

# DEPARTMENT OF DEFENSE



## FREEDOM OF INFORMATION ACT PROGRAM CY 1992

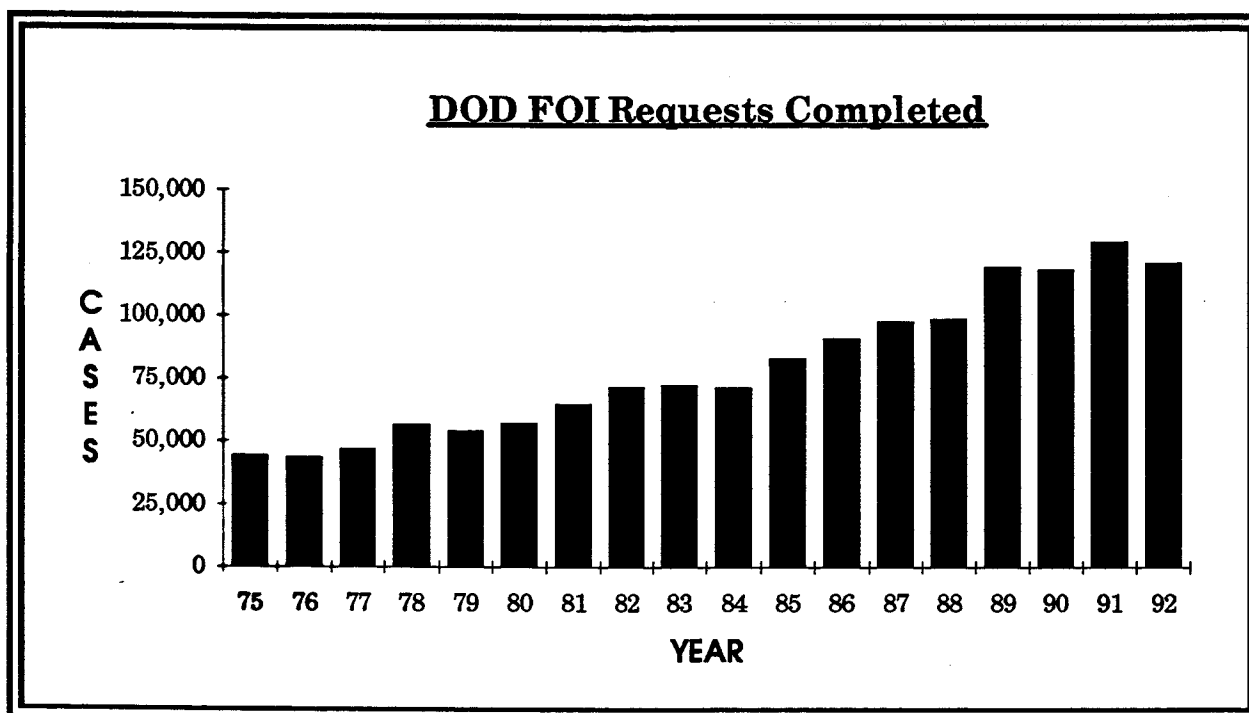
### REPORT TO CONGRESS

PREPARED BY:  
OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
(PUBLIC AFFAIRS)  
DIRECTORATE FOR FREEDOM OF INFORMATION  
AND SECURITY REVIEW

# FREEDOM OF INFORMATION ACT ANNUAL REPORT CALENDAR YEAR 1992

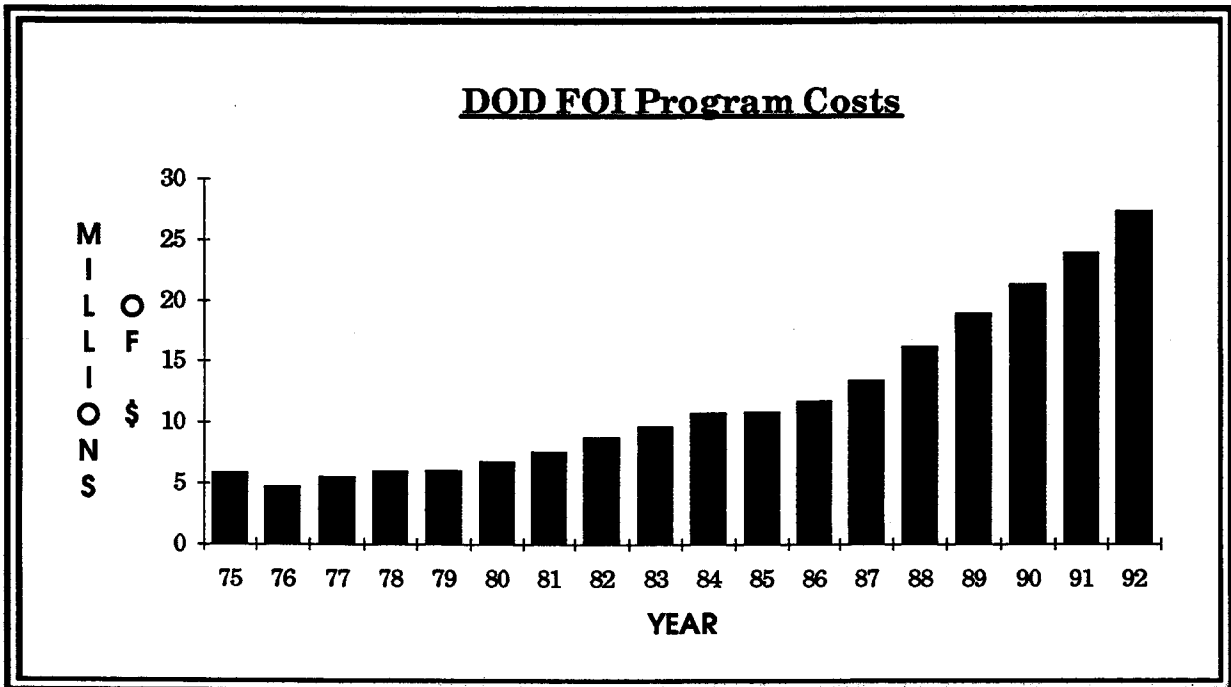
## SUMMARY

A total of 121,144 public requests for records under the Freedom of Information Act (FOIA) were completed during 1992 by the Department of Defense. As shown below, there was a slight decline in the number of cases processed in 1992 from the previous year.



The Department of Defense fully denied 1,827 and partially denied 8,813 out of 121,144 requests on the basis of FOIA exemptions. Of those exemptions, 10% were for classified information; 8% for internal rules and practices; 5% for statutory exemptions; 10% for proprietary data; 18% for deliberative material; 24% for privacy information; and 25% for law enforcement investigations. An additional 27,950 requests could not be filled in whole or in part for other reasons, such as lack of records, referral to another agency, or lack of specificity sufficient to identify the requested records. There were 1,517 appeals of denied requests, 63 of which were granted, 332 partially denied, 722 fully denied, and 400 which could not be filled for other reasons, as mentioned earlier.

The total DoD operating cost associated with the 1992 requests was \$27,385,912.92. The average cost of processing a single case during 1992 was approximately \$226. Fee collections for records provided to the public amounted to \$1,546,497.72. Total program costs since inception of the report are reflected below.



Questions regarding this report should be addressed to the Director, Freedom of Information and Security Review, OASD (Public Affairs), Room 2C757, The Pentagon, Washington, DC 20301-1400.

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**Department of Defense**  
**Reporting Agencies**  
**Under the Freedom of Information Act**

Abbreviation	Agency	Agency Head
OSD/JS	Office of the Secretary of Defense (Including the Joint Staff)	Hon Richard B. Cheney
Dept Army	Secretary of the Army	Hon Michael P. W. Stone
Dept Navy	Secretary of the Navy	Hon Sean O'Keefe
Dept Air Force	Secretary of the Air Force	Hon Donald B. Rice
DCAA	Defense Contract Audit Agency	Mr. William H. Reed
DFAS	Defense Finance and Accounting Service	Mr. Albert V. Conte
DIA	Defense Intelligence Agency	LtGen James R. Clapper, USAF
DIS	Defense Investigative Service	Mr. John F. Donnelly
DISA	Defense Information Systems Agency	LtGen Alonzo E. Short, Jr., USA
DLA	Defense Logistics Agency	VAdm Edward M. Straw, USN
DMA	Defense Mapping Agency	MajGen William K. James, USAF
DNA	Defense Nuclear Agency	MajGen Kenneth L. Hagemann, USAF
NRO	National Reconnaissance Office	Hon Martin C. Faga
NSA/CSS	National Security Agency/Central Security Service	VAdm J. M. McConnell, USN
OIG, DOD	Office of the Inspector General, Department of Defense	Mr. Derek J. Vander Schaaf

# Item 1

## Initial Determinations

Component	Total Requests	Granted in Full	Denied in Part	Denied in Full	Other	Total Actions*
OSD/JS	4,089	1,371	457	105	2,236	4,169
Dept Army	36,017	25,244	2,314	773	7,805	36,136
Dept Navy	33,471	23,741	2,652	213	7,076	33,682
Dept Air Force	24,025	13,934	2,216	463	7,412	24,025
DCAA	238	131	12	3	92	238
DFAS	1,479	1,087	14	16	362	1,479
DIA	1,057	266	340	51	400	1,057
DIS	180	94	21	4	61	180
DISA	406	275	23	14	94	406
DLA	18,722	16,995	268	31	1,787	19,081
DMA	136	76	14	10	38	138
DNA	146	71	24	9	48	152
NRO	8	0	2	2	5	9
NSA/CSS	803	73	277	90	445	885
OIG, DOD	367	56	179	43	89	367
<b>DOD Totals</b>	<b>121,144</b>	<b>83,414</b>	<b>8,813</b>	<b>1,827</b>	<b>27,950</b>	<b>122,004</b>

\* Total Actions may exceed Total Requests because more than one action may be taken on a single request.

## Item 2(a)

### Exemptions Invoked on Initial Determinations

Component	Exemptions by Number (5 U.S.C. 552(b))									Total*
	1	2	3	4	5	6	7	8	9	
OSD/JS	290	61	44	70	151	105	26	0	0	747
Dept Army	340	486	9	327	883	1,761	1,299	0	0	5,105
Dept Navy	171	200	54	294	588	766	1,335	0	0	3,408
Dept Air Force	207	273	129	572	962	906	1,003	0	0	4,052
DCAA	0	0	0	2	8	5	0	0	0	15
DFAS	3	0	0	1	3	24	0	0	0	31
DIA	299	165	16	0	2	76	0	0	0	558
DIS	1	9	0	2	9	12	19	0	0	52
DISA	0	0	10	20	3	4	0	0	0	37
DLA	6	3	2	206	59	22	27	0	0	325
DMA	0	0	1	8	11	8	6	0	0	34
DNA	13	0	11	4	5	10	1	0	0	44
NRO	2	0	4	0	0	0	0	0	0	6
NSA/CSS	150	22	486	26	8	30	13	0	0	735
OIG, DOD	1	48	15	11	76	62	202	0	0	415
<b>DOD Totals</b>	<b>1,483</b>	<b>1,267</b>	<b>781</b>	<b>1,543</b>	<b>2,768</b>	<b>3,791</b>	<b>3,931</b>	<b>0</b>	<b>0</b>	<b>15,564</b>
<b>Percent of Total</b>	<b>10%</b>	<b>8%</b>	<b>5%</b>	<b>10%</b>	<b>18%</b>	<b>24%</b>	<b>25%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>

\* Total may not agree with denials in 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											Total	
	OSD/ JS	Army	Navy	AF	DIA	DISA	DLA	DMA	DNA	NRO	NSA/ CSS		OIG DOD
5 USC 7114 (b)(4)				1									1
10 USC 128	1		12	1									14
10 USC 130	1	1	8	17				1					28
10 USC 618f		3	3	45									48
10 USC 1102		3	12	5									20
10 USC 2796							1						1
12 USC 3403				1									1
18 USC 798	1			1							92		94
26 USC 6103	1			1									1
41 USC 423	6	2	6	48	10	2							74
42 USC 2161-2168 (P.L. 703)	13	4	4	3				10					30
50 USC 402 Note Sec 6, P.L. 86-36	8			1	5						302		316
IG Act of 1978, Sec 7(b), P.L. 95-542												15	15
Intelligence Authorization Act, FY 93, Sec 406(a)									2				2
National Security Act of 1947 (50 USC 401 et seq.), as amended, Sec 103 (c)(5)									2				2
National Security Act of 1947, Sub- section 102 (d)(3), as amended (50 USC 403 (d)(3))	12		12		11						92		127
Sec 38(e) of the Arms Export Control Act (22 USC 2778(e))	1			1									2
Sec 822, Natl Def Auth Act, FY 90 & 91 (P.L. 101-189; 103 Stat 1503)				5									5
<b>Agency Totals</b>	<b>44</b>	<b>9</b>	<b>54</b>	<b>129</b>	<b>16</b>	<b>10</b>	<b>2</b>	<b>1</b>	<b>11</b>	<b>4</b>	<b>486</b>	<b>15</b>	<b>781</b>



## Item 2(c)

### Other Reasons Cited on Initial Determinations

Component	Category*						Total
	1	2	3	4	5	6	
OSD/JS	1,270	530	42	132	192	60	2,226
Dept Army	3,465	1,647	259	835	777	822	7,805
Dept Navy	2,888	2,123	451	748	1,050	263	7,523
Dept Air Force	2,237	2,285	394	955	1,129	412	7,412
DCAA	25	11	3	0	53	0	92
DFAS	51	257	32	11	1	10	362
DIA	1	374	0	0	2	23	400
DIS	8	45	0	6	2	0	61
DISA	21	30	2	3	17	21	94
DLA	249	404	253	458	308	115	1,787
DMA	16	15	2	3	1	1	38
DNA	5	19	0	10	12	2	48
NRO	2	3	0	0	0	0	5
NSA/CSS	62	214	20	104	41	4	445
OIG, DOD	27	39	14	5	2	2	89
<b>DOD Totals</b>	<b>10,327</b>	<b>7,996</b>	<b>1,472</b>	<b>3,270</b>	<b>3,587</b>	<b>1,735</b>	<b>28,387</b>

**\* Types of Categories**

1. Transferred Request
  2. Lack of Records
  3. Failure of Requester to Reasonably Describe Record
  4. Other Failures by Requester to Comply with Published Rules and/or Directives
  5. Request Withdrawn by Requester
  6. Not an Agency Record
- (see following page for description of each category)

## **"Other Reasons" Described**

### **1. Transferred Request**

This category applies when responsibility for making a determination or a decision on categories listed below is shifted from one Component to another Component/Federal 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 552(a)(3)(A) of the FOIA.

### **4. Other Failures by Requester 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 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.

### **6. Not an Agency Record**

This category indicates the requested information is not an agency record.

### Item 3

## Initial Denial Authorities by Participation

Name	Rank	Title	Number of Instances
<u>OSD/JS</u>			
Akins, Carl	Civ	Deputy Director for Program Administration and Support, Office of Civilian Health and Medical Program of the Uniformed Services	14
Alderman, Craig	Civ	Deputy Under Secretary of Defense for Security Policy	2
Alexander, Robert M.	LtGen	Deputy Assistant Secretary of Defense (Military Manpower and Personnel Policy), Assistant Secretary of Defense (Force Management & Personnel)	2
Anderson, Maynard C.	Civ	Assistant Deputy Under Secretary of Defense for Security Policy	1
Andrews, Duane P.	Civ	Assistant Secretary of Defense (Command, Control, Communications & Intelligence)	1
Baity, Mickey W.	Col	Deputy Director, Near East & South Asian Region, Assistant Secretary of Defense (International Security Affairs)	1
Baker, Robert W.	Col	Military Assistant, Director, Defense Research and Engineering	3
Basel, J. M.	Col	Executive Assistant to Deputy Commander, United States Pacific Command	7
Begert, William J.	BrigGen	Chief of Staff, United States Transportation Command	2
Belcher, Bill G.	Col	Chief of Staff, Defense Commissary Agency	7
Burke, Jerome J.	Capt	Executive Assistant, Assistant Secretary of Defense (Command, Control, Communications, & Intelligence)	1

Caddell, Ray L.	Col	Director, Management Operations, Strategic Defense Initiative Organization	1
Carpenter, Dennis D.	Col	Director, Manpower, Personnel, and Administration, United States Southern Command	7
Chase, Emory J.	Col	Executive Assistant, Assistant to the Secretary of Defense (Atomic Energy)	2
Cheney, Steve	LtCol	Deputy Executive Secretary of the Department of Defense	2
Concannon, James P.	Col	Director, Manpower, Personnel, and Administration, United States Southern Command	9
Cook, Robert	Col	Executive Assistant, Director, Small and Disadvantaged Business Utilization	1
Cooke, D. O.	Civ	Director, Administration and Management, Washington Headquarters Services	22
Crouch, Jack D., II	Civ	Principal Deputy Assistant Secretary of Defense (International Security Policy)	2
Davison, Richard H.	Civ	Director, Strategic Arms Control Policy, Assistant Secretary of Defense (International Security Policy)	1
Deegan, Gene A.	MajGen	Vice Director, Joint Staff	6
Downing, Wayne A.	LtGen	Commander, United States Army Special Operations Command	5
Dube, L. Paul	Civ	Deputy Comptroller (Program & Budget), DOD Comptroller	1
Dyke, Charles W.	MajGen	Vice Director, Joint Staff	1
Edelman, Eric S.	Civ	Assistant Deputy Under Secretary (Russian, Eurasian & East European Affairs), Principal Deputy Under Secretary of Defense (Strategy & Resources)	1
Eggers, Thomas E.	MajGen	Deputy Commander in Chief/Chief of Staff, United States Special Operations Command	2

