

provide both the agency's name and phone number for questions about the report.

(c) *Electronic publication.* The consolidated DoD Annual FOIA Program Report will be made available to the public in either paper or electronic format.

### Subpart H—Education and Training

#### § 286.36 Responsibility and purpose.

(a) *Responsibility.* The Head of each DoD Component is responsible for the establishment of educational and training programs on the provisions and requirements of this part. The educational programs should be targeted toward all members of the DoD Component, developing a general understanding and appreciation of the DoD FOIA Program; whereas, the training programs should be focused toward those personnel who are involved in the day-to-day processing of FOIA requests, and should provide a thorough understanding of the procedures outlined in this part.

(b) *Purpose.* The purpose of the educational and training programs is to promote a positive attitude among DoD personnel and raise the level of understanding and appreciation of the DoD FOIA Program, thereby improving the interaction with members of the public and improving the public trust in the DoD.

(c) *Scope and principles.* Each Component shall design its FOIA educational and training programs to fit the particular requirements of personnel dependent upon their degree of involvement in the implementation of this part. The program should be designed to accomplish the following objectives:

(1) Familiarize personnel with the requirements of the FOIA and its implementation by this part.

(2) Instruct personnel, who act in FOIA matters, concerning the provisions of this part, advising them of the legal hazards involved and the strict prohibition against arbitrary and capricious withholding of information.

(3) Provide for the procedural and legal guidance and instruction, as may be required, in the discharge of the responsibilities of initial denial and appellate authorities.

(4) Advise personnel of the penalties for noncompliance with the FOIA.

(d) *Implementation.* To ensure uniformity of interpretation, all major educational and training programs concerning the implementation of this part should be coordinated with the Director, Freedom of Information and Security Review.

(e) *Uniformity of legal interpretation.* In accordance with DoD Directive 5400.7, the DoD Office of the General Counsel shall ensure uniformity in the legal position and interpretation of the DoD FOIA Program.

#### APPENDIX A TO PART 286—COMBATANT COMMANDS—PROCESSING PROCEDURES FOR FOIA APPEALS

##### AP1.1. *General*

AP1.1.1. In accordance with DoD Directive 5400.7<sup>1</sup> and this part, the Combatant Commands are placed under the jurisdiction of the Office of the Secretary of Defense, instead of the administering Military Department, only for the purpose of administering the Freedom of Information Act (FOIA) Program. This policy represents an exception to the policies in DoD Directive 5100.3.<sup>2</sup>

AP1.1.2. The policy change in AP1.1.1. of this appendix authorizes and requires the Combatant Commands to process FOIA requests in accordance with DoD Directive 5400.7 and DoD Instruction 5400.10<sup>3</sup> and to forward directly to the Director, Freedom of Information and Security Review, all correspondence associated with the appeal of an initial denial for information under the provisions of the FOIA.

##### AP1.2. *Responsibilities of Commands*

Combatant Commanders in Chief shall:

AP1.2.1. Designate the officials authorized to deny initial FOIA requests for records.

AP1.2.2. Designate an office as the point-of-contact for FOIA matters.

AP1.2.3. Refer FOIA cases to the Director, Freedom of Information and Security Review, for review and evaluation when the issues raised are of unusual significance, precedent setting, or otherwise require special attention or guidance.

AP1.2.4. Consult with other OSD and DoD Components that may have a significant interest in the requested record prior to a final determination. Coordination with Agencies

<sup>1</sup>Copy may be viewed via internet at <http://web7.whs.osd.mil/corres.htm>.

<sup>2</sup>See footnote 1 to paragraph AP1.1.1. of this appendix.

<sup>3</sup>See footnote 1 to paragraph AP1.1.1. of this appendix.

outside of the Department of Defense, if required, is authorized.

AP1.2.5. Coordinate proposed denials of records with the appropriate Combatant Command's Office of the Staff Judge Advocate.

AP1.2.6. Answer any request for a record within 20 working days of receipt. The requester shall be notified that his request has been granted or denied. In unusual circumstances, such notification may state that additional time, not to exceed 10 working days, is required to make a determination.

AP1.2.7. Provide to the Director, Freedom of Information and Security Review when the request for a record is denied in whole or in part, a copy of the response to the requester or the requester's representative, and any internal memoranda that provide background information or rationale for the denial.

AP1.2.8. State in the response that the decision to deny the release of the requested information, in whole or in part, may be appealed to the Director, Administration and Management and Washington Headquarters Services, Directorate for Freedom of Information and Security Review, Room 2C757, 1155 Defense Pentagon, Washington, DC 20301-1155.

AP1.2.9. Upon request, submit to Director, Administration and Management and Washington Headquarters Services a copy of the records that were denied. The Director, Administration and Management and Washington Headquarters Services shall make such requests when adjudicating appeals.

#### AP1.3. *Fees for FOIA Requests*

The fees charged for requested records shall be in accordance with subpart F of this part.

#### AP1.4. *Communications*

Excellent communication capabilities currently exist between the Director, Freedom of Information and Security Review and the Freedom of Information Act Offices of the Combatant Commands. This communication capability shall be used for FOIA cases that are time sensitive.

#### AP1.5. *Information Requirements*

AP1.5.1. The Combatant Commands shall submit to the Director, Freedom of Information and Security Review, an annual report. The instructions for the report are outlined in subpart G of this part.

