

30 August 2001

Information Management: Records Management

FREEDOM OF INFORMATION ACT PROGRAM

Summary. This revised memorandum provides current procedures for processing Freedom of Information Act (FOIA) requests.

Applicability. This memorandum applies to all U.S. Army Intelligence Center and Fort Huachuca (USAIC&FH) directorates and staff elements.

Suggested improvements. The proponent of this memorandum is the Directorate of Information Management, USAIC&FH. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through channels to Commander, U.S. Army Intelligence Center and Fort Huachuca, ATTN: ATZS-IMO-I, Fort Huachuca, AZ 85613-6000.

Availability. This publication is available solely on the Fort Huachuca homepage at <http://huachuca-www.army.mil>.

Contents

	Paragraph	Page
Purpose	1	2
References.....	2	2
Explanation of abbreviations	2	2
Responsibilities.....	4	2
Policy	5	4
Releasing Army records	6	4
FOIA controls and procedures.....	7	6
Exemptions and IDA.....	8	6
Fee assessment	9	6
Coordination of FOIA requests	10	7
Appendix		
A. References		8

*This memorandum supersedes FH Memorandum 25-50, 1 May 1997.

1. Purpose.

This memorandum prescribes the procedures for processing requests under the FOIA within the USAIC&FH. It applies to all directorates and offices to include contractors within the USAIC&FH.

2. References.

Required and related publications and referenced forms are listed in Appendix A. Prescribed and referenced publications and forms are available electronically. Fort Huachuca publications and forms are available at <http://huachuca-www.army.mil> and higher echelon publications and forms are available at <http://www.uapa.army.mil>.

3. Explanation of abbreviations.

Abbreviations used in the publication are explained in the glossary.

4. Responsibilities.

a. The Director of Information Management (DOIM) is responsible for implementation of the FOIA within the USAIC&FH. The Chief, Information Support Services Branch serves as the USAIC&FH FOIA official. The FOIA official has delegated to the action office direct reply authority to the requester with a copy of the reply to the FOIA official for the control system. The FOIA official provides guidance, assistance, and additional instructions in complying with the act. The FOIA official controls all FOIA requests for the USAIC&FH, assists in computing assessable charges, receives and controls payments, and prepares the annual FOIA report, Report Control Symbol (RCS) DD-PA(A)1365.

b. The USAIC&FH directors and chiefs of staff offices are responsible for following procedures set forth in this memorandum and ensuring requests for records in their custody receive prompt attention.

c. The Staff Judge Advocate Office (SJA) will provide an expeditious legal review and determine applicability of exemptions of FOIA requests, as required.

d. The Directorate of Public Safety (DPS), Law Enforcement Division, will process requests for Military Police Reports (MPR).

e. Records management coordinators (RMC) within the USAIC&FH are responsible for maintaining control of FOIA requests within their directorate or staff office. They serve as a liaison between the FOIA official and the action officer having custody of requested records and responding to the request.

f. Action officers will--

(1) Comply with all aspects of the FOIA, seeking assistance from the RMC, Operations Security Officer, SJA, or FOIA official, as needed.

(2) Take action within the timeframe established by AR 25-55, The Department of the Army FOIA Program, paragraph 1-503. Advise the FOIA official of any requests that cannot be answered within the established timeframe. The action officer will attempt to negotiate an informal extension with the requester.

(3) Prepare responses to requesters, compute assessable charges, and determine releasability of the requested information. Any assistance needed in the determination should be provided by the Operations Security Officer and/or the Legal Officer. This also applies to records or information compiled for law enforcement purposes that could reasonably be expected to interfere with law enforcement proceedings, would deprive a person of a right to a fair trial or impartial adjudication, could reasonably be expected to constitute an unwarranted invasion of the personal privacy of others, disclose the identity of a confidential source, disclose investigative techniques and procedures, or could reasonably be expected to endanger the life or physical safety of any individual.

(4) Hand carry documents containing Privacy Act or For Official Use Only (FOUO) information to SJA for review and releasability determination. Three copies will be furnished, one copy not sanitized and two copies sanitized.

(5) Complete the DD Form 2086 (Record of Freedom of Information (FOI) Processing Cost)(Figure 1), or DD Form 2086-1 (Record of Freedom of Information (FOI) Processing Cost for Technical Data) (Figure 2), as applicable. These processing costs will determine assessable charges.