Ehrenberg, R. H., Jr.	Col	Dean, Operations and Services Division, Defense Systems Management College	1
Ellis, James R.	MajGen	Deputy Commander in Chief/Chief of Staff, United States Central Command	11
Farr, Craig	Civ	Director, Test and Evaluation, Defense Research & Engineering	1
Fields, Craig I.	Civ	Deputy Director for Research, Defense Advanced Research Projects Agency	2
Fitzgibbon, Gerald M.	Civ	Director, Proliferation Controls & Countermeasures, Assistant Secretary of Defense (International Security Affairs)	1
Freeman, Waldo D.	MajGen	Deputy Commander in Chief/Chief of Staff, United States Central Command	16
Freidl, Joe, Jr.	Civ	Director, Budget and Finance, Washington Headquarters Services	1
Gaffney, Frank J., Jr.	Civ	Deputy Assistant Secretary of Defense (Strategic Forces & Nuclear Policy), Assistant Secretary of Defense (International Security Policy)	1
Garrison, William F.	MajGen	Commander, Joint Special Operations Command	1
Gaskins, Philip W.	Col	Chief of Staff, National Defense University	1
Gee, George N.	RAdm	Commander, Joint Task Force FOUR, United States Atlantic Command	7
Getchell, George L.	Col	Chief of Staff, 9th Air Force, United States Central Command	1
Gilliat, Robert L.	Civ	Deputy General Counsel (Personnel & Health Policy), General Counsel	2
Ginman, Richard T.	Capt	Deputy Director of Defense Procurement	3
Goetze, Richard B., Jr.	MajGen	Vice Director, Joint Staff	3
Graham, Douglas R.	Civ	Deputy Assistant Secretary of Defense (Strategic Defense, Space & Verification Policy), Assistant Secretary of Defense (International Security Policy)	1

Groves, Linda K.	Capt	Executive Assistant, Assistant to the Secretary of Defense (Atomic Energy)	10
Hall, Thomas F.	RAdm	Commander, Iceland Defense Force, United States Atlantic Command	3
Harding, James R.	BrigGen	Director, Inter American Region, Assistant Secretary of Defense (International Security Affairs)	3
Hardy, Robert S., Jr.	BrigGen	Director, Manpower, Personnel and Security, United States European Command	8
Hawkins, Charles A.	Civ	Principal Deputy for Intelligence, Assistant Secretary of Defense (Command, Control, Communications & Intelligence)	2
Hermes, Harald G.	MajGen	Commander, 9th Air Force, United States Central Command	10
Horn, S. K.	Civ	Director, Verification Policy, Assistant Secretary of Defense (International Security Policy)	1
Ikle, Fred	Civ	Under Secretary of Defense for Policy	2
Ioffredo, Michael L.	Civ	Deputy Assistant Secretary of Defense (Strategic Programs), Assistant Secretary of Defense (Program Analysis & Evaluation)	1
Jajko, Walter	Civ	Director, Special Advisory Staff, Deputy Under Secretary of Defense for Security Policy	1
Janssen, Daniel F.	Civ	Assistant Director, Management Operations, Strategic Defense Initiative Organization	34
Jehn, Christopher	Civ	Assistant Secretary of Defense (Force Management & Personnel)	2
Johnson, Darel S.	Civ	Director, European Policy, Assistant Secretary of Defense (International Security Policy)	5
Juhl, Clarence	Civ	Director, NATO Policy, Assistant Secretary of Defense (International Security Policy)	1
Kahn, William	Civ	Director, Theater Nuclear Forces Policy, Assistant Secretary of Defense (International Security Policy)	1

Karner, Bob	Col	Special Assistant, Director, Strategic & Space Systems, Under Secretary of Defense (Acquisition)	1
Kendall, Cynthia	Civ	Deputy Assistant Secretary of Defense (Information Systems), Assistant Secretary of Defense (Command, Control, Communications & Intelligence)	3
Khalilzad, Zalmay M.	Civ	Assistant Deputy Under Secretary (Policy Planning), Principal Deputy Under Secretary of Defense (Strategy & Resources)	2
Klinger, Gil	Civ	Director, Strategic Forces Policy, Assistant Secretary of Defense (International Security Policy)	2
Koch, Michael E.	Col	Chief of Staff, Defense Commissary Agency	4
Koenig, Harold M.	RAdm	Deputy Assistant Secretary of Defense (Health Services Operations), Assistant Secretary of Defense (Health Affairs)	1
Koller, D. G.	Col	Joint Secretary, United States Pacific Command	6
Kundahl, George G.	Civ	Principal Deputy Assistant Secretary of Defense (Reserve Affairs)	4
Lancaster, Anita	Civ	Assistant Director for Program Management, Defense Manpower Data Center, Assistant Secretary of Defense (Force Management & Personnel)	1
Lanier, Jack O.	Civ	Principal Deputy Assistant Secretary of Defense (Health Affairs)	4
Liles, John U., Jr.	Capt	Commander, Atlantic Intelligence Command, United States Atlantic Command	3
Lilley, James R.	Civ	Assistant Secretary of Defense (International Security Affairs)	1
Lockard, Susan	Civ	Special Assistant for Research, Assistant Secretary of Defense (Legislative Affairs)	1
Mabry, Robert D.	Capt	Deputy Chief of Staff, United States Special Operations Command	6

Malinowski, Paul A.	LtCol	Secretary Joint Staff, United States Special Operations Command	1
Marshall, Andrew W.	Civ	Director, Net Assessment	2
Maude, Timothy J.	BrigGen	Director, Manpower, Personnel and Security, United States European Command	1
McBride, Edmund F.	Civ	Chief, Documents Division, Joint Staff	2
McDevitt, Michael	RAdm	Director, East Asia and Pacific Region, Assistant Secretary of Defense (International Security Affairs)	1
McDonald, W. M.	Civ	Director, Freedom of Information and Security Review, Assistant Secretary of Defense (Public Affairs)	47
McKalip, H. Diehl	Civ	Acting Director, Defense Security Assistance Agency	4
McNikol, David L.	Civ	Deputy Assistant Secretary of Defense (Resource Analysis), Assistant Secretary of Defense (Program Analysis & Evaluation)	1
Minichiello, Lee P.	Civ	Deputy Director, Strategic Arms Control & Compliance, Strategic & Space Systems, Under Secretary of Defense (Acquisition)	1
Mock, William G.	Civ	Regional Director, Deputy Assistant Secretary of Defense (Inter American Affairs), Assistant Secretary of Defense (International Security Affairs)	1
Molholm, Kurt N.	Civ	Administrator, Defense Technical Information Center	3
Needham, T. H.	BrigGen	Commander, Joint Task Force-Full Accounting, United States Pacific Command	5
O'Donnell, William K.	Civ	Executive Assistant, Assistant Secretary of Defense (Command, Control, Communications & Intelligence)	16
Ostovich, Rudolph, III	MajGen	Vice Director, Joint Staff	39
Parry, D. Scott	Capt	Deputy Director of Defense Procurement	13



Pease, Kendell	Capt	Public Affairs Officer, United States Atlantic Command	7
Pendley, William	Civ	Deputy Assistant Secretary (East Asia & Pacific Affairs), Assistant Secretary of Defense (International Security Affairs)	2
Peyer, R. A.	Civ	Deputy Director, Theater Nuclear Forces Policy, Assistant Secretary of Defense (International Security Policy)	1
Priest, P. L. C.	LtCol	Joint Secretary, United States Pacific Command	1
Ptak, Alan C.	Civ	Deputy Assistant Secretary (POW/MIA Affairs), Assistant Secretary of Defense (International Security Affairs)	2
Ra'anan, Michael	Civ	General Counsel, On Site Inspection Agency	2
Reese, Ann P.	Civ	Director, Defense Management Report Implementation Coordination Office	1
Register, Ronnie H.	Civ	Deputy Director for Management, Defense Advanced Research Projects Agency	27
Rhoden, Harold H.	BrigGen	Vice Commander, 9th Air Force, United States Central Command	5
Rudd, Glenn A.	Civ	Deputy Director, Defense Security Assistance Agency	15
Rudman, William N.	Civ	Deputy Under Secretary of Defense (Trade Security Policy)	10
Schacter, Leon J.	Civ	Director, Directorate for Industrial Security Clearance Review, Defense Legal Services Agency	4
Scheflen, Kenneth C.	Civ	Director, Defense Manpower Data Center, Assistant Secretary of Defense (Force Management & Personnel)	7
Schulte, Gregory L.	Civ	Director, Strategic Forces Policy, Assistant Secretary of Defense (International Security Policy)	1
Sharkey, William J.	Civ	Director, Program Support, Assistant Secretary of Defense (Production & Logistics)	2

Smith, Frederick C.	Civ	Director, Near East & South Asian Region, Assistant Secretary of Defense (International Security Affairs)	6
Smith, Mason E.	Col	Deputy Chief of Staff, United States Space Command	4
Spector, Eleanor	Civ	Director, Defense Procurement	1
Steen, Jim	Civ	Special Assistant (International Security Affairs), Assistant Secretary of Defense (Legislative Affairs)	4
Stremple, John L.	Civ	Director, Department of Defense Dependents Schools	5
Stringer, George T.	Col	Executive Assistant to the Department of Defense Comptroller	3
Sullivan, Peter M.	Civ	Acting Deputy Under Secretary of Defense (Trade Security Policy)	1
Trosch, Dennis	Civ	Deputy General Counsel (Acquisition & Logistics), General Counsel	2
Tucker, Alvin	Civ	Deputy Comptroller (Management Systems), Department of Defense Comptroller	2
Vesser, Dale A.	Civ	Assistant Deputy Under Secretary (Plans), Principal Deputy Under Secretary of Defense (Strategy & Resources)	4
Viccellio, Henry, Jr.	LtGen	Director, Joint Staff	1
Vincent, W. Gregory	Maj	Director, Personnel and Administration Directorate, National Defense University	1
Watson, Harvey D.	Col	Deputy Chief of Staff, United States Central Command	1
Woods, Roy S.	Civ	Chief, Congressional Actions and Internal Reports, Directorate of Acquisition Policy & Programs Integration	2
Woodworth, John A.	Civ	Deputy Assistant Secretary of Defense (European and NATO Policy), Assistant Secretary of Defense (International Security Policy)	1

Zakem, Jeffrey S.	Capt	Public Affairs Officer, United States Atlantic Command	8
Zimble, James A.	Civ	President, Uniformed Services University of the Health Sciences	2

**DEPARTMENT OF THE ARMY**

Anderson, Paul B.	Col	Acting Chief, Administrative Law Division, Office of the Judge Advocate General	15
Anderson, Bruce	Civ	Division Counsel-Missouri River District, Corps of Engineers	3
Arquilla, Alfred F.	Col	Chief, Legal Assistance Division, Office of the Judge Advocate General	1
Bagley, Claude	Civ	Division Counsel-Lower Mississippi Valley District, Corps of Engineers	5
Baines, E. Darden	Civ	Chief, Administrative Services, National Guard Bureau	29
Barnes, Joseph R.	Col	Chief, Administrative Law Division, Office of the Judge Advocate General	19
Bates, Dennis L.	Civ	Chief Counsel, Letterkenny Army Depot	4
Baughman, Norman B.	Civ	Division Counsel-Huntsville District, Corps of Engineers	4
Bean, Roger K.	MajGen	Acting The Inspector General	24
Bedwell, Richard E.	Maj	Executive Officer, United States Total Army Personnel Command	9
Berry, Peter T.	MajGen	Commander, United States Army Criminal Investigation Command	666
Black, Richard H.	Col	Chief, Criminal Law Division, Office of the Judge Advocate General	4
Blanton, Barbara A.	Civ	Operations Officer, Freedom of Information/Privacy, United States Army Intelligence and Security Command	35

Bolt, William E.	BrigGen	Director, Force Programs, Office of the Deputy Chief of Staff for Operations and Plans	1
Borland, David	Civ	Director, United States Army Information Systems Selection and Acquisition Agency	44
Boylan, Peter J.	MajGen	Acting The Inspector General	10
Brook, Douglas A.	Civ	Assistant Secretary of the Army for Financial Management	3
Bruns, Thomas E.	Col	Principal Assistant Responsible for Contracting, United States Army Forces Command	42
Bussey, Frederick N.	MajGen	Deputy Surgeon General	76
Cisneros, Marc A.	MajGen	Acting The Inspector General	44
Ciummo, David	Civ	Principal Assistant Responsible For Contracting, United States Army Information Systems Command	6
Cohen, Martin	Civ	Assistant Chief Counsel for Litigation, Corps of Engineers	66
Corman, Roger	Capt	Chief Counsel, Tooele Army Depot	2
Cuthbert, Thomas R.	BrigGen	Assistant Judge Advocate General, Office of the Judge Advocate General	2
Dausman, George E.	Civ	Deputy Assistant Secretary of the Army for Procurement	1
DiGiovani, Joseph	Civ	Division Counsel-New England District, Corps of Engineers	2
Downhour, O. Wayne	Col	Principal Assistant Responsible for Contracting, United States Army Training and Doctrine Command	18
Fisher, Robert L.	Civ	Acting Chief, Administrative Operation Support, United States Army Information Systems Command-Pentagon	59
Fowler, Joseph C., Jr.	Col	Commander, United States Army Claims Service, Office of the Judge Advocate General	2

Fox, Alexander J.	Col	Director, Command, Control, Communications and Computers, United States Army Forces Command	1
Frenette, Richard	Civ	Counsel-Humphreys Engineers Center District, Corps of Engineers	12
Frost, John W.	Col	Acting Commander, United States Army Reserve Personnel Center	11
Fugh, John L	MajGen	The Judge Advocate General	4
Futch, Michael	Civ	Chief Counsel, Tobyhanna Army Depot	2
Gaines, Toni M.	Civ	Acting Principal Assistant Responsible for Contracting, United States Army Forces Command	10
Griffith, Ronald H.	LtGen	The Inspector General	174
Griner, Remer W.	Civ	Chief, Technical Service Branch, United States Total Army Personnel Command	46
Guinan, William J.	Civ	Counsel, United States Army Audit Agency	39
Hall, Warren D.	Col	Chief, Criminal Law Division, Office of the Judge Advocate General	1
Hamilton, Milton H.	Civ	Administrative Assistant, Office of the Secretary of the Army	35
Heath, Herman S.	Col	Deputy Commander, United States Army Safety Center	105
Higgenbotham, Robert D.	LtCol	Acting Chief, Criminal Law Division, Office of the Judge Advocate General	3
Hilts, Earl T.	Civ	Chief, Staff Judge Advocate's Office, Watervliet Arsenal	6
Hiltz, James E.	Civ	Chief, Field Operations Division, United States Total Army Personnel Command	25
Hobbs, Quincy C., Jr.	Col	Principal Assistant Responsible for Contracting, United States Army Contracting Center, Europe	9

Jorgensen, Michael R.	Col	Acting Director, Contracting Division, United States Army Acquisition Executive Support Agency	1
Key, William	Civ	Office of the Staff Judge Advocate, Military Traffic Management Command	4
Kilmartin, Thomas J.	BrigGen	Commander, United States Army Reserve Personnel Center	341
King, Bruce J.	Civ	Acting Director, Contracting Division, United States Army Acquisition Executive Support Agency	1
Klements, Newton	Civ	Division Counsel-North Atlantic District, Corps of Engineers	8
Korte, Edward J.	Civ	Command Counsel, United States Army Materiel Command	3
Kullman, Thomas M.	Col	Staff Judge Advocate, United States Army Materiel Command	90
Lamy, Joel R.	LtCol	Commander, United States Army Health Services Command Acquisition Activity	10
Lancaster, Steven F.	Col	Chief, Administrative Law Division, Office of the Judge Advocate General	36
Lane, Jack F., Jr.	Col	Chief, Standards of Conduct Office, Office of the Judge Advocate General	9
Lingenfelter, Stephen	Civ	Division Counsel-South Atlantic District, Corps of Engineers	6
Lovelady, William N., Jr.	Civ	Laboratory Counsel-Waterways Experiment Station District, Corps of Engineers	12
Lowe, Gregory A.	Col	Commandant, United States Disciplinary Barracks	3
Mahoney, Robert	Civ	Division Counsel-Missouri River District, Corps of Engineers	5
Martin, Joseph G.	Civ	Depot Counsel, Red River Army Depot	7
Michael, Danny R.	Col	Information Management Officer, Office of the Deputy Chief of Staff for Personnel	4

Middleton, Douglas J.	Col	Chief of Staff, United States Army Community and Family Support Center	10
Moore, Edward J.	LtCol	Principal Assistant Responsible for Contracting, United States Army South	1
Murray, Robert E.	MajGen	Assistant Judge Advocate General, Office of the Judge Advocate General	2
Otgen, John P.	MajGen	Acting The Inspector General	4
Page, Reba	Civ	Division Counsel-Ohio River District, Corps of Engineers	3
Parks, W. Hays	Civ	Chief, International Law Branch, Office of the Judge Advocate General	1
Peay, J. H. Binford, III	LtGen	Deputy Chief of Staff for Operations and Plans	183
Petrilli, F. J., Jr.	Col	Director, Administrative Operation Support, United States Army Information Systems Command-Pentagon	47
Pettinato, Bert	Civ	Division Counsel-Pacific Ocean District, Corps of Engineers	1
Phillips, Zane	Civ	Principal Assistant Responsible for Contracting Strategic Defense Command	8
Reakey, Leslie E.	Civ	Chief Counsel, Blue Grass Army Depot	4
Reinke, Cecil	Civ	Division Counsel-North Pacific District, Corps of Engineers	5
Retson, Nicholas	Col	Chief Counsel, United States Army Test and Evaluation Command	1
Rogers, D. Anthony	LtCol	General Counsel, Army and Air Force Exchange Service	57
Rucker, John T.	LtCol	Acting Chief, Criminal Law Division, Office of the Judge Advocate General	1
Sandler, Roger W.	MajGen	Chief, Army Reserve	2
Schweppe, John E.	LtCol	Principal Assistant Responsible for Contracting, United States Army South	1