AP1.5.2. The annual reporting requirement contained in this part shall be submitted in duplicate to the Director, Freedom of Information and Security Review not later than each November 30. This reporting requirement has been assigned Report Control Sym-

bol DD-DA&M(A) 1365 in accordance with DoD 8910.1-M.<sup>4</sup>

## APPENDIX B TO PART 286—ADDRESSING FOIA REQUESTS

### AP2.1. *General*

AP2.1.1. The Department of Defense includes the Office of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Military Departments, the Combatant Commands, the Inspector General, the Defense Agencies, and the DoD Field Activities.

AP2.1.2. The Department of Defense does not have a central repository for DoD records. FOIA requests, therefore, should be addressed to the DoD Component that has custody of the record desired. In answering inquiries regarding FOIA requests, DoD personnel shall assist requesters in determining the correct DoD Component to address their requests. If there is uncertainty as to the ownership of the record desired, the requester shall be referred to the DoD Component that is most likely to have the record.

### AP2.2. *Listing of DoD Component Addresses for FOIA Requests*

AP2.2.1. *Office of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.* Send all requests for records from the below listed offices to: Directorate for Freedom of Information and Security Review, Room 2C757, 1155 Defense Pentagon, Washington, DC 20301-1155.

Executive Secretariat  
Under Secretary of Defense (Policy)  
Assistant Secretary of Defense (International Security Affairs)  
Assistant Secretary of Defense (Special Operations & Low Intensity Conflict)  
Assistant Secretary of Defense (Strategy & Threat Reduction)  
Deputy to the Under Secretary of Defense (Policy Support)  
Director of Net Assessment  
Defense Security Assistance Agency  
Defense Technology Security Administration  
Under Secretary of Defense (Acquisition & Technology)  
Deputy Under Secretary of Defense (Logistics)  
Deputy Under Secretary of Defense (Advanced Technology)  
Deputy Under Secretary of Defense (Acquisition Reform)  
Deputy Under Secretary of Defense (Environmental Security)  
Deputy Under Secretary of Defense (International & Commercial Programs)  
Deputy Under Secretary of Defense (Industrial Affairs & Installations)

<sup>4</sup>See footnote 1 to paragraph AP1.1.1. of this appendix.

Assistant to the Secretary of Defense (Nuclear, Chemical & Biological Defense Programs)  
 Director, Defense Research & Engineering  
 Director, Small & Disadvantaged Business Utilization  
 Director, Defense Procurement  
 Director, Test Systems Engineering & Evaluation  
 Director, Strategic & Tactical Systems  
 DoD Radiation Experiments Command Center  
 On-Site Inspection Agency  
 Under Secretary of Defense (Comptroller)  
 Director, Program Analysis and Evaluation  
 Under Secretary of Defense (Personnel & Readiness)  
 Assistant Secretary of Defense (Health Affairs)  
 Assistant Secretary of Defense (Legislative Affairs)  
 Assistant Secretary of Defense (Public Affairs)  
 Assistant Secretary of Defense (Command, Control, Communications & Intelligence)  
 Assistant Secretary of Defense (Reserve Affairs)  
 General Counsel, Department of Defense  
 Director, Operational Test and Evaluation  
 Assistant to the Secretary of Defense (Intelligence Oversight)  
 Director, Administration and Management  
 Special Assistant for Gulf War Illness  
 Defense Advanced Research Projects Agency  
 Ballistic Missile Defense Organization  
 Defense Systems Management College  
 National Defense University  
 Armed Forces Staff College  
 Department of Defense Dependents Schools  
 Uniformed Services University of the Health Sciences  
 Armed Forces Radiology Research Institute  
 Washington Headquarters Services

AP2.2.2. *Department of the Army.* Army records may be requested from those Army officials who are listed in 32 CFR 518. Send requests to the Department of the Army, Freedom of Information and Privacy Acts Office, TAPC-PDR-PF, 7798 Cissna Road, Suite 205, Springfield, VA 22150-3166, for records of the Headquarters, U.S. Army, or if there is uncertainty as to which Army activity may have the records.

AP2.2.3. *Department of the Navy.* Navy and Marine Corps records may be requested from any Navy or Marine Corps activity by addressing a letter to the Commanding Officer and clearly indicating that it is a FOIA request. Send requests to Chief of Naval Operations, N09B30, 2000 Navy Pentagon, Washington, DC 20350-2000, for records of the Headquarters, Department of the Navy, and to Commandant of the Marine Corps, (ARAD), Headquarters U.S. Marine Corps, 2 Navy Annex, Washington, DC 20380-1775 for records of the U.S. Marine Corps, or if there

is uncertainty as to which Navy or Marine activities may have the records.

AP2.2.4. *Department of the Air Force.* Air Force records may be requested from the commander of any Air Force installation, major command, or field operating agency (ATTN: FOIA Office). For Air Force records of Headquarters, United States Air Force, or if there is uncertainty as to which Air Force activity may have the records, send requests to Department of the Air Force, 11CS/SCSR(FOIA), 1000 Air Force Pentagon, Washington, DC 20330-1000.

AP2.2.5. *Defense Contract Audit Agency (DCAA).* DCAA records may be requested from any of its regional offices or from its Headquarters. Requesters should send FOIA requests to the Defense Contract Audit Agency, ATTN: CMR, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219, for records of its headquarters or if there is uncertainty as to which DCAA region may have the records sought.

AP2.2.6. *Defense Information Systems Agency (DISA).* DISA records may be requested from any DISA field activity or from its Headquarters. Requesters should send FOIA requests to Defense Information Systems Agency, Regulatory/General Counsel, 701 South Courthouse Road, Arlington, VA 22204-2199.

