# DEPARTMENT OF DEFENSE

# FREEDOM OF INFORMATION ACT PROGRAM CY 1993

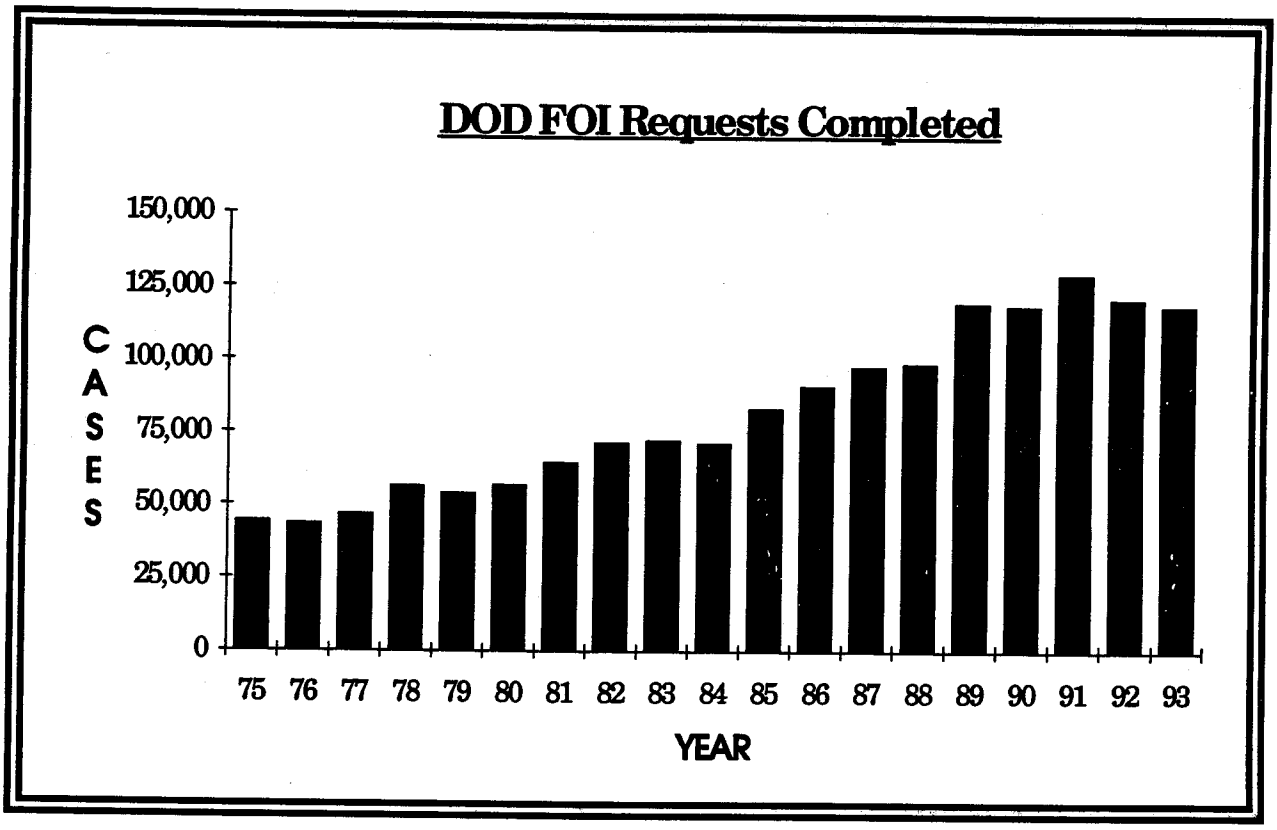
## REPORT TO CONGRESS

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

# FREEDOM OF INFORMATION ACT
# ANNUAL REPORT
# CALENDAR YEAR 1993

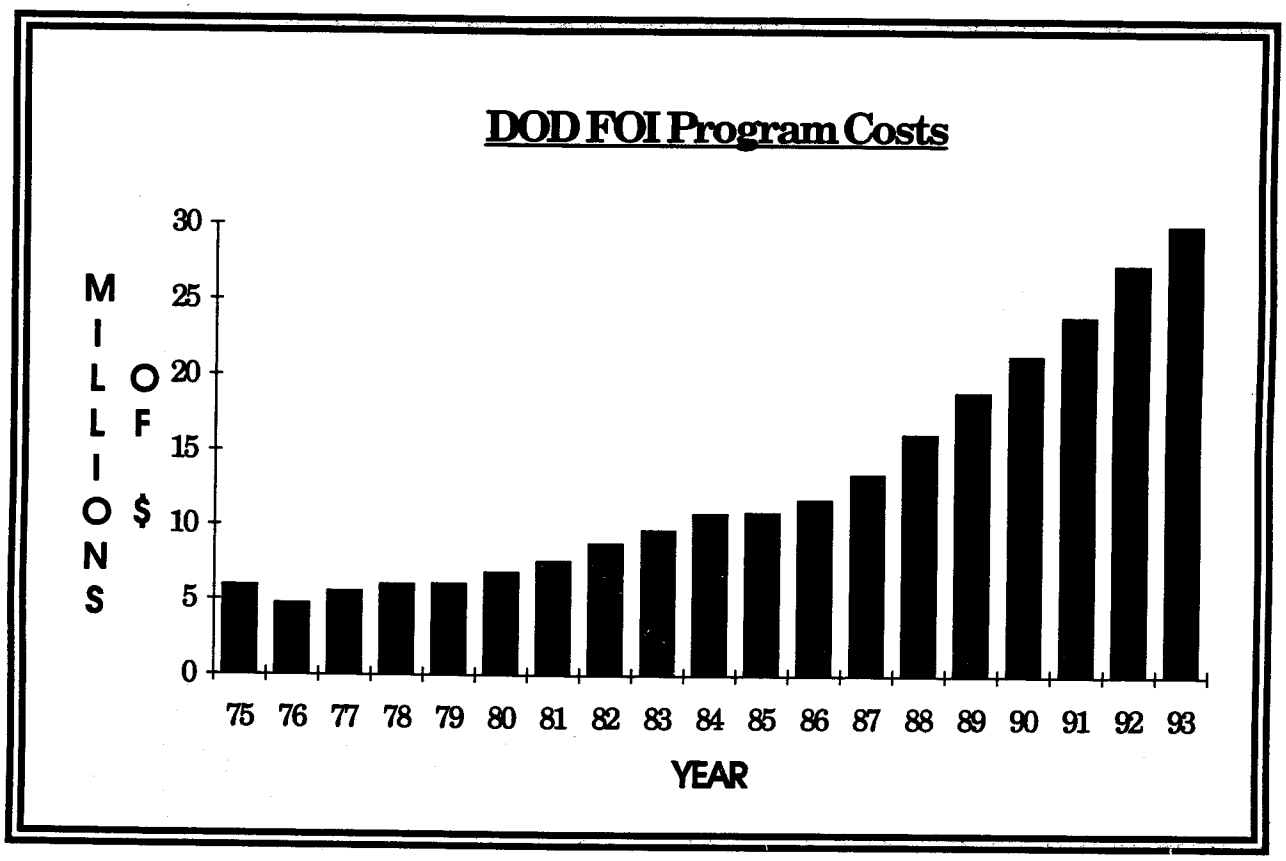
## SUMMARY

A total of 118,651 public requests for records under the Freedom of Information Act (FOIA) were completed during 1993 by the Department of Defense. As shown below, there was a slight decline in the number of cases processed in 1993 from the previous year.




The Department of Defense fully denied 1,798 and partially denied 9,229 out of 118,651 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; 12% for proprietary data; 18% for deliberative material; 26% for privacy information; and 22% for law enforcement investigations. An additional 28,810 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 1,417 actions taken on appeals of denied requests, (69 granted, 357 partially denied, 594 fully denied, and 397 could not be filled for other reasons, as mentioned earlier).

The total DoD operating cost associated with the 1993 requests was $30,099,397.89. The average cost of processing a single case during 1993 was approximately $254. Fee collections for records provided to the public amounted to $1,450,343.85. 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, OATSD (Public Affairs), Room 2C757, 1400 Defense Pentagon, Washington, D.C. 20301-1400.

# Table of Contents

# 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 Les P. Aspin |
| Dept Army | Secretary of the Army | Hon Togo D. West, Jr. |
| Dept Navy | Secretary of the Navy | Hon John B. Dalton |
| Dept Air Force | Secretary of the Air Force | Hon Shelia E. Widnall |
| DCAA | Defense Contract Audit Agency | Mr. William H. Reed |
| DFAS | Defense Finance and Accounting Service | Mr. John P. Springett |
| 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 Raymund E. O'Mara, USAF |
| DNA | Defense Nuclear Agency | MajGen Kenneth L. Hagemann, USAF |
| NRO | National Reconnaissance Office | Vacant |
| NSA/CSS | National Security Agency/Central Security Service | VAdm John M. McConnell, USN |
| OIG, DOD | Office of the Inspector General, Department of Defense | Mr. Derek J. Vander Schaaf |

# Department of Defense
# FOI Appeal and Program Officials

| Agency | Appellate Authority | Agency Program Head |
|---|---|---|
| OSD/JS | Hon Kathleen M. deLaski, Assistant to the Secretary of Defense (Public Affairs) | Mr. William M. McDonald, Director, Freedom of Information and Security Review |
| Dept Army | Hon Lawrence Baskir, Deputy General Counsel | Mrs. Rose Marie Christensen, Chief, Information Branch, Freedom of Information & Privacy Act Division, HQUSAISC-P |
| Dept Navy | RAdm H.E. Grant, USN, Judge Advocate General/Hon Steven S. Homigman, General Counsel of the Navy | Capt F.J. Herron, USN, Assistant Vice Chief of Naval Operations |
| Dept Air Force | Mr. Robert J. McCormick, Admin Asst to the Secretary of the Air Force | Mrs. Anne Turner, Air Force Access Programs Manager, Office of the Secretary of the Air Force |
| DCAA | Mr. John H. van Santen, Assistant Director, Resources | Mr. Dave Henshall, Information and Privacy Advisor |
| DFAS | Mr. John P. Springett, Director | Mr. Carroll Dennis, Director, External Affairs and Management Support |
| DIA | Mr. A. Denis Clift, Chief of Staff | Mr. Robert P. Richardson, Chief, FOIA Staff |
| DIS | Mr. John F. Donnelly, Director | Mr. Dale L. Hartig, Chief, Information/Public Affairs |
| DISA | LtGen Alonzo E. Short, Jr., USA, Director | Mrs. Susan Chadick, General Counsel |
| DLA | VAdm Edward M. Straw, USN, Director | Col Gary C. Tucker, USA, Staff Director, Administration |

| | | |
|---|---|---|
| DMA | Capt L.W. Urbik, USN, Chief of Staff | Mr. Edward J. Obloy, General Counsel |
| DNA | MajGen Kenneth L. Hagemann, USAF, Director | LtCol Deborah G. Irby, USA, Public Affairs/Freedom of Information Officer |
| NRO | Mr. Jimmie D. Hill, Deputy Director | Mr. Michael P. Healy, Director, External Relations |
| NSA/CSS | Mr. Robert L. Prestel, Deputy Director | Mr. Michael A. Smith, Director of Policy |
| OIG, DOD | Mr. Nicholas Lutsch, Assistant IG for Administration and Information Management | Ms. Nadine Dulacki, Chief, FOIA and Privacy Act Office |

# Item 1

## Initial Determinations

| Component | Total Requests | Granted in Full | Denied in Part | Denied in Full | Other | Total Actions* |
|---|---|---|---|---|---|---|
| OSD/JS | 3,900 | 1,236 | 561 | 87 | 2,195 | 4,079 |
| Dept Army | 34,481 | 23,362 | 2,482 | 600 | 8,451 | 34,895 |
| Dept Navy | 34,653 | 22,899 | 2,918 | 404 | 8,633 | 34,854 |
| Dept Air Force | 21,957 | 13,386 | 2,165 | 448 | 5,962 | 21,961 |
| DCAA | 193 | 70 | 20 | 3 | 100 | 193 |
| DFAS | 1,452 | 1,102 | 10 | 8 | 332 | 1,452 |
| DIA | 1,076 | 255 | 378 | 58 | 385 | 1,076 |
| DIS | 256 | 153 | 19 | 10 | 74 | 256 |
| DISA | 432 | 247 | 23 | 12 | 150 | 432 |
| DLA | 18,855 | 17,385 | 218 | 47 | 1,935 | 19,585 |
| DMA | 144 | 103 | 7 | 3 | 32 | 145 |
| DNA | 218 | 99 | 32 | 4 | 88 | 223 |
| NRO | 55 | 6 | 18 | 6 | 26 | 56 |
| NSA/CSS | 789 | 61 | 318 | 77 | 380 | 836 |
| OIG, DOD | 190 | 38 | 60 | 31 | 67 | 196 |
| DOD Totals | 118,651 | 80,402 | 9,229 | 1,798 | 28,810 | 120,239 |

* 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 | 354 | 69 | 64 | 97 | 147 | 143 | 44 | 0 | 0 | 918 |
| Dept Army | 332 | 376 | 29 | 709 | 1,134 | 1,885 | 942 | 24 | 0 | 5,431 |
| Dept Navy | 143 | 268 | 72 | 203 | 592 | 872 | 1,244 | 0 | 0 | 3,394 |
| Dept Air Force | 198 | 229 | 93 | 563 | 883 | 873 | 1,109 | 0 | 0 | 3,948 |
| DCAA | 0 | 0 | 0 | 4 | 8 | 11 | 2 | 0 | 0 | 25 |
| DFAS | 0 | 0 | 0 | 0 | 3 | 15 | 0 | 0 | 0 | 18 |
| DIA | 261 | 196 | 8 | 18 | 4 | 146 | 0 | 0 | 0 | 633 |
| DIS | 0 | 5 | 0 | 0 | 1 | 22 | 21 | 0 | 0 | 49 |
| DISA | 0 | 0 | 8 | 19 | 3 | 4 | 0 | 0 | 0 | 34 |
| DLA | 1 | 9 | 0 | 161 | 63 | 41 | 25 | 0 | 0 | 300 |
| DMA | 1 | 0 | 1 | 2 | 0 | 6 | 0 | 0 | 0 | 10 |
| DNA | 14 | 2 | 13 | 9 | 6 | 9 | 2 | 0 | 0 | 55 |
| NRO | 21 | 0 | 25 | 0 | 2 | 0 | 0 | 0 | 0 | 48 |
| NSA/CSS | 188 | 28 | 466 | 51 | 15 | 68 | 23 | 0 | 0 | 839 |
| OIG, DOD | 3 | 10 | 0 | 7 | 23 | 23 | 77 | 0 | 0 | 143 |
| DOD Totals | 1,516 | 1,192 | 779 | 1,843 | 2,884 | 4,118 | 3,489 | 24 | 0 | 15,845 |
| Percent of Total | 10% | 8% | 5% | 12% | 18% | 26% | 22% | 0% | 0% | 100% |

* 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 | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | OSD/ JS | Army | Navy | AF | DIA | DISA | DMA | DNA | NRO | NSA/ CSS | Total |
| 10 USC 128 | | | 1 | | | | | 2 | | | 3 |
| 10 USC 130 | 1 | 6 | 28 | 15 | | | | 1 | | | 51 |
| 10 USC 618 (e) | | 7 | | 20 | | | | | | | 27 |
| 10 USC 1102 (f) | | 7 | 31 | 11 | | | | | | | 49 |
| 10 USC 2796 | | | | | | | 1 | | | | 1 |
| 18 USC 798 | 2 | | | | | | | | | 91 | 93 |
| 22 USC 2778 (e) | 2 | | | | | | | | | | 2 |
| 35 USC 181-188 | | | 1 | | | | | | | | 1 |
| 41 USC 423 | | 9 | 7 | 31 | | 8 | | | | | 55 |
| 42 USC 290dd-3 | | | | 1 | | | | | | | 1 |
| 42 USC 2161-2168 (P.L. 703) | 8 | | 1 | 12 | | | | 10 | | | 31 |
| 50 USC 402 Note Sec 6, P.L. 86-36 | 8 | | | 1 | 2 | | | | | 284 | 295 |
| 50 USC 403 (g) | 4 | | | | | | | | | | 4 |
| Intelligence Authorization Act, FY 93, Sec 103 (c) (5) | | | | 2 | | | | | | | 2 |
| Intelligence Authorization Act, FY 93, Sec 406(a) | | | | | | | | | 13 | | 13 |
| National Security Act of 1947 (50 USC 401 et seq.), as amended, Sec 403-3 (c)(5) | 12 | | | | | | | | 12 | 91 | 115 |
| National Security Act of 1947, Sub-section 102 (d)(3), as amended (50 USC 403 (d)(3)) | 27 | | 3 | | 6 | | | | | | 36 |
| Agency Totals | 64 | 29 | 72 | 93 | 8 | 8 | 1 | 13 | 25 | 466 | 779 |