Sconoyers, Anthony	Civ	Acting Chief Counsel, United States Army Armament, Munitions, and Chemical Command	5
Sealock, Jane B.	Civ	Chief, Freedom of Information/Privacy, United States Army Intelligence and Security Command	335
Shapiro, Alan	Civ	Division Counsel, South Pacific District, Corps of Engineers	5
Solomon, Sandy	Civ	Division Counsel-North Central District, Corps of Engineers	15
Stolarcek, William G.	Col	Deputy Commander, United States Army Safety Center	45
Tempel, Thomas R.	MajGen	Acting Deputy Surgeon General	2
Thomason, Matthew D., III	Civ	Division Counsel-Transatlantic District, Corps of Engineers	8
VanLieu, Edna M.	Civ	Chief, Contracting Division, United States Army Training and Doctrine Command	1
Vela, Hector	Civ	Division Counsel-Southwestern District, Corps of Engineers	1
Wise, Franklin F.	Col	Chief of Staff, United States Total Army Personnel Command	95
Woodard, William D.	Civ	Laboratory Counsel-Construction Engineering Research District, Corps of Engineers	25

### DEPARTMENT OF THE NAVY

Ailes, R. H.	RAdm	Commander, Space and Naval Warfare Systems Command	5
Albrecht, D. A.	Capt	Fleet Judge Advocate, United States Pacific Fleet	2
Almand, L. R.	Cdr	Staff Judge Advocate, Commander, Patrol Wings, United States Pacific Fleet	6
Anderson, R. E.	Cdr	Acting Chief of Staff, Tactical Wings Atlantic, United States Atlantic Fleet	1



Ayers, L. L.	Capt	Vice Commander, Atlantic Division, Naval Facilities Engineering Command	2
Baird, D. W.	RAdm	Commander, Anti-Submarine Warfare Wing, United States Pacific Fleet	1
Baker, E. B.	RAdm	Assistant Deputy Chief of Naval Operations (N3/N5)	3
Barker, M. D.	Capt	Director, Information Resources Division (N65)	1
Batwinis, J. E.	Capt	Staff Judge Advocate, Naval Reserve Recruiting Command, Naval Reserve Force	17
Beard, G. C.	Capt	Chief of Staff, Submarine Group 9, United States Pacific Fleet	7
Becker, F. R.	Capt	Legal Counsel, Bureau of Personnel	18
Bennett, D. M.	VAdm	Inspector General	20
Bentz, J. R.	Capt	Executive Assistant, N2A	9
Bersani, R. R.	Capt	Acting Commander, Pacific Division, Naval Facilities Engineering Command	5
Bozzelli, P. A.	Capt	Deputy Director, Strategy, Plans, Policy and Operations Division (OP-60B)	6
Bremner, B. B.	RAdm	Commander, Medium Attack Tactical Electronic Warfare Wing, United States Pacific Fleet	7
Briggs, S. R.	RAdm	Commander, Fleet Air Western Pacific, United States Pacific Fleet	2
Brown, R. E.	Capt	Commanding Officer, Chesapeake Division, Naval Facilities Engineering Command	19
Browne, H. A.	RAdm	Commander, Naval Space Command	2
Buckendork, W. A.	RAdm	Commanding Officer, Naval Hospital Oakland, United States Pacific Fleet	2
Buffington, J. E.	RAdm	Commanding Officer, Pacific Division, Naval Facilities Engineering Command	5

Cammack, E. G.	Civ	Director, Procurement Policy, Office of the Assistant Secretary of the Navy (Research, Development, & Acquisition)	9
Cantrell, W. H.	RAdm	Commander, Space and Naval Warfare Systems Command	2
Cantwell, L. J.	LtCdr	Staff Judge Advocate, Naval Postgraduate School	1
Carney, P. J.	Capt	Deputy Assistant Judge Advocate General, International Law	1
Carter, R. L.	Col	Director, Manpower Management Information Systems Division, Headquarters, United States Marine Corps	13
Chandler, D. F.	RAdm	Vice Commander, Military Sealift Command	1
Chubb, J. E.	RAdm	Commander, Naval Oceanography Command	2
Cook, D. W.	Capt	Acting Commander, Naval Air Warfare Center (Weapons), Naval Air Systems Command	8
Cook, T. P.	Maj	Staff Judge Advocate, Naval Criminal Investigative Service	948
Cotter, E. F.	Cdr	Staff Judge Advocate, Command Strike Fighter Wing, United States Pacific Fleet	8
Coyle, R. E.	Capt	Staff Judge Advocate, Naval Air Systems Command	184
Crane, T. C.	Capt	Commanding Officer, SouthWest Division, Naval Facilities Engineering Command	11
Dadson, J. B.	Capt	Chief of Staff, Tactical Wings Atlantic, United States Atlantic Fleet	5
Dames, T. A.	RAdm	Commanding Officer, Northern Division, Naval Facilities Engineering Command	19
Davis, G. W.	RAdm	Inspector General	68
Davis, E.	Capt	Deputy Commander, Naval Computer and Telecommunications Command	15
Decicco, W. A.	Cdr	Force Judge Advocate, Naval Air Force, United States Atlantic Fleet	4

Dobler, J. C.	RAdm	Commander, Atlantic Division, Naval Facilities Engineering Command	2
Dur, P. A.	RAdm	Commander, Crusier-Destroyer Group Eight, United States Atlantic Fleet	1
Dwinelle, W. A.	Capt	Commander, Medium Attack Tactical Electronic Warfare Wing, United States Pacific Fleet	11
Earnar, W. A.	RAdm	Director, Office of Budget & Reports, Office of the Comptroller	1
Eddington, D. E.	Capt	Force Judge Advocate, Naval Reserve Force	9
Enterline, E. R.	Capt	Director, Navy Space Systems Division (N63)	6
Epstein, H. S.	Cdr	Staff Judge Advocate, Naval Base San Diego, United States Pacific Fleet	6
Estes, G. B.	RAdm	Commanding Officer, Pacific Division, Naval Facilities Engineering Command	3
Fahy, A. W.	Capt	Commander, Naval Surface Force Group, Long Beach, United States Pacific Fleet	1
Filipiak, F. L.	RAdm	Commanding Officer, Ships Parts Control Center, Naval Supply Systems Command	1
Finch, M. D.	Capt	Deputy Assistant Judge Advocate General, Claims and Tort Litigation	15
Finney, J. H.	RAdm	Commander, Naval Safety Center	18
Fiske, R. N.	Cdr	Deputy Assistant Judge Advocate General, Investigations	92
Fladd, W. R.	Capt	Deputy and Chief of Staff, Naval Surface Force, United States Pacific Fleet	6
Foshay, W. E.	Capt	Chief of Staff, Fleet Air Keflavik, United States Atlantic Fleet	2
Fuller, R. C.	Civ	Inspector General, Naval Intelligence Command	18
Gabriel, C. A.	Capt	Commander, Naval Imaging Command	1

Gallagher, T.	LtCdr	Deputy Staff Judge Advocate, Naval Criminal Investigative Service	152
Gay, R. G.	Capt	Chief of Staff, Submarine Group 10, United States Atlantic Fleet	3
Gentile, C. C.	Lt	Staff Judge Advocate, Naval Security Group Command	2
Granuzzo, A. A.	RAdm	Commander, Naval Safety Center	4
Guinn, R. A.	Lt	Assistant Staff Judge Advocate, Navy Recruiting Command	1
Hagen, D. F.	VAdm	Chief, Bureau of Medicine and Surgery	14
Hancock, W. J.	RAdm	Commander, Cruise Destroyer Group 1, United States Pacific Fleet	1
Hancock, W. A.	Cdr	Assistant Chief of Staff Operations, United States Naval Academy	1
Hardy, D. M.	Cdr	Commander, United States Sixth Fleet, United States Naval Forces, Europe	1
Henebery, J. K.	Cdr	Staff Judge Advocate, Bureau of Medicine and Surgery	2
Hewson, W. C.	Cdr	Deputy Assistant Judge Advocate General, Investigations	165
Hickey, R. P.	RAdm	Director, Manpower and Training Division (N88)	2
Higgins, R. W.	RAdm	Vice Chief, Bureau of Medicine and Surgery	2
Jackson, A.	LtCdr	Acting Deputy Assistant Judge Advocate General, Investigations	11
Jakubiak, T. F.	Cdr	Staff Judge Advocate, Chief of Naval Air Training, Chief of Naval Education and Training	2
Johnston, R. B.	LtGen	Commanding General, Marine Corps Base, Camp Pendleton	1
Jones, D. A.	RAdm	Commander, Submarine Group 8, United States Atlantic Fleet	1

Jones, R. C.	RAdm	Commandant, Naval District Washington	3
Kelley, P. W.	Capt	Deputy Assistant Judge Advocate General, Administrative Law	3
Konetzni, A. H.	Capt	Chief of Staff, Submarine Force, United States Atlantic Fleet	8
Kotzen, P. F.	Civ	Deputy Inspector General	28
Lannon, C. R.	Civ	Deputy Director, Naval Criminal Investigative Service	2
LaValle, A. A.	Civ	Executive Director, Navy Exchange Command, Naval Supply Systems Command	7
Ledvina, T. N.	Capt	Deputy Assistant General Counsel (Installations & Environment)	1
LeGrand, C. M.	Capt	Legal Counsel, Bureau of Personnel	24
Lewis, W. H.	Capt	Acting Commander, Western Division, Naval Facilities Engineering Command	2
Lowe, M. E.	Col	Chief of Staff, Marine Corps Base, Camp Pendleton	2
Luke, J. D.	Capt	Commander, Naval Education and Training Command, Chief of Naval Education and Training	90
Lyons, G. P.	LtCol	Head, FOIA/Privacy Branch (Admin Law)	1
Malley, K. C.	VAdm	Commander, Naval Sea Systems Command	49
Mandsager, D. L.	Capt	Fleet Judge Advocate, United States Pacific Fleet	1
Marsh, L. R.	RAdm	Commander, Submarine Group 9, United States Pacific Fleet	3
Mathis, W. W.	RAdm	Commander, United States Naval Forces Korea Submarine Force, United States Pacific Fleet	1
McCormack, R. C.	Civ	Assistant Secretary of the Navy (Financial Management)	1
McElhaney, M. K.	Civ	Counsel, Naval Facilities Engineering Command	8

Megonigal, W. F.	Col	Director, Manpower Management Information Systems Division, Headquarters, United States Marine Corps	29
Miller, J. E.	RAdm	Commander, Naval Supply Systems Command	9
Mitchell, J. T.	RAdm	Director, Strategic Systems Programs	3
Moeller, R. L.	Capt	Commanding Officer, Western Division, Naval Facilities Engineering Command	9
Mooberry, W. J.	Capt	Executive Director, Naval Safety Center	33
Morgan, E. L.	RAdm	Commander, Submarine Group 2, United States Atlantic Fleet	2
Murphy, E. E.	Lt	Assistant Staff Judge Advocate, Navy Recruiting Command	2
Newbold, K. E.	LtCol	Director, Manpower Management Information Systems Division, Headquarters, United States Marine Corps	3
Newman, W. E.	RAdm	Commander, Naval Air Warfare Center (Weapons), Naval Air Systems Command	38
Oden, L. N.	RAdm	Commander, Naval Training Center, Orlando	1
Parcells, P. W.	RAdm	Commander, Tactical Wings Atlantic, United States Atlantic Fleet	6
Pattarozzi, N. J.	Capt	Commander, Naval Education and Training Command, Chief of Naval Education and Training	44
Paulsen, T. D.	RAdm	Deputy Chief of Staff, United States Pacific Fleet	2
Pease, K.	Capt	Public Affairs Officer, United States Atlantic Fleet	10
Peters, R. K.	Civ	Director, Office of Civilian Personnel Management	2
Prueher, J. W.	RAdm	Commander, Carrier Group 1, United States Pacific Fleet	1
Puncke, F.	Capt	Acting Commander, Pacific Division, Naval Facilities Engineering Command	3

Putnam, W. L.	Capt	Deputy Comptroller	4
Pyland, L. R.	Capt	Acting Commander, Pacific Division, Naval Facilities Engineering Command	1
Quigley, S. T.	Capt	Deputy Director, Strategy & Policy	6
Ramsay, K. P.	Cdr	Staff Judge Advocate, Navy Recruiting Command	2
Randall, T. E.	Capt	Fleet Judge Advocate, United States Naval Forces, Europe	2
Rever, J. N.	Capt	Vice Commander, Atlantic Division, Naval Facilities Engineering Command	4
Rever, B. L.	Capt	Commanding Officer, Southern Division, Naval Facilities Engineering Command	2
Reynolds, A. A.	Capt	Fleet Judge Advocate, Naval Air Force, Pacific, United States Pacific Fleet	25
Rich, R. L.	RAdm	Chief of Naval Technical Training, Chief of Naval Education and Training	1
Riddell, R. A.	RAdm	Commander, Submarine Group 9, United States Pacific Fleet	5
Ritter, D. L.	Civ	Admin Officer, Information Technology Acquisition Center, Naval Information Systems Management Center	19
Roach, A. J.	LtCol	Acting Deputy Assistant Judge Advocate General, Claims and Tort Litigation	1
Robinson, D. B.	RAdm	Deputy and Chief of Staff (Operations), United States Pacific Fleet	1
Rossi, R. R.	Capt	Deputy Assistant Judge Advocate General, Admiralty	7
Ruble, D. R.	RAdm	Vice Commander, Naval Supply Systems Command	1
Ruck, M. W.	RAdm	Commander, Combat Logistics Group 1, United States Pacific Fleet/Commander, Naval Base San Francisco, United States Pacific Fleet	8

Runberg, B. L.	Capt	Commanding Officer, Southern Division, Naval Facilities Engineering Command	4
Rushing, J. M.	Capt	Director, Afloat Safety Programs, Naval Safety Center	1
Saalfeld, F. E.	Civ	Director, Office of Naval Research	2
Santamaria, D. F.	Capt	Commander, Amphibious Group Three, United States Pacific Fleet	1
Sareeram, R. R.	RAdm	Director, Supply Programs and Policy Division (N41)	1
Schmitt, C. H.	Civ	Deputy Director, Naval Nuclear Propulsion (N00N)	16
Selfridge, H. E.	Capt	Deputy and Chief of Staff, Naval Surface Force, United States Pacific Fleet	4
Shaffer, R. L.	Civ	Auditor General of the Navy	12
Shaffer, R. L.	RAdm	Staff Judge Advocate, Logistics Group Two, United States Atlantic Fleet	2
Simms, R. G.	Capt	Commander, Naval Activities Spain, United States Naval Forces, Europe	1
Sisa, S. A.	Capt	Executive Assistant, Naval Intelligence (N2A)	12
Smallman, J.	Lt	Staff Attorney, Naval Criminal Investigative Service	135
Smith, G. R.	Cdr	Executive Officer, Chesapeake Division, Naval Facilities Engineering Command	3
Stennick, J. F.	Col	Chief of Staff, Marine Corps Base, Camp Pendleton	4
Stoutamire, S.	Capt	Inspector General, Naval Computer and Telecommunications Command	1
Straw, Edward M.	RAdm	Vice Commander, Naval Supply Systems Command	1
Studds, J. A.	MajGen	Commanding General, Marine Corps Recruiting District, Western Recruiting Region, San Diego	1
Stutzel, R. H.	Maj	Director, Admin Support Division, NAMARA	68



Tanner, T. J.	Capt	Commanding Officer, Northwest Division, Naval Facilities Engineering Command	26
Taylor, R. A.	Capt	Acting Commander, Southern Division, Naval Facilities Engineering Command	1
Terry, W. A.	RAdm	Commander, Logistics Group Two, United States Atlantic Fleet	2
Tiebout, R. A.	LtGen	Deputy Chief of Staf, Installations and Logistics, Headquarters, United States Marine Corps	1
Villemez, C. J.	Capt	Deputy Assistant Judge Advocate General, Civil Affairs	3
Walsh, R. M.	RAdm	Assistant Vice Chief of Naval Operations (N09B)	1
Waters, W. A.	Capt	Commanding Officer, Northern Division, Naval Facilities Engineering Command	1
Williams, J. A.	Capt	Staff Judge Advocate, Naval Surface Force, United States Atlantic Fleet	9
Wilmot, L. C.	RAdm	Vice Chief, Chief of Naval Education and Training	2
Wilson, R. A.	RAdm	Commander, Carrier Group 7, United States Pacific Fleet	1
Winglass, R. A.	LtGen	Deputy Chief of Staff, Installations and Logistics, Headquarters, United States Marine Corps	11
Witherspoon, P. A.	Civ	Director, Office of Civilian Personnel Management Northeast Region	1
Wities, R. B.	LtCdr	Staff Judge Advocate, Naval Intelligence Command	1
Worthington, G. R.	RAdm	Commander, Naval Special Warfare Command, California, Chief of Naval Education and Training	3
Wright, W. H.	RAdm	Director, Operations, Plans, Politico-Military Affairs (N31/52)	3

Wright, J. C.	Capt	Executive Officer, Public Works Center, San Diego, Naval Facilities Engineering Command	6
Wylie, P. C.	Capt	Deputy Assistant Judge Advocate General, General Litigation	1
Zakem, J. S.	Capt	Public Affairs Officer, United States Atlantic Fleet	6