(6) Prepare a notarized affidavit for each individual involved in records searches, if a record does not exist or has been destroyed. A "No Record Certification" (Figure 3) is required. A no record response to a FOIA request is a denial of the request. Only an Initial Denial Authority (IDA) has the authority to deny records. The FOIA official will prepare a memorandum to the appropriate IDA (Figure 4).

(7) Forward a copy of all your responses, two copies of the documents released, and DD Forms 2086 or 2086-1 to the FOIA official. The FOIA official will maintain the FOIA case records. It is imperative that the FOIA official receive these copies so that the FOIA official can prepare and submit the Annual Report Freedom of Information Act (RCS DD-PA(A)1365).

g. Directorate of Contracting will provide their input to the annual report to the FOIA official.

5. Policy.

a. The principle of the FOIA is to make available to the public information concerning the activities of its Government. Department of Defense policy is to conduct its activities in an open manner and provide the public with the maximum amount of accurate and timely information consistent with the need for security and compliance with the law.

b. The FOIA applies to all Department of the Army (DA) records as defined in AR 25-55, paragraph 1-402. DA personnel are expected to comply with the provisions of the act by helping requesters understand and comply with established procedures. Administrative procedures must not become obstacles to timely release of information to the public.

6. Releasing Army records.

a. Any request for Army records that either explicitly or implicitly cites the FOIA shall be processed under the provisions of AR 25-55 and this memorandum. When the request is from an individual seeking records about himself or herself, it will be processed under the provisions of AR 340-21. The USAIC&FH FOIA official is also the USAIC&FH Privacy Act official.

b. All requesters will be advised to request records under the FOIA in writing to the following address: Commander, U.S. Army Intelligence Center and Fort Huachuca, ATTN: ATZS-IMO-I (FOIA official), Fort Huachuca, AZ 85613-6000. This requirement applies when the requester is not a Government employee or a contractor requiring information in the normal conduct of Army business. Be aware of private companies with names that sound like Government offices (such as those using Federal in their name). Questions may be directed to the FOIA official.

c. If the originator determines a particular report or record is releasable to the public, provide the report or record to the requester without invoking the FOIA. The provisions of the FOIA with its controls should not be invoked solely for control purposes. If a requester invokes the FOIA, there is doubt as to the release of the record, or the record is exempt from mandatory public disclosure under the FOIA, the request will be entered into the formal control system managed by the FOIA Officer under AR 25-55, paragraph 1-301. Do not advise requesters of information to invoke the FOIA when the information is otherwise releasable.

d. Requests for MPRs will be processed by the Law Enforcement Division as follows:

(1) Forward all MPR requests which invoke the FOIA, where release is doubtful, or exempt from mandatory public disclosure to the FOIA official, DOIM, for processing and control under the FOIA.

(2) Release or determine releasability and coordinate with the SJA for release of all other requests not covered by subparagraph (1) above.

(3) Any release of military police records or information compiled for law enforcement purposes, whether to persons within or outside the Army, must be in accordance with (IAW) the FOIA, the Privacy Act, and AR 190-45.

(4) Provost marshals will ensure that an audit trail is established and maintained for all information released from military police records. Maintain a record copy of requests IAW AR 25-400-2, file number 190, General Military Police Correspondence. Destroy after 2 years.

e. Requests for Army records from members of Congress will be handled IAW ARs 1-20 and 25-55.

f. Requests for Army records originated by a contractor working for Fort Huachuca will be processed by the FOIA official, through the RMC and the Contracting Officer or the Contracting Officer's Representative to the action officer. The contractor is required to release Army records in compliance with the FOIA.

g. To ensure public access to timely information concerning DA activities on this post, records requested through public information channels by news media representatives that would not be withheld if requested under the FOIA should be released upon request. Prompt responses to requests for information from news media representatives should be encouraged to eliminate the need for these requesters to invoke the provisions of the FOIA. All requests from news media sources will be coordinated with the Public Affairs Office.

h. Telephonic requests for staff and post telephone directories may be provided without a written request or invoking the FOIA.

i. The requested record must be described in enough detail to enable a nonrandom search. The act does not authorize "fishing expeditions." Requests that do not reasonably describe the requested record will be returned for additional information.

j. A record must exist and be in the custody of the USAIC&FH to be considered for release under the FOIA. Under the FOIA there is no obligation to create, compile, or obtain a record to satisfy a request. It is allowable, however, when doing so would result in a more useful response or be less burdensome to the action office. Possessing a record is not the same as having custody.

