



**SUMMARY OF  
REPORT TO THE CONGRESS**

**FREEDOM OF  
INFORMATION**

**CY 1976**



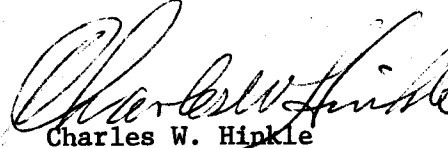
OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON, D. C. 20301

March 1, 1977

PUBLIC AFFAIRS

This Summary Report has been issued as an overview of Department of Defense performance in the Freedom of Information Program in Calendar Year 1976 required by subsection 3(d), Section 552 of Title 5, United States Code. The enclosed pages were included with the thirteen separate Defense agency reports transmitted to Congress as the "Report to the Congress, Freedom of Information, CY 1976."

Data on each item required by Congress are presented in chart and statistical form reflecting overall agency and DoD totals.

  
Charles W. Hinkle  
Director, Freedom of Information  
and Security Review



Department of Defense  
 Reporting Agencies under the Freedom of Information Act  
 (as of December 31, 1976)

<u>Agency Abbreviation</u>	<u>Agency</u>	<u>Agency Head</u>
OSD/JCS	Office of the Secretary of Defense	Donald H. Rumsfeld
Dept Army	Secretary of the Army	Martin R. Hoffmann
Dept Navy	Secretary of the Navy	J. William Middendorf
Dept AF	Secretary of the Air Force	Thomas C. Reed
DCA	Defense Communications Agency	Lt Gen Lee M. Paschall, Jr., USAF
DCAA	Defense Contract Audit Agency	Frederick Newman
DIA	Defense Intelligence Agency	Lt Gen Samuel V. Wilson, USA Director
DIS	Defense Investigative Service	Bernard J. O'Donnell (Acting Director)
DMA	Defense Mapping Agency	VADM Shannon D. Cramer, Jr., USN
DNA	Defense Nuclear Agency	Lt Gen Warren D. Johnson, USAF
DSA	Defense Supply Agency	Lt Gen W. W. Vaughan, USA
NSA	National Security Agency Central Security Service	Lt Gen Lew Allen, Jr., USAF
DCPA	Defense Civil Preparedness Agency	John E. Davis

Department of Defense  
FOI Appeal and Program Officials

<u>Agency Abbreviation</u>	<u>Appellate Authority</u>	<u>Program Official</u>
OSD/JCS	Alan Woods Ass't SecDef Public Affairs	Charles W. Hinkle Director, FOI and Security Review, OASD/PA
Dept Army	General Counsel Secretary of the Army	S. J. Pomrenze Chief, Records Mgmt Division Office of The Adjutant General
Dept Navy	Judge Advocate General/ General Counsel for Secretary of the Navy	W. M. Kinkaid Deputy Director, Naval Records Mgmt Div., OPNAV
Dept AF	Thomas W. Nelson Admin Ass't to the Secretary of the Air Force	Charles C. Ratcliffe OPR for Freedom of Information Documentation Systems Division
DCA	Lt Gen Lee M. Paschall, Jr., USAF, Director	John T. Whealen General Counsel
DCAA	Harry W. Kettles Ass't Director of Resources	Ms. Lee Taylor Records Administrator
DIA	John Brock DIA Counsel	R. Herbert Holzbauer Reference Library Branch Central Reference Division Deputy Director for Support
DIS	Bernard J. O'Donnell Acting Director	LTC Dale L. Hartig Ass't for Information
DMA	Maj Gen James A. Young, USAF, Deputy Director	B. C. Wimberly General Counsel
DNA	Lt Gen Warren D. Johnson, USAF, Director	Maj W. A. Knapp, USA Public Affairs Officer
DSA	Lt Gen W. W. Vaughan, USA Director	Colonel J. McAleer, Jr. Staff Director, Administration
NSA	Wm. H. Jenkins Appellate, FOI/Privacy	Norman Boardman Policy Staff Officer
DCPA	John E. Davis Director	Walter A. Girstantas Ass't Dir for Admin Services

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Item 1

Initial Determinations Resulting in not  
Providing all or a Portion of Record Requested