**DEPARTMENT OF THE AIR FORCE**

Almquist, Tommy B.	Col	Director of Reports & Analysis, Headquarters Air Force Safety Agency	17
Anderson, Ty	LtCol	Acting Director, Information Management Headquarters, Tactical Air Command	30
Anderson, Wayne L.	LtCol	Acting Director, Information Management Headquarters, Tactical Air Command	14
Bailey, Gregory	Col	Commander/Vice Commander , 16th Air Force, Headquarters United States Air Forces in Europe	30
Baines, E. Darden	Civ	Director, Administrative Services, National Guard Bureau	49
Bauerlein, Robert R.	Civ	Deputy Under Secretary of the Air Force, International Affairs	4
Baugh, Robert L.	Civ	Assistant Auditor General (Operations), Headquarters Air Force Audit Agency	2
Beach, John W.	Civ	Deputy Assistant Secretary of the Air Force (Financial Management & Comptroller)	2
Blankenbeker, Joan W.	Col	Director, Information Management, Headquarters Air Training Command	33
Bracken, E. R.	MajGen	Chief of Staff, Headquarters Air Force Logistics Command	2
Block, David O.	Maj	Acting Director, Information Management, Headquarters Air Force Space Command	1
Boles, Billy J.	LtGen	Deputy Chief of Staff for Personnel, Headquarters U.S. Air Force.	3

Boyd, Richard L.	Maj	Director, Information Management, Headquarters Air University	9
Brotzman, Robert	Col	Vice Commander, 3d Air Force, Headquarters United States Air Forces in Europe	28
Buethe, Robert A.	MajGen	Director of Medical Plans and Resources, Office of the Surgeon General, Headquarters United States Air Force	34
Burke, Jerry M.	Civ	Acting Director, Information Management, Headquarters Air Force Materiel Command	1
Burton, William M.	LtCol	Director, Security & Oversight, 696 Intelligence Group, Air Force Intelligence Command	3
Caulfield, John B.	LtCol	Acting Commander, 696 Intelligence Group, Air Force Intelligence Command	2
Chambers, James	MajGen	Commander, 17th Air Force, Headquarters United States Air Forces in Europe	2
Chapman, Thomas N.	Col	Director, Information Management, Headquarters Air Combat Command	75
Closner, John J.	MajGen	Chief, Air Force Reserve, Headquarters United States Air Force	5
Cole, J. B.	Civ	Director, Air Force Center for Environmental Excellence	2
Colley, King S.	CMSgt	Acting Director, Information Management, Headquarters Air University	2
Cooper, J. G.	Civ	Assistant Secretary of the Air Force (Manpower, Reserve Affairs, Installations & Environment)	2
Couto, C. Douglass	LtCol	Director, Information Management, Headquarters Air Force Intelligence Command	9
Cozza, James A.	Col	Director, Information Management, Headquarters, Pacific Air Forces	61
Creller, Bruce O.	Col	Chief of Staff, Air Force Military Personnel Center	77
Crooper, Thomas L.	LtCol	Acting Chief of Staff, Human Systems Center	1

D'Alexander, Joseph F.	Civ	Executive Assistant, Sacramento Air Logistics Center, Headquarters Air Force Materiel Command	17
Darby, Thomas A.	Col	Director, Information Management, Headquarters Air Mobility Command/Director, Information Management, Headquarters Military Airlift Command	129
Debellevue, Charles B.	Col	Chief of Staff, Air Force Flight Test Center, Headquarters Air Force Systems Command	9
Delligatti, Robert	MajGen	Chief of Staff, Headquarters United States Air Forces in Europe	11
Diekman, Jack L.	Col	Director, Information Management, Headquarters, Tactical Air Command/Director, Information Management, Headquarters, Air Combat Command	67
Donley, Michael B.	Civ	Assistant Secretary of the Air Force (Financial Management & Comptroller)	1
Dorger, John M.	Col	Chief of Staff, Headquarters United States Air Force Academy	7
East, Belinda A.	Maj	Director, Information Management, Headquarters Air University	4
Ervin, Marvin E.	BrigGen	Director of Intelligence Plans & Requirements, Assistant Chief of Staff, Intelligence	3
Fairbrother, Clarence L.	Col	Commander, 696 Intelligence Group, Air Force Intelligence Command	10
Fischer, Eugene H.	LtGen	The Inspector General, Office Secretary of the Air Force	11
Fister, Bruce L.	MajGen	Commander, Headquarters Air Force Special Operations Command	6
Flora, Gary	Civ	The Civil Engineer, Headquarters United States Air Force	2
Flynn, Mary F.	LtCol	Acting Director, Information Management, Headquarters Air Mobility Command/Acting Director, Information Management, Headquarters Military Airlift Command	12

Freeman, Bruce M.	Col	Chief of Staff, Headquarters Pacific Air Forces	3
Fry, Cecil W.	Civ	Director, Information Release, Headquarters Air Force Office of Special Investigations	513
Gatliff, Robert E.	Col	Vice Commander, Air Force Military Personnel Center	1
Gereg, Samuel W.	Civ	Acting Chief of Staff, Air Force Development Test Center, Headquarters Air Force Materiel Command/Acting Chief of Staff, Air Force Development Test Center, Headquarters Air Force Systems Command	16
Gideon, Francis C., Jr.	BrigGen	Commander, Foreign Aerospace Science & Technology Center, Air Force Intelligence Command	3
Gillis, R. F.	MajGen	Commander, Warner Robins Air Logistics Center, Headquarters Air Force Logistics Command	1
Grime, Jeffrey R.	BrigGen	Deputy Director, Office of Legislative Liaison, Office Secretary of the Air Force	3
Hammond, Trevor A.	LtGen	Deputy Chief of Staff, Logistics, Headquarters United States Air Force	1
Hannan, Stephen J.	Civ	Director, Information Systems Support, Headquarters Air Reserve Personnel Center	5
Harris, Marcelite	BrigGen	Vice Commander, Oklahoma City Air Logistics Center, Headquarters Air Force Materiel Command/Vice Commander, Oklahoma City Air Logistics Center, Headquarters Air Force Logistics Command	11
Harvey, George C.	Col	Vice Commander, Air Force District of Washington	19
Heinke, Wayne R.	Col	Director, Information Management, Headquarters Air Force Space Command	1
Hokkanen, Jerry	Col	Vice Commander, 17th Air Force, Headquarters United States Air Forces in Europe	20
Honeycutt, David F.	Col	Commander, Air Force Morale, Welfare & Recreation Agency	1

Hopson, Everett G.	Civ	Chief, General Law Division, Office of the Judge Advocate General, Headquarters United States Air Force	22
Hosmer, Bradley C.,	LtGen	Superintendent, Headquarters United States Air Force Academy	1
Idrigo, Samuel	Civ	Executive Assistant, San Antonio Air Logistics Center, Headquarters Air Force Materiel Command/Executive Assistant, San Antonio Air Logistics Center, Headquarters Air Force Logistics Command	19
Irving, George W.	Col	Chief of Staff, Human Systems Center, Headquarters Air Force Materiel Command/Chief of Staff, Human Systems Division, Headquarters Air Force Systems Command	19
Jaeger, James A.	Col	Commander, Air Force Technical Applications Center	3
Jaynes, Jay J	Col	Acting Chief of Staff, Headquarters Air Force Intelligence Command	3
Jones, Roger A.	BrigGen	Staff Judge Advocate, Headquarters Strategic Air Command	20
Judd, Thayne H.	Col	Acting Chief of Staff, Headquarters United States Air Force Academy	1
Klich, Michael A.	LtCol	Director, Information Management, Headquarters Air Force Space Command	82
Krebs, Richard A.	Col	Vice Commander, Air Force Technical Applications Center	3
Lahendro, Albert	Col	Acting Chief of Staff, Space Systems Division, Headquarters Air Force Systems Command	2
Lara, Corrine E.	Maj	Acting Director, Information Management, Headquarters Air Forces Space Command	2
Lauher, John	Col	Vice Commander, 17th Air Force, Headquarters United States Air Forces in Europe	32

Layman, Lester C., Jr.	Civ	Acting Director, Information Management, Headquarters Air Force Materiel Command/Director, Information Management, Headquarters Air Force Systems Command	7
Letellier, Patrick J.	Col	Commander, Investigative Operations Center, Headquarters Air Force Office of Special Investigations	3
Link, Charles	MajGen	Commander, 3d Air Force, Headquarters United States Air Forces in Europe	8
Lorber, John G.	MajGen	Director of Operations, Deputy Chief of Staff, Plans and Operations, Headquarters United States Air Force	2
Loverro, Stephanie R.	Maj	Deputy Chief of Staff, Electronic Systems Center	2
Lidwig, Robert H.	LtGen	Deputy Chief of Staff for Command, Control, Communications & Computers, Headquarters United States Air Force	1
Macharoni, F. A.	LtCol	Director, Information Management, Headquarters Air Force Logistics Command	13
Mannell, Stephen C.	Col	Chief of Security Police, Headquarters United States Air Force	1
May, Charles A., Jr.	LtGen	Assistant Vice Chief of Staff	1
McBride, James	Col	Acting Chief of Staff, Space and Missile Systems Center	9
McFalls, J. O.	BrigGen	Deputy Director, Office of Legislative Liaison, Office Secretary of the Air Force	5
McGovern, Francis X.	LtCol	Acting Director, Information Management, Headquarters Air Mobility Command	7
McInerney, Thomas G.	LtGen	Assistant Vice Chief of Staff	1
McNabb, Dale E.	Civ	Deputy Director, Office of Small & Disadvantaged Business Utilization, Office, Secretary of the Air Force	1
McNamara, Roger	Civ	Attorney Advisor to the Assistant General Counsel, Office, Secretary of the Air Force	2

McPherson, Carl L.	Col	Chief of Staff, headquarters Air Force Special Operation Command	10
Messerli, Glenn E.	Col	Chief of Staff, Air Force Development Test Center, Headquarters Air Force Systems Command/Chief of Staff, Air Force Development Test Center, Headquarters Air Force Materiel Command	32
Milam, Daivid W.	Col	Chief of Staff, Aeronautical Systems Center, Headquarters Air Force Materiel Command/Chief of Staff, Aeronautical Systems Division, Headquarters Air Force Systems Command	24
Miller, Brian D.	LtCol	Director, Information Management, Headquarters Air Force Communications Command	117
Miller, James E., Jr.	Col	Commander, Foreign Aerospace Science & Technology Center, Air Force Intelligence Command	4
Miller, Judy Ann	Civ	Principal Deputy Assistant Secretary (Manpower, Reserve Affairs, Installations & Environment), Office Secretary of the Air Force	2
Minihan, Kenneth A.	BrigGen	Director of Intelligence Plans & Requirements, Assistant Chief of Staff Intelligence, Headquarters United States Air Force	3
Mock, James W. III	Col	Chief of Staff, Headquarters Air Force Intelligence Command	27
Monsour, Lawrence F.	Col	Director, Information Management, Headquarters Air Training Command	56
Mooreman, William A.	Col	Acting Staff Judge Advocate, Headquarters Strategic Air Command	17
Mullen, John P.	Civ	Acting Executive Assistant, Warner Robins Air Logistics Center	3
Myers, Arthur J.	Civ	Deputy Director, Air Force Morale Welfare Recreation & Services	5
Norwood, George W.	BrigGen	Deputy Inspector General, Office Secretary of the Air Force	15



Nuber, Philip W.	BrigGen	Assistant Deputy Under Secretary (International Affairs)	1
Oakes, Howard J.	Col	Chief of Staff, Electronics Systems Center, Headquarters Air Force Materiel Command/Chief of Staff, Electronics Systems Division, Headquarters Air Force Systems Command	63
O'Berry, Carl G.	MajGen	Deputy Chief of Staff for Command, Control, Communications & Computers, Headquarters United States Air Force	7
O'Brien, William E.	Col	Chief of Staff, Space and Missile Systems Center, Headquarters Air Force Materiel Command/Chief of Staff, Space Systems Division, Headquarters Air Force Systems Command	68
O'Lear, Richard J.	MajGen	Assistant Chief of Staff Intelligence, Headquarters United States Air Force	2
Olschnel, C. E.	Col	Vice Commander, 16th Air Force, Headquarters United States Air Forces in Europe	38
O'Shaughnessy, Gary W.	MajGen	Commander, Air Force Intelligence Command	2
Pardini, Edward A.	Col	Director, Information Management, Office Secretary of the Air Force	1
Parker, Charles W.	Col	Commander, Headquarters Air Force Safety Agency	73
Pasieczny, Reginald E.	Col	Acting Chief of Staff, Headquarters United States Air Force Academy	2
Pavich, M. D.	MajGen	Commander, Sacramento Air Logistics Center, Headquarters Air Force Logistics Command	2
Peterson, Richard A.	Civ	Acting Chief, General Law Division, Headquarters United States Air Force	2
Pugh, Larry G.	Civ	Executive Assistant, Warner Robins Air Logistics Center, Headquarters Air Force Materiel Command/Executive Assistant, Warner Robins Air Logistics Center, Headquarters Air Force Logistics Command	73

Rak, Daniel S.	Civ	Deputy Assistant Secretary (Acquisition), Office Secretary of the Air Force	5
Ramsey, Stephen F.	Col	Chief of Staff, Headquarters United States Air Force Academy	8
Rauschkolb, Richard S.	Col	Commander, Headquarters Air Force Historical Research Agency	1
Ray, Alan C.	Col	Chief of Staff, Air Force Development Test Center	23
Rhoden, Harold H.	BrigGen	Deputy Inspector General, Office Secretary of the Air Force	22
Riddick, Richard	Col	Vice Commander, 3d Air Force, Headquarters United States Air Forces in Europe	22
Rooney, Basil	Col	Vice Commander, 17th Air Force, Headquarters United States Air Forces in Europe	1
Rosenmeier, Harvey O.	Col	Chief of Staff, Headquarters Air Force Reserve	8
Ross, Charles E., Jr.	Capt	Acting Director, Information Management, Headquarters Air University	3
Saxon, Vernon P.	Col	Vice Commander, Air Force Flight Test Center	6
Smallwood, Glenn H.	Col	Director, Information Management, Headquarters Air Force Materiel Command	5
Snell, Linwood	Col	Assistant Chief of Staff, Headquarters United States Air Forces in Europe	6
Speelman, Thomas Jr.	Col	Assistant Chief of Staff, Headquarters United States Air Forces in Europe	7
Spiers, Joseph K.	MajGen	Commander, Oklahoma City Air Logistics Center, Headquarters Air Force Materiel Command/Commander, Oklahoma City Air Logistics Center, Headquarters Air Force Logistics Command	15
Spitzer, Leonard S.	Col	Military Assistant to the Administrative Assistant to the Secretary of the Air Force	1
Stanford, Kenneth L.	Col	Vice Commander, Air Force Technical Applications Center	1

Stapleton, Joseph K.	BrigGen	Deputy Inspector General, Office Secretary of the Air Force	1
Steele, Stephen	Col	Assistant Chief of Staff, Headquarters United States Air Forces in Europe	4
Stewart, Todd I.	Col	Deputy Civil Engineer, Headquarters United States Air Force	1
Teiber, Joseph F., Jr.	Col	Director, Information Management, Headquarters Air Force Reserve	30
Thompson, Barry L.	Col	Acting Deputy Inspector General, Office Secretary of the Air Force	2
Thompson, Dale	MajGen	Commander, Ogden Air Logistics Center, Headquarters Air Force Materiel Command/Commander, Ogden Air Logistics Center, Headquarters Air Force Logistics Command	5
Tillstrom, Richard P.	Col	Chief of Staff, Air Force Military Personnel Center	62
Townsley, Emory	LtCol	Acting Staff Judge Advocate, Headquarters Strategic Air Command	4
Traczyk, Jeffrey S.	Maj	Acting Director, Information Management, Headquarters Air Force Space Command	11
Trowbridge, Donald C.	LtCol	Vice Commander, Air Force District of Washington	11
Vick, James L.	BrigGen	Commander, Air Force District of Washington	2
Walker, Johnny R.	Maj	Acting Director, Information Management, Headquarters Air Combat Command	7
Walters, Charles W.	Col	Vice Commander, Air Force District of Washington	6
Weaver, Richard L.	Col	Deputy for Security & Investigative Programs, Office Secretary of the Air force	24
White, Eugene J., Jr.	Civ	Chief, Information Security, Office of the Chief of Security Police, Headquarters United States Air Force	1

White, James H.	Col	Commander, Headquarters Air Reserve Personnel Center	3
White, James P.	Col	Chief of Staff, Headquarters Air Force Special Operations Command	3
Wilbur, David M.	LtCol	Acting Director, Information Management, Headquarters, Tactical Air Command/Acting Director, Information Management, Headquarters Air Combat Command	41
Williams, Billy L.	Civ	Chief, Administrative Communications & Records Management Division, Headquarters Air Training Command	19

**DEFENSE CONTRACT AUDIT AGENCY**

Della Bernarda, D.	Civ	Regional Director, Eastern	4
Kraft, William	Civ	Regional Director, Mid-Atlantic	2
Matter, Robert	Civ	Regional Director, Western	2
Topf, Bernard	Civ	Regional Director, Northeastern	1
Valenzuela, Joel	Civ	Regional Director, Central	2
Wohlhueter, Robert	Civ	Chief, Information Resources Management Branch, Headquarters	4

**DEFENSE FINANCE AND ACCOUNTING SERVICE**

Bitz, Gregory P.	Civ	Director, Defense Finance and Accounting Service-Kansas City Center	3
Coleman, Jerry	Civ	Acting Director, Defense Finance and Accounting Service-Denver Center	2
Dennis, Carroll W.	Civ	Director, Defense Finance and Accounting Service-Headquarters	3
George, Harold	Civ	Privacy Action/Freedom of Information Officer-Cleveland Center	1