# Item 2(c)

## Other Reasons Cited on Initial Determinations

| Component | Category* | | | | | | Total |
|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | |
| OSD/JS | 1,181 | 417 | 87 | 237 | 256 | 32 | 2,210 |
| Dept Army | 3,567 | 1,837 | 397 | 1,083 | 828 | 739 | 8,451 |
| Dept Navy | 3,994 | 2,480 | 397 | 528 | 964 | 288 | 8,651 |
| Dept Air Force | 1,765 | 2,380 | 380 | 605 | 704 | 128 | 5,962 |
| DCAA | 44 | 16 | 7 | 3 | 27 | 3 | 100 |
| DFAS | 33 | 200 | 84 | 4 | 6 | 5 | 332 |
| DIA | 8 | 322 | 0 | 6 | 3 | 54 | 393 |
| DIS | 7 | 46 | 0 | 8 | 16 | 0 | 77 |
| DISA | 20 | 20 | 2 | 3 | 2 | 103 | 150 |
| DLA | 253 | 499 | 311 | 269 | 442 | 161 | 1,935 |
| DMA | 14 | 10 | 5 | 1 | 2 | 0 | 32 |
| DNA | 21 | 19 | 2 | 9 | 32 | 5 | 88 |
| NRO | 1 | 22 | 3 | 0 | 0 | 0 | 26 |
| NSA/CSS | 58 | 207 | 21 | 74 | 15 | 5 | 380 |
| OIG, DOD | 26 | 14 | 4 | 15 | 7 | 1 | 67 |
| DOD Totals | 10,992 | 8,489 | 1,700 | 2,845 | 3,304 | 1,524 | 28,854 |

* 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 |
|---|---|---|---|
| **OSD/JS** | | | |
| Akins, Carl | Civ | Deputy Director for Program Administration and Support, Office of Civilian Health and Medical Program of the Uniformed Services | 18 |
| Alderman, Craig | Civ | Deputy Under Secretary of Defense for Security Policy | 1 |
| Alexander, Robert M. | LtGen | Deputy Assistant Secretary of Defense (Military Manpower and Personnel Policy), Assistant Secretary of Defense (Force Management and Personnel) | 2 |
| Aly, Stewart | Civ | Associate Deputy General Counsel (Legal Counsel), General Counsel | 1 |
| Andrews, Duane P. | Civ | Assistant Secretary of Defense (Command, Control, Communications and Intelligence) | 1 |
| Aurelio, Frank J. | Civ | Acting Assistant to the Secretary of Defense (Intelligence Oversight) | 1 |
| Ball, Elwood G. | Civ | Special Assistant , Director, Defense Research and Engineering | 2 |
| Basel, John M. | Col | Executive Assistant to Deputy Commander, United States Pacific Command | 11 |
| Baumgardner, Haynes M., Jr. | Col | Deputy Director, Manpower, Personnel and Security, United States European Command | 14 |
| Brick, Samuel T. | Civ | Director, Legislative Reference Service, General Counsel | 2 |
| Caddell, Ray L. | Col | Director, Management Operations, Strategic Defense Initiative Organization | 16 |

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|---|---|---|---|
| Carpenter, Dennis D. | Col | Director, Manpower, Personnel, and Administration, United States Southern Command | 2 |
| Cheney, Steve | LtCol | Deputy Executive Secretary of the Department of Defense | 3 |
| Cole, George P. | LtCol | Deputy Executive Secretary of the Department of Defense | 1 |
| Coll, Alberto R. | Civ | Principal Deputy, Assistant Secretary of Defense (Special Operations and Low Intensity Conflict) | 1 |
| Connelly, Janet M. | Civ | Deputy Chief, Documentation Division, Joint Staff | 8 |
| Cook, Charles | Col | Military Assistant, Director, Test and Evaluation, Defense Research and Engineering | 1 |
| Cooke, David O. | Civ | Director, Administration and Management, Washington Headquarters Services | 23 |
| Dallager, John R. | Col | Deputy Chief of Staff, United States Central Command | 5 |
| Deegan, Gene A. | MajGen | Vice Director, Joint Staff | 1 |
| Dellermann, Frank | Civ | Director, Strategy Forces and Operations, Assistant Secretary of Defense (Nuclear Security and Counter Proliferation) | 2 |
| Dyke, Charles W. | MajGen | Vice Director, Joint Staff | 1 |
| Ellis, Robert L. | RAdm | Director, East Asia and Pacific Affairs, Assistant Secretary of Defense (International Security Affairs) | 1 |
| Fites, Jeanne | Civ | Principal Director, Requirements/Resources, Assistant Secretary of Defense (Force Management and Personnel) | 2 |
| Fitzgibbon, Gerald M. | Civ | Director, Proliferation Controls and Countermeasures, Assistant Secretary of Defense (International Security Affairs) | 1 |
| Fister, Bruce L. | MajGen | Commander, United States Air Force Special Operations Command | 11 |

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|---|---|---|---|
| Ford, Carl W., Jr. | Civ | Principal Deputy, Assistant Secretary of Defense (International Security Affairs) | 2 |
| Freeman, Waldo D. | MajGen | Deputy Commander in Chief/Chief of Staff, United States Central Command | 32 |
| Garant, Ronald G. | Civ | Director for Investment, Comptroller | 1 |
| Gilliat, Robert L. | Civ | Deputy General Counsel, Personnel and Health Policy, General Counsel | 2 |
| Ginman, Richard T. | Capt | Deputy Director, Defense Procurement, Under Secretary of Defense (Acquisition) | 9 |
| Goetze, Richard B., Jr. | MajGen | Vice Director, Joint Staff | 2 |
| Gray, Edward | LtCol | Deputy Director, Management Operations Division, Ballistic Missile Defense Organization | 22 |
| Groves, Linda K. | Capt | Executive Assistant, Assistant to the Secretary of Defense (Atomic Energy) | 2 |
| Gulyas, Stephen M. | Col | Chief of Staff, National Defense University | 2 |
| Hamilton, Kelly S. | LtCol | Chief, SEA Branch, Plans/Policy Division, United States Pacific Command | 2 |
| Hamilton, Mark R. | BrigGen | Deputy Director, Plans/Policy Division, United States Pacific Command | 1 |
| Hensler, Robert M. | Col | Chief, Operations, Plans Division, United States Pacific Command | 2 |
| Ikle, Fred | Civ | Under Secretary of Defense for Policy | 1 |
| Janssen, Daniel F. | Civ | Assistant Director, Management Operations Division, Ballistic Missile Defense Organization | 1 |
| Johnson, Darel S. | Civ | Director, European Policy, Assistant Secretary of Defense (International Security Policy) | 7 |
| Jones, Jerome C. | BrigGen | Vice Commander, United States Air Force Special Operations Command | 1 |
| Kern, Vincent D. | Civ | Director, Africa Region, Deputy Assistant Secretary of Defense (African Affairs), Assistant Secretary of Defense (International Security Affairs) | 1 |

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|---|---|---|---|
| Kincaid, William R. | Civ | Special Assistant to the Director, Tactical Systems, Under Secretary of Defense (Acquisition) | 2 |
| Kingsley, James A. | Col | Chief, Operations, Liaison Division, United States Pacific Command | 1 |
| Koch, Michael E. | Col | Chief of Staff, Defense Commissary Agency | 15 |
| Lanier, Jack O. | Civ | Principal Deputy Assistant Secretary of Defense (Health Affairs) | 1 |
| Lekang, Janet M. | Civ | Deputy Chief, Document Division, Joint Staff | 1 |
| Lilley, James R. | Civ | Assistant Secretary of Defense (International Security Affairs) | 1 |
| Locher, James R. III | Civ | Assistant Secretary of Defense (Special Operations and Low Intensity Conflict) | 1 |
| Lowe, Robert A. | Col | Chief of Staff, United States Transportation Command | 2 |
| Lusey, Rodney S. | Col | Deputy Chief of Staff, United States Space Command | 3 |
| Mabry, Robert C. | Capt | Deputy Chief of Staff, United States Special Operations Command | 4 |
| Malinowski, Paul A. | LtCol | Secretary, Joint Staff, United States Special Operations Command | 2 |
| Marshall, Andrew W. | Civ | Director, Net Assessment | 2 |
| Martin, Edward D. | Civ | Acting Assistant Secretary of Defense (Health Affairs) | 1 |
| Maude, Timothy J. | BrigGen | Director, Manpower, Personnel and Security, United States European Command | 12 |
| McBride, Edmund F. | Civ | Chief, Documents Division, Joint Staff | 8 |
| McDevitt, Michael A. | 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 to the Secretary of Defense (Public Affairs) | 54 |

| | | | |
|---|---|---|---|
| McKalip, H. Diehl | Civ | Acting Director, Defense Security Assistance Agency | 1 |
| Menas, George E. | Civ | Acting Director, Defense Technical Security Administration | 1 |
| Michael, Louis C. | Civ | Principal Deputy, Assistant Secretary of Defense (International Security Policy) | 1 |
| Miles, David A. | Col | Deputy Chief of Staff, United States Special Operations Command | 6 |
| Mirkovich, David | LtCol | Deputy Director, Management Operations Division, Ballistic Missile Defense Organization | 16 |
| Mock, William G. | Civ | Regional Director, Deputy Assistant Secretary of Defense (Inter American Affairs); Deputy Director, Assistant Secretary of Defense (International Security Affairs) | 1 |
| Molholm, Kurt N. | Civ | Administrator, Defense Technical Information Center | 1 |
| Muckerman, Joseph E. | Civ | Director, Emergency Planning, Deputy Under Secretary of Defense for Security Policy | 1 |
| O'Connor, Richard M. | Col | Director, Treaty Implications, United States Southern Command | 2 |
| O'Donnell, William K. | Civ | Executive Assistant, Assistant Secretary of Defense (Command, Control, Communications and Intelligence) | 9 |
| Ostovich, Rudolph, III | MajGen | Vice Director, Joint Staff | 34 |
| Pendley, William T. | Civ | Deputy Assistant Secretary (East Asia and Pacific Affairs), Assistant Secretary of Defense (International Security Affairs) | 3 |
| Pollari, Ray W. | Civ | Acting Deputy, Assistant Secretary of Defense Command, Control, Communications and Intelligence) | 1 |
| Pontius, Harry | Civ | Director, Policy Directorate, Assistant Secretary of Defense Command, Control, Communications and Intelligence) | 1 |
| Powell, Gary | Civ | Executive Assistant, Deputy Assistant Secretary of Defense (Production Resources) | 1 |

| | | | |
|---|---|---|---|
| Ra'anan, Michael | Civ | General Counsel, On Site Inspection Agency | 1 |
| Rangel, Hector M. | Col | Acting Director, Management Directorate, Assistant to the Secretary of Defense (Public Affairs) | 2 |
| Ream, David W. | Civ | Director, Standard of Conduct Office, General Counsel | 1 |
| Register, Ronnie H. | Civ | Deputy Director for Management, Defense Advanced Research Projects Agency | 19 |
| Rhoden, Harold H. | BrigGen | Vice Commander, 9th Air Force, United States Central Command | 2 |
| Rigby, David J. | Civ | Deputy Chief, Public Affairs, On Site Inspection Agency | 1 |
| Robertson, Charles T., Jr. | MajGen | Vice Director, Joint Staff | 14 |
| Rogers, Richard L. | Civ | Deputy Executive Secretary of the Department of Defense | 1 |
| Ross, Edward W. | Civ | Acting Director, Assistant Secretary of Defense (POW/MIA Affairs); Acting Director, Defense POW/MIA Office | 7 |
| Rostow, Victor | Civ | Deputy Assistant Secretary of Defense (Conventional Forces and Arms Control Policy), Assistant Secretary of Defense (International Security Policy) | 1 |
| Roth, Stanley O. | Civ | Deputy Assistant Secretary (East Asia and Pacific Affairs), Assistant Secretary of Defense (International Security Affairs) | 4 |
| Rudd, Glenn A. | Civ | Deputy Director, Defense Security Assistance Agency | 27 |
| Rudman, William N. | Civ | Deputy Under Secretary of Defense (Trade Security Policy) | 1 |
| Sanders, Ronald P. | Civ | Principal Director, Deputy Assistant Secretary of Defense (Civilian Personnel/Equal Opportunity), Assistant Secretary of Defense (Personnel and Readiness) | 1 |

| | | | |
|---|---|---|---|
| Schachter, Leon J. | Civ | Director, Directorate for Industrial Security Clearance Review, Defense Legal Services Agency | 5 |
| Scheflen, Kenneth C. | Civ | Director, Defense Manpower Data Center, Assistant Secretary of Defense (Force Management and Personnel) | 18 |
| Schlatter, Joseph A., Jr. | Col | Deputy Chief, Defense POW/MIA Office | 10 |
| Schneider, Mark B. | Civ | Acting Deputy Assistant Secretary of Defense (Strategic Defense Space and Verification Policy), Assistant Secretary of Defense (International Security Policy) | 1 |
| Schriefer, Luther F. | Civ | Acting Deputy Assistant Secretary of Defense (Inter American Affairs), Assistant Secretary of Defense (International Security Affairs) | 3 |
| Schulte, Gregory L. | Civ | Director, Strategic Forces Policy, Assistant Secretary of Defense (International Security Policy) | 1 |
| Scott, J. T. | LtGen | Commanding General, United States Army Special Operations Command | 1 |
| Scott, R. Mark | Civ | Chief, Policy Division, Central Imagery Office | 2 |
| Sharkey, William J., Jr. | Civ | Director, Program Support, Assistant Secretary of Defense (Production and Logistics) | 2 |
| Sheridan, Brian E. | Civ | Deputy, Assistant Secretary of Defense (Drug Enforcement Policy and Support) | 1 |
| Smith, Darrell G. | Col | Deputy Chief of Staff, United States Special Operations Command | 2 |
| Smith, Frederick C. | Civ | Director, Near East and South Asian Region, Assistant Secretary of Defense (International Security Affairs) | 14 |
| Smith, Mason E. | Col | Deputy Chief of Staff, United States Space Command | 8 |
| Sterlacci, Michael A. | Civ | Deputy General Counsel, General Counsel | 2 |
| Stremple, John L. | Civ | Director, Department of Defense Dependents Schools | 12 |

| | | | |
|---|---|---|---|
| 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) | 9 |
| Tamblyn, Marcia J. | LtCol | Executive Assistant, Assistant Secretary of Defense (Command, Control, Communications and Intelligence) | 4 |
| Taylor, Robert W. | Civ | Principal Deputy, Assistant to the Secretary of Defense (Public Affairs) | 2 |
| Taylor, Wesley B., Jr. | BrigGen | Deputy Assistant Secretary of Defense (Policy and Missions), Assistant Secretary of Defense (Special Operations and Low Intensity Conflict) | 2 |
| Thomas, Trent N. | BrigGen | Director, Intelligence, United States Southern Command | 3 |
| Thompson, John C. | MajGen | Director, Operations, United States Southern Command | 8 |
| Tucker, Alvin | Civ | Deputy Comptroller (Management Systems), Department of Defense Comptroller | 2 |
| Vesser, Dale A. | LtGen | Principal Deputy, Assistant Secretary of Defense (Strategy, Requirements and Resources) | 1 |
| Wermuth, Michael A. | Civ | Deputy Assistant Secretary of Defense (Drug Enforcement Policy and Support) | 1 |
| Wiles, John A. | Civ | Director, Defense Evaluation Support Activity, Under Secretary of Defense (Acquisition) | 2 |
| Woods, Roy S., Jr. | Civ | Chief, Congressional Actions and Internal Reports, Directorate of Acquisition Policy and Programs Integration | 3 |
| 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 | 28 |

| | | | |
|---|---|---|---|
| Zubel, John S. | Col | Chief of Staff, 9th Air Force, United States Central Command | 3 |