FH Memo 25-50

k. The USAIC&FH has no authority to consider releasing a record created outside the USAIC&FH. The request must be referred (Figure 5) to the office that created the record or is the proponent of the document. The requester is notified of the referral (Figure 6).

7. FOIA controls and procedures.

a. Upon receiving a FOIA request, the FOIA official will assign a control number which will be used in all references to the request. The FOIA official will determine the suspense date and assign the request to the directorate in possession of the records (referred to as the action office). The request will then be handcarried to the RMC within that directorate.

b. The RMC will receive a copy of the request with a FH Form 25-15-R-E (Freedom of Information Act (FOIA) Request Control Sheet) (Figure 7), containing specific instructions for handling the request.

c. The action officer will send the requester a letter of acknowledgement (Figure 8) within 10 working days upon receipt.

d. If a request is received directly by any office within the USAIC&FH, the original request and mailing envelope will be handcarried to the FOIA official by the close of business on the date of receipt. The FOIA official will place the request under control and assign an action office.

e. The importance of handcarrying or sending by facsimile FOIA requests cannot be overemphasized. The act allows 10 working days to respond to a requester. This includes coordination by the appropriate action office and legal review, as required. Sending a request through distribution channels consumes a significant portion of that response time.

8. Exemptions and IDA.

a. The exemptions listed in AR 25-55, chapter III, section 2, will be used to determine if a record meets the criteria to request a denial.

b. No individual within the purview of this memorandum can deny all or any portion of a record from being released to the public under the FOIA. If a record meets the qualifications under one of the exemptions identified in AR 25-55, the action officer will forward the request and two copies of the requested record(s) for denial to the FOIA official. The FOIA official will advise the requester, in writing (Figure 9), that the request has been forwarded to the IDA for determination of releasability. The IDA will respond directly to the requester.

9. Fee assessment.

a. The requester must indicate a willingness to pay assessable charges. If the conditions in paragraph 6-104 of AR 25-55 concerning a fee declaration are not met, the FOIA official will not process the request and will so inform the requester.

b. There are two instances where the action office may be requested to provide an estimate prior to actually processing a request. The requester shall be provided an estimate of fees upon request. Prior to committing to pay all assessable charges, the requester may need an idea of the dollar amount. An estimate shall also be prepared by the action office and provided to the requester any time assessable fees may exceed \$250. All estimates will be coordinated with the FOIA official.

b. When accident report requests are processed under the FOIA, the cost for services is not recoverable. Using the FOIA fee schedule, direct costs of \$15 or less shall be waived automatically under the provisions of AR 25-55, paragraph 6-103b. Schedule of fees and

rates for common services related to copying, certifying, and searching records given to the public is included in AR 37-60, Appendix A.

d. Correspondence to requesters will state FOIA checks are to be made payable to the Treasurer of the United States and mailed to Commander, U.S. Army Intelligence Center and Fort Huachuca, ATTN: ATZS-IMC-SR (FOIA Official), Fort Huachuca, AZ 85613-6000. The only exception are checks for FOIA requests processed entirely by a nonappropriated fund function. These checks will be made payable to the Fort Huachuca Installation Morale, Welfare, and Recreation Fund and mailed to Fund Manager, P.O. Box 100, Fort Huachuca, AZ 85613. Checks will not be made payable to an individual.

e. The FOIA official will record receipt of all payments for FOIA requests and promptly forward checks to the Finance and Accounting Office.

f. The Fund Manager will notify the FOIA official of receipt of all FOIA payments.

10. Coordination of FOIA requests.

a. The FOIA official will coordinate all FOIA requests involving matters which have public interest or contain releasable information of a controversial nature with the USAIC&FH Public Affairs Office.

b. The action office will coordinate requests for information under the FOIA that appear to contain operational security implications with the Directorate of Public Safety for review.

**Appendix A
References**

**Section I
Required Publications**

AR 1-20, Legislative Liaison.