Jeffcoat, Clyde E.	Civ	Director, Defense Finance and Accounting Service-Denver Center	1
McQuality, James	Civ	Acting Director, Defense Finance and Accounting Service-Denver Center	1
Nabil, John S.	Civ	Director, Defense Finance and Accounting Service-Denver Center	1
Scott, Jeffrey A.	Civ	Privacy Action/Freedom of Information Officer-Cleveland Center	1
Williams, Jay	Civ	Director, Defense Finance and Accounting Service-Cleveland Center	9
Wilson, Michael E.	Civ	Director, Defense Finance and Accounting Service-Indianapolis Center	8

**DEFENSE INTELLIGENCE AGENCY**

Richardson, Robert P.	Civ	Chief, Freedom of Information Act Staff	391
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**DEFENSE INVESTIGATIVE SERVICE**

Hartig, Dale L.	Civ	Chief, Office of Information and Public Affairs	25
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**DEFENSE INFORMATION SYSTEMS AGENCY**

Chadick, Susan M.	Civ	General Counsel	37
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**DEFENSE LOGISTICS AGENCY**

Bliss, Stephen M.	BrigGen	Commander, Defense Fuel Supply Center	2
Browning, Richard	BrigGen	Commander, Defense Construction Supply Center	5
Cashman, James F.	Col	Commander, Defense Contract Management District North	1

Castle Berry, John	Col	Chief of Staff, Defense Personnel Support Center	125
Cook, Janet C.	Civ	Staff Director, Contracting Integrity	4
Correll, C. D.	Capt	Commander, Defense Distribution Depot-Ogden	1
Curry, M. D.	Capt	Commander, Defense Distribution Depot-Ogden	1
Ellis, Ernest D.	Civ	Deputy Executive Director, Quality Assurance	1
Flessate, G. C.	Civ	Staff Director, Congressional Affairs	1
Garret, L. T.	BrigGen	Commander, Defense Electronic Supply Center	4
Grosse, Vinson G.	Col	Commander, Defense Contract Management District South	13
Klick, Jean E.	BrigGen	Commander, Defense Contract Management District West	20
Knapp, Thomas J.	Civ	Assistant Director, Information Systems & Technology	3
Kobernus, George	Col	Commander, Defense Logistics Services Center	3
Labounty, James W.	Col	Commander, Defense Distribution Region West	5
Lebarron, R. S.	Col	Acting Commander, Defense Electronic Supply Center	1
Lehman, Miles R.	Col	Staff Director, Command Security	4
Lenius, Harlan J.	Col	Staff Director, Command Security	12
Malone, Michael J.	Civ	Associate General Counsel	1
McCoy, Ray	Col	Commander, Defense Industrial Supply Center	12
Roy, Roger C.	Civ	Assistant Director, Policy & Plans	1
Simpson, L. E.	Col	Commander, Defense Logistics Services Center	1
Stewart, John N.	Col	Commander, Defense Reutilization & Marketing Service	57
Thompson, Lee	Col	Commander, Defense Contract Management District Central	9

Town, D. S.	Col	Acting Commander, Defense General Supply Center	2
Tucker, Gary C.	Col	Staff Director, Administration/Commander, Defense Logistics Agency Administrative Support Center	10

**DEFENSE MAPPING AGENCY**

Bishop, David L.	Civ	Associate General Counsel	1
Deranger, Andrew H.	Civ	Associate General Counsel	11
Peterson, Craig A.	Capt	Director, Defense Mapping Agency Combat Support Center	2
Sluis, James	Col	Chief of Staff	10

**DEFENSE NUCLEAR AGENCY**

Ullrich, George W.	Civ	Deputy Director	33
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**NATIONAL RECONNAISSANCE OFFICE**

Isham, Joanne O.	Civ	Director, External Relations	4
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**NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE**

Gronet, Richard W.	Civ	Director of Policy, Office of Policy	2
Smith, Michael A.	Civ	Director of Policy, Office of Policy	365

**OFFICE OF THE INSPECTOR GENERAL, DOD**

Dulacki, Nadine K.	Civ	Chief, Freedom of Information/Privacy Act Office	222
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## Item 4

### Appeal Determinations

<b>Component</b>	<b>Total Requests</b>	<b>Granted in Full</b>	<b>Denied in Part</b>	<b>Denied in Full</b>	<b>Other</b>	<b>Total Actions*</b>
OSD/JS	120	13	28	8	72	121
Dept Army	272	15	51	164	42	272
Dept Navy	488	13	76	234	165	488
Dept Air Force	392	7	59	223	96	385
DCAA	4	4	0	0	0	4
DFAS	1	0	1	0	0	1
DIA	111	1	80	30	0	111
DIS	5	0	2	2	1	5
DISA	3	0	0	3	0	3
DLA	28	4	8	6	10	28
DMA	3	0	2	0	1	3
DNA	7	0	0	2	5	7
NRO	0	0	0	0	0	0
NSA/CSS	60	6	7	47	0	60
OIG, DOD	29	0	18	3	8	29
<b>DOD Totals</b>	<b>1,523</b>	<b>63</b>	<b>332</b>	<b>722</b>	<b>400</b>	<b>1,517</b>

\* Total Actions may exceed Total Requests because more than one action may be taken on a single request.



## Item 5(a)

### Exemptions Invoked on Appeal Determinations

Component	Exemptions by Number (5 U.S.C. 552(b))									Total*
	1	2	3	4	5	6	7	8	9	
OSD/JS	18	1	0	4	16	9	0	0	0	48
Dept Army	25	33	1	14	106	107	67	0	0	353
Dept Navy	37	56	9	12	82	63	67	0	0	326
Dept Air Force	17	16	7	20	108	77	64	0	0	309
DCAA	0	0	0	0	0	0	0	0	0	0
DFAS	0	0	0	0	1	0	0	0	0	1
DIA	83	50	0	0	0	21	0	0	0	154
DIS	0	2	0	2	3	1	2	0	0	10
DISA	0	0	3	0	0	0	0	0	0	3
DLA	0	0	0	3	7	3	5	0	0	18
DMA	2	0	2	0	1	0	1	0	0	6
DNA	1	0	1	0	0	1	0	0	0	3
NRO	0	0	0	0	0	0	0	0	0	0
NSA/CSS	20	2	57	1	1	2	0	0	0	83
OIG, DOD	0	2	0	0	5	2	21	0	0	30
<b>DOD Totals</b>	<b>203</b>	<b>162</b>	<b>80</b>	<b>56</b>	<b>330</b>	<b>286</b>	<b>227</b>	<b>0</b>	<b>0</b>	<b>1,344</b>
<b>Percent of Total</b>	<b>15%</b>	<b>12%</b>	<b>6%</b>	<b>4%</b>	<b>25%</b>	<b>21%</b>	<b>17%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>

\* Total may not agree with denials in 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							Total
	Army	Navy	Air Force	DISA	DMA	DNA	NSA/CSS	
10 USC 128		4						4
10 USC 130		1	3					4
10 USC 1102		1	2					3
10 USC 2796					2			2
18 USC 798							16	16
41 USC 423			1	3				4
42 USC 2161-2168 (P.L. 703)		3	1			1		5
50 USC 402 <u>Note</u> Sec 6, P.L. 86-36							25	25
National Security Act of 1947, Sub- section 102 (d)(3) as amended (50 USC 403 (d)(3))							16	16
Sec 822, Natl Def Auth Act, FY 90 & 91 (P.L. 101-189; 103 Stat 1503)	1							1
<b>Agency Totals</b>	<b>1</b>	<b>9</b>	<b>7</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>57</b>	<b>80</b>

## Item 5(c)

### Other Reasons Cited on Appeal Determinations

Component	Category*						Total
	1	2	3	4	5	6	
OSD/JS	9	20	0	6	37	0	72
Dept Army	0	33	0	3	6	0	42
Dept Navy	36	2	0	36	91	0	165
Dept Air Force	0	93	0	0	3	0	96
DCAA	0	0	0	0	0	0	0
DFAS	0	0	0	0	0	0	0
DIA	0	0	0	0	0	0	0
DIS	0	0	0	0	1	0	1
DISA	0	0	0	0	0	0	0
DLA	2	3	0	0	5	0	10
DMA	0	0	0	0	0	1	1
DNA	0	1	0	3	1	0	5
NRO	0	0	0	0	0	0	0
NSA/CSS	0	0	0	0	0	0	0
OIG, DOD	2	2	0	1	3	0	8
<b>DOD Totals</b>	<b>49</b>	<b>154</b>	<b>0</b>	<b>49</b>	<b>147</b>	<b>1</b>	<b>400</b>

**\* Types of Categories**

1. Transferred Request
  2. Lack of Records
  3. Failure of Requester to Reasonably Describe Record
  4. Other Failures by Requester to Comply with Published Rules and/or Directives
  5. Request Withdrawn by Requester
  6. Not an Agency Record
- (see page 8 for description of each category)

## Item 6

### Appeal Denial Authorities by Participation

Name	Rank	Title	Number of Instances
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#### OSD/JS

Taylor, Robert W.	Civ	Principal Deputy Assistant Secretary of Defense (Public Affairs)	9
Williams, Pete	Civ	Assistant Secretary of Defense (Public Affairs)	27

#### DEPARTMENT OF THE ARMY

Grayson, William E.	Civ	Principal Deputy General Counsel, Office of the Army General Counsel	72
Gamboa, Anthony H.	Civ	Deputy General Counsel (Acquisition), Office of the Army General Counsel	11
Peck, Darrell L.	Civ	Deputy General Counsel (Military & Civil Affairs), Office of the Army General Counsel	65
Reres, Matt	Civ	Deputy General Counsel (Fiscal Law & Policy), Office of the Army General Counsel	22
Taylor, Thomas W.	Civ	Deputy General Counsel (Installations and Operations), Office of the Army General Counsel	45

#### DEPARTMENT OF THE NAVY

Albrecht, D. A.	Capt	Assistant Judge Advocate General (Civil Law)	82
Dombrowski, J. E.	Capt	Acting Assistant Judge Advocate General (Civil Law)	1
Geer, J. J.	Capt	Acting Assistant Judge Advocate General (Civil Law)	17

Guy, D. A.	Capt	Assistant Judge Advocate General (Civil Law)	65
McCoy, D. F.	Capt	Assistant Judge Advocate General (Civil Law)	67
Wilcox, H. J.	Civ	Deputy General Counsel (Logistics)	78

**DEPARTMENT OF THE AIR FORCE**

Davidson, William A.	Civ	Deputy Administrative Assistant, Office, Secretary of the Air Force	281
McCormick, Robert J.	Civ	The Administrative Assistant, Office, Secretary of the Air Force	1

**DEPARTMENT CONTRACT AUDIT AGENCY**

None

**DEFENSE FINANCE AND ACCOUNTING SERVICE**

Springett, John P.	Civ	Acting Director	1
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**DEFENSE INTELLIGENCE AGENCY**

Clift, Denis A.	Civ	Chief of Staff	108
Prombain, Louis A.	Civ	Acting Chief of Staff	2

**DEFENSE INVESTIGATIVE SERVICE**

Donnelly, John F.	Civ	Director	4
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**DEFENSE INFORMATION SYSTEMS AGENCY**

Short, Alonzo E., Jr.	LtGen	Director	3
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**DEFENSE LOGISTICS AGENCY**

Farrell, L. P., Jr.	MajGen	Deputy Director	5
Henry, C. R.	MajGen	Commander, Defense Contract Management Command	1
McCausland, C.	LtGen	Director	4
Straw, E. M.	VAdm	Director	4

**DEFENSE MAPPING AGENCY**

Obloy, Edward J.	Civ	General Counsel	2
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**DEFENSE NUCLEAR AGENCY**

Hagemann, Kenneth L.	MajGen	Director	2
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**NATIONAL RECONNAISSANCE OFFICE**

None

**NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE**

Parsons, Donald L.	Civ	Executive Director	8
Prestel, Robert L.	Civ	Deputy Director	46

**OFFICE OF THE INSPECTOR GENERAL, DOD**

Lutsch, Nicholas T.	Civ	Assistant Inspector General of Administration and Information Management	21
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## Item 7

### Court Opinion and Actions Taken

#### OSD/JS

**Antuco v. DoD**, C.A. No. 91-3177, U.S.D.C. DC, December 12, 1991. Plaintiff sought documents related to technology transfers to Iraq, which were subpoenaed by the House Subcommittee on International Policy and Trade, Committee on Foreign Affairs, U.S. House of Representatives. Plaintiff dismissed suit on July 30, 1992.

**Antuco v. Department of Commerce, et. al.**, C.A. No. 91-3179, U.S.D.C. DC, December 12, 1991. Plaintiff sought any record related to any meeting between any representative of the DoD concerning the Bell 206L-III which was modified by Industries Cardoen, Ltda. Plaintiff dismissed action on July 30, 1992

#### DEPARTMENT OF THE ARMY

**Jessica M. Dunn v. Department of the Army**, C.A. 92-788-A, E.D. VA, June 8, 1992. Plaintiff, a legal assistant, submitted a FOIA request to AMCCOM Headquarters for certain agency records relating to disqualification of 30mm ammunition. AMCCOM responded that the requested records were exempt from release under Exemption 7 because the records were compiled for law enforcement purposes. Plaintiff narrowed the request but it too was denied under the same exemption. Plaintiff appealed, and on April 13, the Army General Counsel issued the Army's final action granting plaintiff's appeal in part and denying it in part. Plaintiff contended that the portion of documents that were released were not responsive to the request. Court denied plaintiff's request on December 2, 1992.

#### DEPARTMENT OF THE NAVY

**Charles H. Byers v. United States Navy, et al.**, C.A. 90-1605, U.S.D.C. AZ. Plaintiff, a former arms contractor who was prosecuted as part of the "Iron Eagle" investigation into the activities of Seal Team 6, seeks an injunction forcing the Naval Criminal Investigative Service (NCIS) to process his FOIA request immediately. NCIS informed Plaintiff that his request for the investigation would be processed in turn, but it would be eight months before he could expect to receive the releasable information. His administrative appeal was denied and he filed suit, alleging that he needed the investigation to use in his appeal of his conviction for fraud in connection with arms supply contracts he made with Seal Team 6 personnel. Defended "first in-first out" policy under Open America and moved for summary judgment. Motion for Summary Judgment granted May 11, 1992, no appeal filed.

**John H. Ward v. Department of Justice, Naval Investigative Service Command**, C.A. 91-C-3789, N.D. IL. Plaintiff submitted FOIA requests to NISCOM (now NCIS) and FBI activities for documents relating to the Pentagon procurement scandal "Operation Ill Wind." NCIS referred the request to the FBI, as all documents are under their cognizance. FBI replied that it had a backlog of requests. Plaintiff seeks release of all requested

documents and attorney fees. FBI has several "Operation Ill Wind" investigations pending, so will move to dismiss and, in alternative for "Open America" stay. Draft answer submitted claiming no subject matter jurisdiction, because Navy does not control the requested records, and failure to exhaust administrative remedies. Case dismissed (obtained a court order) on November 13, 1992.

**John K. Walsh v. Department of the Navy**, C.A. 91-C-7410, N.D. IL. Plaintiff seeks documents pertaining to the Naval Air Reserve Force Inspector General complaint initiated by Plaintiff in 1988. Plaintiff filed an Article 138 Complaint when a more junior officer was selected Executive Officer of VR-60. Plaintiff's FOIA request was denied; on appeal Plaintiff received releasable portions and withheld opinions and recommendations of the investigating officer. Motion for Summary Judgment granted on March 20, 1992.

**Antuco, Inc. v. Defense Intelligence Agency**, CA 92-0957, U.S.D.C. DC. Plaintiff requested records from DIA pertaining to Carlos Cardoen. During its review, DIA found four documents originated by the Naval Intelligence Command and forwarded them for direct response to Plaintiff. On November 18, 1991, the Naval Intelligence Command responded to the Plaintiff by withholding documents in their entirety as exempt under FOIA. Plaintiff voluntarily dismissed case on July 31, 1992.

**Raymond F. Grill v. United States**, C.A. S-92-876GEB GGH, E.D. CA. Plaintiff alleges that he sent a FOIA request in April 1991 to the National Personnel Records Center, St. Louis, requesting his USMC service record, but was sent an incomplete record as his DD-214 was missing. Motion to dismiss granted September 25, 1992.

**Freedom Newspapers v. U.S. Navy**, C.A. 91-6472-DWW, C.D. CA. Plaintiff, Freedom Newspapers, Inc., DBA as the Orange County Register, alleges wrongful withholding of NCIS, CID and other documents pertaining to the investigation of the October 90 sexual assault at the Officer's Club, Marine Corps Air Station, El Toro. Plaintiff challenges the withholding of law enforcement documents which he claims could have been redacted to protect against the unwarranted invasion of personal privacy asserted by the Navy. Defendant's Motion for Summary Judgment granted June 12, 1992.

**Kimberlin v. U.S. Navy**, C.A. 82-1505C, S.D. IN. Freedom of Information/Privacy Act action seeking release of Naval Criminal Investigative Service records. The Privacy Act was treated as a FOIA exemption (b)(3) statute and documents withheld under 552a(j)(2) and 552(b)(3). Navy's Motion for Summary Judgment was granted in the District Court in 1983. While the case was pending appeal, the Privacy Act was amended to clarify that the Privacy Act is not a FOIA exemption (b)(3) statute. The case was remanded to district court for reconsideration. Motion to dismiss renewed. Court closed case on October 26, 1992.

**International Marine Carriers, Inc. v. United States Military Sealift Command, et al.**, C.A. 91-3280 NHJ, U.S.D.C. DC, December 24, 1991. Lawsuit alleging that the Military Sealift Command (MSC) failed to comply with statutory time limits, that IMC has exhausted its administrative remedies, and that MSC's delay constitutes a denial of IMC's request. On January 17, 1992, Government filed an answer raising exhaustion of administrative remedies and lack of standing affirmative defenses. Subsequently, MSC



released all of the requested documents to IMC. On July 10, 1992, the parties filed a Stipulation of Dismissal of the action with prejudice.

