SUBCHAPTER A—ADMINISTRATION

PART 800 [RESERVED]

PART 806—AIR FORCE FREEDOM OF INFORMATION ACT PROGRAM

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AUTHORITY: 5 U.S.C. 552.

SOURCE: 59 FR 50835, Oct. 6, 1994, unless otherwise noted.

§ 806.0 Purpose.

This part implements Department of Defense (DoD) Directive 5400.7, 13 May 1988, DoD Freedom of Information Act Program; and DoD Regulation 5400.7–R, 3 October 1990, DoD Freedom of Information Act Program, 10 May 1991, with Change 1 (32 CFR Parts 285 and 286). It provides guidance for making records public and for the Air Force Freedom of Information Act (FOIA) Program. It tells how to process FOIA requests and tells the public how to request copies of Air Force records using the FOIA (Title 5, United States Code, Section 552, as amended). It outlines the requirements for For Official Use (FOUO) material. If this part conflicts with other Air Force publications, it takes precedence over those that deal with making records public.

§ 806.1 General guidance.

The Air Force discloses its records in its possession and control to the public, except those records exempt under the FOIA which, if released, would cause an identifiable harm. Make discretionary disclosures of exempt information whenever possible. (Discretionary releases are generally not appropriate for exemptions 1, 3, 4, 6, and 7(C)). A discretionary release to one requester will prevent withholding the same record if someone else requests it. Answer all requests for information and records promptly. Handle requests in a customer-friendly manner. Get misrouted FOIA requests to the FOIA Office immediately. Do not withhold a record simply because it might suggest administrative error or inefficiency or cause embarrassment. Do not deny a request just because the record is stored in a computer.

§ 806.2 Responsibilities.

(a) The Administrative Assistant to the Secretary of the Air Force (SAF/AA) takes overall responsibility for making sure the Air Force complies with the FOIA.

(b) The Office of the General Counsel to the Secretary of the Air Force (SAF/GSA) makes final decisions on appeals.

(c) The Director of Information management (SAF/AAI), through the Access Programs Office of the Administrative Communications and Records Management Division, SAF/AAIQ:

(1) Administers procedures described in this part.

(2) Submits required reports to the Office of the Assistant to the Secretary of Defense (Public Affairs).

(3) Provides guidance and instructions to major commands (MAJCOM) and field operating agencies (FOA).