AP2.2.7. *Defense Intelligence Agency (DIA).* FOIA requests for DIA records may be addressed to Defense Intelligence Agency, ATTN: SVI-1, Washington, DC 20340-5100.

AP2.2.8. *Defense Security Service (DSS).* All FOIA requests for DSS records should be sent to the Defense Security Service, Office of FOIA and Privacy V0020, 1340 Braddock Place, Alexandria, VA 22314-1651.

AP2.2.9. *Defense Logistics Agency (DLA).* DLA records may be requested from its headquarters or from any of its field activities. Requesters should send FOIA requests to Defense Logistics Agency, ATTN: CAAR, 8725 John J. Kingman Road, Suite 2533, Ft. Belvoir, VA 22060-6221.

AP2.2.10. *National Imagery and Mapping Agency (NIMA).* FOIA requests for NIMA records may be sent to the National Imagery and Mapping Agency, General Counsels Office, GCM, mail Stop D-10, 4600 Sangamore Road, Bethesda, MD 20816-5003.

AP2.2.11. *Defense Special Weapons Agency (DSWA).* FOIA requests for DSWA records may be sent to the Defense Special Weapons Agency, Public Affairs Office, Room 113, 6801 Telegraph Road, Alexandria, VA 22310-3398.

AP2.2.12. *National Security Agency (NSA).* FOIA requests for NSA records may be sent to the National Security Agency/Central Security Service, FOIA/PA Services, N5P5, 9800 Savage Road, Suite 6248, Fort George G. Meade, MD 20755-6248.

AP2.2.13. *Inspector General of the Department of Defense (IG, DoD).* FOIA requests for IG, DoD records may be sent to the Inspector

General of the Department of Defense, Chief FOIA/PA Office, 400 Army Navy Drive, Room 405, Arlington, VA 22202-2884.

AP2.2.14. *Defense Finance and Accounting Service (DFAS)*. DFAS records may be requested from any of its regional offices or from its Headquarters. Requesters should send FOIA requests to Defense Finance and Accounting Service, Directorate for External Services, Crystal Mall 3, Room 416, Arlington, VA 22240-5291, for records of its Headquarters, or if there is uncertainty as to which DFAS region may have the records sought.

AP2.2.15. *National Reconnaissance Office (NRO)*. FOIA requests for NRO records may be sent to the National Reconnaissance Office, Information Access and Release Center, Attn: FOIA Officer, 14675 Lee Road, Chantilly, VA 20151-1715.

AP2.3. *Other Addresses*. Although the below organizations are OSD and Chairman of the Joint Chiefs of Staff Components for the purposes of the FOIA, requests may be sent directly to the addresses indicated.

AP2.3.1. *DoD TRICARE Management Activity*. Director, TRICARE Management Activity, 16401 East Centretex Parkway, Aurora, CO 80011-9043.

AP2.3.2. *Chairman, Armed Services Board of Contract Appeals (ASBCA)*. Chairman, Armed Services Board of Contract Appeals, Skyline Six Rm 703, 5109 Leesburg Pike, Falls Church, VA 22041-3208.

AP2.3.3. *U.S. Central Command*. Commander-in-Chief, U.S. Central Command, CCJ1 AGR, MacDill Air Force Base, FL 33608-7001.

AP2.3.4. *U.S. European Command*. Commander-in-Chief, Headquarters, U.S. European Command/ECJ1-AA(FOIA) Unit 30400 Box 1000, APO AE 09128-4209.

AP2.3.5. *U.S. Southern Command*. Commander-in-Chief, U.S. Southern Command, SCJ1-A, 3511 NW 91st Avenue, Miami, FL 33172-1217.

AP2.3.6. *U.S. Pacific Command*. Commander-in-Chief, U.S. Pacific Command, USPACOM FOIA Coordinator (J042), Administrative Support Division, Joint Secretariat, Box 28, Camp H. M. Smith, HI 96861-5025.

AP2.3.7. *U.S. Special Operations Command*. Commander-in-Chief, U.S. Special Operations Command, Chief, Command Information Management Branch, ATTN: SOJ6-SI, 7701 Tampa Point Blvd., MacDill Air Force Base, FL 33621-5323.

AP2.3.8. *U.S. Atlantic Command*. Commander-in-Chief, U.S. Atlantic Command, Code J02P, Norfolk, VA 23511-5100.

AP2.3.9. *U.S. Space Command*. Commander-in-Chief, U.S. Space Command, Command Records Manager/FOIA/PA Officer, 150 Vandenberg Street, Suite 1105, Peterson Air Force Base, CO 80914-5400.

AP2.3.10. *U.S. Transportation Command*. Commander-in-Chief, U.S. Transportation Command, ATTN: TCJ1-1F, 508 Scott Drive, Scott Air Force Base, IL 62225-5357.

AP2.3.11. *U.S. Strategic Command*. Commander-in-Chief, U.S. Strategic Command, Attn: J0734, 901 SAC Blvd., Suite 1E5, Offutt Air Force Base, NE 68113-6073.

#### AP2.4. *National Guard Bureau*

FOIA requests for National Guard Bureau records may be sent to the Chief, National Guard Bureau, ATTN: NGB-ADM, Room 2C363, 2500 Army Pentagon, Washington, DC 20310-2500.

#### AP2.5. *Miscellaneous*

If there is uncertainty as to which DoD Component may have the DoD record sought, the requester may address a Freedom of Information request to the Directorate for Freedom of Information and Security Review, Room 2C757, 1155 Defense Pentagon, Washington, DC 20301-1155.