**James A. Grace v. A.A. LaValle, Department of the Navy, NAVRESSO**, C.A. 91-6771, U.S.D.C. E.D. PA, October 30, 1991. Pro se lawsuit filed alleging NAVRESSO (now NEXCOM) withheld information. Complaint does not identify the documents requested. On December 18, 1991, the Government filed a Motion to Dismiss or in the alternative for Summary Judgment. Plaintiff submitted memorandum in opposition on February 3, 1992. Government filed reply brief on February 28, 1992. Plaintiff requested time to respond on March 5, 1992. Case dismissed on May 1, 1992 for lack of subject matter jurisdiction. Similarly, the Navy General Counsel's Office subsequently dismissed Plaintiff's appeal as moot on September 16, 1991. On October 30, 1991, Plaintiff initiated this suit in the Federal District Court, seeking the production of unedited versions of the documents. On June 24, 1992, Mr. Grace filed an appeal with the Court of Appeals for the Third Circuit which was docketed as Grace v. LaValle, U.S. Court. of Appeals for the Third Circuit, No. 92-1531. By Judgment Order of November 30, 1992, the Third Circuit affirmed the District Court decision dismissing the complaint for lack of subject matter jurisdiction (failure to exhaust administrative remedies) and taxed costs of \$105.00 against Mr. Grace.

**Paul R. Duckworth v. Department of the Navy**, C.A. 91-15921, Ninth Circuit Court of Appeals, June 10, 1991. Appealing U.S. District Court order of May 22, 1991 granting a Motion for Summary Judgment. HISTORY: CV-90-0069-AWT(bx), CV-90-0070-SWV(kx), and a third case were originally in U.S. District Court, Central District of California (Los Angeles), but were transferred to U.S. District Court, Eastern District of California (Fresno). The first case, filed on January 5, 1990, asked for information supporting the conclusion of the Secretary of Defense in a letter to a congressman that whistleblowing allegations by the Plaintiff were without merit; information pertaining to allegations by the Plaintiff regarding fraud at the Naval Weapons Center (NWC) [Mr. Duckworth in a December 7, 1989 letter to NWC attached to the complaint alleged that someone had removed the right glove of an old worn pair of work gloves placed on his garage work bench; had drained all the propane from his outdoor barbecue; and had conducted electronic surveillance and/or wire taps on his residence. He requested information regarding these acts; and information relating to sewage contamination at NWC. The Government filed, regarding the 0069 suit, a Motion to Dismiss for failure to properly serve and a motion to transfer to the Eastern District of California (Fresno) on March 12, 1990. At a hearing on March 16, 1990, the court transferred the suit to the Eastern District. Duckworth filed a second suit asking for a document regarding "government control of the news media"; a document "that describes the target date for the transfer of the United States form [sic] a Democratic Institution to a Federal Dictatorship; and documents regarding the A6-F, F-14D, AGM-88A, and CB USS Abraham Lincoln. On April 18, 1991, the United States District Court for the Eastern District of California granted defendant's Motion for Summary Judgment. On June 10, 1991, Mr. Duckworth filed a Notice of Appeal to the 9th Circuit Court of Appeals. On September 10, 1992, the United States Court of Appeals for the Ninth Circuit affirmed the District Court decision on the basis that Duckworth failed to file a declaration or affidavit in response to the government's Motion for Summary Judgment and made conclusory allegations rather than offering evidence "so substantial that a fair-minded jury could return a verdict for him."

**Cameron Hamerick v. Department of the Navy**, CA No. 90-0283, U.S.D.C. DC, February 9, 1990. NAVAIR case filed involving information regarding dual sourcing of the F404 Engine Program. On August 28, 1992, U.S. District Judge Johnson granted the Navy's Motion for Summary Judgment finding that 31 documents relating to the dual source procurement were properly withheld under the deliberative process privilege of exemption (b)(5) and that two notebooks prepared by the contracting officer were not "agency records" but were personal documents created for the individual's own personal reasons and maintained for her own convenience.

### **DEPARTMENT OF THE AIR FORCE**

**Brownstein Zeidman and Schomer v. USAF ("BZS I")**, C.A. 90-1582-SS, U.S.D.C. DC. Plaintiff requested under FOIA documents relating to the solicitation and award of the Standard Multiuser Small Computer Requirements Contract (SMSCRC) to AT&T by the Air Force Computer Acquisition Center (AFCAC), Hanscom AFB MA. Responsive records were released pursuant to both the initial request and the appeal and several supplemental releases were made in the course of the litigation. Parts of the requested records were withheld under exemption (b) (4) as proprietary data, and under (b) (5) as deliberative material. On December 20, 1991, the court issued a split decision on summary judgment motion, and ordered the Air Force to release the unit prices in the contract modifications, evaluation standards in an attachment to the Proposal Evaluation Guide, and "Components Supplied by Vendor" an attachment to the Source Selection Evaluation Board (SSEB) report. The court affirmed the Air Force's withholding of the Source Selection Advisory Council report, and two other attachments to the SSEB report, containing the results of a live test demonstration of the offerors' products and summaries of negotiation between the Air Force and the six offerors. The Air Force did not appeal and complied with the order to produce records.

**Brownstein Zeidman and Schomer v. USAF ("BZS II")**, C.A. 91-1313-SS, U.S.D.C. DC. This is a companion case to No. 90-1582. Plaintiff requested additional documents relating to the SMSCRC: contract modifications and related correspondence, Air Force orders under the contract and related correspondence, and documents reflecting the purchase and/or use of software applications not identified in the original RFP on AT&T's bid and related correspondence. Documents were released pursuant to the initial request and appeal, but parts were withheld under exemptions (b) (4) and (5). AT&T intervened to prevent the Air Force from releasing the contract Delivery Orders (DD Forms 1159). On April 30, 1992, the Air Force entered into a settlement agreement with AT&T agreeing not to release the Delivery Orders to plaintiff in this case (plaintiff had agreed to accept other documents in lieu of the Delivery Orders), and to give AT&T the chance to explain its rationale for withholding Delivery Orders in response to other FOIA requests. The same day, all parties signed a separate settlement agreement, in which the Air Force agreed to release the contract modification (including unit prices) except for one attachment to some of the modifications, all Production and Delivery Reports reflecting Air Force orders under the contract, and correspondence relating to the software applications sought in the FOIA request. The parties stipulated to a dismissal with prejudice, which the court approved on May 6, 1992.

**Lee, Willie M. Jr. v. Department of the Air Force of The Judge Advocate General**, C.A. CV-92-2069-AWT (TX), U.S.D.C. C.D. CA. Plaintiff made a FOIA request for HQ USAF/JAJM's Article 69(b) review of his Special Court-Martial conviction. His request and subsequent administrative appeal were denied pursuant to FOIA exemption (b) (5). Plaintiff filed his lawsuit on April 13, 1992. The Air Force elected to make a discretionary release of the document at issue and file a motion to dismiss for mootness. The court granted that motion on May 27, 1992.

**Scott, Sandra M. v. Secretary of the Air Force, et al.**, C.A. 92-368-A, U.S.D.C. E.D. VA. Plaintiff, a Major in the District of Columbia Air National Guard (DCANG) requested all records pertaining to her maintained by either the DCANG or the National Guard Bureau (NGB). The NGB partially denied her request, and she filed an administrative appeal. The Air Force partially granted the appeal by releasing a report of investigation save for third party personal privacy material. It withheld pursuant to FOIA exemption (b) (5) a legal review of the previously released report of investigation, and plaintiff initiated litigation to compel its disclosure. The court sustained the Air Force's decision and granted its motion for summary judgment on July 31, 1992.

**Yakubik, Andrew i. v. USAF**, C.A. CV-S-90-788-HDM-LRL, U.S.D.C. S.D. NV. Plaintiff believed that the Air Force maintained his psychological profile. He requested pursuant to the FOIA a copy of the profile and the name of the Air Force official who ordered that it be prepared. The Air Force advised plaintiff that it had no records responsive to this request and he filed his lawsuit on November 7, 1990. The court granted the Air Force summary judgment and dismissed the litigation on June 26, 1991. Plaintiff's appeal was dismissed on January 10, 1992.

#### **DEFENSE INVESTIGATIVE SERVICE**

**William A. Dobrovir, Chtd. v. Defense Investigative Service**, C.A. 92-1745, GAG, U.S.D.C. DC. Plaintiff filed suit for defendant's refusal to release Master Civilian Facility List (MCFL). Information withheld pursuant to 5 USC 552 (b)(2), (4), and (5). Plaintiff voluntarily dismissed suit November 5, 1992, when DIS provided mailing list of cleared contractor facilities.

**The Nation Magazine, et al. v. Department of State, et al.**, C.A. 92-2303, JHG, U.S.D.C. DC. Plaintiff filed suit for defendant's refusal to release investigative file of H. Ross Perot. Information withheld pursuant to 5 USC 552 (b)(6) and (b)(7)(c). Lawsuit pending. Plaintiff also filed motion for temporary restraining order for expedited processing of FOIA request; motion denied October 23, 1992. FOIA request denied August 6, 1992; appeal denied November 20, 1992.

#### **DEFENSE LOGISTICS AGENCY**

**Plum Run Corp. v. DLA**, C.A. C-2-89-769, U.S.D.C. S.D. OH. FOIA requester sought the release of the name of a company recommended by the Small Business Administration to be awarded a section 8(a) set-aside contract. The agency subsequently released this information to requester. Case was dismissed May 1991.

**RMS Industries v. DoD**, C.A. C-92-1545, U.S.D.C. N.D. CA. FOIA requester sought the release of documents related to bid solicitation number DLAHOO-91-R-0366A. The agency had withheld the documents pursuant to FOIA exemptions (b)(4) and (b)(5). In a November 1992 decision the court ordered the government to release certain information regarding price, terms and conditions contained in contract bids which had been withheld under (b)(4).

### **NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE**

**Jean Francois Lisee v. CIA. et. al.**, C.A. 89-1266, U.S.D.C. DC, May 9, 1989. Plaintiff/journalist filed suit against the government for information on the Quebec separatist movement. Motion for summary judgment filed October 17, 1989. NSA submitted an unclassified declaration in December 1990 as a supplement to an earlier submission in July 1989. The case was dismissed with prejudice on June 19, 1992.

**Frederick M. Olsen, III v. National Security Agency**, C.A. 92C-0318-S, W.D. WI, April 23, 1992. Action was brought for release of NSA's affidavit filed in a 1980 case between Citizens Against UFO Secrecy and NSA. The judge granted NSA's Motion for Summary Judgment on September 10, 1992. Plaintiff was pro se and the judge ruled after an unclassified declaration was submitted, without the necessity of filing a classified declaration for in camera ex parte review.

## Item 8

### FOIA Implementation Rules or Regulations

COMPONENT	DOCUMENT IDENTIFICATION	CFR. REF.
OSD/JS	"DoD Freedom of Information Act (FOIA) Program"	32 CFR 286
Dept Army	"Release of Information and Records from Army Files"	32 CFR 518
Dept Navy	"Availability of Department of Navy Records and Publication of Department of the Navy Documents Affecting the Public"	32 CFR 701
Dept Air Force	"Air Force Freedom of Information Act Program"	32 CFR 806, as amd by FR Vol 57, No. 176, 10 Sep 92
DCAA	"Defense Contract Audit Agency (DCAA) Freedom of Information Act Program"	32 CFR 290, as amd by FR Vol 57, No. 81, 27 Apr 92; and FR Vol 57, No. 134, 13 Jul 92
DIA	"Defense Intelligence Agency (DIA) Freedom of Information Act"	32 CFR 292, as amd by FR Vol 57, No. 167, 27 Aug 92
DIS	"Defense Investigative Service Freedom of Information Practices"	32 CFR 298b, as amd by FR, Vol 53, No. 185, 23 Sep 88 (pending revision)
DISA	"Defense Information Systems Agency/Office of the Manager, National Communications System (DISA/OMNCS) Freedom of Information Act Program"	32 CFR 287, as amd by FR Vol 57, No. 248, 24 Dec 92

DLA	"Defense Logistics Agency (DLA) Freedom of Information Act Program"	32 CFR 1285
DMA	"Defense Mapping Agency (DMA) Freedom of Information Act (FOIA) Program"	32 CFR 286i and 293
DNA	"Defense Nuclear Agency (DNA) Freedom of Information Act Program"	32 CFR 91 (pending revision)
NRO	Public Access to Records of the National Reconnaissance Office	To be published
NSA/CSS	"Public Access to Records"	32 CFR 299
OIG, DOD	"Office of the Inspector General Freedom of Information Act Program"	32 CFR 295

## Item 9

### Fee Schedule and Fees Collected

The fee schedule on pages 62 through 75, reprinted from Chapter VI, DoD Regulation 5400.7-R, October 1990, with Change 1, May 10, 1991, establishes standard costs collectable by Department of Defense Agencies.

\$1,546,497.72 was collected from the public for making records available during the year 1992 (see item 10(b), page 77 for agency totals).

## CHAPTER VI

### FEE SCHEDULE

#### Section 1

#### GENERAL PROVISIONS

##### 6-100 Authorities

The Freedom of Information Act (5 U.S.C. 552), as amended; by the Freedom of Information Reform Act of 1986; the Paperwork Reduction Act (44 U.S.C. 35); the Privacy Act of 1974 (5 U.S.C. 552a); the Budget and Accounting Act of 1921 (31 U.S.C. 1 et. seq.); the Budget and Accounting Procedures Act (31 U.S.C. 67 et. seq.); the Defense Authorization Act for FY 87, Section 954, (P.L. 99-661), as amended by the Defense Technical Corrections Act of 1987 (P.L. 100-26).

##### 6-101 Application

a. The fees described in this Chapter apply to FOIA requests, and conform to the Office of Management and Budget Uniform Freedom of Information Act Fee Schedule and Guidelines. They reflect direct costs for search, review (in the case of commercial requesters); and duplication of documents, collection of which is 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 (r)), which does not supersede the collection of fees under the FOIA. Nothing in this Chapter shall supersede fees chargeable under a statute specifically providing for setting the level of fees for particular types of records. A "statute specifically providing for setting the level of fees for particular types of records" (5 U.S.C. 552 (a)(4)(a)(vi) means any statute that enables a Government Agency such as the Government Printing Office (GPO) or the National Technical Information Service (NTIS), to set and collect fees. Components should ensure that when documents that would be responsive to a request are maintained for distribution by agencies operating statutory-based fee schedule programs such as the GPO or NTIS, they inform requesters of the steps necessary to obtain records from those sources.

b. The term "direct costs" means those expenditures a Component actually makes in searching for, reviewing (in the case of commercial requesters), and duplicating documents to respond to an FOIA request. Direct costs include, for example, the salary of the employee performing the work (the basic rate of pay for the employee plus 16 percent of that rate to cover benefits), and the costs of operating duplicating machinery. These factors have been included in the fee rates prescribed at Section 2 of this Chapter. Not included in direct costs are overhead expenses such as costs of space, heating or lighting the facility in which the records are stored.

c. The term "search" includes all time spent looking for material that is responsive to a request. Search also includes a page-by-page or line-by-line identification (if necessary) of material in the document to determine if it, or portions thereof are responsive to the request. Components should ensure that searches are done in the most efficient and least



expensive manner so as to minimize costs for both the Component and the requester. For example, Components should not engage in line-by-line searches when duplicating an entire document known to contain responsive information would prove to be the less expensive and quicker method of complying with the request. Time spent reviewing documents in order to determine whether to apply one or more of the statutory exemptions is not search time, but review time. See subparagraph 6-101, e., for the definition of review, and subparagraph 6-201, b., for information pertaining to computer searches.

d. The term "duplication" refers to the process of making a copy of a document in response to an FOIA request. Such copies can take the form of paper copy, microfiche, audiovisual, or machine readable documentation (e. g., magnetic tape or disc), among others. Every effort will be made to ensure that the copy provided is in a form that is reasonably usable, the requester shall be notified that their copy is the best available and that the agency's master copy shall be made available for review upon appointment. For duplication of computer tapes and audiovisual, the actual cost, including the operator's time, shall be charged. In practice, if a Component estimates that assessable duplication charges are likely to exceed \$25.00, it shall notify the requester of the estimate, unless the requester has indicated in advance his or her willingness to pay fees as high as those anticipated. Such a notice shall offer a requester the opportunity to confer with Component personnel with the object of reformulating the request to meet his or her needs at a lower cost.

e. The term "review" refers to the process of examining documents located in response to an FOIA request to determine whether one or more of the statutory exemptions permit withholding. It also includes processing the documents for disclosure, such as excising them for release. Review does not include the time spent resolving general legal or policy issues regarding the application of exemptions. It should be noted that charges for commercial requesters may be assessed only for the initial review. Components may not charge for reviews required at the administrative appeal level of an exemption already applied. However, records or portions of records withheld in full under an exemption which is subsequently determined not to apply may be reviewed again to determine the applicability of other exemptions not previously considered. The costs for such a subsequent review would be properly assessable.

#### 6-102 Fee Restrictions

a. No fees may be charged by any DoD Component if the costs of routine collection and processing of the fee are likely to equal or exceed the amount of the fee. With the exception of requesters seeking documents for a commercial use, Components shall provide the first two hours of search time, and the first one hundred pages of duplication without charge. For example, for a request (other than one from a commercial requester) that involved two hours and ten minutes of search time, and resulted in one hundred and five pages of documents, a Component would determine the cost of only ten minutes of search time, and only five pages of reproduction. If this processing cost was equal to, or less than the cost to the Component for billing the requester and processing the fee collected, no charges would result.

b. Requesters receiving the first two hours of search and the first one hundred pages of duplication without charge are entitled to such only once per request.