AR 25-55, The Department of the Army Freedom of Information Act Program

AR 25-400-2, The Modern Army Recordkeeping System (MARKS)

AR 37-60, Pricing for Materiel and Services

AR 340-21, The Army Privacy Program

AR 190-45, Law Enforcement Reporting

DA Pamphlet 25-51, The Army Privacy Program - System Notices and Exemption Rules

**Section II
Referenced Forms**

DD Form 2086
Record of Freedom of Information (FOI) Processing Cost

DD Form 2086-1
Record of Freedom of Information (FOI) Processing Cost for Technical Data

**Section III
Prescribed Forms**

FH Form 25-15-R-E
Freedom of Information Act (FOIA) Request Control Sheet

Glossary

AR

Army regulation

DA

Department of the Army

DD

Department of Defense

FH

Fort Huachuca

FOIA

Freedom of Information Act

IAW

In Accordance With

IDA

Initial Denial Authority

MPR

Military Police Reports

RCS

Report Control Symbol

RMC

Records Management Coordinator

SJA

Staff Judge Advocate

USAIC&FH

U.S. Army Intelligence Center and Fort Huachuca

RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST				REPORT CONTROL SYMBOL	
<i>Please read instructions on back before completing form.</i>				DD-PA(A)1365	
1. REQUEST NUMBER 01-XXX		2. TYPE OF REQUEST (X one)		3. DATE COMPLETED (YYYYMMDD)	
		<input checked="" type="checkbox"/> a. INITIAL <input type="checkbox"/> b. APPEAL		20010101	
4. CLERICAL HOURS (E-9/GS-8 and below)		TOTAL HOURS (1)	HOURLY RATE (2)	COST (3)	
a. SEARCH		2.00	X \$12.00 =	24.00	
b. REVIEW/EXCISING		1.00		12.00	
c. CORRESPONDENCE AND FORMS PREPARATION		0.50		6.00	
d. OTHER ACTIVITY					
5. PROFESSIONAL HOURS (O-1 - O-6/GS-9 - GS-15)		TOTAL HOURS (1)	HOURLY RATE (2)	COST (3)	
a. SEARCH			X \$25.00 =		
b. REVIEW/EXCISING					
c. COORDINATION/APPROVAL/DENIAL					
d. OTHER ACTIVITY					
6. EXECUTIVE HOURS (O-7 - GS-16/ES 1 and above)		TOTAL HOURS (1)	HOURLY RATE (2)	COST (3)	
a. SEARCH			X \$45.00 =		
b. REVIEW/EXCISING					
c. COORDINATION/APPROVAL/DENIAL					
7. COMPUTER SEARCH		TOTAL HOURS (1)	HOURLY RATE (2)	COST (3)	
a. MACHINE HOURS			X \$12.00 =		
b. PROGRAMMER/OPERATOR TIME					
(1) Clerical					
(2) Professional			\$25.00		
8. OFFICE COPY REPRODUCTION		NUMBER (1)	RATE (2)	COST (3)	
a. PAGES REPRODUCED		30	.15	=	4.50
9. MICROFICHE REPRODUCTION		NUMBER (1)	RATE (2)	COST (3)	
a. MICROFICHE REPRODUCED			.25	=	
10. PRINTED RECORDS		TOTAL PAGES (1)	RATE (2)	COST (3)	
a. FORMS			X .02 =		
b. PUBLICATIONS					
c. REPORTS					
11. COMPUTER COPY		NUMBER (1)	ACTUAL COST (2)	COST (3)	
a. TAPE			X =		
b. PRINTOUT					
12. AUDIOVISUAL MATERIALS		NUMBER (1)	ACTUAL COST (2)	COST (3)	
a. MATERIALS REPRODUCED			X =		
13. FOR FOI OFFICE USE ONLY					
a. SEARCH FEES PAID		f. TOTAL COLLECTABLE COSTS			
b. REVIEW FEES PAID		g. TOTAL PROCESSING COSTS		\$46.50	
c. COPY FEES PAID		h. TOTAL CHARGED		\$24.00	
d. TOTAL PAID		i. FEES WAIVED/REDUCED (X one)		Yes	<input checked="" type="checkbox"/> No
e. DATE PAID (YYYYMMDD)		See Chapter 6, Fee Schedule, DoD 5400.7-R, to determine appropriate assessment of fees.			