<u>Reporting Activity</u>	<u>Total Demands</u>		<u>Reasons</u>		
	<u>Completed Public Requests</u>	<u>Completed Reportable Requests*</u>	<u>Statutory Exemptions</u>	<u>+ Other</u>	<u>= Total</u>
OSD/JCS	868	926	82	489	571
DEPT ARMY	16,017	16,017**	628	523	1,151
DEPT NAVY	3,249	3,510	275	220	495
DEPT AF	14,324	15,837	673	1,979	2,652
DCA	57	68	5	15	20
DCAA	38	38	28	5	33
DIA	609	648	30	160	190
DIS	92	93	8	75	83
DMA	24	24	6	7	13
DNA	16	16	0	0	0
DSA	5,923	5,923**	85	1,303	1,388
NSA	312	378	136	231	367
DCPA	13	17	1	9	10
<b>DoD Totals</b>	<b>41,542</b>	<b>43,495</b>	<b>1,957</b>	<b>5,016</b>	<b>6,973</b>

\* A reportable request is that portion of an FOI request resulting in a single record or group of records pertaining to one general subject area being acted upon by one IDA who concludes that a single type of determination applies.

\*\* DEPT ARMY and DSA could not gather statistics from field activities for this report.

Item 2(a)

Exemptions Invoked on Initial Determinations

Exemptions by Number (552(a))

Reporting Activity	1	2	3	4	5	6	7	8	9	Total
OSD/JCS	51	6	18	2	24	12	8	0	0	121
DEPT ARMY	90	7	10	70	190	124	242	0	0	733
DEPT NAVY	25	11	11	65	95	72	91	1	0	371
DEPT AF	45	15	1	256	365	307	61	0	0	1,050
DCA	5	0	0	0	0	0	0	0	0	5
DCAA	0	0	3	3	21	0	1	0	0	28
DIA	29	3	2	0	1	3	0	0	0	38
DIS	0	0	0	0	1	3	6	0	0	10
DMA	0	0	0	0	0	4	2	0	0	6
DNA	0	0	0	0	0	0	0	0	0	0
DSA	2	1	0	56	22	41	5	0	0	127
NSA	83	0	112	3	8	4	11	0	0	221
DCPA	0	0	0	1	1	0	0	0	0	2
DoD Totals	330	43	157	456	728	570	427	1	0	2,712*
Percent of Total	12.17	1.59	5.79	16.81	26.84	21.02	15.74	0.04	0	100%

\* Total does not agree with 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													DoD
	OSD/JCS	DEPT ARMY	DEPT NAVY	DEPT AF	DCA	DCMA	DIA	DIS	DMA	DNA	DSA	NSA	DCPA	Total
Public Law 86-36	5	-	-	-	-	-	-	-	-	-	-	102	-	107
Title 18 U.S.C. 798	2	-	-	-	-	-	1	-	-	-	-	77	-	80
Title 18 U.S.C. 1905	1	9	10	1	-	3	-	-	-	-	-	-	-	24
Title 50 U.S.C. 403	14	1	-	-	-	-	1	-	-	-	-	78	-	94
Title 10 U.S.C. 2304	-	-	1	-	-	-	-	-	-	-	-	-	-	1
<b>Agency Totals</b>	<b>22</b>	<b>10</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>257</b>	<b>0</b>	<b>306*</b>

\* Total exceeds number of instances Exemption 3 was invoked because of cases where two or more statutes were cited.



Item 2(c)

Other Reasons Cited on Initial Determinations

Reporting Activity	Category*					Total
	1	2	3	4	5	
OSD/JCS	191	236	30	15	17	489
DEPT ARMY	132	283	17	65	26	523
DEPT NAVY	151	36	13	14	6	220
DEPT AF	921	681	193	86	98	1,979
DCA	2	3	0	8	2	15
DCAA	0	5	0	0	0	5
DIA	10	145	3	2	0	160
DIS	1	34	0	40	0	75
DMA	0	6	0	0	1	7
DNA	0	0	0	0	0	0
DSA	1,234	27	8	9	25	1,303
NSA	9	206	11	5	0	231
DCPA	0	9	0	0	0	9
DoD Total	2,651	1,671	275	244	175	5,016

- \* 1. Transferred Request.  
2. Lack of Records.  
3. Failure of Requester to Reasonably Describe Record.  
4. Other Failures by Requesters to Comply with Published Rules and/or Directives.  
5. Request Withdrawn by Requester.  
(See following page for description of each category)

## Description of Other Reasons

1. Transferred Request (Appeal):

This category applies when responsibility for making a determination or a decision on categories listed below is shifted from one Component to another Component/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 Requesters 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 (Appeal) 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.