APPENDIX C TO PART 286—DD FORM 2086, "RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST"

| RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST          |          |   |                 | REPORT CONTROL SYMBOL                    |      |
|---|----------|---|-----------------|--|------|
| <i>Please read instructions on back before completing form.</i> |          |   |                 | DA&M(A)1365                              |      |
| 1. REQUEST NUMBER<br>98-F-8888                                  |          | 2. TYPE OF REQUEST (X one)  |                 | 3. DATE COMPLETED (YYYYMMDD)<br>19980701 |      |
|   |          | X a. INITIAL  |                 | b. APPEAL                                |      |
| 4. CLERICAL HOURS (E-9/GS-8 and below)                          |          | TOTAL HOURS (1)   | HOURLY RATE (2) | COST (3)                                 |      |
| a. SEARCH   |          | 1.00  |                 | 12.00                                    |      |
| b. REVIEW/EXCISING  |          | 2.00  | X \$12.00 =     | 24.00                                    |      |
| c. CORRESPONDENCE AND FORMS PREPARATION                         |          | 1.00  |                 | 12.00                                    |      |
| d. OTHER ACTIVITY   |          | 2.00  |                 | 24.00                                    |      |
| 5. PROFESSIONAL HOURS (O-1 - O-6/GS-9 - GS-15)                  |          | TOTAL HOURS (1)   | HOURLY RATE (2) | COST (3)                                 |      |
| a. SEARCH   |          | 2.00  |                 | 50.00                                    |      |
| b. REVIEW/EXCISING  |          | 1.00  | X \$25.00 =     | 25.00                                    |      |
| c. COORDINATION/APPROVAL/DENIAL                                 |          | 1.00  |                 | 25.00                                    |      |
| d. OTHER ACTIVITY   |          | 0.00  |                 | 0.00                                     |      |
| 6. EXECUTIVE HOURS (O-7 - GS-16/ES 1 and above)                 |          | TOTAL HOURS (1)   | HOURLY RATE (2) | COST (3)                                 |      |
| a. SEARCH   |          | 0.00  |                 | 0.00                                     |      |
| b. REVIEW/EXCISING  |          | 0.00  | X \$45.00 =     | 0.00                                     |      |
| c. COORDINATION/APPROVAL/DENIAL                                 |          | 0.50  |                 | 22.50                                    |      |
| 7. COMPUTER SEARCH  |          | TOTAL HOURS (1)   | HOURLY RATE (2) | COST (3)                                 |      |
| a. MACHINE HOURS  |          | 0.00  | 0.00            | 0.00                                     |      |
| b. PROGRAMMER/OPERATOR TIME                                     |          |   | X               |  |      |
| (1) Clerical  |          | 1.00  | \$12.00         | 12.00                                    |      |
| (2) Professional  |          | 1.00  | \$25.00         | 25.00                                    |      |
| 8. OFFICE COPY REPRODUCTION                                     |          | NUMBER (1)  | RATE (2)        | COST (3)                                 |      |
| a. PAGES REPRODUCED   |          | 450   | X .15 =         | 67.50                                    |      |
| 9. MICROFICHE REPRODUCTION                                      |          | NUMBER (1)  | RATE (2)        | COST (3)                                 |      |
| a. MICROFICHE REPRODUCED  |          | 0   | X .25 =         | 0.00                                     |      |
| 10. PRINTED RECORDS   |          | TOTAL PAGES (1)   | RATE (2)        | COST (3)                                 |      |
| a. FORMS  |          | 0   |                 | 0.00                                     |      |
| b. PUBLICATIONS   |          | 156   | X .02 =         | 3.12                                     |      |
| c. REPORTS  |          | 45  |                 | 0.90                                     |      |
| 11. COMPUTER COPY   |          | NUMBER (1)  | ACTUAL COST (2) | COST (3)                                 |      |
| a. TAPE   |          | 0   | X 0.00 =        | 0.00                                     |      |
| b. PRINTOUT   |          | 0   | 0.00            | 0.00                                     |      |
| 12. AUDIOVISUAL MATERIALS                                       |          | NUMBER (1)  | ACTUAL COST (2) | COST (3)                                 |      |
| a. MATERIALS REPRODUCED   |          | 0   | X 0.00 =        | 0.00                                     |      |
| 13. FOR FOI OFFICE USE ONLY                                     |          |   |                 |  |      |
| a. SEARCH FEES PAID   | \$99.00  | f. TOTAL COLLECTABLE COSTS  |                 | \$219.52                                 |      |
| b. REVIEW FEES PAID   | \$49.00  | g. TOTAL PROCESSING COSTS   |                 | \$303.02                                 |      |
| c. COPY FEES PAID   | \$71.52  | h. TOTAL CHARGED  |                 | \$219.52                                 |      |
| d. TOTAL PAID   | \$219.52 | i. FEES WAIVED/REDUCED (X one)  |                 | Yes                                      | X No |
| e. DATE PAID (YYYYMMDD)   | 19980801 | See Chapter 6, Fee Schedule, DoD 5400.7-R, to determine appropriate assessment of fees. |                 |  |      |

## INSTRUCTIONS FOR COMPLETING DD FORM 2086

*This form is used to record costs associated with the processing of a Freedom of Information request.*