## DEPARTMENT OF THE ARMY

| | | | |
|---|---|---|---|
| Bagley, Claude | Civ | Division Counsel-Lower Mississippi Valley District, Corps of Engineers | 7 |
| Baines, E. Darden | Civ | Chief, Administrative Services, National Guard Bureau | 34 |
| Bates, Dennis L. | Civ | Chief Counsel, Letterkenny Army Depot | 10 |
| Baughman, Norman B. | Civ | Division Counsel-Huntsville District, Corps of Engineers | 6 |
| Bedwell, Richard E. | LtCol | Executive Officer, United States Total Army Personnel Command | 22 |
| Berry, Peter T. | MajGen | Commander, United States Army Criminal Investigation Command | 362 |
| Black, Richard H. | Col | Chief, Criminal Law Division, Office of the Judge Advocate General | 16 |
| Black, Verbon | Civ | Chief Counsel, United States Army Missile Command | 5 |
| Blanton, Barbara A. | Civ | Acting Chief, Freedom of Information/Privacy, United States Army Intelligence and Security Command | 303 |
| Borland, David | Civ | Director, United States Army Information Systems Selection and Acquisition Agency | 41 |
| Bruns, Thomas E. | Col | Chief, Contracting Division, G4 (Logistics), United States Army Forces Command | 56 |
| Bush, Brian X. | Col | Acting Commander, United States Army Claims Service, Office of the Judge Advocate General | 2 |
| Cisneros, Marc A. | MajGen | Deputy The Inspector General | 87 |
| Ciummo, David | Civ | Principal Assistant Responsible for Contracting, United States Army Information Systems Command | 1 |

| | | | |
|---|---|---|---|
| Cohen, Martin | Civ | Assistant Chief Counsel for Litigation, Corps of Engineers | 59 |
| Cooper, Fredrick D. | Col | Information Management Officer, Office of the Deputy Chief of Staff for Personnel | 28 |
| Corman, Roger | Capt | Chief Counsel, Tooele Army Depot | 3 |
| DiGiovani, Joseph | Civ | Division Counsel-New England District, Corps of Engineers | 4 |
| Downhour, O. Wayne | Col | Principal Assistant Responsible for Contracting, United States Army Training and Doctrine Command | 16 |
| Edwards, John T. | Col | Commandant, The Judge Advocate General School, Office of the Judge Advocate General | 1 |
| Eiche, Jay | Capt | Legal Counsel, United States Army Material Command | 2 |
| Fowler, Joseph C., Jr. | Col | Commander, United States Army Claims Service, Office of the Judge Advocate General | 3 |
| Frenette, Richard | Civ | Counsel-Humphreys Engineer Center District, Corps of Engineers | 15 |
| Frost, John W. | Col | Commander, United States Army Reserve Personnel Center | 190 |
| Futch, Michael | Civ | Chief Counsel, Tobyhanna Army Depot | 3 |
| Gaines, Toni M. | Civ | Acting Principal Assistant Responsible for Contracting, United States Army Forces Command | 28 |
| Gallagher, Shawn T. | Maj | Command Judge Advocate General, Yuma Proving Ground | 23 |
| Gauger, Raymond A. | Col | Director for Acquisition, United States Army Training and Doctrine Command | 17 |
| Goodbary, Robert A. | MajGen | Acting The Inspector General | 15 |
| Griffith, Ronald H. | LtGen | The Inspector General | 197 |
| Griner, Remer W. | Civ | Chief, Technical Service Branch, United States Total Army Personnel Command | 30 |

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| Guinan, William J. | Civ | Counsel, United States Army Audit Agency | 24 |
| Gunn, Ralph L. | Civ | Information Manager, Headquarters | 64 |
| Hahn, Alan K. | Col | Chief Counsel, United States Army Test and Evaluation Command | 1 |
| Halperin, Ben | Civ | Chief Counsel, United States Army Research, Development and Engineering Center | 6 |
| 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 | 168 |
| Hemingway, Charles W. | LtCol | Chief, Labor and Employment Law Division, Office of the Judge Advocate General | 25 |
| 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 | 148 |
| Hobbs, Quincy C., Jr. | Col | Principal Assistant Responsible for Contracting, United States Army Contracting Center, Europe | 17 |
| Holloman, J. Thomas | Col | Chief, Army Procurement Fraud Division, Office of the Judge Advocate General | 1 |
| Kaplan, Marshall M. | Col | Chief, Standards of Conduct Office, Office of the Judge Advocate General | 1 |
| Kilmartin, Thomas G. | BrigGen | Deputy Chief, United States Army Reserve | 2 |
| King, Bruce J. | Civ | Acting Director, Contracting Division, United States Army Acquisition Agency | 2 |
| Klements, Newton | Civ | Division Counsel-North Atlantic District, Corps of Engineers | 8 |
| Kullman, Thomas M. | Col | Staff Judge Advocate, United States Army Materiel Command | 31 |
| Lamy, Joel R. | LtCol | Commander, United States Army Health Services Command Acquisition Activity | 18 |

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| Lane, Jack F., Jr. | Col | Chief, Standards of Conduct Office, Office of the Judge Advocate General | 2 |
| LaNoue, Alcide M. | LtGen | The Surgeon General | 53 |
| Lappin, Don E. | Civ | Chief, General Law Division, United States Army Armament, Munitions and Chemical Command | 84 |
| Lingenfelter, Stephen | Civ | Division Counsel-South Atlantic District, Corps of Engineers | 9 |
| Lovelady, William N., Jr. | Civ | Laboratory Counsel-Waterways Experiment Station District, Corps of Engineers | 20 |
| Lowe, Gregory A. | Col | Commandant, United States Disciplinary Barracks | 4 |
| Lyman, Carter | Civ | Division Counsel-Pacific Ocean District, Corps of Engineers | 2 |
| Mahoney, Robert | Civ | Division Counsel-Missouri River District, Corps of Engineers | 8 |
| Middleton, Douglas J. | Col | Chief of Staff, United States Army Community and Family Support Center | 7 |
| Miskell, C. David | Civ | Acting Chief, Administrative Services, National Guard Bureau Staff for Personnel | 20 |
| Moore, Edward J. | LtCol | Principal Assistant Responsible for Contracting, United States Army South | 5 |
| Murray, Robert E. | MajGen | Assistant Judge Advocate General, Office of the Judge Advocate General | 2 |
| Nardotti, Michael J. | MajGen | The Judge Advocate General | 2 |
| Otgen, John P. | MajGen | Acting The Inspector General | 4 |
| Owens, Billy E. | Civ | Principal Assistant Responsible for Contracting, United States Army Intelligence and Security Command | 17 |
| Page, Reba | Civ | Division Counsel-Ohio River District, Corps of Engineers | 4 |
| Paschke, Jerry B. | Capt | Legal Officer, Sierra Army Depot | 1 |

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|---|---|---|---|
| Peay, J. H. Binford, III | LtGen | Deputy Chief of Staff for Operations and Plans | 6 |
| Phillips, Zane | Civ | Principal Assistant Responsible for Contracting, United States Army Strategic Defense Command | 9 |
| Reinke, Cecil | Civ | Division Counsel-North Pacific District, Corps of Engineers | 10 |
| Renkey, Leslie E. | Civ | Chief Counsel, Blue Grass Army Depot | 3 |
| Rucker, John T. | LtCol | Acting Chief, Criminal Law Division, Office of the Judge Advocate General | 1 |
| Ruppert, Raymond C. | Col | Chief, International and Operations Law Division, Office of the Judge Advocate General | 1 |
| Salomon, Leon E. | LtGen | Deputy Chief of Staff for Logistics | 3 |
| Sandler, Roger W. | MajGen | Chief, Army Reserve | 7 |
| Sealock, Jane B. | Civ | Chief, Freedom of Information/Privacy, United States Army Intelligence and Security Command | 169 |
| Shapiro, Alan | Civ | Division Counsel, South Pacific District, Corps of Engineers | 8 |
| Simek, Peggy O. | LtCol | Principal Assistant Responsible for Contracting, Military Traffic Management Command | 1 |
| Solomon, Sandy | Civ | Division Counsel-North Central District, Corps of Engineers | 20 |
| Srump, John A. | LtCol | Staff Judge Advocate, United States Army White Sands Missile Range | 174 |
| Thomason, Matthew D., III | Civ | Division Counsel-Transatlantic District, Corps of Engineers | 7 |
| Tilelli, John H. | LtGen | Deputy Chief of Staff for Operations and Plans | 123 |
| 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 | 10 |

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|---|---|---|---|
| Wise, Franklin F. | Col | Chief of Staff, United States Total Army Personnel Command | 67 |
| Wixted, Michael G. | Col | Chief of Staff, United States Total Army Personnel Command | 53 |
| Woodard, William D. | Civ | Laboratory Counsel-Construction Engineering Research District, Corps of Engineers | 22 |

## DEPARTMENT OF THE NAVY

| | | | |
|---|---|---|---|
| Allard, D. E. | Civ | Director of Naval History | 1 |
| Anselmo, P. S. | RAdm | Head, Aviation Plans and Requirements Branch (N880) | 1 |
| Ayers, L. L. | Capt | Vice Commander, Atlantic Division, Naval Facilities Engineering Command | 7 |
| Baggett, J. E | Capt | Deputy Judge Advocate General (International Law) | 1 |
| Baker, J. | Capt | Director, Afloat Safety Programs, Naval Safety Center | 1 |
| Beard, G. C., Jr. | Capt | Commander, Submarine Group 9, United States Pacific Fleet | 3 |
| Becker, F. R. | Capt | Legal Counsel, Bureau of Naval Personnel | 68 |
| Bennett, D. M. | VAdm | Inspector General | 42 |
| Berson, V. E., Jr. | Lt | Staff Judge Advocate, United States Naval Support Activity, Naples, Italy, United States Naval Forces Europe | 1 |
| Bond, J. N. | LtCdr | Staff Judge Advocate, Fleet Air Mediterranean, United States Naval Forces Europe | 2 |
| Brown, R. E. | Capt | Commanding Officer, Chesapeake Division, Naval Facilities Engineering Command | 5 |
| Burns, J. D. | Capt | Deputy Commander, Naval Security Group Command | 1 |
| Cantrell, W. H. | RAdm | Commander, Space and Naval Warfare Systems Command | 10 |

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|---|---|---|---|
| Chema, J. R. | LtCdr | Staff Judge Advocate, Office of Naval Intelligence | 13 |
| Cook, R. | Capt | Vice Commander, Naval Air Warfare Center (Weapons), Naval Air Systems Command | 2 |
| Cook, T. P. | Maj | Staff Judge Advocate, Naval Criminal Investigative Service | 975 |
| Courtney, T. E. | LtCdr | Staff Judge Advocate, Naval Aviation Activities Brunswick, United States Atlantic Fleet | 49 |
| Coyle, R. E. | Capt | Staff Judge Advocate, Naval Air Systems Command | 340 |
| Coyle, S. J. | Cdr | Acting Fleet Judge Advocate, United States Pacific Fleet | 2 |
| Dames, T. A. | RAdm | Commanding Officer, Atlantic Division, Naval Facilities Engineering Command | 5 |
| Davis, D. E. | Col | Commanding Officer, Marine Corps Logistics Base, Barstow | 1 |
| Davis, E. B. | Capt | Deputy Commander, Naval Computer and Telecommunications Command | 7 |
| Decicco, W. A. | Cdr | Force Judge Advocate, Naval Air Force, United States Atlantic Fleet | 1 |
| Dejaegher, R. H. | Capt | Commander, Fleet Air Western Pacific, United States Pacific Fleet | 1 |
| Despain, W. M. | Capt | Commander, United States Naval Base, Guantanamo Bay, United States Atlantic Fleet | 1 |
| Dirren, F. M., Jr. | RAdm | Commander Naval Aviation Activities, Jacksonville, United States Atlantic Fleet | 25 |
| Dombroski, J. E. | Capt | Vice Commander, Naval Legal Service Command | 1 |
| Doran, W. F. | RAdm | Director, Operations, Plans and Political Military Affairs Division (N31/N52) | 2 |
| Doyle, J. R. | Capt | Executive Officer, Naval Construction Center, Pt. Hueneme | 9 |

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|---|---|---|---|
| Eddingfield, L. E. | Capt | Deputy and Chief of Staff, Naval Surface Force, United States Pacific Fleet | 5 |
| Eddington, D. E. | Capt | Force Judge Advocate, Naval Reserve Force | 28 |
| Elder, C. E. | Cdr | Staff Judge Advocate, Chief of Naval Air Training | 2 |
| Ensch, J. C. | Capt | Commander, Naval Training Center San Diego | 1 |
| Estes, G. B. | RAdm | Commanding Officer, Pacific Division, Naval Facilities Engineering Command | 2 |
| Finch, M. D. | Capt | Deputy Assistant Judge Advocate General, Claims and Tort Litigation | 9 |
| Fiske, R. N. | Cdr | Deputy Assistant Judge Advocate General, Investigations | 221 |
| Fladd, W. R. | RAdm | Deputy and Chief of Staff, Naval Surface Force, United States Pacific Fleet; Commander South Atlantic Force, United States Atlantic Fleet | 5 |
| Flemming, R. P. | Capt | Chief of Staff, Commander, Fleet Air Keflavik, United States Atlantic Fleet | 3 |
| Foxall, R. W. | Lt | Assistant Staff Judge Advocate, Naval Base Norfolk, United States Atlantic Fleet | 1 |
| Gabriel, C. A. | Capt | Commander, Naval Media Center | 1 |
| Gallagher, T. | LtCdr | Deputy Staff Judge Advocate, Naval Criminal Investigative Service | 236 |
| Gay, R. G. | Capt | Chief of Staff, Submarine Group 10, United States Atlantic Fleet | 1 |
| Goetz, G. F. | Lt | Assistant Force Judge Advocate, Naval Reserve Force | 29 |
| Grant, F. I. | Capt | Director, Naval Council of Personnel Boards | 4 |
| Green, M. G. | Lt | Staff Judge Advocate, Naval Postgraduate School | 5 |
| Gunn, T. E. | Capt | Commanding Officer, Southern Division, Naval Facilities Engineering Command, Charleston | 5 |
| Hagen, D. F. | VAdm | Chief, Bureau of Medicine and Surgery | 43 |

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| Hall, T. F. | RAdm | Commander, Naval Reserve Force | 1 |
| Hamilton, F. X., Jr. | MajGen | Commander, Marine Corps Logistics Base, Albany, Georgia | 2 |
| Hancock, W. A. | Cdr | Assistant Chief of Staff Operations, United States Naval Academy | 7 |
| Hanel, L. E. | Capt | Acting Commander, Naval Base Seattle, United States Pacific Fleet | 1 |
| Hannas, M. D. | Civ | Acting Deputy Assistant Judge Advocate General (Claims and Tort Litigation) | 3 |
| Hargrave, D. | Cdr | Executive Assistant, Naval Air Warfare Center Weapons Division, Naval Air Systems Command | 18 |
| Harness, F. W. | RAdm | Commander, Naval Base Philadelphia, United States Atlantic Fleet | 7 |
| Hendrickson, D. M. | Capt | Chief of Staff, United States Central Command, United States Atlantic Fleet | 2 |
| Hickman, D. E. | RAdm | Vice Commander, Naval Supply Systems Command | 8 |
| Higginbotham, G. B. | BrigGen | Commanding General, 1st Force Service Support Group, Camp Pendleton | 1 |
| Holtz, M. B. | Civ | Director, Public Affairs, Military Sealift Command | 1 |
| Jackson, A. P. | LtCdr | Acting Deputy Assistant Judge Advocate General (Investigations) | 103 |
| Johnson, P. N. | Capt | Acting Deputy and Chief of Staff, Naval Surface Force, United States Pacific Fleet | 2 |
| Jones, J. E. | Capt | Commanding Officer, Engineering Field Activity, Mediterranean | 2 |
| Jones, R. G., Jr. | RAdm | Staff Judge Advocate, Chief of Naval Air Training | 8 |
| Kalleres, M. P. | VAdm | Commander, Military Sealift Command | 1 |
| Kamrath, R. A. | Capt | Chief of Staff, Naval Base Charleston, United States Atlantic Fleet | 9 |