Item 3

Initial Denial Officials by Participation  
(Agency Reports list Names and Titles)

A. Exemption Denials

Agency	Officials Authorized	Number of Officials Categorized by Instances of Participation						Total Officials
		Number of Instances						
		1	2-3	4-5	6-10	11-40	41 +	
OSD/JCS	32	12	10	3	1	2	0	28
DEPT ARMY	24	2	2	1	3	8	5	21
DEPT NAVY	99	13	9	7	6	4	2	41
DEPT AF	107	23	8	4	6	19	3	63
DCA	1	0	0	1	0	0	0	1
DCAA	7	0	2	0	1	1	0	4
DIA	4	1	3	1	2	0	0	7
DIS	2	0	0	0	1	0	0	1
DMA	22	0	1	1	0	0	0	2
DNA	1	0	0	0	0	0	0	0
DSA	52	3	5	2	3	3	0	16
NSA	1	0	0	0	0	0	1	1
DCPA	1	1	0	0	0	0	0	1
<b>DoD Total</b>	<b>353</b>	<b>55</b>	<b>40</b>	<b>20</b>	<b>23</b>	<b>37</b>	<b>11</b>	<b>186</b>

- o 52.7% of the 353 IDA authorized were involved in exemption denials.
- o 29.6% of the officials participated once.
- o 44.6% of the officials participated 2-10 times.
- o 25.8% of the officials participated 11 or more times.

Item 3

(Cont'd)

B. Other Authority Denials

Agency	Number of Officials Categorized by Instances of Participation							Total Officials
	Number of Instances							
	1	2-3	4-5	6-10	11-20	21-40	41 +	
OSD/JCS	16	10	4	6	2	0	2	40
DEPT ARMY	3	3	1	3	3	3	2	18
DEPT NAVY	3	24	6	3	4	2	0	42
DEPT AF	not reported*							
DCA	0	0	0	0	1	0	0	1
DCAA	0	0	1	0	0	0	0	1
DIA	1	0	0	1	0	0	1	3
DIS	0	1	0	0	0	0	1	2
DMA	2	0	1	0	0	0	0	3
DNA	0	0	0	0	0	0	0	0
DSA	1	2	3	1	2	1	1	11
NSA	0	0	0	0	0	0	1	1
DCPA	0	0	0	1	0	0	0	1
DoD Total	26	40	16	15	12	6	8	123

- o 21.1% of the officials participated once.
- o 57.8% of the officials participated 2-10 times.
- o 21.1% of the officials participated 11 or more times.

\* Other category determination processing is not limited to statutory exemption denial authorities.

Item 4

Number of Appeals and Results

Reporting Activity	Number of Appeals			Total
	<u>Granted</u>	<u>Granted in Part</u>	<u>Denied</u>	
OSD/JCS	4	6	11 (7)	21
DEPT ARMY	25	65	39 (22)	129
DEPT NAVY	15	59	46 (22)	120
DEPT AF	12	63	113 (4)	188
DCA	0	0	2 (2)	2
DCAA	0	13	4 (0)	17
DIA	0	2	8 (6)	10
DIS	0	0	0 (0)	0
DMA	0	0	1 (1)	1
DNA	0	0	0 (0)	0
DSA	1	2	7 (3)	10
NSA	0	2	30 (5)	32
DCPA	0	0	0 (0)	0
DoD Total	57	212	261 (72)*	530

\* This number of determinations for other reasons (see Item 5(c)) is included in the Denied column. Total appeals denied by exemption equals 189.

Item 5(a)

Exemptions Invoked on Appeal Determinations

Exemptions by Number (552(a))

Reporting Activity	1	2	3	4	5	6	7	8	9	Total
OSD/JCS	3	0	1	0	6	2	1	0	0	13
DEPT ARMY	11	8	0	14	41	31	24	0	0	129
DEPT NAVY	7	2	0	7	29	28	13	0	0	86
DEPT AF	8	4	4	42	94	58	29	0	0	239
DCA	0	0	0	0	0	0	0	0	0	0
DCAA	0	0	1	1	17	0	1	0	0	20
DIA	4	0	0	0	0	0	0	0	0	4
DIS	0	0	0	0	0	0	0	0	0	0
DMA	0	0	0	0	0	0	0	0	0	0
DNA	0	0	0	0	0	0	0	0	0	0
DSA	0	0	0	5	1	0	0	0	0	6
NSA	25	0	28	0	4	0	1	0	0	58
DCPA	0	0	0	0	0	0	0	0	0	0
DoD Total	58	14	34	69	192	119	69	0	0	555
Percent of Total	10.45	2.52	6.13	12.43	34.60	21.44	12.43	0	0	100%