- 1. REQUEST NUMBER** - First two digits will express Calendar Year followed by dash (-) and Component's request number, i.e., 97-001.
- 2. TYPE OF REQUEST** - Mark the appropriate block to indicate initial request or appeal of a denial.
- 3. DATE COMPLETED** - Enter year, month and day, i.e., 19970621.
- 4. CLERICAL HOURS** - For each applicable activity category, enter time expended to the nearest 15 minutes in the total hours column. The activity categories are:
- Search** - Time spent in locating from the files the requested information.
- Review/Excising** - Time spent in reviewing the document content and determining if the entire document must retain its classification or segments could be excised thereby permitting the remainder of the document to be declassified. In reviews for other than classification, FOI exemptions 2 through 9 should be considered.
- Correspondence and Forms Preparation** - Time spent in preparing the necessary correspondence and forms to answer the request.
- Other Activity** - Time spent in activity other than above, such as duplicating documents, hand carrying documents to other locations, restoring files, etc.
- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category.
- 5. PROFESSIONAL HOURS** - For each applicable activity category, enter time expended to the nearest 15 minutes in the total hours column. The activity categories are:
- Search/Review/Excising, and Other Activity** - See explanation above.
- Coordination/Approval/Denial** - Time spent coordinating the staff action with interested offices or agencies and obtaining the approval for the release or denial of the requested information.
- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category.
- 6. EXECUTIVE HOURS** - For each applicable activity category, enter the time expended to the nearest 15 minutes in the total hours column. The activity categories are:
- Search/Review/Excising** - See explanation above.
- Coordination/Approval/Denial** - See explanation above.
- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category.
- 7. COMPUTER SEARCH** - When the amount of government-owned (not leased) computer processing machine time required to complete a search is known, and accurate cost information for operation on an hourly basis is available, enter the time used and the hourly rate. Then, calculate the total cost which is fully chargeable to the requester.
- Programmer and operator costs are calculated using the same method as in items 4 and 5. This cost is also fully chargeable to requesters as computer search time.
- 8. OFFICE COPY REPRODUCTION** - Enter the number of pages reproduced.
- Multiply by the rate per copy and enter cost figures.
- 9. MICROFICHE REPRODUCTION** - Enter the number of microfiche copies reproduced.
- Multiply by the rate per copy and enter cost figures.
- 10. PRINTED RECORDS** - Enter total pages in each category. The categories are:
- Forms** (Include any type of printed forms)
- Publications** (Include any type of bound document, such as directives, regulations, studies, etc.)
- Reports** (Include any type of memorandum, staff action paper, etc.)
- Multiply the total number of pages in each category by the rate per page and enter cost figures.
- 11. COMPUTER COPY** - Enter the total number of tapes and/or printouts.
- Multiply by the actual cost per tape or printout and enter cost figures.
- 12. AUDIOVISUAL MATERIALS** - Duplication cost is the actual cost of reproducing the material, including the wages of the person doing the work.
- 13. FOR FOI OFFICE USE ONLY -**
- Search Fees Paid** - Enter total search fees paid by the requester.
- Review Fees Paid** - Enter total review fees paid by the requester.
- Copy Fees Paid** - Enter the total of copy fees paid by the requester.
- Total Paid** - Add search fees paid and copy fees paid. Enter total in the total paid block.
- Date Paid** - Enter year, month, and day, i.e., 19971024, the fee payment was received.
- Total Collectable Costs** - Add the blocks in the cost column and enter total in the total collectable cost block. Apply the appropriate waiver for the category of requester prior to inserting the final figure. Further discussion of chargeable fees is contained in Chapter VI of DoD Regulation 5400.7-R.
- Total Processing Costs** - Add all blocks in the cost column and enter total in the total processing cost block. The total processing cost in most cases will exceed the total collectable cost.
- Total Charged** - Enter the total amount that the requester was charged, taking into account the fee waiver threshold and fee waiver policy.
- Fees Waived/Reduced** - Indicate if the cost of processing the request was waived or reduced by placing an "X" in the "Yes" block or the "No" block.

DD FORM 2086 (BACK), AUG 1998

APPENDIX D TO PART 286—DD FORM 2086-1, "RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST FOR TECHNICAL DATA"

| RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST FOR TECHNICAL DATA                         |          |   |                        | REPORT CONTROL SYMBOL                    |         |
|---|----------|---|------------------------|--|---------|
| <i>Please read instructions on back before completing form.</i>                                   |          |   |                        | DASM(A) 1365                             |         |
| 1. REQUEST NUMBER<br>98-F-9999  |          | 2. TYPE OF REQUEST (X one)  |                        | 3. DATE COMPLETED (YYYYMMDD)<br>19980701 |         |
|   |          | X a. INITIAL  |                        | b. APPEAL                                |         |
| 4. CLERICAL HOURS (E-9/GS-8 and below)  |          | TOTAL HOURS (1)   | HOURLY RATE (2)        | COST (3)                                 |         |
| a. SEARCH   |          | 2.00  | X \$13.25 =            | * 26.50                                  |         |
| b. REVIEW/EXCISING  |          | 1.00  |                        | * 13.25                                  |         |
| c. CORRESPONDENCE AND FORMS PREPARATION   |          | 0.00  |                        | * 0.00                                   |         |
| d. OTHER ACTIVITY   |          | 0.00  |                        | * 0.00                                   |         |
| e. MINIMUM CHARGE   |          | 3.00  |                        | \$ 8.30                                  | * 24.90 |
| 5. PROFESSIONAL HOURS (O-1 - O-6/GS-9 - GS/GM-15)   |          | TOTAL HOURS (1)   | HOURLY RATE (2)        | COST (3)                                 |         |
| a. SEARCH   |          | 1.00  | X ACTUAL HOURLY RATE = | * 25.00                                  |         |
| b. REVIEW/EXCISING  |          | 1.50  |                        | * 37.50                                  |         |
| c. COORDINATION/APPROVAL/DENIAL   |          | 0.25  |                        | * 6.25                                   |         |
| d. OTHER ACTIVITY   |          | 0.00  |                        | * 0.00                                   |         |
| e. MINIMUM CHARGE   |          | 2.75  |                        | 1/2 HOURLY RATE                          | * 34.38 |
| 6. EXECUTIVE HOURS (O-7/GM-16/ES 1 and above)   |          | TOTAL HOURS (1)   | HOURLY RATE (2)        | COST (3)                                 |         |
| a. SEARCH   |          | 0.00  | X ACTUAL HOURLY RATE = | * 0.00                                   |         |
| b. REVIEW/EXCISING  |          | 0.00  |                        | * 0.00                                   |         |
| c. COORDINATION/APPROVAL/DENIAL   |          | 0.25  |                        | * 25.00                                  |         |
| d. MINIMUM CHARGE   |          | 0.25  |                        | 1/2 HOURLY RATE                          | * 12.50 |
| 7. COMPUTER SEARCH  |          | TOTAL HOURS (1)   | HOURLY RATE (2)        | COST (3)                                 |         |
| a. MACHINE HOURS  |          | 0.00  | X 0.00 =               | * 0.00                                   |         |
| b. PROGRAMMER/OPERATOR TIME   |          |   |                        |  |         |
| - Clerical  |          | 1.00  | \$13.25 OR MINIMUM     | * 13.25                                  |         |
| - Professional  |          | 1.00  | ACTUAL OR MINIMUM      | * 25.00                                  |         |
| 8. REPRODUCTION   |          | NUMBER (1)  | RATE (2)               | COST (3)                                 |         |
| a. AERIAL PHOTOGRAPHS, SPECIFICATIONS, PERMITS, CHARTS, BLUEPRINTS, AND OTHER TECHNICAL DOCUMENTS |          | 1   | \$ 2.50                | * 2.50                                   |         |
| b. ENGINEERING DATA (Microfilm)   |          |   |                        |  |         |
| - Aperture cards  |          |   |                        |  |         |
| -- Silver duplicate negative, per card  |          | 0   | .75                    | * 0.00                                   |         |
| -- When keypunched and verified, per card   |          | 0   | .85                    | * 0.00                                   |         |
| - Diazo duplicate negative, per card  |          | 1   | .65                    | * 0.65                                   |         |
| -- When keypunched and verified, per card   |          | 0   | .75                    | * 0.00                                   |         |
| - 35 mm roll film, per frame  |          | 0   | .50                    | * 0.00                                   |         |
| - 16 mm roll film, per frame  |          | 0   | .45                    | * 0.00                                   |         |
| - Paper prints (engineering drawings), each   |          | 0   | 1.50                   | * 0.00                                   |         |
| - Paper reprints of microfilm indices, each   |          | 0   | .10                    | * 0.00                                   |         |
| c. AUDIOVISUAL MATERIALS (Insert actual cost in block (2))  |          | 25  | 1.24                   | * 31.00                                  |         |
| 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)   |          | 1   | \$ 3.50                | * 3.50                                   |         |
| - Each additional image   |          | 30  | .10                    | * 3.00                                   |         |
| - Each typewritten page   |          | 0   | 3.50                   | * 0.00                                   |         |
| - Certification and validation with seal, each  |          | 0   | 5.20                   | * 0.00                                   |         |
| - Hand-drawn plots and sketches, each hour or fraction thereof                                    |          | 0.00  | 12.00                  | * 0.00                                   |         |
| * Chargeable to all requesters.   |          |   |                        |  |         |
| 9. FOR FOI OFFICE USE ONLY  |          |   |                        |  |         |
| a. SEARCH FEES PAID   | 89.75    | f. TOTAL COLLECTABLE  | 181.15                 |  |         |
| b. REVIEW FEES PAID   | 50.75    | g. TOTAL PROCESSING   | 212.40                 |  |         |
| c. COPY FEES PAID   | 40.65    | h. TOTAL CHARGED  | 181.15                 |  |         |
| d. TOTAL PAID   | 181.15   | i. FEES WAIVED/REDUCED (X one)  | YES                    | X  | NO      |
| e. DATE PAID (YYYYMMDD)   | 19980801 |   |                        |  |         |

DD FORM 2086-1, JUL 1997 (EG)

PREVIOUS EDITION MAY BE USED UNTIL SUPPLY IS EXHAUSTED.

Designed using Perform Pro, WHS/DIOR, Jul 97

## INSTRUCTIONS FOR COMPLETING DD FORM 2086-1

*This form is used to record costs associated with the processing of a Freedom of Information request for technical data.*

1. **REQUEST NUMBER** - First two digits will express Calendar Year followed by dash (-) and Component's request number, i.e., 87-001.

2. **TYPE OF REQUEST** - Mark the appropriate block to indicate initial request or appeal of a denial.

3. **DATE COMPLETED** - Enter year, month and day, i.e., 19970621.

4. **CLERICAL HOURS** - For each applicable activity category, enter time expended to the nearest 15 minutes in the total hours column. The activity categories are:

**Search** - Time spent in locating from the files the requested information.

**Review/Excising** - Time spent reviewing the document content and determining if the entire document must retain its classification or segments could be excised thereby permitting the remainder of the document to be declassified. In reviews for other than classification, FOI exemptions 2 through 9 should be considered.

**Correspondence and Forms Preparation** - Time spent in preparing the necessary correspondence and forms to answer the request.

**Other Activity** - Time spent in activity other than above, such as duplicating documents, hand carrying documents to other locations, restoring files, etc.

- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category. Both search and review costs are chargeable to the requester.

5. **PROFESSIONAL HOURS** - For each applicable activity category, enter time expended to the nearest 15 minutes in the total hours column. The activity categories are:

**Search/Review/Excising, and Other Activity** - See explanation above.

**Coordination/Approval/Denial** - Time spent coordinating the staff action with interested offices or agencies and obtaining the approval for the release or denial of the requested information.

- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category. Both search and review costs are chargeable to the requester.

6. **EXECUTIVE HOURS** - For each applicable activity category, enter the time expended to the nearest 15 minutes in the total hours column. The activity categories are:

**Search/Review/Excising** - See explanation above.

**Coordination/Approval/Denial** - See explanation above.

- Multiply the time in the total hours column in each category by the hourly rate and enter the cost figures for each category. Review costs are chargeable to the requester.

7. **COMPUTER SEARCH** - When the amount of government-owned (not leased) computer processing machine time is known, and accurate cost information for operation on an hourly basis is available, enter the time used and the hourly rate. Then, calculate the total cost which is fully chargeable to the requester.

- Programmer and operator costs are calculated using the same method as in Items 4 and 5. This cost is also fully chargeable to requesters as computer search time.

8. **REPRODUCTION** - Enter the number of pages or items reproduced.

- Multiply by the rate per copy and enter cost figures. The entire cost is chargeable to the requester. Reproduction cost for audiovisual material is the actual cost of reproducing the material, including the wage of the person doing the work.

9. **FOR FOI OFFICE USE ONLY** -

**Search Fees Paid** - Enter total search fees paid by the requester.

**Review Fees Paid** - Enter total review fees paid by the requester.

**Copy Fees Paid** - Enter the total of copy fees paid by the requester.

**Total Paid** - Add search fees paid and copy fees paid. Enter total in the total paid block.

**Date Paid** - Enter year, month, and day, i.e., 19971024, the fee payment was received.

**Total Collectable Costs** - Add the blocks in the cost column marked with an asterisk and enter total in the total collectable cost block. Only search, reproduction and printed records are chargeable to the requester. Further discussion of collectable costs is contained in Chapter VI, Section 3, DoD Regulation 5400.7-R.

**Total Processing Costs** - Add all blocks in the cost column and enter total in the total processing cost block. The total processing cost in most cases will exceed the total collectable cost.

**Total Charged** - Enter the total amount that the requester was charged, taking into account the fee waiver threshold and fee waiver policy.

**Fees Waived/Reduced** - Indicate if the cost of processing the request was waived or reduced by placing an "X" in the "YES" block or an "X" in the "NO" block.



|   |            |            |                     |  |   |                   |         |   |       |   |   |
|---|------------|------------|---------------------|--|---|-------------------|---------|---|-------|---|---|
| 4a. EXEMPTIONS INVOKED ON APPEAL DETERMINATIONS                     |            |            |                     |  |   |                   |         |   |       |   |   |
| (b) (1)   | (b) (2)    | (b) (3)    | (b) (4)             | (b) (5)                                    | (b) (6)   |                   |         |   |       |   |   |
|   | 4          | 0          | 1                   | 0  | 0   |                   |         |   |       |   |   |
| (b) (7)(A)  | (b) (7)(B) | (b) (7)(C) | (b) (7)(D)          | (b) (7)(E)                                 | (b) (7)(F)  | (b) (8)           | (b) (9) |   |       |   |   |
| 0   | 0          | 0          | 0                   | 0  | 0   | 0                 | 0       | 0 |       |   |   |
| 4b. OTHER REASONS CITED ON APPEAL DETERMINATIONS                    |            |            |                     |  |   |                   |         |   |       |   |   |
| 1   | 2          | 3          | 4                   | 5  | 6   | 7                 | 8       | 9 | TOTAL |   |   |
| 0   | 0          | 0          | 0                   | 0  | 0   | 0                 | 0       | 0 | 0     |   |   |
| 4c. STATUTES CITED ON APPEAL (b)(3) EXEMPTIONS                      |            |            |                     |  |   |                   |         |   |       |   |   |
| (1)(b)(3) STATUTE CLAIMED   |            |            | NUMBER OF INSTANCES | COURT UPHELD? (Yes or No)                  | CONCISE DESCRIPTION OF MATERIAL WITHHELD          |                   |         |   |       |   |   |
| 10 USC §424   |            |            | 1                   | N  | Organizational data for a protected organization. |                   |         |   |       |   |   |
| 5. NUMBER AND MEDIAN AGE OF INITIAL CASES PENDING                   |            |            |                     |  |   |                   |         |   |       |   |   |
| a. TOTAL INITIAL REQUESTS PENDING (open)                            |            |            |                     | (1) AS OF BEGINNING REPORT PERIOD          | (2) AS OF END REPORT PERIOD                       |                   |         |   |       |   |   |
|   |            |            |                     | 15   | 12  |                   |         |   |       |   |   |
| b. MEDIAN AGE (in days) OF OPEN INITIAL REQUESTS                    |            |            |                     | 62   | 60  |                   |         |   |       |   |   |
| 6. TOTAL NUMBER OF INITIAL REQUESTS RECEIVED DURING THE FISCAL YEAR |            |            |                     |  |   |                   |         |   |       |   |   |
| 7. TYPES OF INITIAL REQUESTS PROCESSED AND MEDIAN AGE               |            |            |                     |  |   |                   |         |   |       |   |   |
| a. SIMPLE   | S          |            |                     |  | A   |                   | M       |   | P     | L                                       | E |
| b. COMPLEX  |            |            |                     |  |   |                   |         |   | I     | E                                       |   |
| c. EXPEDITED PROCESSING   |            |            |                     | TOTAL NUMBER OF CASES                      |   | MEDIAN AGE (Days) |         |   |       |   |   |
|   |            |            |                     | 28   |   | 57                |         |   |       |   |   |
| 8. TOTAL AMOUNT COLLECTED FROM THE PUBLIC                           |            |            |                     | 1  |   | 13                |         |   |       |   |   |
| 9. PROGRAM COST   |            |            |                     | \$   |   | \$                |         |   |       |   |   |
| a. NUMBER OF FULL TIME STAFF  |            |            |                     | 1  |   | 22                |         |   |       |   |   |
| b. NUMBER OF PART TIME STAFF  |            |            |                     | 1.6  |   |                   |         |   |       |   |   |
| c. ESTIMATED LITIGATION COST  |            |            |                     | \$ 2,495                                   |   |                   |         |   |       |   |   |
| d. TOTAL PROGRAM COST   |            |            |                     | \$ 121,345                                 |   |                   |         |   |       |   |   |
| 10. AUTHENTICATION  |            |            |                     |  |   |                   |         |   |       |   |   |
| a. SIGNATURE (Approving Official)                                   |            |            |                     |  |   |                   |         |   |       |   |   |
| b. TYPED NAME (Last, First, Middle Initial)                         |            |            |                     |  |   |                   |         |   |       |   |   |
| A. G. CAMPBELL, Colonel, U. S. Army                                 |            |            |                     |  |   |                   |         |   |       | c. DUTY TITLE                           |   |
|   |            |            |                     |  |   |                   |         |   |       | Asst Chief of Staff, J-1                |   |
| d. AGENCY NAME  |            |            |                     | United States Antarctic Command (USARCCOM) |   |                   |         |   |       | e. TELEPHONE NUMBER (Include Area Code) |   |
|   |            |            |                     | APO AS 00000-0001                          |   |                   |         |   |       | 77-100-555-1212, DSN 314-999            |   |