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| Kaup, K. L. | RAdm | Commander, Naval Base Charleston, United States Atlantic Fleet | 7 |
| Kavanaugh, J. T. | RAdm | Commander, Naval Exchange Service Command | 5 |
| Kelley, P. W. | Capt | Deputy Assistant Judge Advocate General (Admiralty) | 2 |
| Kelly, L. J. | Civ | Director, Administration and Resources Management Division, Headquarters United States Marine Corps | 10 |
| Kihune, R. K. U. | VAdm | Chief of Naval Education and Training | 10 |
| Kill Kelley, J. | Civ | Acting Director, Office of Civilian Personnel Management | 1 |
| Kotzen, P. S. | Civ | Deputy Inspector General | 47 |
| Kristensen, E. K. | RAdm | Commander, United States Naval Forces Marianas, United States Pacific Fleet | 2 |
| Krol, J. J. | Capt | Chief of Staff, Naval Submarine Force, United States Atlantic Fleet | 20 |
| Lagomarsino, T. S. | Capt | Acting Commander, Naval Training Center Orlando | 1 |
| Lair, J. A. | RAdm | Commander, Carrier Group 2, United States Atlantic Fleet | 1 |
| Lawrence, R. | Civ | Staff Judge Advocate, Chief of Naval Air Training | 1 |
| Lewis, W. H. | Cdr | Acting Commanding Officer, Western Division, Naval Facilities Engineering Command | 24 |
| Linder, B. R. | Capt | Acting Deputy and Chief of Staff, Naval Surface Force, United States Pacific Fleet | 1 |
| Litchman, D. M. | RAdm | Commander, National Naval Medical Center, Bethesda, Bureau of Medicine and Surgery | 1 |
| Lowe, M. E. | Col | Chief of Staff, Marine Corps Base, Camp Pendleton | 2 |
| Lynch, D. | BrigGen | Commanding General, Marine Corps Base, Camp Pendleton | 1 |

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| Mackwell, G. A. | Capt | Deputy Commander, Naval Computer and Telecommunications Command | 1 |
| Malley, K. C. | VAdm | Commander, Naval Sea Systems Command | 92 |
| Malloy, C. J. | Capt | Acting Deputy Commander, Naval Security Group Command | 1 |
| Mandsager, D. L. | Capt | Fleet Judge Advocate, United States Pacific Fleet | 2 |
| Mazach, J. J. | RAdm | Commander, Carrier Group 2, United States Atlantic Fleet | 1 |
| McCarty, S. | Cdr | Executive Assistant, Naval Air Warfare Center Weapons Division, Naval Air Systems Command | 35 |
| McClelland, T. L. | Capt | Vice Chief of Naval Education and Training | 3 |
| McElhaney, M. K. | Civ | Counsel, Naval Facilities Engineering Command | 2 |
| McGadney, R. L. | Civ | Acting Director, Office of Civilian Personnel Management | 2 |
| Megonigal, W. F. | Col | Director, Manpower Management Information Systems Division, Headquarters, United States Marine Corps | 11 |
| Mitchell, J. T. | RAdm | Director, Strategic Systems Programs | 7 |
| Mitchell, R. M. | RAdm | Commanding Officer, Ships Parts Control Center, Naval Supply Systems Command | 5 |
| Mixson, R. D. | RAdm | Director, Air Warfare (N88) | 4 |
| Moeller, R. L. | Capt | Commanding Officer, Western Division, Naval Facilities Engineering Command | 3 |
| Monahan, R. P. | Cdr | Force Judge Advocate, Naval Surface Force, United States Atlantic Fleet | 1 |
| Mooberry, W. J. | Capt | Executive Director, Naval Safety Center | 77 |
| Moore, E. | RAdm | Commandant, Naval District of Washington | 2 |
| Morgan, E. L. | Capt | Chief of Staff, Submarine Group 2, United States Atlantic Fleet | 1 |

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| Munninghoff, J. M. | Capt | Commanding Officer, Naval Air Station, Key West, United States Atlantic Fleet | 1 |
| Myers, R. H. | Col | Commanding Officer, Marine Corps Logistics Base, Barstow | 5 |
| Newman, R. C. | Cdr | Force Judge Advocate, United States Naval Forces Japan, United States Pacific Fleet | 10 |
| Newman, W. E. | RAdm | Commander, Naval Air Warfare Center (Weapons), Naval Air Systems Command | 9 |
| Norton, F. L. | RAdm | Commander, Fleet Air Caribbean, United States Atlantic Fleet | 1 |
| Nuernberger, J. A. | Capt | Chief of Staff, Submarine Group 8, United States Atlantic Fleet | 1 |
| O'Neil, D. L. | Capt | Commander, Naval Aviation Activities, Jacksonville, United States Atlantic Fleet | 2 |
| Ostag, W. P. | Cdr | Executive Officer, Engineering Field Activity, Northwest, Naval Facility, Silverdale | 2 |
| Parker, S. | Maj | Acting Staff Judge Advocate, Naval Criminal Investigative Service | 14 |
| Pattarozzi, N. J. | Capt | Commander, Naval Education Training Center, Chief of Naval Education and Training Activities | 113 |
| Perkins, J. B. III | RAdm | Commander, Amphibious Group THREE, United States Pacific Fleet | 1 |
| Peters, R. K. | Civ | Director, Office of Civilian Personnel Management | 1 |
| Picotte, L. | RAdm | Commander, Amphibious Group 2, United States Atlantic Fleet | 2 |
| Puncke, F. D. | Capt | Acting Commanding Officer, Pacific Division, Naval Facilities Engineering Command | 5 |
| Quigley, S. T. | Capt | Acting Director, Strategy and Policy Division (N51) | 3 |
| Randall, T. E. | Capt | Fleet Staff Judge Advocate, United States Naval Forces, Europe | 1 |

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| Retz, W. A. | RAdm | Commander, Naval Surface Group, Middle Pacific, United States Pacific Fleet; Commander, Naval Base Pearl Harbor, United States Pacific Fleet | 10 |
| Rever, J. N. | Capt | Commanding Officer, Southern Division, Naval Facilities Engineering Command | 10 |
| Reynolds, A. A. | Capt | Fleet Judge Advocate, Naval Air Force, Pacific, United States Pacific Fleet | 11 |
| Riddell, R. A. | RAdm | Commander, Naval Base Seattle, United States Pacific Fleet | 6 |
| RiHenour, H. T. | RAdm | Head, CV/Air Station Programs (N885) | 1 |
| Ritter, D. L. | Civ | Administrative Officer, Information Technology Acquisition Center, Naval Information Systems Management Center | 38 |
| Robertson, T. J. | RAdm | Commander, Submarine Group 10, United States Atlantic Fleet | 2 |
| Ruck, M. W. | RAdm | Commander, Naval Base San Francisco, United States Pacific Fleet | 1 |
| Rushing, J. M. | Capt | Director, Afloat Safety Programs, Naval Safety Center | 3 |
| Saalfeld, F. E. | Civ | Director, Office of Naval Research | 1 |
| Sanford, F. G. | RAdm | Commander, Naval Medical Center, Oakland, United States Pacific Fleet | 2 |
| Schmitt, C. H. | Civ | Deputy Director, Naval Nuclear Propulsion (N00NB) | 8 |
| Setser, R. J., Jr. | Capt | Commander, Submarine Group 9, United States Fleet Pacific | 5 |
| Simms, R. G. | Capt | Commander, Naval Activities Spain, United States Naval Forces, Europe | 3 |
| Smith, B. J. | RAdm | Commander, Carrier Group FIVE, United States Pacific Fleet | 1 |
| Smith, G. R. | Cdr | Executive Officer, Chesapeake Division, Naval Facilities Engineering Command | 5 |

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| Spane, R. J. | VAdm | Commander, Naval Air Force, United States Pacific Fleet | 6 |
| Stevens, R. A. | Cdr | Force Judge Advocate, Submarine Force, United States Pacific Fleet | 2 |
| Stewart, J. D. | MajGen | Commander, Marine Corps Logistics Base, Albany, Georgia | 3 |
| Stoutamire, S. L. | Capt | Acting Deputy Commander, Naval Computer and Telecommunications Command | 3 |
| Stutzel, R. K. | Maj | Director, Administrative Support Division, Navy-Marine Corps Appellate Review Acting | 27 |
| Tanner, T. J. | Capt | Commanding Officer, Northwest Division, Naval Facilities Engineering Command | 5 |
| Taylor, P. E. | Capt | Commander, Submarine Group 9, United States Pacific Fleet | 1 |
| Taylor, R. A. | Capt | Acting Commanding Officer, Southern Division, Naval Facilities Engineering Command | 1 |
| Taylor, T. B. | Capt | Public Affairs Officer, United States Atlantic Fleet | 7 |
| Taylor, T. R. | Cdr | Force Judge Advocate, Naval Air Force, United States Atlantic Fleet | 2 |
| Tennes, M. J. | Col | Deputy Commander, Naval Space Command | 1 |
| Thompson, B. L. | Civ | Head, Freedom of Information/Privacy Act Section, Headquarters United States Marine Corps | 21 |
| Tiebout, R. A. | LtGen | Deputy Chief of Staff, Installations and Logistics, Headquarters, United States Marine Corps | 1 |
| Tillotson, F. L. | RAdm | Commander, Naval Training Center Orlando | 2 |
| Tomiak, W. W. | Capt | Acting Commander, Pacific Naval Facilities Engineering Command, Pearl Harbor | 2 |
| Town, D. S. | Col | Commander, 1st Force Service Support Group, Camp Pendleton | 1 |

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|---|---|---|---|
| Tucker, R. D. | RAdm | Commander, Logistics Group Western Pacific, United States Pacific Fleet | 1 |
| Utecht, M. S. | Cdr | Staff Judge Advocate, Naval Base Norfolk, Untied States Atlantic Fleet | 12 |
| Vitalie, J. S. | Civ | Director, Administration and Resources Management Division, Headquarters United States Marine Corps | 53 |
| Walls, R. G. | Col | Assistant Chief of Staff, Marine Corps Base, Camp Pendleton | 1 |
| Walsh, D. F. | Capt | Commanding Officer, Engineering Field Activity, Northwest, Naval Facility, Silverdale | 7 |
| Walsh, J. R. | Maj | Command Adjutant, Marine Corps Command Development Command Quantico | 8 |
| Warner, M. C. | Capt | Deputy Commander, Naval Security Group Command | 3 |
| Waters, W. A. | Capt | Commanding Officer, Northern Division, Naval Facilities Engineering Command | 27 |
| Watkins, E. L. | RAdm | Commander, United States Naval Forces Korea, United States Pacific Fleet | 1 |
| Whitaker, M. L. | Lt | Acting Deputy Assistant Judge Advocate General (Investigations) | 47 |
| William, J. A. | Capt | Force Judge Advocate, Naval Surface Force, United States Atlantic Fleet | 2 |
| William, R. R. III | Capt | Acting Director, Operations, Plans and Political Military Affairs Division (N31/N52) | 2 |
| Wilmot, L. C. | RAdm | Vice Chief, Chief of Naval Education and Training Activities | 3 |
| Winfrey, R. R. | Cdr | Acting Fleet Judge Advocate, United States Pacific Fleet | 5 |
| Wities, R. B. | Cdr | Staff Judge Advocate, Office of Naval Intelligence | 26 |
| Wright, J. C. | Capt | Executive Officer, Public Works Center, San Diego, Naval Facilities Engineering Command | 15 |

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| Wright, T. W. | VAdm | Commander, SEVENTH Fleet, United States Pacific Fleet | 1 |
| Wright, W. H. | RAdm | Director, Operations, Plans, Political Military Affairs Division (N31/52) | 2 |
| Wynn, A. L. | Capt | Commanding Officer, Public Works Center, San Francisco | 2 |
| Zakem, J. S. | Capt | Public Affairs Officer, United States Atlantic Fleet | 1 |

## DEPARTMENT OF THE AIR FORCE

| | | | |
|---|---|---|---|
| Bagley, Samuel S. | LtCol | Staff Judge Advocate, Human Systems Center, Air Force Materiel Command | 4 |
| Bailey, Gregory | Col | Vice Commander, 16th Air Force, United States Air Forces in Europe | 20 |
| Baines, E. Darden | Civ | Chief, Administrative Services, National Guard Bureau | 32 |
| Batten, Frank H., Jr. | Civ | Chief, Information Release, Headquarters Air Force Office of Special Investigations | 420 |
| Bauerlein, Robert D. | Civ | Deputy Under Secretary of the Air Force, International Affairs | 1 |
| 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 and Comptroller) | 2 |
| Blankenbeker, Joan W. | Col | Director, Information Management, Headquarters Air Education and Training Command | 82 |
| Blanton, Walter W. | LtCol | Acting Director, Information Management, Headquarters Air Combat Command | 4 |
| Block, David O. | Maj | Acting Director, Information Management, Headquarters Air Force Space Command | 16 |

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|---|---|---|---|
| Boles, Billy J. | LtGen | Deputy Chief of Staff for Personnel, Headquarters United States Air Force | 8 |
| Boyd, Richard L. | Maj | Director, Information Management, Air University | 2 |
| Brotzman, Robert L. | Col | Vice Commander, 3d Air Force, United States Air Forces in Europe | 30 |
| Brummett, Duane L. | LtCol | Acting Staff Judge Advocate, Air Force Development Test Center, Air Force Materiel Command | 4 |
| Buckingham, F. N. | BrigGen | Vice Commander, Warner Robins Air Logistics Center, Air Force Materiel Command | 1 |
| Buethe, Robert E. | MajGen | Director, Medical Programs and Resources, Office of The Surgeon General, Headquarters United States Air Force | 20 |
| Burgess, Ronald A. | Capt | Director, Information Management, Air University | 6 |
| Chapman, Thomas N. | Col | Director, Information Management, Headquarters Air Combat Command | 156 |
| Chavis, Dullivan C. | Civ | Director, Information Management, Headquarters Pacific Air Forces | 3 |
| Clapper, John R. | Col | Commander, Headquarters Air Force Safety Agency | 22 |
| Closner, John J. | MajGen | Chief, Air Force Reserve, Headquarters United States Air Force | 2 |
| Coacher, Lellen | Maj | Acting Staff Judge Advocate, Human Systems Center, Air Force Materiel Command | 1 |
| Cole, James L., Jr. | BrigGen | Chief of Safety, Headquarters United States Air Force | 1 |
| Cozza, James A. | Col | Director of Information Management, Headquarters Pacific Air Forces | 64 |
| Culkowski, Vladimir | Civ | Deputy Director, Intelligence Plans and Requirements, Assistant Chief of Staff Intelligence | 13 |