Item 5(b)

Statutes Invoked on Initial Determinations

Statute	Number of times by Agency												DoD	
	OSD/JCS	DEPT ARMY	DEPT NAVY	DEPT AF	DCA	DCAA	DIA	DIS	DMA	DNA	DSA	NSA	DCPA	Total
Public Law 86-36	-	-	-	-	-	-	-	-	-	-	-	28	-	28
Title 18 U.S.C. 798	-	-	-	-	-	-	-	-	-	-	-	25	-	25
Title 18 U.S.C. 1905	-	-	-	4	-	1	-	-	-	-	-	-	-	5
Title 50 U.S.C. 403	1	-	-	-	-	-	-	-	-	-	-	25	-	26
Agency Totals	1			4		1						78		84*

\* Total exceeds number of instances Exemption 3 was invoked because of cases where two or more statutes were cited.

Item 5(c)

Other Reasons Cited on Appeal Determinations

Reporting Activities	Category*					Total
	1	2	3	4	5	
OSD/JCS	0	0	0	1	6	7
DEPT ARMY	2	4	0	1	15	22
DEPT NAVY	4	13	1	4	0	22
DEPT AF	0	3	0	0	1	4
DCA	0	0	0	2	0	2
DCAA	0	0	0	0	0	0
DIA	2	4	0	0	0	6
DIS	0	0	0	0	0	0
DMA	0	0	0	0	1	1
DNA	0	0	0	0	0	0
DSA	0	0	0	0	3	3
NSA	0	2	0	1	2	5
DCPA	0	0	0	0	0	0
DoD Totals	8	26	1	9	28	72

- \* 1. Transferred Appeal.
- 2. Lack of Records.
- 3. Failure of Requester to Reasonably Describe Record.
- 4. Other Failures by Requesters to Comply with Published Rules and/or Directives.
- 5. Appeal Withdrawn by Requester.  
(See Item 2(c) for description of each category)



Item 6

Participation of Appellate Authorities  
(those responsible for denials in whole or in part)

<u>Name</u>	<u>Title</u>	<u>No. of Instances of Participation</u>	
		<u>Exemptions</u>	<u>Other</u>
<u>OSD/JCS</u>			
William I. Greener, Jr.	Assistant Secretary of Defense (Public Affairs)	7	7
Alan Woods	Assistant Secretary of Defense (Public Affairs)	2	
Tod R. Hullin	Principal Deputy Assistant Secretary of Defense (Public Affairs)	1	
<u>DEPT ARMY</u>			
Secretary of the Army		82	22
<u>DEPT NAVY</u>			
E. Gray Lewis	General Counsel	7	9
Harvy Wilcox	Deputy General Counsel	21	2
C. E. McDowell, RADM, USN	Judge Advocate General (Acting)	31	5
William O. Miller, RADM, USN	Judge Advocate General	24	6
<u>DEPT AF</u>			
Thomas W. Nelson	Administrative Assistant Secretary of the Air Force	34	0
Eldon L. McColl	Deputy Administrative Assistant, Secretary of the Air Force	138	4
<u>DCA</u>			
Lee M. Paschall, Jr., LtGen, USAF	Director, DCA	0	2

Item 6  
(Cont'd)

Name	Title	No. of Instances of Participation	
		<u>Exemptions</u>	<u>Other</u>
<u>DCAA</u>			
Harry W. Kettles	Assistant Director, Resources	17	0
<u>DIA</u>			
Mr. J. R. Brock	General Counsel		6
D. P. Harvy, RADM, USN	Chief of Staff	2	
R. L. Johnson, LtCol, USAF	Chief of Staff (Acting)	1	
B. R. Inman, VADM, USN	Vice Director, Plans, Operations and Support	1	
<u>DIS</u>			
	No Appeals		
<u>DMA</u>			
Mr. W. T. Riordan	Deputy Director Programs, Production and Operations		1
<u>DNA</u>			
	No Appeals		
<u>DSA</u>			
W. W. Vaughan, LtGen, USA	Director, DSA	1	2
J. C. Raaen, Jr. MajGen, USA	Acting Deputy Director, DSA	3	1
Philip Crosby, RADM, USN	Deputy Director, DSA	2	0
<u>NSA</u>			
William H. Jenkins	FOI Appeal Authority	14	4
John R. Harney	FOI Appeal Authority	13	1
<u>DCPA</u>			
	No Appeals		
	DoD Total	401	72

