

(b) SAF/AAIQ submits the report to the Office of the Assistant to the Secretary of Defense (Public Affairs) Directorate for Freedom of Information and Security Review on DD Form 2564, Annual Report—Freedom of Information Act.

**§ 806.14 Host-tenant relationship.**

(a) The host base FOIA manager logs, processes, and reports FOIA requests for tenant units. The host base FOIA office refers all recommended denials and “no records” appeals to the tenant MAJCOM FOIA manager.

(b) This host-tenant relationship does not apply to disclosure authorities for specialized records, such as the Air Force Audit Agency and the Air Force Office of Special Investigations.

**§ 806.15 Processing FOIA requests.**

All FOIA offices use the FOIA system to track and manage FOIA requests. AFM 4-196 is the FOIA System End User Manual.

(a) After receiving a FOIA request, the FOIA manager:

(1) Records the date and time of receiving the request, logs the request in the FOIA system and sets a suspense date. For more than 10 FOIA requests, sets up a first-in, first-out system to process the requests in the order received.

(2) Considers a request received when the FOIA office responsible for processing the request receives it; and when the requester states a willingness to pay fees set for his or her category (see § 806.17), has paid past FOIA debts, and has reasonably described the requested records.

(3) Determines the fee according to the requester’s category, writes to requesters who have not made arrangements to pay for the information and whose fees are more than \$15, telling them the category and cost of the request.

(4) Answers fee waiver requests before processing. Asks for more justification, if needed to make a good decision. Do not consider this notice a denial.

(5) Attaches DD Form 2086, Record of Freedom of Information (FOI) Processing Cost, or DD 2086-1, Record of Freedom of Information (FOI) Proc-

essing Cost for Technical Data, to each request. The OPR must complete and return this form to the FOIA office. These forms give the fees for charging, if any, and processing costs you use to prepare the FOIA annual report.

(6) Writes the requester to acknowledge receipt of the request if the date or postmark (whichever is later) is more than 10 workdays ago and informs the requester of any unusual problems.

(7) Tells the requester if the record is not sufficiently described and asks for more information. If possible, offers to help the requester identify the requested records and tells what kind of information makes searching for a record easier.

(8) Sends the request to the OPR who searches for the record and decides whether to release it.

(9) Sends classified records with no OPR or functional equivalent to SAF/AAIS, through the MAJCOM or FOA FOIA office, for HQ USAF/SP review. Telephones SAF/AAIS before sending the records.

(10) Tells the requester in a letter sent within 10 workdays after receiving the request of the final decision to release or deny the records.

(11) When answering requests for lists of names and duty addresses, tells requesters as early as possible about the mass mailing restrictions outlined in AFI 37-125, Official Mail, Small Parcel and Distribution Management (formerly AFR 4-50).

(12) Grants 10 additional workdays for one or more of three reasons:

(i) All or part of the requested records are not at the installation processing the request.

(ii) Fulfilling the request means collecting and reviewing an enormous number of records.

(iii) Other Air Force activities or other agencies need to be involved in deciding whether to release the records.

(13) Sends the requester a letter within 10 workdays, giving the reason for the delay and a date (within 20 workdays after receiving the request) when the requester can expect a final decision.

(14) Records extensions and reasons for them in the FOIA system.

(15) Coordinates with the public affairs office if the requested records are potentially newsworthy or if the news media sent the request.

(16) Sends releasable records to requesters with a bill (if appropriate).

(17) Sends a request the OPR wants to deny through the MAJCOM or FOA FOIA office to the denial authority for a decision. The package must include:

(i) The request.

(ii) A copy of the requested records.

(iii) The OPR's and SJA's written recommendations.

(iv) The exemption cited.

(v) The reason for denial.

(b) The OPR locates the information and recommends its release. In cases where several OPRs have functional responsibility for the information, the primary OPR is the one responsible for most of the information in the document. The OPR:

(1) Works with the offices of collateral responsibility (OCR) inside and outside the Air Force, considers the opinions and information they provide, and makes the final release decision.

(2) Forwards records that need coordination with other Air Force functional areas and outside agencies to the MAJCOM or FOA FOIA office, which sends them to the appropriate FOI office for review and return for final decision.

(3) Answers each functional request and follows FOIA denial procedures for records withheld.

#### § 806.16 Referrals.

A FOIA manager refers requests to another FOIA office after consulting with them when the request asks for records or information originated by someone other than the activity receiving the request or when an OPR finds records in a search that belong to another activity.

(a) Refer FOIA requesters to sources that can provide unaltered publications and processed documents, such as maps, charts, regulations, and manuals to the public, with or without charge. For example, people can obtain documents published in the FEDERAL REGISTER without using the FOIA. The National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, sells current Air Force

standard numbered (departmental) publications, but does not stock superseded, obsolete, rescinded, classified, FOUO, limited (L), or "X" distribution Air Force publications. FOIA requests for these publications go through normal FOIA channels to the OPR for a release recommendation.

(b) Usually, tell the requester about the referral, identify the record referred as security permits, and tell the requester to expect an answer from the agency or activity receiving the referral.

(c) If a request would involve many referrals, tell the requester where to address the request; don't refer it yourself.

(d) Before releasing records or information originated with the National Security Council (NSC) or the White House, refer them through the Office of the Assistant to the Secretary of Defense (Public Affairs) Directorate for Freedom of Information (OATSD[PA]DFOISR), Washington DC 20301. The OATSD(PA) will consult with them and reply back to you.

(e) The General Accounting Office (GAO) is outside the Executive Branch and not subject to the FOIA. However, if the FOIA manager receives a FOIA request directly from the public or referred from GAO for GAO documents that contain Air Force or DoD information, process the request under FOIA.

#### § 806.17 Categorizing requesters.

(a) Requesters' fees depend on which group they belong to:

(1) *Category 1: Commercial.* Requesters pay all search, review, and duplication. To decide who belongs in this category find out how these requesters will use the requested documents. If you are unsure how the requester plans to use the records or the request itself does not clearly state plans, seek additional information before you categorize the request.

(2) *Category 2: Educational or Non-commercial Scientific Institution or News Media.* Requesters get the first 100 copies free and pay for additional copies. These requesters do not pay search or review charges. Requesters who use requested records to write and spread