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| D'Alexander, J. F. | Civ | Executive Assistant, Sacramento Air Logistics Center, Air Force Materiel Command | 12 |
| Darby, Thomas A. | Col | Chief, Office of Information Management, Headquarters Air Mobility Command | 177 |
| Delligatti, Robert | MajGen | Chief of Staff, Headquarters United States Air Forces in Europe | 93 |
| Dimitt, Ted A. | Capt | Acting Director, Information Management, Headquarters Air Force Reserve | 3 |
| Dorger, John M. | Col | Vice Commander, United States Air Force Academy | 31 |
| Druyun, Darleen | Civ | Deputy Assistant Secretary for Acquisition (Management and Policy) | 3 |
| Euretig, Joseph G | Col | Staff Judge Advocate, Sacramento Air Logistics Center, Air Force Materiel Command | 3 |
| Fortuna, John A. | Civ | Deputy to the Commander, Headquarters Air Force Services Agency | 1 |
| Fry, Cecil W. | Civ | Director, Information Release, Headquarters Air Force Office of Special Investigations | 139 |
| Garry, Peter | Col | Commander, Investigative Operations Center, Headquarters Air Force Office of Special Investigations | 3 |
| Gereg, Samuel W. | LtCol | Acting Staff Director, Air Force Development Test Center, Air Force Materiel Command | 24 |
| Glosson, Buster | LtGen | Deputy Chief of Staff, Plans and Operations, Headquarters United States Air Force | 1 |
| Hannan, Stephen J. | Civ | Director, Information Systems Support, Headquarters Air Force Audit Agency | 15 |
| Harris, Philip L. | BrigGen | Vice Commander, Oklahoma Air Logistics Center, Air Force Materiel Command | 4 |
| Hogle, Walter | BrigGen | Director of Public Affairs, Office of the Secretary of the Air Force | 1 |
| Hokkanen, Jerry | Col | Vice Commander, 17th Air Force, United States Air Forces in Europe | 28 |

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| Holt, Lake B. III | Col | Staff Judge Advocate, Warner Robins Air Logistics Center, Air Force Materiel Command | 10 |
| Hopson, Everett G. | Civ | Chief, General Law Division, Office of The Judge Advocate General, Headquarters United States Air Force | 21 |
| Howard, Olin A. | Civ | Director, Corporate Information, Headquarters Air Force Materiel Command | 1 |
| Hummell, Dennis K. | BrigGen | Vice Commander, Aeronautical Systems Center, Air Force Materiel Command | 11 |
| Hurd, Joseph | BrigGen | Assistant Deputy Under Secretary (International Affairs) | 3 |
| Idrogo, Samuel | Civ | Executive Assistant, San Antonio Air Logistics Center, Air Force Materiel Command | 21 |
| Irving, George W. III | Col | Staff Director, Human Systems Center, Air Force Materiel Command | 65 |
| Johnson, Dennis B. | SMSgt | Acting Director, Information Management Air University | 3 |
| Johnson, Jeanne M. | LtCol | Deputy Director, Information Management, Headquarters Air Education and Training Command | 28 |
| Johnson, Mose | LtCol | Acting Staff Director, Air Force Development Test Center, Air Force Materiel Command | 3 |
| Jones, William E. | MajGen | Director, Forces, Deputy Chief of Staff Plans and Operations | 5 |
| Kelly, Lawrence W. | LtCol | Acting Staff Judge Advocate, Warner Robins Air Logistics Center, Air Force Materiel Command | 5 |
| Kessler, Brian L. | Col | Staff Judge Advocate, Electronic Systems Center, Air Force Materiel Command | 2 |
| Klich, Michael A. | LtCol | Director, Information Management, Headquarters Air Force Space Command | 52 |
| Koenig, Robert F. Jr. | Col | Director, Information Management, Headquarters Air Force Space Command | 32 |

| | | | |
|---|---|---|---|
| Letellier, Patrick J. | Col | Commander, Investigative Operations Center, Headquarters Air Force Office of Special Investigations | 1 |
| Lorber, John G. | MajGen | Director, Operations, Deputy Chief of Staff, Plans and Operations | 6 |
| Lyles, Lester I. | MajGen | Commander, Ogden Air Logistics Center, Air Force Materiel Command | 4 |
| Mackey, Thomas J. | Col | Staff Director, Electronic Systems Center, Air Force Materiel Command | 65 |
| Malandrino, J. Paul, Jr. | Col | Chief, Inquiries, Office of The Inspector General, Office of the Secretary of the Air Force | 46 |
| Mandrell, Gene D. | Civ | Acting Director, Corporate Information, Headquarters Air Force Materiel Command | 2 |
| Mannell, Stephen | BrigGen | Chief, Security Police, Headquarters United States Air Force | 1 |
| Mattice, James J. | Civ | Deputy Assistant Secretary for Acquisition (Research and Engineering) | 3 |
| McCarthy, James | BrigGen | The Civil Engineer, Headquarters United States Air Force | 1 |
| McGovern, Francis X. | LtCol | Chief, Office of Information Management, Headquarters Air Mobility Command | 47 |
| McNamara, Roger | Civ | Attorney Advisor to the Assistant General Counsel, Office of the Secretary of the Air Force | 1 |
| McPherson, Carl L. | Col | Director, Command Staff, Air Force Special Operations Command | 17 |
| Middleton, Gordon | Col | Director, Space Policy, Planning and Strategy, Office of the Secretary of the Air Force | 1 |
| Milam, David W. | Col | Chief of Staff, Aeronautical Systems Center, Air Force Materiel Command | 5 |

| | | | |
|---|---|---|---|
| Miller, Brian D. | LtCol | Director, Information Management, Headquarters Air Force Command, Control, Communications, and Computer Agency; Director, Information Management, Headquarters Pacific Air Forces | 79 |
| Miller, Judy Ann | Civ | Principal Deputy, Assistant Secretary of the Air Force (Manpower, Reserve Affairs, Installations, and Environment) | 9 |
| Miskell, C. David | Civ | Acting Chief, Administrative Services, National Guard Bureau | 10 |
| Moore, William F. | BrigGen | Vice Commander, San Antonio Air Logistics Center, Air Force Materiel Command | 1 |
| Morrison, William B. III | Col | Deputy Inspector General, Office of the Secretary of the Air Force | 4 |
| Norwood, George W. | BrigGen | Deputy Inspector General, Office of the Secretary of the Air Force | 1 |
| O'Berry, Carl G. | MajGen | Deputy Chief of Staff, Command, Control, Communications and Computers Headquarters United States Air Force | 3 |
| Olsen, Alan K. | Civ | Director, Air Force Base Conversion Agency | 1 |
| Owens, Jeffrey R. | Col | Staff Judge Advocate, 645 Air Base Wing Air Force Materiel Command | 3 |
| Page, Roland J. | Col | Vice Commander, Headquarters Air Force Safety Agency | 50 |
| Palau, Javier | Civ | Executive Assistant, Sacramento Air Logistics Center, Air Force Materiel Command | 6 |
| Pamerleau, Susan L. | Col | Vice Commander, Headquarters Air Force Military Personnel Center | 9 |
| Pardini, Edward A. | Col | Director, Information Management, Office of The Administrative Assistant to the Secretary of the Air Force | 2 |
| Parker, Charles E. | Col | Commander, Headquarters Air Force Safety Agency | 10 |

| | | | |
|---|---|---|---|
| Pavich, Michael D. | Gen | Commander, Sacramento Air Logistics Center, Air Force Materiel Command | 1 |
| Peterson, Richard A. | Civ | Acting Chief, General Law Division, Headquarters United States Air Force | 3 |
| Phillips, John F. | MajGen | Commander, Sacramento Air Logistics Center, Air Force Materiel Command | 2 |
| Pugh, Larry G. | Civ | Executive Assistant, Warner Robins Air Logistics Center, Air Force Materiel Command | 143 |
| Ray, Alan C. | Col | Staff Director, Air Force Development Test Center, Air Force Materiel Command | 21 |
| Rekowski, Paul J. | Civ | Environmental Coordinator, Operating Location, Air Force Base Conversion Agency | 1 |
| Ritchey, Steven R. | Civ | Acting Deputy Under Secretary, International Affairs | 2 |
| Saxon, Vernon P. | Col | Vice Commander, Air Force Flight Test Center, Air Force Materiel Command | 4 |
| Schepens, William | Col | Director, Inspections, Office of The Inspector General | 3 |
| Schlechter, Alvin E. | Col | Staff Judge Advocate, Air Force Development Test Center, Air Force Materiel Command | 4 |
| Sgroi, Anthony S. | LtCol | Acting Director, Information Management, Headquarters Air Combat Command | 20 |
| Shulstad, Raymonda A. | BrigGen | Chief of Staff, Aeronautical Systems Center, Air Force Materiel Command | 13 |
| Smallwood, Glenn H. | Col | Director, Corporate Information, Headquarters Air Force Materiel Command | 11 |
| Speelman, Thomas Jr. | Col | Acting Chief of Staff, Headquarters United States Air Forces in Europe | 22 |
| Spiers, Joseph K. | BrigGen | Commander, Oklahoma Air Logistics Center, Air Force Materiel Command | 7 |
| Stein, Paul | MajGen | Director, Legislative Liaison, Office of the Secretary of the Air Force | 1 |

| | | | |
|---|---|---|---|
| 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 | 14 |
| Thompson, Dale W. | MajGen | Commander, Ogden Air Logistics Center, Air Force Materiel Command | 1 |
| Tillstrom, Richard P. | Col | Chief of Staff, Headquarters Air Force Military Personnel Center | 119 |
| Trest, Warren A. | Civ | Acting Director, Air Force Historical Research Agency | 1 |
| Tucker, John E. | Col | Acting Chief, Information Security Division, Chief of Security Police, Headquarters United States Air Force | 1 |
| Walker, Johnny R. | Maj | Acting Director, Information Management, Headquarters Air Combat Command | 1 |
| Walters, Charles W. | Col | Vice Commander, Headquarters Air Force District of Washington | 41 |
| Weaver, Richard L. | Col | Deputy, Security and Investigative Programs, Office of The Administrative Assistant to the Secretary of the Air Force | 31 |
| White, Eugene J. Jr. | Civ | Chief, Information Security Division, Chief of Security Police, Headquarters United States Air Force | 3 |
| White, Joe M. | Civ | Acting Director, Information Management, Headquarters Air Force Space Command | 2 |
| Wilbur, David M. | LtCol | Acting Director, Information Management, Headquarters Air Combat Command | 27 |
| Williams, Billy L. | Civ | Chief, Administrative, Communications and Records Management, Headquarters Air Education and Training Command | 3 |
| Wingfield, Stephen R. | Col | Commander, Headquarters Air Force Services Agency | 1 |
| Yanker, Gerald | Civ | Executive Assistant, Oklahoma Air Logistics Center, Air Force Materiel Command | 5 |

## DEFENSE CONTRACT AUDIT AGENCY

| | | | |
|---|---|---|---|
| Della Bernarda, H. | Civ | Regional Director, Eastern | 6 |
| Kraft, William | Civ | Regional Director, Mid-Atlantic | 2 |
| Summers, Francis | Civ | Regional Director, Northeastern | 2 |
| Valenzuela, Joel | Civ | Regional Director, Central | 1 |
| Woulhueter, Robert | Civ | Chief, Information Resources Management Branch, Headquarters | 12 |

## DEFENSE FINANCE AND ACCOUNTING SERVICE

| | | | |
|---|---|---|---|
| Bitz, Gregory P. | Civ | Director, Defense Finance and Accounting Service-Kansas City Center | 3 |
| Charles, Richard P. | Civ | Records Manager, Defense Finance and Accounting Service-Columbus Center | 1 |
| Dennis, Carroll W. | Civ | Director, External Affairs Management Support, Defense Finance and Accounting Service-Headquarters | 3 |
| Nabil, John S. | Civ | Director, Defense Finance and Accounting Service-Denver Center | 2 |
| Williams, Jay F. | Civ | Director, Defense Finance and Accounting Service-Cleveland Center | 3 |
| Wilson, Michael E. | Civ | Director, Defense Finance and Accounting Service-Indianapolis Center | 6 |

## DEFENSE INTELLIGENCE AGENCY

| | | | |
|---|---|---|---|
| Richardson, Robert P. | Civ | Chief, Freedom of Information Act Staff | 436 |

## DEFENSE INVESTIGATIVE SERVICE

| | | | |
|---|---|---|---|
| Hartig, Dale L. | Civ | Chief, Office of Information and Public Affairs | 29 |

## DEFENSE INFORMATION SYSTEMS AGENCY

| | | | |
|---|---|---|---|
| Chadick, Susan M. | Civ | General Counsel | 35 |

## DEFENSE LOGISTICS AGENCY

| | | | |
|---|---|---|---|
| Alderman, Lloyd C. | Civ | Staff Director, Small and Disadvantaged Business Utilization | 1 |
| Barnett, Marilyn | Civ | Administrator, Defense National Stockpile Center | 1 |
| Beauchamp, Roy E. | BrigGen | Commander, Defense Industrial Supply Center | 23 |
| Browning, Richard | BrigGen | Commander, Defense Construction Supply Center | 4 |
| Burke, Michael R. | Civ | Staff Director, Information Services | 7 |
| Castleberry, John | Col | Chief of Staff, Defense Personnel Support Center | 93 |
| Cook, Janet C. | Civ | Special Assistant, Contracting Integrity | 1 |
| Connelly, Richard | Civ | Comptroller | 1 |
| Farrell, Lawrence | MajGen | Principal Deputy Director | 1 |
| Garret, L. T. | BrigGen | Commander, Defense Electronic Supply Center | 2 |
| Gould, Jeffrey P. | Capt | Commander, Defense Contract Management District Northeast | 5 |
| Grady, James J. | Civ | Deputy Executive Director, Supply Operations | 1 |
| Grosse, Vinson G. | Col | Commander, Defense Contract Management District South | 9 |
| Grove, W. E. | Capt | Acting Commander, Defense Electronic Supply Center | 3 |
| Harder, Larry D. | Capt | Commander, Defense Contract Management Command International | 4 |
| Heckman, J. G. | RAdm | Commander, Defense General Supply Center | 5 |

| | | | |
|---|---|---|---|
| Hempson, Donald | Capt | Commander, Defense Reutilization and Marketing Service | 1 |
| Hruskocy, Thomas | BrigGen | Executive Director, Quality Assurance | 1 |
| Ketts, R. L. | Capt | Commander, Defense Contract Management District West | 21 |
| Labounty, James E. | Col | Commander, Defense Distribution Region West | 15 |
| Lebarron, R. S. | Col | Acting Commander, Defense Electronic Supply Center | 1 |
| Lehmann, Miles R. | Col | Staff Director, Command Security | 7 |
| Lippert, K. W. | Capt | Commander, Defense General Supply Center | 8 |
| Papas, Pat | Civ | Associate General Counsel | 1 |
| Parsons, Bobby L. | Civ | Staff Director, Information Services | 3 |
| Phillips, Glenn P. | RAdm | Executive Director, Operations Policy | 2 |
| Pope, James H. | Civ | Deputy Staff Director, Command Security | 2 |
| Simpson, L. E. | Col | Commander, Defense Logistics Services Center | 5 |
| Stewart, John N. | Col | Commander, Defense Reutilization and Marketing Service | 10 |
| Thompson, Lee | Col | Commander, Defense Contract Management District North Central | 6 |
| Tucker, Gary C. | Col | Commander, Defense Logistics Agency Administrative Support Center | 10 |
| Williams, Fred A. | Capt | Commander, Defense Distribution Region East | 9 |
| Wilson, Leon A. | Col | Commander, Defense Fuel Supply Center | 1 |
| Wojtaszek, Frank | Civ | Acting Executive Director, Contract Management | 1 |

## DEFENSE MAPPING AGENCY

| | | | |
|---|---|---|---|
| Black, David | Civ | Deputy Director, Command Information | 9 |
| Sande, Kermit A. | Civ | Associate General Counsel | 1 |

## DEFENSE NUCLEAR AGENCY

| | | | |
|---|---|---|---|
| Ullrich, George W. | Civ | Deputy Director | 36 |

## NATIONAL RECONNAISSANCE OFFICE

| | | | |
|---|---|---|---|
| Healy, Michael P. | Civ | Director, External Relations | 9 |
| Isham, Joanne O. | Civ | Director, External Relations | 15 |

## NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE

| | | | |
|---|---|---|---|
| Smith, Michael A. | Civ | Director of Policy, Office of Policy | 395 |

## OFFICE OF THE INSPECTOR GENERAL, DOD

| | | | |
|---|---|---|---|
| Dulacki, Nadine K. | Civ | Chief, Freedom of Information/Privacy Act Office | 79 |
| Rosen, Jeffrey P. | Civ | Chief, Administration and Policy Review Division | 12 |