Item 7

Court Opinions and Action Taken

No court opinions or orders were issued against Department of Defense agencies in 1976 giving rise to a proceeding under Section 552(a)(4)(F) of title 5, U.S.C.

Item 8

FOIA Implementation Rules or Regulations

<u>Agency</u>	<u>Document Identification</u>	<u>Fed. Reg. Ref.</u>
DoD	DoD Directive 5400.7, 14 Feb 1975	40 F.R. No. 39 26 Feb 1975, pg 8190
OSD/JCS	*DoD Directive 5400.10, 6 Jan 1976	To be published
DEPT ARMY	AR 340-17, Change # 1, 24 Jan 1975	40 F.R. No. 40 27 Feb 1975, pg 8335
DEPT NAVY	SECNAVINST 5720.42B, 13 Feb 1975	40 F.R. No. 56 21 Mar 75, pg 12776
DEPT AF	AFR 12-30, 19 Feb 1975 *Interim Message Change 76-1	40 F.R. No. 37 24 Feb 75, pg 7901 (not published)
DCA	DCA Instruction 210-225-1, 31 Mar 1975	40 F.R. No. 70 10 Apr 75, pg 16203
DCAA	DCAA Manual 5410.6, Aug 1975	40 F.R. No. 34 19 Feb 75, pg 7301
DIA	DIA Regulation 12-39, 18 Feb 1975 *Change A, 16 Sep 76	40 F.R. No. 34 19 Feb 75, pg 7292 (not published)
DIS	DIS Regulation 01-12, 14 Feb 1975	40 F.R. No. 34 19 Feb 75, pg 7289
DMA	DMA Instruction 5400.7A, 12 May 1975	40 F.R. No. 29 11 Feb 75, pg 6336
DNA	DNA Instruction 5400.7, 22 May 1975	40 F.R. No. 124 26 Jun 75, pg 27025
DSA	DSA Regulation 5400.14, 13 Feb 75	40 F.R. No. 34 19 Feb 75, pg 7282
NSA	NSA/CSS Regulation 10-9, 3 Mar 1975	40 F.R. No. 34 19 Feb 75, pg 7303
DCPA	DCPA Rules and Regulations	40 F.R. No. 34 19 Feb 75, pg 10457

\* Amendments to Rules or Regulations promulgated in 1976 (attached to respective agency reports).

Item 9

Fees Schedule and Fees Collected

The attached fee schedule, Enclosure 2, DoD Directive 5400.7, establishes standard costs collectable by DoD Agencies. The fees policy as pertains to minimum fees is currently undergoing the formal revision process to confirm currently encouraged discretionary practices of basing fees upon the amount of search time expended and/or material furnished at the published rates for each category.

\$196,759.47 was collected from the public for making records available. (See Item 10B for agency totals)

UNIFORM AGENCY FEES FOR SEARCH AND DUPLICATION UNDER  
THE FREEDOM OF INFORMATION ACT AMENDMENTS  
P. L. 93-502

Introduction

This enclosure describes fees for search and duplication. It is not intended to substitute for any schedule of fees or a policy of not to charge a fee established in connection with the issuance of publications or other materials in the routine course of business of a component.

SCHEDULE OF FEES

Duplication

Publications, Forms and Reports

Shelf stock of printed or microfiche medium (requesters may be furnished more than one copy of a publication or form if it does not deplete stock levels below projected planned usage).