Consequently, if a Component, after completing its portion of a request, finds it necessary to refer the request to a subordinate office, another DoD Component, or another Federal Agency to action their portion of the request, the referring Component shall inform the recipient of the referral of the expended amount of search time and duplication cost to date.

c. The elements to be considered in determining the "cost of collecting a fee" are the administrative costs to the Component of receiving and recording a remittance, and processing the fee for deposit in the Department of Treasury's special account. The cost to the Department of Treasury to handle such remittance is negligible and shall not be considered in Components' determinations.

d. For the purposes of these restrictions, the word "pages" refers to paper copies of a standard size, which will normally be "8 1/2 x 11" or "11 x 14". Thus, requesters would not be entitled to 100 microfiche or 100 computer disks, for example. A microfiche containing the equivalent of 100 pages or 100 pages of computer printout; however, might meet the terms of the restriction.

e. In the case of computer searches, the first two free hours will be determined against the salary scale of the individual operating the computer for the purposes of the search. As an example, when the direct costs of the computer central processing unit, input-output devices, and memory capacity equal \$24.00 (two hours of equivalent search at the clerical level), amounts of computer costs in excess of that amount are chargeable as computer search time.

#### 6-103 Fee Waivers

a. Documents shall be furnished without charge, or at a charge reduced below fees assessed to the categories of requesters in paragraph 6-104 when the Component determines that waiver or reduction of the fees is in the public interest because furnishing the information is likely to contribute significantly to public understanding of the operations or activities of the Department of Defense and is not primarily in the commercial interest of the requester.

b. When assessable costs for an FOIA request total \$15.00 or less, fees shall be waived automatically for all requesters, regardless of category.

c. Decisions to waive or reduce fees that exceed the automatic waiver threshold shall be made on a case-by-case basis, consistent with the following factors:

1. Disclosure of the information "is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government."

(i) The subject of the request. Components should analyze whether the subject matter of the request involves issues which will significantly contribute to the public understanding of the operations or activities of the Department of Defense. Requests for records in the possession of the Department of Defense which were originated by non-government organizations and are sought for their intrinsic content, rather than informative value will likely not contribute to public understanding of the operations or

activities of the Department of Defense. An example of such records might be press clippings, magazine articles, or records forwarding a particular opinion or concern from a member of the public regarding a DoD activity. Similarly, disclosures of records of considerable age may or may not bear directly on the current activities of the Department of Defense; however, the age of a particular record shall not be the sole criteria for denying relative significance under this factor. It is possible to envisage an informative issue concerning the current activities of the Department of Defense, based upon historical documentation. Requests of this nature must be closely reviewed consistent with the requester's stated purpose for desiring the records and the potential for public understanding of the operations and activities of the Department of Defense.

(ii) The informative value of the information to be disclosed. This factor requires a close analysis of the substantive contents of a record, or portion of the record, to determine whether disclosure is meaningful, and shall inform the public on the operations or activities of the Department of Defense. While the subject of a request may contain information which concerns operations or activities of the Department of Defense, it may not always hold great potential for contributing to a meaningful understanding of these operations or activities. An example of such would be a heavily redacted record, the balance of which may contain only random words, fragmented sentences, or paragraph headings. A determination as to whether a record in this situation will contribute to the public understanding of the operations or activities of the Department of Defense must be approached with caution, and carefully weighed against the arguments offered by the requester. Another example is information already known to be in the public domain. Disclosure of duplicative, or nearly identical information already existing in the public domain may add no meaningful new information concerning the operations and activities of the Department of Defense.

(iii) The contribution to an understanding of the subject by the general public likely to result from disclosure. The key element in determining the applicability of this factor is whether disclosure will inform, or have the potential to inform the public, rather than simply the individual requester or small segment of interested persons. The identity of the requester is essential in this situation in order to determine whether such requester has the capability and intention to disseminate the information to the public. Mere assertions of plans to author a book, researching a particular subject, doing doctoral dissertation work, or indigency are insufficient without demonstrating the capacity to further disclose the information in a manner which will be informative to the general public. Requesters should be asked to describe their qualifications, the nature of their research, the purpose of the requested information, and their intended means of dissemination to the public.

(iv) The significance of the contribution to public understanding. In applying this factor, Components must differentiate the relative significance or impact of the disclosure against the current level of public knowledge, or understanding which exists before the disclosure. In other words, will disclosure on a current subject of wide public interest be unique in contributing previously unknown facts, thereby enhancing public knowledge, or will it basically duplicate what is already known by the general public. A decision regarding significance requires objective judgment, rather than subjective determination, and must be applied carefully to determine whether disclosure will likely lead to a significant public understanding of the issue. Components shall not make value

judgments as to whether the information is important enough to be made public.

2. Disclosure of the information "is not primarily in the commercial interest of the requester."

(i) The existence and magnitude of a commercial interest. If the request is determined to be of a commercial interest, Components should address the magnitude of that interest to determine if the requester's commercial interest is primary, as opposed to any secondary personal or non-commercial interest. In addition to profit-making organizations, individual persons or other organizations may have a commercial interest in obtaining certain records. Where it is difficult to determine whether the requester is of a commercial nature, Components may draw inference from the requester's identity and circumstances of the request. In such situations, the provisions of paragraph 6-104, below, apply. Components are reminded that in order to apply the commercial standards of the FOIA, the requester's commercial benefit must clearly override any personal or non-profit interest.

(ii) The primary interest in disclosure. Once a requester's commercial interest has been determined, Components should then determine if the disclosure would be primarily in that interest. This requires a balancing test between the commercial interest of the request against any public benefit to be derived as a result of that disclosure. Where the public interest is served above and beyond that of the requester's commercial interest, a waiver or reduction of fees would be appropriate. Conversely, even if a significant public interest exists, and the relative commercial interest of the requester is determined to be greater than the public interest, then a waiver or reduction of fees would be inappropriate. As examples, news media organizations have a commercial interest as business organizations; however, their inherent role of disseminating news to the general public can ordinarily be presumed to be of a primary interest. Therefore, any commercial interest becomes secondary to the primary interest in serving the public. Similarly, scholars writing books or engaged in other forms of academic research, may recognize a commercial benefit, either directly, or indirectly (through the institution they represent); however, normally such pursuits are primarily undertaken for educational purposes, and the application of a fee charge would be inappropriate. Conversely, data brokers or others who merely compile government information for marketing can normally be presumed to have an interest primarily of a commercial nature.

d. Components are reminded that the above factors and examples are not all inclusive. Each fee decision must be considered on a case-by-case basis and upon the merits of the information provided in each request. When the element of doubt as to whether to charge or waive the fee cannot be clearly resolved, Components should rule in favor of the requester.

e. In addition, the following additional circumstances describe situations where waiver or reduction of fees are most likely to be warranted:

1. A record is voluntarily created to preclude an otherwise burdensome effort to provide voluminous amounts of available records, including additional information not requested.

2. A previous denial of records is reversed in total, or in part, and the assessable costs are not substantial (e. g. \$15.00 - \$30.00).

#### 6-104 Fee Assessment

a. Fees may not be used to discourage requesters, and to this end, FOIA fees are limited to standard charges for direct document search, review (in the case of commercial requesters) and duplication.

b. In order to be as responsive as possible to FOIA requests while minimizing unwarranted costs to the taxpayer, Components shall adhere to the following procedures:

1. Analyze each request to determine the category of the requester. If the Component determination regarding the category of the requester is different than that claimed by the requester, the Component shall:

(i) Notify the requester that he should provide additional justification to warrant the category claimed, and that a search for responsive records will not be initiated until agreement has been attained relative to the category of the requester. Absent further category justification from the requester, and within a reasonable period of time (i. e., 30 calendar days), the Component shall render a final category determination, and notify the requester of such determination, to include normal administrative appeal rights of the determination.

(ii) Advise the requester that, notwithstanding any appeal, a search for responsive records will not be initiated until the requester indicates a willingness to pay assessable costs appropriate for the category determined by the Component.

2. Requesters must submit a fee declaration appropriate for the below categories.

(i) Commercial. Requesters must indicate a willingness to pay all search, review and duplication costs.

(ii) Educational or Noncommercial Scientific Institution or News Media. Requesters must indicate a willingness to pay duplication charges in excess of 100 pages if more than 100 pages of records are desired.

(iii) All Others. Requesters must indicate a willingness to pay assessable search and duplication costs if more than two hours of search effort or 100 pages of records are desired.

3. If the above conditions are not met, then the request need not be processed and the requester shall be so informed.

4. In the situations described by subparagraphs 6-104, b.1. and 2., above, Components must be prepared to provide an estimate of assessable fees if desired by the requester. While it is recognized that search situations will vary among Components, and that an estimate is often difficult to obtain prior to an actual search, requesters who desire

estimates are entitled to such before committing to a willingness to pay. Should Component estimates exceed the actual amount of the estimate or the amount agreed to by the requester, the amount in excess of the estimate or the requester's agreed amount shall not be charged without the requester's agreement.

5. No DoD Component may require advance payment of any fee; i. e., payment before work is commenced or continued on a request, unless the requester has previously failed to pay fees in a timely fashion, or the agency has determined that the fee will exceed \$250.00. As used in this sense, a timely fashion is 30 calendar days from the date of billing (the fees have been assessed in writing) by the Component.

6. Where a Component estimates or determines that allowable charges that a requester may be required to pay are likely to exceed \$250.00, the Component shall notify the requester of the likely cost and obtain satisfactory assurance of full payment where the requester has a history of prompt payments, or require an advance payment of an amount up to the full estimated charges in the case of requesters with no history of payment.

7. Where a requester has previously failed to pay a fee charged in a timely fashion (i. e., within 30 calendar days from the date of the billing), the Component may require the requester to pay the full amount owed, plus any applicable interest, or demonstrate that he or she has paid the fee, and to make an advance payment of the full amount of the estimated fee before the Component begins to process a new or pending request from the requester. Interest will be at the rate prescribed in 31 U. S. C. 3717 (reference (af)), and confirmed with respective Finance and Accounting Offices.

8. After all work is completed on a request, and the documents are ready for release, Components may request payment before forwarding the documents if there is no payment history on the requester, or if the requester has previously failed to pay a fee in a timely fashion (i. e., within 30 calendar days from the date of the billing). In the case of the latter, the provisions of subparagraph 6-104, b.7., above, apply. Components may not hold documents ready for release pending payment from requesters with a history of prompt payment.

9. When Components act under subparagraphs 6-104, 1 through 7, above, the administrative time limits of the FOIA (i.e., 10 working days from receipt of initial requests, and 20 working days from receipt of appeals, plus permissible extensions of these time limits) will begin only after the Component has received a willingness to pay fees and satisfaction as to category determination, or fee payments (if appropriate).

10. Components may charge for time spent searching for records, even if that search fails to locate records responsive to the request. Components may also charge search and review (in the case of commercial requesters) time if records located are determined to be exempt from disclosure. In practice, if the Component estimates that search charges are likely to exceed \$25.00 it shall notify the requester of the estimated amount of fees, unless the requester has indicated in advance his or her willingness to pay fees as high as those anticipated. Such a notice shall offer the requester the opportunity to confer with Component personnel with the object of reformulating the request to meet his or her needs at a lower cost.

c. Commercial Requesters. Fees shall be limited to reasonable standard charges for document search, review and duplication when records are requested for commercial use. Requesters must reasonably describe the records sought (see paragraph 1-507).

1. The term "commercial use" request refers to a request from, or on behalf of one who seeks information for a use or purpose that furthers the commercial, trade, or profit interest of the requester or the person on whose behalf the request is made. In determining whether a requester properly belongs in this category, Components must determine the use to which a requester will put the documents requested. Moreover, where a Component has reasonable cause to doubt the use to which a requester will put the records sought, or where that use is not clear from the request itself, Components should seek additional clarification before assigning the request to a specific category.

2. When Components receive a request for documents for commercial use, they should assess charges which recover the full direct costs of searching for, reviewing for release, and duplicating the records sought. Commercial requesters (unlike other requesters) are not entitled to two hours of free search time, nor 100 free pages of reproduction of documents. Moreover, commercial requesters are not normally entitled to a waiver or reduction of fees based upon an assertion that disclosure would be in the public interest. However, because use is the exclusive determining criteria, it is possible to envision a commercial enterprise making a request that is not for commercial use. It is also possible that a non-profit organization could make a request that is for commercial use. Such situations must be addressed on a case-by-case basis.

d. Educational Institution Requesters. Fees shall be limited to only reasonable standard charges for document duplication (excluding charges for the first 100 pages) when the request is made by an educational institution whose purpose is scholarly research. Requesters must reasonably describe the records sought (see paragraph 1-507). The term "educational institution" refers to a pre-school, a public or private elementary or secondary school, an institution of graduate high education, an institution of undergraduate higher education, an institution of professional education, and an institution of vocational education, which operates a program or programs of scholarly research.

e. Non-Commercial Scientific Institution Requesters. Fees shall be limited to only reasonable standard charges for document duplication (excluding charges for the first 100 pages) when the request is made by a non-commercial scientific institution whose purpose is scientific research. Requesters must reasonably describe the records sought (see paragraph 5-107). The term "non-commercial scientific institution" refers to an institution that is not operated on a "commercial" basis as defined in subparagraph 6-104, c., above, and which is operated solely for the purpose of conducting scientific research, the results of which are not intended to promote any particular product or industry.

f. Components shall provide documents to requesters in subparagraphs 6-104, d. and e., above, for the cost of duplication alone, excluding charges for the first 100 pages. To be eligible for inclusion in these categories, requesters must show that the request is being made under the auspices of a qualifying institution and that the records are not sought for commercial use, but in furtherance of scholarly (from an educational institution) or scientific (from a non-commercial scientific institution) research.

g. Representatives of the news media. Fees shall be limited to only reasonable standard charges for document duplication (excluding charges for the first 100 pages) when the request is made by a representative of the news media. Requesters must reasonably describe the records sought (see paragraph 1-507).

1. The term "representative of the news media" refers to any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public. The term "news" means information that is about current events or that would be of current interest to the public. Examples of news media entities include television or radio stations broadcasting to the public at large, and publishers of periodicals (but only in those instances when they can qualify as disseminators of "news") who make their products available for purchase or subscription by the general public. These examples are not meant to be all-inclusive. Moreover, as traditional methods of news delivery evolve (e. g., electronic dissemination of newspapers through telecommunications services), such alternative media would be included in this category. In the case of "freelance" journalists, they may be regarded as working for a news organization if they can demonstrate a solid basis for expecting publication through that organization, even though not actually employed by it. A publication contract would be the clearest proof, but Components may also look to the past publication record of a requester in making this determination.

2. To be eligible for inclusion in this category, a requester must meet the criteria in subparagraph 6-104, g.1., above, and his or her request must not be made for commercial use. A request for records supporting the news dissemination function of the requester shall not be considered to be a request that is for a commercial use. For example, a document request by a newspaper for records relating to the investigation of a defendant in a current criminal trial of public interest could be presumed to be a request from an entity eligible for inclusion in this category, and entitled to records at the cost of reproduction alone (excluding charges for the first 100 pages).

3. "Representative of the news media" does not include private libraries, private repositories of Government records, or middlemen, such as information vendors or data brokers.

h. All Other Requesters. Components shall charge requesters who do not fit into any of the above categories, fees which recover the full direct cost of searching for and duplicating records, except that the first two hours of search time and the first 100 pages of duplication shall be furnished without charge. Requesters must reasonably describe the records sought (see paragraph 1-507). Requests from subjects about themselves will continue to be treated under the fee provisions of the Privacy Act of 1974 (reference (af)), which permit fees only for duplication. Components are reminded that this category of requester may also be eligible for a waiver or reduction of fees if disclosure of the information is in the public interest as defined under subparagraph 6-103, a., above. (See also subparagraph 6-104, c.2.).

#### 6-105 Aggregating Requests

Except for requests that are for a commercial use, a Component may not charge for the first two hours of search time or for the first 100 pages of reproduction. However, a requester may not file multiple requests at the same time, each seeking portions of a



document or documents, solely in order to avoid payment of fees. When a Component reasonably believes that a requester or, on rare occasions, a group of requesters acting in concert, is attempting to break a request down into a series of requests for the purpose of avoiding the assessment of fees, the agency may aggregate any such requests and charge accordingly. One element to be considered in determining whether a belief would be reasonable is the time period in which the requests have occurred. For example, it would be reasonable to presume that multiple requests of this type made within a 30 day period had been made to avoid fees. For requests made over a longer period; however, such a presumption becomes harder to sustain and Components should have a solid basis for determining that aggregation is warranted in such cases. Components are cautioned that before aggregating requests from more than one requester, they must have a concrete basis on which to conclude that the requesters are acting in concert and are acting specifically to avoid payment of fees. In no case may Components aggregate multiple requests on unrelated subjects from one requester.

#### 6-106 Effect of the Debt Collection Act of 1982 (P.L. 97-365).

The Debt Collection Act of 1982 (P.L. 97-365) provides for a minimum annual rate of interest to be charged on overdue debts owed the Federal Government. Components may levy this interest penalty for any fees that remain outstanding 30 calendar days from the date of billing (the first demand notice) to the requester of the amount owed. The interest rate shall be as prescribed in 31 U. S. C. 3717 (reference (ae)). Components should verify the current interest rate with respective Finance and Accounting Offices. After one demand letter has been sent, and 30 calendar days have lapsed with no payment, Components may submit the debt to respective Finance and Accounting Offices for collection pursuant to the Debt Collection Act of 1982.

#### 6-107 Computation of Fees

The fee schedule in this Chapter shall be used to compute the search, review (in the case of commercial requesters) and duplication costs associated with processing a given FOIA request. Costs shall be computed on time actually spent. Neither time-based nor dollar-based minimum charges for search, review and duplication are authorized.