# Item 4

## Appeal Determinations

| Component | Total Requests | Granted in Full | Denied in Part | Denied in Full | Other | Total Actions* |
|---|---|---|---|---|---|---|
| OSD/JS | 94 | 14 | 23 | 11 | 47 | 95 |
| Dept Army | 291 | 10 | 96 | 91 | 94 | 291 |
| Dept Navy | 487 | 18 | 86 | 278 | 122 | 504 |
| Dept Air Force | 341 | 18 | 74 | 156 | 93 | 341 |
| DCAA | 6 | 2 | 3 | 1 | 0 | 6 |
| DFAS | 0 | 0 | 0 | 0 | 0 | 0 |
| DIA | 42 | 2 | 27 | 13 | 0 | 42 |
| DIS | 1 | 0 | 1 | 0 | 0 | 1 |
| DISA | 2 | 0 | 2 | 0 | 0 | 2 |
| DLA | 24 | 1 | 4 | 15 | 4 | 24 |
| DMA | 1 | 0 | 1 | 0 | 0 | 1 |
| DNA | 7 | 1 | 1 | 1 | 4 | 7 |
| NRO | 11 | 0 | 2 | 6 | 3 | 11 |
| NSA/CSS | 52 | 2 | 10 | 19 | 21 | 52 |
| OIG, DOD | 40 | 1 | 27 | 3 | 9 | 40 |
| DOD Totals | 1,399 | 69 | 357 | 594 | 397 | 1,417 |

* 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 | 23 | 3 | 2 | 0 | 8 | 7 | 2 | 0 | 0 | 45 |
| Dept Army | 9 | 17 | 8 | 14 | 91 | 97 | 68 | 0 | 0 | 304 |
| Dept Navy | 28 | 37 | 6 | 22 | 104 | 88 | 118 | 0 | 0 | 403 |
| Dept Air Force | 42 | 10 | 5 | 14 | 115 | 50 | 87 | 0 | 0 | 323 |
| DCAA | 0 | 0 | 0 | 5 | 5 | 0 | 0 | 0 | 0 | 10 |
| DFAS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DIA | 39 | 38 | 0 | 0 | 2 | 23 | 0 | 0 | 0 | 102 |
| DIS | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 2 |
| DISA | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| DLA | 0 | 2 | 0 | 10 | 7 | 3 | 6 | 0 | 0 | 28 |
| DMA | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 2 |
| DNA | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| NRO | 3 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| NSA/CSS | 33 | 2 | 65 | 0 | 1 | 1 | 3 | 0 | 0 | 105 |
| OIG, DOD | 0 | 2 | 0 | 0 | 14 | 21 | 28 | 0 | 0 | 65 |
| DOD Totals | 178 | 111 | 94 | 65 | 347 | 292 | 314 | 0 | 0 | 1,401 |
| Percent of Total | 13% | 8% | 7% | 5% | 25% | 21% | 22% | 0% | 0% | 100% |

* 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 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | OSD/ JS | Army | Navy | Air Force | DISA | NRO | DNA | NSA/ CSS | Total |
| 10 USC 128 | | | 1 | | | | | | 1 |
| 10 USC 130 | | | 1 | 1 | | | | | 2 |
| 10 USC 618 (e) | | 6 | | | | | | | 6 |
| 10 USC 1102 (f) | | 2 | 1 | 2 | | | | | 5 |
| 18 USC 798 | | | | | | | | 19 | 19 |
| 41 USC 423 | | | 1 | | 2 | | | | 3 |
| 42 USC 290dd-3 | | | 1 | | | | | | 1 |
| 42 USC 2161-2168 (P.L. 703) | 1 | | 1 | 1 | | | 1 | | 4 |
| 50 USC 401 Note, Sec 1082 (P.L. 102-190) | 1 | | | | | | | | 1 |
| 50 USC 402 Note (Sec 6, P.L. 86-36) | | | | 1 | | | | 28 | 29 |
| National Security Act of 1947, (50 USC 401 et sec, as amended, 403-3 (c)(5) | | | | | | 3 | | 18 | 21 |
| Intelligence Auth Act, FY 93, Sec 406 (a) | | | | | | 2 | | | 2 |
| Agency Totals | 2 | 8 | 6 | 5 | 2 | 5 | 1 | 65 | 94 |

# Item 5(c)

## Other Reasons Cited on Appeal Determinations

| Component | Category* | | | | | | Total |
|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | |
| OSD/JS | 13 | 7 | 0 | 4 | 23 | 0 | 47 |
| Dept Army | 31 | 63 | 0 | 0 | 0 | 0 | 94 |
| Dept Navy | 51 | 4 | 0 | 42 | 25 | 0 | 122 |
| Dept Air Force | 23 | 67 | 0 | 0 | 3 | 0 | 93 |
| 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 | 0 | 0 | 0 |
| DISA | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DLA | 1 | 1 | 0 | 1 | 0 | 1 | 4 |
| DMA | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DNA | 0 | 3 | 0 | 1 | 0 | 0 | 4 |
| NRO | 0 | 3 | 0 | 0 | 0 | 0 | 3 |
| NSA/CSS | 0 | 21 | 0 | 0 | 0 | 0 | 21 |
| OIG, DOD | 4 | 5 | 0 | 0 | 0 | 0 | 9 |
| DOD Totals | 123 | 174 | 0 | 48 | 51 | 1 | 397 |

* 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 |
|---|---|---|---|
| **OSD/JS** | | | |
| Bernath, Clifford H. | Civ | Deputy Assistant to the Secretary of Defense (Public Affairs) (Operations) | 8 |
| McDonald, W. M. | Civ | Director, Freedom of Information and Security Review, Assistant to the Secretary of Defense (Public Affairs) | 1 |
| Taylor, Robert W. | Civ | Principal Deputy Assistant Secretary of Defense (Public Affairs) | 25 |
| **DEPARTMENT OF THE ARMY** | | | |
| Gamboa, Anthony H. | Civ | Deputy General Counsel (Acquisition), Office of the Army General Counsel | 3 |
| Peck, Darrell L. | Civ | Deputy General Counsel (Military & Civil Affairs), Office of the Army General Counsel | 66 |
| Reres, Matt | Civ | Deputy General Counsel (Fiscal Law & Policy), Office of the Army General Counsel | 3 |
| Stockdale, Earl H. | Civ | Deputy General Counsel (Civil Works and Environment), Office of the Army General Counsel | 3 |
| Taylor, Thomas W. | Civ | Deputy General Counsel (Installations and Operations), Office of the Army General Counsel | 112 |
| **DEPARTMENT OF THE NAVY** | | | |
| Albrecht, D. A. | Capt | Assistant Judge Advocate General (Civil Law) | 209 |
| Dombrowski, J. E. | Capt | Assistant Judge Advocate General (Operations) | 41 |

| | | | |
|---|---|---|---|
| Wilcox, Harvey J. | Civ | Deputy General Counsel (Logistics) | 81 |
| Wylie, P. C. | Capt | Deputy Assistant Judge Advocate General (General Litigation) | 33 |

## DEPARTMENT OF THE AIR FORCE

| | | | |
|---|---|---|---|
| Davidson, William A. | Civ | Deputy Administrative Assistant to the Secretary of the Air Force | 2 |
| McNamara, Roger T. | Civ | Attorney Advisor to Assistant General Counsel, Office of the Secretary of the Air Force | 13 |
| Willson, Walter A. | Civ | Assistant General Counsel, Office of the Secretary of the Air Force | 215 |

## DEFENSE CONTRACT AUDIT AGENCY

| | | | |
|---|---|---|---|
| Van Santen, John | Civ | Assistant Director, Resources | 4 |

## DEFENSE FINANCE AND ACCOUNTING SERVICE

None

## DEFENSE INTELLIGENCE AGENCY

| | | | |
|---|---|---|---|
| Clift, Denis A. | Civ | Chief of Staff | 39 |
| Prombain, Louis A. | Civ | Acting Chief of Staff | 1 |

## DEFENSE INVESTIGATIVE SERVICE

| | | | |
|---|---|---|---|
| Donnelly, John F. | Civ | Director | 1 |

## DEFENSE INFORMATION SYSTEMS AGENCY

| | | | |
|---|---|---|---|
| Short, Alonzo E., Jr. | LtGen | Director | 2 |

## DEFENSE LOGISTICS AGENCY

| | | | |
|---|---|---|---|
| Farrell, L. P., Jr. | MajGen | Deputy Director | 15 |
| Straw, Edward M. | VAdm | Director | 4 |

## DEFENSE MAPPING AGENCY

| | | | |
|---|---|---|---|
| Obloy, Edward J. | Civ | General Counsel | 1 |

## DEFENSE NUCLEAR AGENCY

| | | | |
|---|---|---|---|
| Hagemann, Kenneth L. | MajGen | Director | 2 |

## NATIONAL RECONNAISSANCE OFFICE

| | | | |
|---|---|---|---|
| Hill, J. D. | Civ | Deputy Director | 8 |

## NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE

| | | | |
|---|---|---|---|
| Parsons, Donald L. | Civ | Executive Director | 2 |
| Prestel, Robert L. | Civ | Deputy Director | 27 |

## OFFICE OF THE INSPECTOR GENERAL, DOD

| | | | |
|---|---|---|---|
| Lutsch, Nicholas T. | Civ | Assistant Inspector General of Administration and Information Management | 30 |

# Item 7

## Court Opinion and Actions Taken

### OSD/JS

**The Washington Post Company v. DoD**, C.A. No. 84-3400, U.S.D.C. D.C., November 7, 1984. Plaintiff sought all documents relating to the aborted Iranian hostage rescue attempt during the last days of the Carter Administration. During litigation, segregable documents were selectively released, and others remained classified. A Stipulation of Dismissal with prejudice was signed by both parties on September 22, 1993.

**Edward W. Spannaus v. DoD**, C.A. No. 92-2435, U.S.D.C. D.C., October 27, 1992. Plaintiff sued for adequacy of search of documents involving six individuals and eleven organizations associated with the La Rouche movement. Defendant produced three documents, the majority of which were released, with the exception of names of FBI agents and DoD military personnel providing logistical support to the FBI. The names were withheld under Exemption 7 (C). On September 13, 1993, the Court ruled in favor of defendant for adequacy of search, and for the correct application of Exemption 7 (C). Case is now on appeal.

**Waynard Worsham v. Richard B. Cheney, et al.**, C.A. No. 91-0557, U.S.D.C. D.C., March 14, 1991. Plaintiff sought records on himself. By Declaration June 25, 1991, it was reiterated that query into the Defense Clearance and Investigative Index revealed no components of DoD having any records on plaintiff. On August 28, 1991, plaintiff's motion for a preliminary injunction enjoining defendants from destroying information pertaining to him was denied and defendant's motion for summary judgment and dismissal was granted.

**James D. Harper v. Department of Justice and Department of the Army, et al.**, C.A. No. 92-462, U.S.D.C. OR, April 17, 1992. Plaintiff is a convicted espionage agent and is currently incarcerated. Plaintiff requested a copy of the Damage Assessment Report outlining DoD's damage assessment for all the classified documents seized by the FBI in Harper's arrest. The report was released in redacted form, with classified information withheld under Exemption 1. Defendant submitted declarations supporting its claim for withholding classified information. Defendant's declarations were accepted, and the suit was dismissed August 10, 1993.

**James D. Harper v. Department of Justice and Department of the Army, et al.**, C.A. No. 92-670, U.S.D.C. OR, June 1992. Plaintiff is a convicted espionage agent, currently incarcerated. Plaintiff sought two DoD classified reports. One report was 1400 pages, and 90 percent classified. Defendant submitted a declaration advising it would cost in excess of $23,000 to complete and would take approximately two years. The second report (451 pages) was released in redacted form, with classified information withheld under Exemption 1. Defendant submitted a declaration supporting the withheld information as classified. The court accepted both declarations, and the suit was dismissed on August 10, 1993.

**Edwin Montes v. William Barr, Acting Attorney General of the U.S., et al.**, C.A. No. 7472, U.S.D.C. NY, November 4, 1991. Plaintiff filed suit with several Federal agencies, one of which was the Office of the Secretary of Defense, and the Defense Security Assistance Agency. Plaintiff sought records on himself. Two separate searches for records responsive to plaintiff's FOIA request resulted in no records being located. Case dismissed without prejudice on October 22, 1992.

**Bay Area Lawyer Alliance for Nuclear Arms Control v. Department of State, et al.**, C.A. No. 89-1843, U.S.D.C.N.D. CA, June 4, 1993. The plaintiff, Bay Area Lawyers' Alliance for Nuclear Arms Control submitted a Freedom of Information Act (FOIA) request to the Department of State (DOS) for information about negotiations and other efforts to achieve the discontinuance of nuclear test explosions and for report evaluating United States compliance with its treaty obligations. Two Department of Defense (DoD) documents were located and referred by Department of State (DOS) for release determination. The documents were exempt as classified and deliberative in nature, and were successfully defended by DoD. Summary judgment granted in favor of DoD, June 7, 1993.

## DEPARTMENT OF THE ARMY

**Major Charles Harry v. Department of the Army**, C.A. No. 92, U.S.D.C. D.C., July 15, 1992. Plaintiff, an active duty officer, sought release of a commander's inquiry under the Freedom of Information Act (FOIA). The commander's inquiry was requested by an officer who was given an adverse officer efficiency report (OER) by the plaintiff. Plaintiff requested a copy of the commander's inquiry to assist him in appealing his own adverse OER. The U.S. Army Personnel Command withheld most of the commander's inquiry under Exemption 5 and Exemption 6 of the FOIA. After conducting an in-camera review of the 57 page document, the court in a very favorably worded opinion upheld the Army's withholding of the redacted portions of the inquiry.

## DEPARTMENT OF THE NAVY

**AT&T v. Department of the Navy**, C.A. No. 92-2152, U.S.D.C. D.C., September 21, 1992. Case involved information generated under an MCI contract for the Navy Exchange Service Command consisting of monthly public phone total revenue reports for 1991 for each Navy and Marine installation. Information was withheld under Exemption 4. On February 12, 1993, the parties filed a Stipulation of Dismissal with prejudice.

**Boeing Company v. Department of the Navy**,C.A. No. C93-0838-D, U.S.D.C.W.D. WA, June 22, 1993. Case involved Naval Air Systems Command (PMA-240) Activity Reports by manager of Navy's on-site team at Boeing pertaining to the P-3 Update IV Program. On August 10, 1993, the court granted plaintiff's Motion for Summary Judgment and ordered release of unredacted copies of all activity reports.

**Joseph A. Camardo, Jr. v. Department of the Navy**,C.A. No. 92-CV-935, U.S.D.C.N.D. NY, July 21, 1992. Case involved two causes of action: (1) Plaintiff made request to the

Naval Sea Systems Command (NAVSEA) for Novamarine America, Inc. contract materials on March 11, 1992, in connection with a GAO protest by Nautical International against award to Novamarine on the grounds that the contract violates foreign shipyard construction prohibition; violates preference for domestic commodities; is unfair competition; contractor sells defective boats; and contractor is in breach of an exclusive representation agreement. On June 5, 1992, NAVSEA refused to expedite the request which it is processing under its Open America Procedures. (2) Plaintiff made request to the Defense Logistics Agency (DLA) on May 6, 1992. DLA was contacting submitters and had not responded to plaintiff. On March 30, 1993, Court denied the Government's motion to dismiss or in the alternative for Summary Judgment, concluded that the Navy was exercising due diligence, but the backlog of similar FOIA requests did not constitute exceptional circumstances. Thus, the Court ordered the Navy to complete its response to the request within six months of the date of the order and to report to the court every two months. The Court was notified that processing was completed on September 27, 1993. Plaintiff has failed to pay fees in excess of $3,000 for processing of 4,573 responsive pages of documents. Partial releases were made, but Navy is declining to release all responsive documents or an index to withheld material until payment is made. Navy has submitted written arguments to the Court in support of this position.