*Minimum fee, per request . . . . .	\$ 2.00
plus	
Forms, per copy . . . . .	.05
Publications, per printed page . . . . .	.01
Microfiche, per fiche . . . . .	.06
Reports, per printed page . . . . .	.05
(Examples: Cost of 20 forms, \$3.00; cost of a printed publication with 100 pages, \$3.00; cost of a microfiche publication consisting of 10 fiche, \$2.60)	

Office Copy Reproduction (when shelf stock is not available)

*Minimum charge up to six reproduced pages . . . . .	\$ 2.00
*Minimum charge, first fiche . . . . .	5.00
Each additional page . . . . .	.05
Each additional fiche . . . . .	.10

Other Issuances

* Minimum charge up to six pages . . . . .	\$ 2.00
Each additional page . . . . .	.05

SEARCH

Clerical search, per hour . . . . .	\$ 5.50
*Minimum charge . . . . .	2.75
Professional search (includes computer programmer time and review to determine whether a record comes within the scope of a request) per hour . . .	11.00
*Minimum charge . . . . .	5.50

Computer Service Charges

Computer service charges will be based on actual computer configuration used and be based on direct costs only of the Central Processing Unit, plus Input/Output Devices, plus Memory Capacity. Transportation costs of records and personnel arising from searches for requesting reports will be charged at actual cost.

Audiovisual Documentary Material

Service charges for audiovisual documentary materials will include clerical and professional search fees as listed above as well as the direct costs of reproducing the photography or tape and shipping or mailing charges. Audiovisual materials provided a requester under provisions of this Directive need not be in reproducible format or quality.

Waiver of Fees

1. In general, charges shall be waived or reduced when it is determined that release of a requested record primarily benefits the general public and, therefore, is in the public interest. Examples of common situations in which such a determination may be made include:

- a. The recipient of the benefits is engaged in a nonprofit activity designed for public safety, health or welfare;
- b. Payment of the full costs or fee by a state, local government or nonprofit group would not be in the interest of the program;

\* Under Revision

c. The incremental cost of collecting the fees would be an unduly large part of the receipts from the activity;

d. The request emanates from a representative of the public information media seeking a reasonable number of records.

2. A refusal to waive charges by the official responsible for the initial decision on the request for the record may be appealed to the head of the component or his designee for purposes of final appeal.

### Collections

1. Normally, collection of charges and fees will be made in advance of rendering the service. In some instances, it may be more practical to collect charges and fees at the time of conveying the service or property to the recipient, but only in those instances where the request specifically states that whatever cost involved will be acceptable or acceptable up to specified limit that covers anticipated costs.

2. Collection of scheduled fees and charges will normally be deposited to Miscellaneous Receipts of the Treasury.

3. Search fees are assessable even when no records responsive to the request, or no records not exempt from disclosure are found, provided the requester is advised of the requirement at the time the estimated charges are presented to the requester for approval and he agrees to incur the costs of search.



Item 10 A

Availability of Records

(New categories or segregable portions of records now being released)

Nuclear Weapons Accidents/Incidents (Portions) - - OSD

Procurement Histories - - AF

Arnold Engineering Development Center Test Facility Handbook - - AF

Item 10 B

Calendar Year Costs and Fees Collected

<u>Reporting Activity</u>	<u>Annual Cost*</u>	<u>Annual Fees Collected</u>
OSD/JCS	\$486,073.00	\$3,152.81
DEPT ARMY	1,545,284.00	67,244.37
DEPT NAVY	484,715.00	25,556.00
DEPT AF	1,292,135.00	53,652.00
DCA	877.00	434.72
DCAA	64,859.00	772.00
DIA	77,052.00	6,531.59
DIS	1,554.00	11.00
DMA	1,320.00	114.55
DNA	971.00	22.05
DSA	346,772.00	39,268.38
NSA	417,100.00	0
DCPA	1,379.00	0
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DoD Total	\$4,720,091.00	\$196,759.47

\* Based on reporting procedures established April 1, 1975 to capture a "best estimate" cost of administering FOIA as amended. The attached cost outline provides a breakdown of costs by agency.