Figure 1. DD Form 2086

RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST FOR TECHNICAL DATA					REPORT CONTROL SYMBOL			
<i>Please read instructions on back before completing form.</i>								
1. REQUEST NUMBER 01-XXX		2. TYPE OF REQUEST (X one)		3. DATE COMPLETED (YYYYMMDD) 20010101				
		X a. INITIAL						
				b. APPEAL				
4. CLERICAL HOURS (E-9GS8 and below)		TOTAL HOURS (1)		HOURLY RATE (2)	COST (3)			
a. SEARCH		2.00	X	\$13.25	=			
b. REVIEW/EXCISING		1.00				* 26.50		
c. CORRESPONDENCE AND FORMS PREPARATION		0.50				* 13.25		
d. OTHER ACTIVITY						6.63		
e. MINIMUM CHARGE								
				\$ 8.30				
5. PROFESSIONAL HOURS (D1-06GS9-GSGM15)		TOTAL HOURS (1)		HOURLY RATE (2)	COST (3)			
a. SEARCH			X	ACTUAL HOURLY RATE	=			
b. REVIEW/EXCISING		4.00				* 100.00		
c. COORDINATION/APPROVAL/DENIAL								
d. OTHER ACTIVITY								
e. MINIMUM CHARGE								
				1/2 HOURLY RATE				
6. EXECUTIVE HOURS (D7GM16ES 1 and above)		TOTAL HOURS (1)		HOURLY RATE (2)	COST (3)			
a. SEARCH			X	ACTUAL HOURLY RATE	=			
b. REVIEW/EXCISING		1.00				* 45.00		
c. COORDINATION/APPROVAL/DENIAL								
d. MINIMUM CHARGE								
							1/2 HOURLY RATE	
7. COMPUTER SEARCH		TOTAL HOURS (1)		HOURLY RATE (2)	COST (3)			
a. MACHINE HOURS			X		=			
b. PROGRAMMER/OPERATOR TIME								
- Clerical								
- Professional								
							\$13.25 OR MINIMUM	
				ACTUAL OR MINIMUM				
8. REPRODUCTION		NUMBER (1)		RATE (2)	COST (3)			
a. AERIAL PHOTOGRAPHS, SPECIFICATIONS, PERMITS, CHARTS, BLUEPRINTS, AND OTHER TECHNICAL DOCUMENTS			X	\$ 2.50	=			
b. ENGINEERING DATA (Microfilm)								
- Aperture cards								
- Silver duplicate negative, per card						.75	* 21.00	
- When keypunched and verified, per card						.85	* 25.50	
- Diao duplicate negative, per card						.65	* 19.25	
- When keypunched and verified, per card						.75	* 23.25	
- 35 mm roll film, per frame						.50	* 15.00	
- 16 mm roll film, per frame						.45	* 13.50	
- Paper prints (engineering drawings), each						1.50	* 45.00	
- Paper reprints of microfilm indices, each						.10	* 3.00	
c. AUDIOVISUAL MATERIALS (Insert actual cost in block (2))								
d. OTHER TECHNICAL DATA RECORDS								
Charges for any additional services not specifically provided above shall be made by components at the following rates:								
- Minimum charge for office copy (up to six images)		6					\$ 3.50	* 21.00
- Each additional image		20	X	.10	=			
- Each typewritten page						* 2.00		
- Certification and validation with seal, each						3.50	* 21.00	
- Hand drawn plots and sketches, each hour or fraction thereof						5.20	* 31.20	
						12.00	* 72.00	
* Chargeable to all requesters.								
9. FOR FOI OFFICE USE ONLY								
a. SEARCH FEES PAID			f. TOTAL COLLECTABLE COSTS		214.38			
b. REVIEW FEES PAID			g. TOTAL PROCESSING COSTS					
c. COPY FEES PAID			h. TOTAL CHARGED		191.38			
d. TOTAL PAID			i. FEES WAIVED/REDUCED (X one)					
e. DATE PAID (YYYYMMDD)			YES	X NO				

DD FORM 2086-1, JUL 1997

PREVIOUS EDITION MAY BE USED UNTIL SUPPLY IS EXHAUSTED.

USAPA V1.00

Figure 2. DD Form 2086-1

Office Title

Date

NO RECORD CERTIFICATION

I, (Name and title of person conducting search), certify that I conducted a search of the records described in paragraph 2, below, using the procedures described in paragraph 3, below, requested by (Name of the requester) under the Freedom of Information Act, 5 USC 552. The aforementioned search did not result in the discovery of any record that matches the record requested by (Name of the requester).