**Digital Systems Group, Inc. v. Department of the Navy**, C.A. No. 92-6047, U.S.D.C.E.D. PA, October 20, 1992. Case filed by Robert G. Fryling of Saul, Ewing, Remick & Saul, Philadelphia, PA, concerning the Integrated Financial Management Information System (IFMIS) which originated at the Naval Air Warfare Center, Aircraft Division, Warminister, PA (NAWC, Warminister). On December 2, 1992, the Court dismissed the action without prejudice.

**General Dynamics v. Department of the Navy**, C.A. Nos. 93-0305, 93-0309, 93-0333, 93-0341, 93-0359, U.S.D.C. D.C. Five cases pertain to the A-12 program. (1) Case 93-0305: The Naval Air Systems Command (NAVAIR) withheld an April 13, 1989, Attorney-Client memorandum from Donna Dooley providing review panel comments on a solicitation for Fleet Electronic Warfare Support Group Replacement Aircraft. The denial was upheld by the appellate authority on December 23, 1992. This action was dismissed without prejudice and with each party bearing its own costs and attorney fees on May 12, 1993, by a Stipulation of Dismissal. (2) Case 93-0309: October 1991 request for 12 items of documents pertaining to 1989-1991 A-12 documents (including DoD information). NAVAIR did not provide a substantive response. On March 17, 1993, NAVAIR withheld two responsive documents under Exemptions 1 and 5, and advised that DoD would respond for documents under their cognizance. This action was dismissed without prejudice and with each party bearing its own costs and attorney fees on May 24, 1993, by a Stipulation of Dismissal. (3) Case 93-0333: November 1993 request for 12 items of A-12 budgetary information. NAVAIR did not provide a substantive response. This action was dismissed without prejudice and with each party bearing its own costs and attorney fees on August 20, 1993, by a Stipulation of Dismissal. (4) Case 93-0341: February 1991 request for two items of documents pertaining to A-12 cost-at-completion projection studies. NAVAIR did not provide a substantive response. This action was dismissed without prejudice and with each party bearing its own costs and attorney fees on June 25, 1993, by a Stipulation of Dismissal. (5) Case 93-0359: December 2, 1991, request to the Office of Management and Budget which was referred to Navy on January 7, 1992, for two items of documents pertaining to FY 91 and FY 92 budget requests for the A-12 program. NAVAIR did not

provide a substantive response. This action was dismissed without prejudice and with each party bearing its own costs and attorney fees on June 16, 1993, by a Stipulation of Dismissal.

**Christine Leonardich v. Department of the Navy**, C.A. No. C-93-0167, U.S.D.C.N.D. CA, January 14, 1993. Civil rights action case alleging unlawful sex discrimination with four causes of action and a fifth cause of action under the Freedom of Information Act for failure to provide to Plaintiff a copy of an investigative report by the Criminal Intelligence Division which bears on her civil rights complaint. A status hearing was held on April 12, 1993. The Navy filed a Motion for a Stay and to bifurcate the FOIA action. The FOIA appeal by Mr. Jaffe (Attorney for Ms. Leonardich) was denied by the Deputy General Counsel (Logistics) on September 21, 1993, under Exemptions 5 and 6.

**Sullivan v. Department of the Navy**, C.A. No. 87-0305-B, U.S.D.C.N.D. ME. Plaintiff sought production of documents relating to her father's disappearance in a small Government plane over South America/Cuba in 1963. Navy had only one document, a one-page letter mentioning the father's alleged partner. Navy released it, without partner's name, based upon Exemption 6. Navy was joined in the suit , filed against nine Federal agencies, to compel release of this name. AUSA filed an answer May 7, 1988. AUSA filed Motion for Summary Judgment on December 2, 1991. FBI and CIA are only real parties. Judge granted Summary Judgment in favor of all defendants; Plaintiff appealed to CIA. On May 26, 1993, First Circuit Court of Appeals affirmed grant of Summary Judgment.

**Henry R. Goode v. Department of the Navy**, C.A. No. 92-1098, U.S.D.C.S.D. AL, January 1993. Suit filed concerning FOIA request in December 1988 seeking information concerning the existence or non-existence in WWII of U.S. Naval Recruiting Station, Atlanta, and its Officer in Charge, a LT Parrott. Request was bifurcated: information pertaining to Recruiting Station was referred to Navy Recruiting Command. Information regarding LT Parrott was referred to Bureau of Naval Personnel. Recruiting Command, in turn, forwarded to Naval Historical Center, which advised plaintiff that no records available; Bureau of Naval Personnel apparently did not respond. In June 1993, judge held claim was mooted by release of information and granted Motion to Dismiss.

**Fulton Building Company Inc. v. Department of the Navy**, C.A. No. 92-1533, U.S.D.C. NJ. Plaintiff sought JAG Manual investigation. Response was not made within 10 days so plaintiff sued, after which Investigations Division/IDA responded. Judge dismissed case May 5, 1993.

## DEPARTMENT OF THE AIR FORCE

**Sherry Ann Sulllivan v. Department of the Air Force, et al.**, C.A. No. 87-0305-B, U.S.D.C. ME. Plaintiff sought records on her father who disappeared while flying an aircraft to Central America in 1963. The National Personnel Records Center (NPRC) in St. Louis maintains the responsive Air Force records, and it released to her all Air Force records on her father after she filed suit. Summary judgment was granted to all defendants in 1992, and the U.S. Circuit Court of Appeals, 1st Circuit affirmed the District Court decision on May 26, 1993.

**SMS Data Products Group, Inc. v. Department of the Air Force**, C.A. No. 88-0481, U.S.D.C. D.C. Plaintiff sought records on a contract awarded to Zenith Data Systems by the Air Force Computer Acquisition Center, Hanscom AFB, MA. Plaintiff filed suit before the appeal process was completed. In March 1989, partial summary judgment was granted to defendant on technical scores, which were withheld under Exemption 5, and to plaintiff on "company proprietary information" withheld under Exemption 4. In May 1989, the court granted the Air Force motion for reconsideration and ordered that the Exemption 4 material need not be released.

**D. Kemenash & Associates, Inc. v. Secretary of the Air Force, et al.**, C.A. No. 88-2835, U.S.D.C. NJ. Plaintiff sought documents concerning a base housing renovation contract awarded to plaintiff, the previous contract awarded to another contractor; and performance ratings and other personnel information on four Air Force employees. Plaintiff filed suit before receiving the response to the FOIA request, which was made the day suit was filed. Some records were released and others withheld under Exemptions 5 and 6. The parties stipulated to dismissal of individual defendants in November 1988 and to dismissal of the entire action with prejudice on September 23, 1992.

**General Dynamics Corp. Space Systems Division v. Department of the Air Force**, C.A. No. 88-3272, U.S.D.C. D.C. Plaintiff filed this reverse FOIA suit to prevent the Air Force from releasing option pricing information requested by McDonnell Douglas Astronautics Company. Summary judgment was granted to defendant in March 1992 and plaintiff appealed. Before the U.S. Circuit Court of Appeals, District of Columbia Circuit could hear the appeal, McDonnell Douglas withdrew its FOIA request for the records in August 1993. The Circuit Court then remanded the case to the District Court to be dismissed as moot.

**Thomas L. Rush v. National Institutes of Health and Department of the Air Force**, C.A. No. 589-CV-0269, U.S.D.C.N.D. OH. Plaintiff sought from NIH certain AIDS information and from the Air Force his own AF 201 file and all attachments; all Air Force records with his name or social security number; and any record of his alleged forced exposure to a poison tear gas in 1961 during basic training at Lackland AFB, TX. Plaintiff alleges he is an Air Force veteran and totally disabled due to the alleged exposure to poison tear gas. Summary judgment was granted to defendants in March 1992; plaintiff's request for reconsideration was denied in April 1992; and the U.S. Circuit Court of Appeals, 6th Circuit, dismissed the case in March 1993 for want of prosecution after plaintiff failed to pay filing fees.

**William M. Lips v. Secretary of the Air Force**, C.A. No. 89-0830-HHG, U.S.D.C. D.C. Plaintiff is a prisoner at Ft. Leavenworth who sought all information in the Air Force's possession used by the Air Force Clemency and Parole Board in its adverse decision on his parole in October 1988. In October 1990, the court ordered the defendant to give plaintiff copies of his medical records, and in April 1991, the court granted summary judgment to defendant, finding it had released all responsive records. In July 1991, the court denied plaintiff's motion for reconsideration and rehearing enbanc. Plaintiff appealed and the U.S. Circuit Court of Appeals, District of Columbia Circuit dismissed the case for mootness on May 24, 1993.

**Charles R. Hansen v. Department of the Air Force**, C.A. No. 91-0099-LFO, U.S.D.C. D.C. Plaintiff sought several volumes of an Air Force history entitled "A History of the Air Force Atomic Energy Program, 1943-1953." Plaintiff made his initial FOIA request in 1980 and parts of the history were released, but the rest required a declassification review. In 1988, plaintiff appealed because he had heard nothing in 8 years; in 1990 the appeal was denied under Exemption 1, for classified parts, and Exemption 5, for the remainder because the Air Force considered the history to be only a draft. Plaintiff appealed those specific denials and that appeal was denied in May 1990. In April 1992, summary judgment was granted to plaintiff on the Exemption 5 material, because the Court found the history not to be a draft. The Air Force conducted a declassification review and released the unclassified part of the history in November 1992. In early 1993, the case was dismissed with prejudice with a stipulation for payment of $34,500 to plaintiff in attorney's fees and cost.

**Gary Stanley v. DoD and Department of the Air Force**, C.A. No. 91-4054-JLF, U.S.D.C.S.D. IL. Plaintiff sought records on management, procedures, and policies from USAF hospitals, with a focus on material used to support hospital accreditation. The court considered 5 test counts out of 594 and dismissed the case with prejudice pursuant to the parties' stipulation on February 19,1993.

**Leading Edge Services, Inc. v. Secretary of the Air Force**, C.A. No. 91-505-CIV-J-20, U.S.D.C.M.D. FL. Plaintiff sought information on the military family housing maintenance contract at Seymour Johnson AFB, SC. Plaintiff was the successful offeror on this contract, but then sold its right to another company, which objected to releasing the information plaintiff sought. After defendant filed its summary judgment motion in January 1993, plaintiff agreed to a stipulation of dismissal, which was granted February 18,1993.

**Willie M. Lee, Jr. v Department of the Air Force of the Judge Advocate General**, C.A. No. CV-92-2069, U.S.D.C.C.D. CA. Plaintiff sought the HQ USAF/JAJM Article 69(b) UCMJ review prepared in his special court-martial when he was a TSgt. Defendant released the review and the case was dismissed on May 27, 1992. Plaintiff's motion for reconsideration was denied on July 8, 1992.

**John Cummings v. DoD**, C.A. No. 91-1736, U.S.D.C. D.C. Plaintiff sought Vietnam era aerial reconnaissance photos of specified coordinates in Southeast Asia. Plaintiff amended his complaint to include the USAF in January 1992. After limited discovery, the court dismissed the suit with prejudice on plaintiff's motion on November 17, 1992.

**Michael F. Blue, Capt, USAFR v. Department of the Air Force and Secretary of the Air Force**, C.A. No. 92-0517, U.S.D.C. AZ. Plaintiff is a pilot in the Air Force Reserve, who sought his own Article 138 complaint file, the report of investigation of an IG complaint he filed; a report of a security incident investigation in which he was the subject; and the report and documents arising from an inquiry into the 302d Tactical Fighter Squadron at Luke AFB, AZ. He filed suit before processing was complete on his FOIA requests. Records were withheld under Exemption 5, deliberative process, and Exemptions 6 and 7(C) to protect personal privacy. After partial releases, summary judgment was granted to defendants on May 1, 1993. Defendants were ordered to pay attorney's fees and cost of $4,340.73

**Antuco, Inc. v. DoD, et al.**, C.A. No. 92-0957, U.S.D.C. D.C. Plaintiff sought records on Carlos Cardoen, Industrias Cardoen, Ltd and Swissco Charter Co., Inc. The suit was dismissed without prejudice on plaintiff's motion on July 31, 1992

**Anchorage Daily News v. Department of the Air Force**, C.A. No. A92-608 Civil, U.S.D.C. AK. Plaintiff sought records on any loss of medical privileges at Elmendorf AFB hospital by Dr. Burton Ake and on patient complaints against Dr. Ake. Dr. Ake was a former Air Force OB/GYN doctor who was convicted of sexual assaults on several female patients of his civilian medical practice after he left the Air Force. The plaintiff's FOIA appeal was denied, with a "no record" response to loss of privileges, and other records withheld under Exemptions 5 and 6. Defendant made a partial release of records in April 1993. A joint Stipulation of Dismissal was filed on October 29, 1993, based on paying plaintiff $1,500 in attorney's fees.

**Elizabeth Robischon and McKenna & Cuneo v. Department of the Air Force**, C.A. No. 92-2259, U.S.D.C. D.C. Plaintiff sought records on the use of a Limitation of Government Obligation (LOGO) clause in the C-17 contract, and changes to that and other similar clauses in federal acquisition regulations. Headquarters Air Force Systems Command made partial releases pursuant to the initial FOIA request and the appeal; recommendations, opinions, and legal opinions were withheld under Exemption 5. After a settlement conference, plaintiff agreed to Stipulate of Dismissal if the Air Force released four documents, including two legal opinions. The documents were released and the Stipulation for Dismissal with prejudice was approved on March 10, 1993.

**Karen L. Manos, Capt, USAF v. Department of the Air Force**, C.A. No. C92-3986 MIIP, U.S.D.C.N.D. CA. Plaintiff sought application packages for the 1992 Air Force JAG Department LL.M. selection board and statistics showing numbers of applicants and selectees by rank, sex, and race for 1986-1992. Plaintiff was an unsuccessful applicant for the 1992 LL.M. program and was seeking evidence to support an allegation of illegal discrimination in the selection process. The requested statistics and her own application were released in October 1992, but the other application packages were withheld under Exemption 6 because they contain applicants' personnel files and other personal information. In March 1993, the court granted partial summary judgment to plaintiff, and ordered the application packages released to plaintiff, with the names, addresses, and social security numbers of the applicants and other persons redacted. The US Court of Appeals, 9th Circuit denied defendant's request for a stay pending appeal, and the Solicitor General's office did not seek a stay from the Supreme Court. The redacted packages were released, and on August 13, 1993, the District Court denied plaintiff's application for attorney's fees (because she was pro se) but granted her costs.

**Cooling & Herbers, PC v. USAF**, C.A. No. 93-0204-CV-W-6, U.S.D.C.W.D. MO. Plaintiff sought the air traffic control audio tape of contact between the tower at Edwards AFB, CA and a Navy aircraft that crashed at Edwards in May 1992. The tape was initially withheld under Exemption 7 because the accident investigation was ongoing, but was released after the investigation was completed. The parties Stipulated to a Dismissal with prejudice on April 22, 1993.

**Willard W. Mann v. Department of the Air Force, Secretary of the Air Force, Air Force Clemency and Parole Board**, C.A. No. 93-2104-KHV, U.S.D.C. KS. Plaintiff is a prisoner at Ft. Leavenworth who was court-martialed in 1985, when he was a SSgt, and sentenced to 25 years confinement for indecent acts and sodomy with his daughter. He sought the Air Force Clemency and Parole Board (AFCPB) October 1990 decision on his clemency request and all background records the board used in that decision. His initial Privacy Act request for the records was processed under both the FOIA and PA, and some records were released, and other withheld under both FOIA and PA. On July 8, 1993, the court dismissed SECAF and AFCPB as defendants; dismissed plaintiff's FOIA claims for failure to exhaust administrative remedies; and granted summary judgment to the Air Force on record withheld under the Privacy Act.

