall objective is being obtained, and these component efforts are essential in maintaining the expertise required to efficiently administer the Defense Program.
- OSD/OJCS Newly assigned personnel in the FOIA Program Director's Office attend FOIA conferences sponsored by OPM and other organizations. The Director's office provides briefings and orientations for personnel in other staff elements and encourages the participation of FOI personnel in other agencies to attend FOI conferences, symposia and seminars presented by Federal and private organizations. This type of training received by OSD and OJCS personnel is key to the overall success of the program within OSD/OJCS.
- DEPT ARMY Selected personnel of the Army Secretariat receive FOIA training through workshops, seminars and lectures given by government agencies and private enterprises. Additionally, several Army Staff agencies provide key personnel with various FOIA legal and educational training.
- DEPT NAVY Activities within the Department of the Navy report that the workshops and seminars given by the Office of Personnel Management (OPM), are being utilized by personnel who coordinate the Freedom of Information Act Programs. The cost of OPM training, however, now exceeds \$100.00 per person. It is neither economically feasible nor productive to send large numbers of Navy personnel to the OPM course. The OPM course was designed with a multi-agency approach to training and simply cannot meet the specific needs of this Department. It is believed that this Department has developed the expertise to design, develop, and present formal training programs in the provisions of both the Freedom of Information and Privacy Acts; however, funds to produce such training have not been available. Therefore, it is strongly recommended that DoD take necessary steps to procure funds for service-wide training in the near future.
- DEPT AF Air Force has a 24 minute film designed to create an interest in and an understanding of the Freedom of Information Act. The film has received a wide viewing throughout the Air Force and will continue to be viewed. Air Force personnel have attended FOIA workshops sponsored by the Office of Personnel Management and the FOIA has been the subject of briefings at various conferences throughout the Air Force.
- DCA DCA provides a 45 minute briefing to all newly assigned personnel on the FOI and Privacy Acts. The DCA Headquarters General Counsel and Public Affairs Officer also assist in the educational process by briefing affected personnel concerning the requirements of the Act.
- DCAA Responsible individuals in all regional offices, Headquarters principal staff elements and Field Audit Managers have access to the Headquarters FOIA program manager for purposes of clarifying understanding of Agency-wide policies and procedures, obtaining additional guidance, as well as discussing real or hypothetical situations for purposes of expanding knowledge. Newly assigned Regional Records Management Officers and FOIA Coordinators are provided an 8-hour training and orientation in FOIA policies and procedures at DCAA Headquarters.
- DIS All new DIS agents receive formal instruction regarding the provisions of the Act and its implementation by DIS. Headquarters personnel have received detailed on-the-job training and they present training programs to all other field and staff elements as needed. Extensive formal training has not been necessary due to the centralized organization of the FOIA mission in DIS.

**Item 11
(Cont'd)**

- DMA The bulk of DMA's effort with regard to employee training was directed toward dissemination of useful information to the greatest number of employees possible. DMA Headquarters General Counsel and Component Counsel and Public Affairs Officers also assisted in the educational process by delivering briefings and lectures to affected personnel concerning the requirements and implementation of the Act.
- DNA Individuals within the Agency responsible for the release of information are kept current by applicable regulations, Agency policy and current court cases which are circulated routinely.
- NSA The NSA/CSS FOIA Coordinator and an NSA/CSS Attorney responsible for FOIA matters attended the Sixth Annual Openness in Government Conference, sponsored by the Federal Bar Association. The NSA/CSS FOIA coordinator addressed NSA/CSS managers on the FOIA at internal lectures throughout the year.