(Describe the records systems (MARKS file number) searched and why those records systems are the systems most likely to contain the requested documents.)

(Describe in detail how the search was conducted, were automated records used, if so what search terms were used, what indexes were searched. If search was conducted by going through records by hand, what documents were examined or inspected. Do not use descriptions such as “all records searched,” “standard procedures were use.”)

I swear and affirm that the information contained in this affidavit is true, correct, and complete to the best of my knowledge.

NAME OF PERSON CONDUCTING SEARCH
TITLE AND POSITION

STATE OF ARIZONA)
COUNTY OF COCHISE)

(Name of Person Conducting Search), appeared before me, (Name of Notary), a notary public for the State of Arizona, and duly swore or affirmed that the information contained in this affidavit is true and correct to the best of (his/her) knowledge, and thereafter affixed (his/her) signature to this affidavit.

Figure 3. Sample format of No Record Certification



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613-6000

ATZS-IMO-IR (25-55)

MEMORANDUM FOR Commander, U.S. Army Total Army Personnel Command
(Civilian), ATTN: TAPC-CPF-O, Room 5N31,
Hoffman II, Alexandria, VA 22332-0341

SUBJECT: U.S. Army Intelligence Center and Fort Huachuca Freedom of Information Act
Request 01-XX

1. Subject request (enclosure 1) is forwarded to your office as the Initial Denial Authority.
2. We have no records in response to the remainder of the request, items 2, 3, 4 and 5. Please provide the requester a "no records response."
3. Enclosure 2 is the no record certifications from our Civilian Personnel Office.
4. Enclosure 3 is a copy of the legal review by our Staff Judge Advocate's Office for this request.
5. A copy of our response to the requester and a signed copy of the Standard Form 52 are at Enclosure 4.
6. Please forward a copy of your final response to this office.
7. If you have any questions, please contact Ms. XXXXXXXXXXX X. XXXXXXXXXXX, DSN 821-XXXX or 520-533-XXXX.

FOR THE DIRECTOR:

4 Encls
as

XXXXX XXXXXXXXXXXXX
XXXXXXXXXXXXX XXXXXXXXX

Figure 4. Sample of Memorandum to an IDA



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613-6000

ATZS-IMO-IR (25-55)

MEMORANDUM FOR Commander, U.S. Army Medical Department Activity,
ATTN: MCXJ-CDR, Fort Huachuca, AZ 85613-6000

SUBJECT: U.S. Army Intelligence Center and Fort Huachuca Freedom of Information Act
Request 01-XX

1. Subject request (enclosed) is forwarded to your office for your action.
2. A copy of our response to the requester is at Enclosure 2.
3. Please provide the requester a direct response.
4. If you have any questions, please contact Mr. XXXXXX X. XXXXXX, DSN 821-XXXX or 520-533-XXXX.

FOR THE DIRECTOR:

2 Encls
as

XXXXX XXXXXXXXXXXXX
XXXXXXXXXXXXX XXXXXXXXXXXXX

Figure 5. Sample of Memorandum of Referral



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613-6000

REPLY TO
ATTENTION OF

Directorate of Information
Management

Ms. Xxxxx Xxxxxxx
XXX XXXXXXXX Avenue
Washington, DC 30036

Dear Ms. XXXXXXXX:

This is in response to your Freedom of Information Act request of November XX, 2000.

We forwarded your request to the Commander of the U.S. Army Intelligence and Security Command at the address below. They will provide a direct response to you. This does not constitute a denial of your request.

Commander
U.S. Army Intelligence and Security Command
Freedom of Information Act and Privacy Act Office
Central Security Facility
Attention: IAMG-CSF-F
4552 Pike Road
Fort Meade, Maryland 20755-5995

If you have any questions, please contact Ms. XXXXXX XXXXXXXX, 520-533-XXXX.