**Eric W. Bulfinch, Major, USAF v. Secretary of the Air Force**, C.A. No. 93-407-A, U.S.D.C.E.D. VA. Plaintiff sought personnel records and promotion folders of other Majors in 23d Air Force who met the May 1989, Lieutenant Colonel selection board. The Air Force Military Personnel Center denied his FOIA request under Exemptions 2, 5, and 6. He appealed in September 1991, and suggested a way to segregate the information to protect personal privacy. The Air Force Military Personnel Center told him the cost of conducting the search would be over $3,600, suggested an alternate method of search, and asked plaintiff how he wanted them to proceed. He never replied but filed suit instead. After the Air Force Military Personnel Center made a partial release, the suit was dismissed pursuant to joint stipulation on October 19, 1993.

## DEFENSE INVESTIGATIVE SERVICE

**The Nation Magazine and Max Holland v. Department of State, Central Intelligence Agency, Department of Justice, and DoD**, C.A. No. 92-23-3, U.S.D.C. D.C. Plaintiff filed suit because Federal defendants declined to release files pertaining to H. Ross Perot. The Defense Investigative Service (DIS) is included in the list of Federal defendants as a component of the Department of Defense. The DIS withheld investigative files pertaining to Perot under Exemption 6 and 7(C). Defendants filed a Motion for Summary Judgment on February 5, 1993. The parties are awaiting the court's decision regarding this motion.

## DEFENSE LOGISTICS AGENCY

**TPS, Inc. v. DoD**, C.A. No. C-93-0119-SBA, U.S.D.C.N.D. CA, January 11, 1993. TPS seeks refund for alleged overcharges for records produced pursuant to FOIA requests. Case settled September 22, 1993.

## NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE

**John C. Gilmore v. National Security Agency**, C.A. No. C-92-3646, U.S.D.C.N.D. CA, September 4, 1992. Plaintiff alleged improperly withheld records and sought injunctive and declaratory relief for failure to process requests within statutory time limits. Court

upheld the Agency's withholding of records on the basis of Exemptions 1 and 3. When it was proven the records were previously disclosed and in the public domain, the Agency released the documents. Upon the Government's motion for summary judgment on February 12, 1993, the court dismissed the complaint for injunctive and declaratory relief. The court vacated the dismissal and reopened the case upon motion by the plaintiff.

**Computer Professional for Social Responsibility v. National Security Agency**, C.A. No. 93-1074, U.S.D.C. D.C., June 28, 1993. Action brought for untimely response to request for records relating to Clipper Chip technologies. The Open America motion filed in June 1993 to stay proceedings was granted by the court and the documents are being processed by NSA.

# 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 |
| DCAA | "Defense Contract Audit Agency (DCAA) Freedom of Information Act Program" | 32 CFR 290, as amd by FR Vol 58, No. 228, 30 Nov 93 |
| DIA | "Defense Intelligence Agency (DIA) Freedom of Information Act" | 32 CFR 292 |
| 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 |
| DLA | "Defense Logistics Agency (DLA) Freedom of Information Act Program" | 32 CFR 1285 |

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| DMA | "Defense Mapping Agency (DMA) Freedom of Information Act (FOIA) Program" | 32 CFR 286i and 293, as amd by FR Vol 56, No. 111, 1 May 93 |
| 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 | 32 CFR 296, as amd by FR Vol 58, No. 219, 16 Nov 93 |
| 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 63 through 76, 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.

$1,450,343.85 was collected from the public for making records available during the year 1993 (see item 10(b), page 78 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 previsions 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 through 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

| Type | Grade | Hourly Rate($) |
|---|---|---|
| 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

| Type | Cost per Page (¢) |
|---|---|
| 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)

| Type | Grade | Hourly Rate($) |
|---|---|---|
| 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

| Type | Grade | Hourly Rate ($) |
|---|---|---|
| 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

| Type | Cost |
|---|---|
| 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

| Type | Grade | Hourly Rate ($) |
|---|---|---|
| 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.)

POW/MIA documents being placed in the Library of Congress, and the National Archives and Records Administration.

Human rights violations in El Salvador placed in the Library of Congress.

# Item 10(b)

## Calendar Year Costs and Fees Collected

| Component | Annual Cost | Fees Collected |
|---|---|---|
| OSD/JS | $2,710,044.81 | $37,995.83 |
| Dept Army | $9,116,512.98 | $324,451.90 |
| Dept Navy | $7,652,129.76 | $458,233.98 |
| Dept Air Force | $6,326,037.50 | $304,594.11 |
| DCAA | $177,270.20 | $7,101.10 |
| DFAS | $233,155.43 | $19,890.77 |
| DIA | $321,291.88 | $992.00 |
| DIS | $93,711.25 | $341.00 |
| DISA | $139,668.75 | $7,964.32 |
| DLA | $1,654,250.50 | $280,510.00 |
| DMA | $188,368.34 | $301.40 |
| DNA | $191,461.86 | $3,301.64 |
| NRO | $186,383.25 | $0.00 |
| NSA/CSS | $877,567.50 | $4,079.00 |
| OIG, DOD | $231,543.88 | $586.80 |
| DOD Totals | $30,099,397.89 | $1,450,343.85 |

# Item 10(b) (Cont'd)

| COST OUTLINE | OSD/JS | Dept Army | Dept Navy | Dept Air Force |
|---|---|---|---|---|
| I. Personnel Costs | | | | |
| A. Estimated Manyears* | 32.1 | 129.8 | 117.0 | 129.2 |
| B. Manyear Costs | $1,906,197.81 | $5,390,195.61 | $4,684,222.94 | $3,926,910.00 |
| C. Estimated Manhour Costs by Category (Fee Schedule Rates)** | | | | |
| (1) Search Time | $36,541.71 | $269,132.69 | $259,597.71 | $153,741.00 |
| (2) Review & Excising | $49,955.91 | $430,311.78 | $166,112.81 | $181,367.00 |
| (3) Coordination & Approval | $25,106.75 | $198,560.84 | $173,249.63 | $177,762.00 |
| (4) Correspondence/Form Preparation | $21,582.70 | $184,645.41 | $158,690.42 | $119,503.00 |
| (5) Other Activities | $18,275.10 | $127,149.34 | $80,089.76 | $74,497.00 |
| (6) Total [(1) thru (5)] | $151,462.17 | $1,209,800.06 | $837,740.33 | $706,870.00 |
| D. Overhead [25% of (B + C)] | $514,415.00 | $1,649,998.92 | $1,380,490.82 | $1,158,445.00 |
| E. Total [B thru D] | $2,572,074.98 | $8,249,994.59 | $6,902,454.09 | $5,792,225.00 |
| II. Other Case Related Costs | | | | |
| A. Computer Search Time | $15,530.05 | $123,069.51 | $279,763.81 | $43,317.00 |
| B. Office Copy Reproduction | $27,225.30 | $375,231.84 | $228,776.40 | $223,835.00 |
| C. Microfiche Reproduction | $383.55 | $8,778.01 | $36,815.50 | $5,133.00 |
| D. Printed Records | $481.97 | $4,922.01 | $4,026.94 | $7,690.00 |
| E. Computer Copy | $385.77 | $10,232.09 | $3,260.66 | $1,576.00 |
| F. Audiovisual Materials | $64.00 | $3,494.97 | $1,875.55 | $12,501.00 |
| G. Other | $787.23 | $150,112.68 | $22,528.88 | $132,998.00 |
| H. Subtotal [A thru G] | $44,857.87 | $675,841.11 | $577,047.74 | $427,050.00 |
| I. Overhead [25% of H] | $11,214.47 | $168,960.28 | $144,261.94 | $106,762.50 |
| J. Total [H + I] | $56,072.34 | $844,801.39 | $721,309.68 | $533,812.50 |
| III. Cost of Routine Requests Processed | $81,897.50 | $21,717.00 | $28,366.00 | $0.00 |
| IV. Total Costs [I thru III] | $2,710,044.81 | $9,116,512.98 | $7,652,129.76 | $6,326,037.50 |

* 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 |
|---|---|---|---|---|
| I. Personnel Costs | | | | |
| A. Estimated Manyears* | 2.2 | 4.9 | 4.0 | 1.7 |
| B. Manyear Costs | $124,187.00 | $125,348.64 | $192,674.00 | $72,354.00 |
| C. Estimated Manhour Costs by Category (Fee Schedule Rates)** | | | | |
| (1) Search Time | $5,157.00 | $9,931.66 | $10,659.00 | $1,681.00 |
| (2) Review & Excising | $4,957.00 | $6,536.25 | $28,137.00 | $194.00 |
| (3) Coordination & Approval | $2,099.00 | $8,513.35 | $6,685.00 | $231.00 |
| (4) Correspondence/Form Preparation | $1,221.00 | $6,483.38 | $4,858.00 | $38.00 |
| (5) Other Activities | $97.50 | $14,098.00 | $1,699.00 | $0.00 |
| (6) Total [(1) thru (5)] | $13,531.50 | $45,562.64 | $52,038.00 | $2,144.00 |
| D. Overhead [25% of (B + C)] | $34,429.63 | $42,727.82 | $61,178.00 | $18,624.50 |
| E. Total [B thru D] | $172,148.13 | $213,639.10 | $305,890.00 | $93,122.50 |
| II. Other Case Related Costs | | | | |
| A. Computer Search Time | $319.43 | $1,446.76 | $10,360.00 | $150.00 |
| B. Office Copy Reproduction | $3,728.23 | $5,051.80 | $1,694.00 | $321.00 |
| C. Microfiche Reproduction | $0.00 | $238.25 | $0.00 | $0.00 |
| D. Printed Records | $50.00 | $15.24 | $0.00 | $0.00 |
| E. Computer Copy | $0.00 | $272.01 | $0.00 | $0.00 |
| F. Audiovisual Materials | $0.00 | $18.00 | $267.50 | $0.00 |
| G. Other | $0.00 | $2,147.00 | $0.00 | $0.00 |
| H. Subtotal [A thru G] | $4,097.66 | $9,189.06 | $12,321.50 | $471.00 |
| I. Overhead [25% of H] | $1,024.42 | $2,297.27 | $3,080.38 | $117.75 |
| J. Total [H + I] | $5,122.08 | $11,486.33 | $15,401.88 | $588.75 |
| III. Cost of Routine Requests Processed | $0.00 | $8,030.00 | $0.00 | $0.00 |
| IV. Total Costs [I thru III] | $177,270.20 | $233,155.43 | $321,291.88 | $93,711.25 |

* 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 |
|---|---|---|---|---|
| I. Personnel Costs | | | | |
| A. Estimated Manyears* | 2.8 | 22.6 | 2.3 | 3.1 |
| B. Manyear Costs | $98,863.00 | $718,865.00 | $142,796.00 | $122,898.50 |
| C. Estimated Manhour Costs by Category (Fee Schedule Rates)** | | | | |
| (1) Search Time | $1,204.00 | $118,843.00 | $1,691.39 | $3,984.86 |
| (2) Review & Excising | $1,039.00 | $74,737.00 | $1,890.50 | $12,716.51 |
| (3) Coordination & Approval | $1,204.00 | $19,427.00 | $259.25 | $5,326.21 |
| (4) Correspondence/Form Preparation | $1,926.00 | $30,054.00 | $72.00 | $432.50 |
| (5) Other Activities | $80.00 | $47,294.00 | $43.50 | $6,044.41 |
| (6) Total [(1) thru (5)] | $5,453.00 | $290,355.00 | $3,956.64 | $28,504.49 |
| D. Overhead [25% of (B + C)] | $26,079.00 | $252,305.00 | $36,688.16 | $37,850.75 |
| E. Total [B thru D] | $130,395.00 | $1,261,525.00 | $183,440.80 | $189,253.74 |
| II. Other Case Related Costs | | | | |
| A. Computer Search Time | $4,873.00 | $166,258.00 | $417.62 | $197.50 |
| B. Office Copy Reproduction | $2,508.00 | $45,540.00 | $886.16 | $1,560.29 |
| C. Microfiche Reproduction | $0.00 | $16,998.00 | $0.00 | $0.00 |
| D. Printed Records | $0.00 | $3,026.00 | $11.68 | $6.96 |
| E. Computer Copy | $38.00 | $69,814.00 | $51.57 | $1.75 |
| F. Audiovisual Materials | $0.00 | $0.00 | $0.00 | $0.00 |
| G. Other | $0.00 | $10,410.00 | $0.00 | $0.00 |
| H. Subtotal [A thru G] | $7,419.00 | $312,046.00 | $1,367.03 | $1,766.50 |
| I. Overhead [25% of H] | $1,854.75 | $78,011.50 | $341.76 | $441.63 |
| J. Total [H + I] | $9,273.75 | $390,057.50 | $1,708.79 | $2,208.13 |
| III. Cost of Routine Requests Processed | $0.00 | $2,668.00 | $3,218.75 | $0.00 |
| IV. Total Costs [I thru III] | $139,668.75 | $1,654,250.50 | $188,368.34 | $191,461.86 |

* 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 |
|---|---|---|---|
| I. Personnel Costs | | | |
| A. Estimated Manyears* | 2.5 | 12.9 | 2.9 |
| B. Manyear Costs | $141,064.00 | $619,728.00 | $171,134.00 |
| C. Estimated Manhour Costs by Category (Fee Schedule Rates)** | | | |
| (1) Search Time | $2,756.50 | $39,691.00 | $1,048.15 |
| (2) Review & Excising | $3,991.10 | $27,245.00 | $4,469.70 |
| (3) Coordination & Approval | $0.00 | $0.00 | $3,160.55 |
| (4) Correspondence/Form Preparation | $0.00 | $1,393.00 | $774.00 |
| (5) Other Activities | $0.00 | $0.00 | $3,125.00 |
| (6) Total [(1) thru (5)] | $6,747.60 | $68,329.00 | $12,577.40 |
| D. Overhead [25% of (B + C)] | $36,952.90 | $172,014.25 | $45,927.85 |
| E. Total [B thru D] | $184,764.50 | $860,071.25 | $229,639.25 |
| II. Other Case Related Costs | | | |
| A. Computer Search Time | $20.00 | $9,003.00 | $256.55 |
| B. Office Copy Reproduction | $375.00 | $4,994.00 | $1,043.96 |
| C. Microfiche Reproduction | $0.00 | $0.00 | $0.00 |
| D. Printed Records | $0.00 | $0.00 | $48.76 |
| E. Computer Copy | $0.00 | $0.00 | $0.00 |
| F. Audiovisual Materials | $0.00 | $0.00 | $0.00 |
| G. Other | $900.00 | $0.00 | $174.43 |
| H. Subtotal [A thru G] | $1,295.00 | $13,997.00 | $1,523.70 |
| I. Overhead [25% of H] | $323.75 | $3,499.25 | $380.93 |
| J. Total [H + I] | $1,618.75 | $17,496.25 | $1,904.63 |
| III. Cost of Routine Requests Processed | $0.00 | $0.00 | $0.00 |
| IV. Total Costs [I thru III] | $186,383.25 | $877,567.50 | $231,543.88 |

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

** Personnel other than I.B.

# Item 10(c)

## Time Limit Extensions

| Component | I Unusual Circumstances | | | II & III Court | Total |
|---|---|---|---|---|---|
| | Location | Volume | Consultation | Involvement | |
| OSD/JS | 1,435 | 31 | 105 | 1 | 1,572 |
| Dept Army | 89 | 153 | 110 | 1 | 353 |
| Dept Navy | 36 | 845 | 40 | 10 | 931 |
| Dept Air Force | 243 | 2,276 | 1,076 | 0 | 3,595 |
| DCAA | 0 | 1 | 3 | 1 | 5 |
| DFAS | 10 | 73 | 0 | 0 | 83 |
| DIA | 72 | 625 | 80 | 0 | 777 |
| DIS | 210 | 10 | 10 | 0 | 230 |
| DISA | 0 | 65 | 2 | 1 | 68 |
| DLA | 511 | 407 | 88 | 7 | 1,013 |
| DMA | 16 | 15 | 2 | 0 | 33 |
| DNA | 27 | 20 | 51 | 0 | 98 |
| NRO | 16 | 0 | 22 | 0 | 38 |
| NSA/CSS | 0 | 528 | 26 | 0 | 554 |
| OIG, DOD | 7 | 54 | 10 | 0 | 71 |
| DOD Totals | 2,672 | 5,103 | 1,625 | 21 | 9,421 |