### Section 2

## COLLECTION OF FEES AND FEE RATES

#### 6-200 Collection of Fees

Collection of fees will be made at the time of providing the documents to the requester or recipient when the requester specifically states that the costs involved shall be acceptable or acceptable up to a specified limit that covers the anticipated costs. Collection of fees may not be made in advance unless the requester has failed to pay previously assessed fees within 30 calendar days from the date of the billing by the DoD Component, or the Component has determined that the fee will be in excess of \$250 (see paragraph 6-104).

6-201 Search Time

a. Manual Search

<u>Type</u>	<u>Grade</u>	<u>Hourly Rate(\$)</u>
Clerical	E9/GS8 and below	12
Professional	01-06/GS9-GS/GM15	25
Executive	07/GS/GM16/ES1 and above	45

b. Computer Search

Computer search is based on direct cost of the central processing unit, input-output devices, and memory capacity of the actual computer configuration. The salary scale (equating to paragraph a. above) for the computer operator/programmer determining how to conduct and subsequently executing the search will be recorded as part of the computer search.

6-202 Duplication

<u>Type</u>	<u>Cost per Page (¢)</u>
Pre-Printed material	02
Office copy	15
Microfiche	25
Computer copies (tapes or printouts)	Actual cost of duplicating the tape or printout (includes operator's time and cost of the tape)

6-203 Review Time (in the case of commercial requesters)

<u>Type</u>	<u>Grade</u>	<u>Hourly Rate(\$)</u>
Clerical	E9/GS8 and below	12
Professional	01-06/GS9-GS/GM15	25
Executive	07/GS/GM16/ES1 and above	45

6-204 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.

6-205 Other Records

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

## 6-206 Costs for Special Services

Complying with requests for special services is at the discretion of the Components. Neither the FOIA, nor its fee structure cover these kinds of services. Therefore, Components may recover the costs of special services requested by the requester after agreement has been obtained in writing from the requester to pay for one or more of the following services:

- a. Certifying that records are true copies.
- b. Sending records by special methods such as express mail, etc.

### Section 3

## COLLECTION OF FEES AND FEE RATES FOR TECHNICAL DATA

### 6-300 Fees for Technical Data

a. Technical data, other than technical data that discloses critical technology with military or space application, if required to be released under the FOIA, shall be released after the person requesting such technical data pays all reasonable costs attributed to search, duplication and review of the records to be released. Technical data, as used in this Section, means recorded information, regardless of the form or method of the recording of a scientific or technical nature (including computer software documentation). This term does not include computer software, or data incidental to contract administration, such as financial and/or management information. DoD Components shall retain the amounts received by such a release, and it shall be merged with and available for the same purpose and the same time period as the appropriation from which the costs were incurred in complying with request. All reasonable costs as used in this sense are the full costs to the Federal Government of rendering the service, or fair market value of the service, whichever is higher. Fair market value shall be determined in accordance with commercial rates in the local geographical area. In the absence of a known market value, charges shall be based on recovery of full costs to the Federal Government. The full costs shall include all direct and indirect costs to conduct the search and to duplicate the records responsive to the request. This cost is to be differentiated from the direct costs allowable under Section 2 of this Chapter for other types of information released under the FOIA.

b. Waiver. Components shall waive the payment of costs required in subparagraph 6-300, a., above, which are greater than the costs that would be required for release of this same information under Section 2 of this Chapter if:

1. The request is made by a citizen of the United States or a United States corporation, and such citizen or corporation certifies that the technical data requested is required to enable it to submit an offer, or determine whether it is capable of submitting an offer to provide the product to which the technical data relates to the United States or a contractor with the United States. However, Components may require the citizen or corporation to pay a deposit in an amount equal to not more than the cost of complying with the request, which will be refunded upon submission of an offer by the citizen or corporation;

2. The release of technical data is requested in order to comply with the terms of an international agreement; or,

3. The Component determines in accordance with subparagraph 6-103, a., above, that such a waiver is in the interest of the United States.

c. Fee Rates

1. Search Time

(i) Manual Search

<u>Type</u>	<u>Grade</u>	<u>Hourly Rate (\$)</u>
Clerical	E9/GS8 and below	13.25
(Minimum Charge)		8.30

Professional and Executive (To be established at actual hourly rate prior to search. A minimum charge will be established at 1/2 hourly rates)

(ii) Computer search is based on the total cost of the central processing unit, input-output devices, and memory capacity of the actual computer configuration. The wage (based upon the scale in subparagraph 6-300, c.1. (i), above) for the computer operator and/or programmer determining how to conduct, and subsequently executing the search will be recorded as part of the computer search.

2. Duplication

<u>Type</u>	<u>Cost</u>
Aerial photographs, specifications, permits, charts, blueprints, and other technical documents	\$2.50
Engineering data (microfilm)	
a. Aperture cards	
(i) Silver duplicate negative, per card	.75
When key punched and verified, per card	.85
(ii) Diazo duplicate negative, per card	.65
When key punched and verified, per card	.75
b. 35mm roll film, per frame	.50
c. 16mm roll film, per frame	.45

- d. Paper prints (engineering drawings), each 1.50
- e. Paper reprints of microfilm indices, each .10

3. Review Time

<u>Type</u>	<u>Grade</u>	<u>Hourly Rate (\$)</u>
Clerical	E9/GS8 and below	13.25
(Minimum Charge)		8.30

Professional and Executive (To be established at actual hourly rate prior to review. A minimum charge will be established at 1/2 hourly rates)

d. Other Technical Data Records

Charges for any additional services not specifically provided subparagraph 6-300, c., above, consistent with DoD Instruction 7230.7 (reference (r)), shall be made by Components at the following rates:

- 1. Minimum charge for office copy (up to six images)..... \$3.50
- 2. Each additional image..... .10
- 3. Each typewritten page ..... 3.50
- 4. Certification and validation with seal, each ..... 5.20
- 5. Hand-drawn plots and sketches, each hour or fraction thereof ..... 12.00

**Item 10(a)**

**Availability of Records**

(New categories or segregable portions of records now being revealed.)

None

## Item 10(b)

### Calendar Year Costs and Fees Collected

<b>Component</b>	<b>Annual Cost</b>	<b>Fees Collected</b>
OSD/JS	\$2,231,207.86	\$29,872.54
Dept Army	\$8,729,249.10	\$393,934.93
Dept Navy	\$6,581,722.75	\$447,063.00
Dept Air Force	\$5,854,796.25	\$334,467.00
DCAA	\$267,680.98	\$9,170.05
DFAS	\$213,710.29	\$2,803.13
DIA	\$329,504.01	\$2,774.00
DIS	\$89,598.75	\$245.00
DISA	\$135,530.00	\$2,983.92
DLA	\$1,569,388.75	\$313,971.00
DMA	\$52,339.53	\$553.60
DNA	\$179,367.15	\$2,108.55
NRO	\$63,890.00	\$0.00
NSA/CSS	\$859,833.75	\$4,705.00
OIG, DOD	\$228,093.75	\$1,846.00
<b>DOD Totals</b>	<b>\$27,385,912.92</b>	<b>\$1,546,497.72</b>

**Item 10(b) (Cont'd)**

<b>COST OUTLINE</b>	<b>OSD/JS</b>	<b>Dept Army</b>	<b>Dept Navy</b>	<b>Dept Air Force</b>
<b>I. Personnel Costs</b>				
A. Estimated Manyears*	26.9	134.9	118.3	151.0
B. Manyear Costs	\$1,578,594.91	\$5,253,409.38	\$4,045,422.00	\$3,501,035.00
<b>C. Estimated Manhour Costs by Category (Fee Schedule Rates)**</b>				
(1) Search Time	\$43,976.43	\$309,140.89	\$259,060.00	\$184,954.00
(2) Review & Excising	\$53,124.19	\$346,301.84	\$182,968.00	\$216,098.00
(3) Coordination & Approval	\$35,409.45	\$189,205.10	\$206,332.00	\$199,991.00
(4) Correspondence/Form Preparation	\$16,740.90	\$232,225.25	\$160,814.00	\$122,673.00
(5) Other Activities	\$16,305.71	\$88,961.34	\$68,421.00	\$96,397.00
(6) Total [(1) thru (5)]	\$165,556.68	\$1,165,834.42	\$877,595.00	\$820,113.00
D. Overhead [25% of (B + C)]	\$436,037.90	\$1,604,810.95	\$1,230,754.25	\$1,080,287.00
E. Total [B thru D]	\$2,180,189.49	\$8,024,054.75	\$6,153,771.25	\$5,401,435.00
<b>II. Other Case Related Costs</b>				
A. Computer Search Time	\$10,178.41	\$193,549.45	\$33,975.00	\$48,549.00
B. Office Copy Reproduction	\$25,380.67	\$254,551.17	\$249,660.00	\$206,013.00
C. Microfiche Reproduction	\$0.00	\$13,042.87	\$8,020.00	\$11,686.00
D. Printed Records	\$839.49	\$9,627.69	\$3,288.00	\$7,575.00
E. Computer Copy	\$295.29	\$40,991.27	\$4,622.00	\$51.00
F. Audiovisual Materials	\$335.00	\$3,840.92	\$549.00	\$0.00
G. Other	\$584.24	\$48,552.11	\$23,280.00	\$88,815.00
H. Subtotal [A thru G]	\$37,613.10	\$564,155.48	\$323,394.00	\$362,689.00
I. Overhead [25% of H]	\$9,403.28	\$141,038.87	\$80,848.50	\$90,672.25
J. Total [H + I]	\$47,016.38	\$705,194.35	\$404,242.50	\$453,361.25
<b>III. Cost of Routine Requests Processed</b>				
	\$4,002.00	\$0.00	\$23,709.00	\$0.00
<b>IV. Total Costs [I thru III]</b>	\$2,231,207.86	\$8,729,249.10	\$6,581,722.75	\$5,854,796.25

\* Personnel assigned full-time or part-time FOI duties

\*\* Personnel other than I.B.



Item 10(b) (Cont'd)

COST OUTLINE	DCAA	DFAS	DIA	DIS
<b>I. Personnel Costs</b>				
A. Estimated Manyears*				1.7
B. Manyear Costs	2.4	4.1	3.5	\$65,313.00
C. Estimated Manhour Costs by Category (Fee Schedule Rates)**				
(1) Search Time	\$2,465.13	\$7,213.72	\$22,394.25	\$375.00
(2) Review & Excising	\$4,111.37	\$5,863.00	\$32,803.00	\$4,250.00
(3) Coordination & Approval	\$215.00	\$12,568.86	\$10,640.75	\$1,045.00
(4) Correspondence/Form Preparation	\$205.10	\$12,357.05	\$6,166.00	\$165.00
(5) Other Activities	\$300.70	\$12,978.00	\$2,196.00	\$66.00
(6) Total [(1) thru (5)]	\$7,297.30	\$50,980.63	\$74,200.00	\$5,901.00
D. Overhead [25% of (B + C)]	\$51,268.33	\$41,692.95	\$58,825.25	\$17,803.50
E. Total [B thru D]	\$256,341.63	\$208,464.74	\$294,126.25	\$89,017.50
<b>II. Other Case Related Costs</b>				
A. Computer Search Time	\$7,410.36	\$836.00	\$24,782.00	\$300.00
B. Office Copy Reproduction	\$1,551.12	\$1,176.70	\$2,458.20	\$75.00
C. Microfiche Reproduction	\$0.00	\$1,164.75	\$63.75	\$75.00
D. Printed Records	\$110.00	\$994.99	\$28.26	\$0.00
E. Computer Copy	\$0.00	\$0.00	\$0.00	\$15.00
F. Audiovisual Materials	\$0.00	\$0.00	\$970.00	\$0.00
G. Other	\$0.00	\$24.00	\$0.00	\$0.00
H. Subtotal [A thru G]	\$9,071.48	\$4,196.44	\$28,302.21	\$465.00
I. Overhead [25% of H]	\$2,267.87	\$1,049.11	\$7,075.55	\$116.25
J. Total [H + I]	\$11,339.35	\$5,245.55	\$35,377.76	\$581.25
<b>III. Cost of Routine Requests Processed</b>				
IV. Total Costs [I thru III]	\$267,680.98	\$213,710.29	\$329,504.01	\$89,598.75

\* Personnel assigned full-time or part-time FOI duties

\*\* Personnel other than I.B.

Item 10(b) (Cont'd)

COST OUTLINE	DISA	DLA	DMA	DNA
<b>I. Personnel Costs</b>				
A. Estimated Manyears*	3.0	22.4	0.7	2.5
B. Manyear Costs	\$100,646.00	\$724,849.00	\$32,970.00	\$113,514.90
<b>C. Estimated Manhour Costs by Category (Fee Schedule Rates)**</b>				
(1) Search Time	\$1,218.00	\$75,394.00	\$1,477.55	\$1,894.25
(2) Review & Excising	\$1,218.00	\$60,357.00	\$2,300.25	\$10,907.26
(3) Coordination & Approval	\$1,218.00	\$15,847.00	\$1,676.00	\$5,485.01
(4) Correspondence/Form Preparation	\$1,218.00	\$22,500.00	\$1,932.00	\$802.50
(5) Other Activities	\$0.00	\$49,596.00	\$62.00	\$7,289.52
(6) Total [(1) thru (5)]	\$4,872.00	\$223,694.00	\$7,447.80	\$26,378.54
D. Overhead [25% of (B + C)]	\$26,379.50	\$237,135.75	\$10,104.45	\$34,973.36
E. Total [B thru D]	\$131,897.50	\$1,185,678.75	\$50,522.25	\$174,866.80
<b>II. Other Case Related Costs</b>				
A. Computer Search Time	\$1,523.00	\$121,110.00	\$0.00	\$482.27
B. Office Copy Reproduction	\$1,383.00	\$28,577.00	\$1,417.44	\$1,553.55
C. Microfiche Reproduction	\$0.00	\$45,551.00	\$0.00	\$0.00
D. Printed Records	\$0.00	\$6,048.00	\$36.38	\$4.10
E. Computer Copy	\$0.00	\$97,071.00	\$0.00	\$8.48
F. Audiovisual Materials	\$0.00	\$0.00	\$0.00	\$0.00
G. Other	\$0.00	\$8,395.00	\$0.00	\$1,551.88
H. Subtotal [A thru G]	\$2,906.00	\$306,752.00	\$1,453.82	\$3,600.28
I. Overhead [25% of H]	\$726.50	\$76,688.00	\$363.46	\$900.07
J. Total [H + I]	\$3,632.50	\$383,440.00	\$1,817.28	\$4,500.35
<b>III. Cost of Routine Requests Processed</b>	\$0.00	\$270.00	\$0.00	\$0.00
<b>IV. Total Costs [I thru III]</b>	\$135,530.00	\$1,569,388.75	\$52,339.53	\$179,367.15

\* Personnel assigned full-time or part-time FOI duties

\*\* Personnel other than I.B.

Item 10(b) (Cont'd)

COST OUTLINE	NRO	NSA/CSS	OIG, DOD
<b>I. Personnel Costs</b>			
A. Estimated Manyears*	0.7	12.4	3.6
B. Manyear Costs	\$45,615.00	\$604,590.00	\$139,968.00
<b>C. Estimated Manhour Costs by Category (Fee Schedule Rates)**</b>			
(1) Search Time	\$2,830.00	\$40,436.00	\$3,295.00
(2) Review & Excising	\$1,587.00	\$26,449.00	\$18,502.00
(3) Coordination & Approval	\$241.00	\$0.00	\$5,153.00
(4) Correspondence/Form Preparation	\$200.00	\$1,420.00	\$2,325.00
(5) Other Activities	\$564.00	\$0.00	\$9,722.00
(6) Total [(1) thru (5)]	\$5,422.00	\$68,305.00	\$38,997.00
D. Overhead [25% of (B + C)]	\$12,759.25	\$168,223.75	\$44,741.25
E. Total [B thru D]	\$63,796.25	\$841,118.75	\$223,706.25
<b>II. Other Case Related Costs</b>			
A. Computer Search Time	\$0.00	\$9,989.00	\$97.00
B. Office Copy Reproduction	\$75.00	\$4,983.00	\$2,849.00
C. Microfiche Reproduction	\$0.00	\$0.00	\$3.00
D. Printed Records	\$0.00	\$0.00	\$85.00
E. Computer Copy	\$0.00	\$0.00	\$0.00
F. Audiovisual Materials	\$0.00	\$0.00	\$4.00
G. Other	\$0.00	\$0.00	\$472.00
H. Subtotal [A thru G]	\$75.00	\$14,972.00	\$3,510.00
I. Overhead [25% of H]	\$18.75	\$3,743.00	\$877.50
J. Total [H + I]	\$93.75	\$18,715.00	\$4,387.50
<b>III. Cost of Routine Requests Processed</b>			
IV. Total Costs [I thru III]	\$63,890.00	\$859,833.75	\$228,093.75

\* Personnel assigned full-time or part-time FOI duties

\*\* Personnel other than I.B.

## Item 10(c)

### Time Limit Extensions

Component	I			II & III		Total
	Unusual Circumstances			Court		
	Location	Volume	Consultation	Involvement		
OSD/JS	1,547	84	72	0		1,703
Dept Army	348	128	61	12		549
Dept Navy	32	605	64	0		701
Dept Air Force	75	1,126	341	0		1,542
DCAA	0	0	0	0		0
DFAS	0	15	0	0		15
DIA	71	610	84	0		765
DIS	165	5	10	0		180
DISA	0	64	7	1		72
DLA	88	484	144	0		716
DMA	4	0	6	0		10
DNA	8	8	67	0		83
NRO	0	0	8	0		8
NSA/CSS	0	535	45	0		580
OIG, DOD	246	29	37	0		312
<b>DOD Totals</b>	<b>2,584</b>	<b>3,693</b>	<b>946</b>	<b>13</b>		<b>7,236</b>