Sincerely,

Xxxxxx X. XXXXXXXX
XXXXXXXXXXXXXXXXXXXX

Figure 6. Sample Notification of Referral

FREEDOM OF INFORMATION ACT (FOIA) REQUEST CONTROL SHEET	
(FH Memo 25-50)	
Control Number:	Suspense Date:
Action Office:	
<input type="checkbox"/>	PAO - The attached request is forwarded to your office for your information only.
<input type="checkbox"/>	SJA - Please provide a legal review of the attached request by _____. Use DD Form 2086 (Record of Freedom of Information (FOI) Processing Cost) to record actual time spent on this request.
Requester Name and Address:	
<p>The enclosed request is forwarded for your action and direct response. If you believe this request has been incorrectly assigned to your directorate, contact this office immediately. The following guidance is provided in handling this request.</p> <p>a. Comply as indicated:</p> <p><input type="checkbox"/> You need to acknowledge or provide a final response to the requester within 20 working days. You can coordinate with the requester for additional time (in writing).</p> <p><input type="checkbox"/> We acknowledged receipt of this FOIA. However, you must still comply with the remainder of paragraph above.</p> <p>b. We can not deny records, only an Initial Denial Authority (IDA) at the major Army command or Department of the Army level can. Please contact this office if you believe records should be denied.</p> <p>c. You must obtain legal review from the local Staff Judge Advocate (SJA) if you have any concerns about releasing documents. Contact the Administrative Law Section prior to taking the request over to ensure expeditious handling.</p> <p>d. If SJA recommends denial of the documents, we will forward the original request, the legal review, the documents in question, and a copy of the DD Form 2086 (Records of Freedom of Information (FOI) Processing Cost) to the IDA. The IDA will determine releasability and respond directly to the requester.</p> <p>e. Contact us for guidance on assessing processing fees. DD Form 2086 is attached.</p> <p>f. Please forward any payment of FOIA requests you receive to this office for processing, unless a NAF activity totally processed the request. (Refer to FH Memo 25-50, FOIA Program for further guidance.) We will deposit payment into the appropriate receipt account. Instruct the requester to submit payment to Commander, U.S. Army Intelligence Center and Fort Huachuca, ATTN: ATZS-IMC-SR, Fort Huachuca, AZ 85613-6000.</p> <p>g. You must send us a copy of all your responses, copies of the documents released, and DD Form 2086. We will maintain the FOIA case records. It is imperative that we receive these copies so that we can prepare and submit the Annual Report Freedom of Information Act (Report Control Symbol DD-PA(A)1365).</p>	
FOIA OFFICIAL, extension 3-3227/2931, ATZS-IMC-SR, building 22324	
SIGNATURE: _____ DATE: <u>8 August 2001</u>	

FH Form 25-15-R-E
1 NOV 97

REPLACES FH FORM 25-15-R-E, 15 Oct 95
WHICH IS OBSOLETE

Figure 7. FH Form 25-15-R-E



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613-6000

REPLY TO
ATTENTION OF

Directorate of Information
Management

Mr. XXXXXX X. XXXXXXX
P.O. Box XXXX
Englewood, California 70920

Dear Mr. XXXXXXX:

This is in an interim response to acknowledge receipt of your Freedom of Information Act request dated November XX, 2000.

We will respond to your request as soon as possible. This does not constitute a denial of your request.

If you have any questions, please contact Ms. XXXXX XXXXXXXXXX at 520-533-XXXX.

Sincerely,

XXXXXX X. XXXXXXXXXX
XXXXXXXXX XXXXXXXXXX

Figure 8. Sample of Letter of Acknowledgement



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613-6000

REPLY TO
ATTENTION OF

Directorate of Information
Management

Mr. XXXXX XXXXXXXX
XXX XXXXXXXX Avenue
Clarksville, Tennessee 37040

Dear Mr. XXXXXXXX:

This is in response to your Freedom of Information Act request.

Your request has been forwarded to the Deputy Chief of Staff for Operations and Plans at the following address. They will provide a direct response to you.

Headquarters, Department of the Army
Deputy Chief of Staff for Operations and Plans
Attention: DAMO-ZXA-A
400 Army Pentagon
Washington, DC 20310-0400

This does not constitute a denial of your request.

If you have any questions, please contact Ms. XXXXXX XXXXXXXXXX, 520-533-XXXX.

Sincerely,

XXXXXX X. XXXXXXXXXX
XXXXXXXXX XXXXXXXXXXXXXXXXX

Figure 9. Sample Notification of Referral to an IDA

(ATZS-IMO-I)



OFFICIAL:
JOHN D. THOMAS, JR.
Major General, USA
Commanding

CALVERT T. SINGER
Major, Military Intelligence
Director of Information Management

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