DD FORM 2564 (BACK), AUG 1988

APPENDIX F TO PART 286—DOD FREEDOM OF INFORMATION ACT PROGRAM COMPONENTS

Office of the Secretary of Defense/Chairman of the Joint Chiefs of Staff/Combatant Commands, Defense Agencies, and the DoD Field Activities  
 Department of the Army  
 Department of the Navy  
 Department of the Air Force  
 Defense Information Systems Agency  
 Defense Contract Audit Agency  
 Defense Intelligence Agency  
 Defense Security Service  
 Defense Logistics Agency  
 National Imagery and Mapping Agency  
 Defense Special Weapons Agency  
 National Security Agency  
 Office of the Inspector General, Department of Defense  
 Defense Finance and Accounting Service  
 National Reconnaissance Office

**PART 286h—RELEASE OF ACQUISITION-RELATED INFORMATION**

Sec.

- 286h.1 Purpose.
- 286h.2 Applicability and scope.
- 286h.3 Policy.
- 286h.4 Responsibilities.

AUTHORITY: Pub. L. 101–189.

SOURCE: 55 FR 28614, July 12, 1990, unless otherwise noted.

**§ 286h.1 Purpose.**

This part sets forth Department of Defense (DoD) policy for the release of acquisition-related information.

**§ 286h.2 Applicability and scope.**

(a) This part applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman, Joint Chiefs of Staff and Joint Staff (CJCS), the Unified and Specified Commands, and the Defense Agencies (hereafter referred to collectively as “DoD Components”).

(b) This part is issued pursuant to section 822 of Public Law 101–189, which requires the Department of Defense to prescribe a single uniform regulation for dissemination of, and access to, acquisition information.

**§ 286h.3 Policy.**

(a) *General.* It is the Department of Defense’s policy to make the maximum amount of acquisition-related informa-

tion available to the public, and to respond promptly to specific requests from the public for such information, except for the information identified in paragraph (b) of this section, for which release is restricted.

(b) *Information for which release is restricted.* The information identified below may be released only as set forth herein.

(1) *Release subject to statutory restrictions.* This information may be released only in accordance with the applicable statutory requirements. Once the statutory requirements have been satisfied, the information may be released unless it falls within one of the categories described in the following paragraphs, in which case the policies governing release of information within those categories shall be followed.

(2) *Classified information.* (i) Any information or material, regardless of its physical form or characteristics, that is owned by, produced by or for, or under the control of the United States Government, and which, for national security purposes, must be protected against unauthorized disclosure and is so designated or marked with the appropriate classification.

(ii) Release, access, and dissemination of classified information shall be made through existing security channels in accordance with DoD 5220.22-R;<sup>1</sup> DoD 5220.22-M;<sup>2</sup> and DoD 5200.1-R,<sup>3</sup> which are implementing publications for safeguarding classified information release, access, and dissemination to United States and foreign concerns.

(3) *Contractor bid or proposal information.* (i) This is information prepared by or on behalf of an offeror and submitted to the Government as a part of or in support of the offeror’s bid or proposal to enter into a contract with the Government, the disclosure of which would place the offeror at a competitive disadvantage or jeopardize the integrity or the successful completion of the procurement. Contractor bid or

<sup>1</sup>Copies may be obtained, at cost, from the National Technical Information Services, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup>Copies may be obtained, at cost, from the Government Printing Office, ATTN: Superintendent of Documents, Washington, DC 20402.

<sup>3</sup>See footnote 1 to §286h.3(b)(2)(ii).