REPORTING AGENCIES

COST OUTLINE	REPORTING AGENCIES						
	OSD/JCS	ARMY	NAVY	AF	DCA	DCAA	DIA
I. Routine Requests Processed (No. of requests x cost factor)		3,376		18,589	157		
II. Personnel Costs*							
A. Estimated manyears	13.80	67.16	18.97	64.87	0	2.46	4.13
B. Cost of manyears (grades considered)	339,901	981,634	280,434	731,548		40,880	40,699
C. Cost of estimated manhours by category (fee schedule rates)							
(1) Search time	8,318	40,138	32,636	53,989	163	3,137	6,642
(2) Review & excising	5,641	39,455	38,681	60,064	0	2,740	1,769
(3) Coordination & approval	5,309	61,943	19,345	93,741	11	3,832	485
(4) Corres. & Form prep.	858	10,323	8,309	12,378	249	156	50
(5) Other activities	3,293	34,012	11,659	32,630	73	1,089	10,541
(6) Manhour cost total	23,479	185,871	90,630	252,802	496	10,954	19,487
D. Total of IIB and IIC	363,320	1,167,505	371,064	984,349	496	51,834	80,186
E. Overhead rate (25%)	90,830	291,865	92,514	246,088	124	12,959	15,047
F. Total of personnel costs	454,150	1,459,370	463,578	1,230,438	620	64,793	75,233
III. Other (case Related Costs							
A. Computer search time costs	372	5,378	2,268	2,468	0	0	1,444
B. Reproduction Costs	1,821	30,117	13,743	20,701	100	63	125
C. Cost of printed records	286	6,455	3,355	13,041	0	3	250
D. Total of other costs	2,479	41,950	19,366	36,210	100	66	1,819
IV. Other operating Costs (voluntary re- porting of items such as postal, travel computer, etc.)		40,588	1,771	6,898	0	0	0
V. Summary							
A. Total costs of I-IV	486,073	1,545,284	484,715	1,292,135	877	64,859	77,052
B. Amount collected from public	3,152.81	67,244.37	25,556	53,652	434.72	772	6,531.59

\* These costs reflect general estimated amounts associated with processing public requests. Individuals involved in request processing are given the option of recording the time spent as a percentage of available hours (each 90 days) or on an hourly basis per request. The manyear statistics should not be construed to mean number of people devoted exclusively to the FOI program in each agency.

REPORTING AGENCIES

OST OUTLINE	REPORTING AGENCIES						Grand Total
	DIS	DMA	DNA	(DLA) DSA	NSA	DCPA	
I. Routine Requests Processed (No. of requests x cost factor)							22,122
II. Personnel Costs							
A. Estimated manyears (grades considered)	.038	0	0	11.25	7.24	0	189,918
B. Cost of manyears (manhours considered)	622	0	0	212,620	115,159	0	2,743,497
C. Cost of estimated manhours by category (fee schedule rates)							
(1) Search time	182	31	179	10,255	29,860	389	185,919
(2) Review & excising	0	114	105	8,708	2,911	36	140,224
(3) Coordination & approval	11	515	206	14,878	4,794	375	205,495
(4) Corres. & Form prep.	19	3	23	3,745	128	51	36,292
(5) Other activities	79	326	342	11,218	1,317	148	106,727
(6) Manhour cost total	391	989	855	48,804	39,010	949	674,657
D. Total of IIB and IIC	1,013	989	855	261,424	154,168	949	3,418,154
E. Overhead rate (25%)	254	247	0	65,554	38,542	238	854,262
F. Total of personnel costs	1,268	1,236	855	326,978	192,710	1,187	4,272,416
III. Other Case Related Costs							
A. Computer search time costs	41	0	92	7,117	223,272	100	243,052
B. Reproduction Costs	9	67	24	4,711	618	8	72,107
C. Cost of printed records	3	17	0	1,581	0	0	24,991
D. Total of other costs	53	84	116	13,409	224,390	108	340,150
IV. Other operating Costs (voluntary re- porting of items such as postal, travel computer, etc.)	233	0	0	6,385	0	84	85,403
V. Summary							
A. Total costs of I-IV	4,554	1,320	971	346,772	417,106	1,379	4,720,091
B. Amount collected from public	11.00	114.55	22.05	39,268.38	0	0	196,759.47

Item 10 C

Time Limit Extensions by Agency

Reporting Activity	I Unusual Circumstances			II & III Court	Total
	Location	Volume	Consultation	Involvement	
OSD/JCS	6	4	20	0	30
DEPT ARMY	0	0	0	0	0
DEPT NAVY	21	8	10	0	39
DEPT AF	47	26	167	0	240
DCA	0	0	0	0	0
DCAA	0	0	0	0	0
DIA	0	0	0	0	0
DIS	0	1	0	0	1
DMA	0	0	0	0	0
DNA	0	0	0	0	0
DSA	0	0	6	0	6
NSA	7	1	14	0	22
DCPA	0	0	0	0	0
Dod Total	81	40	217	0	338
	(24%)	(12%)	(64%)		(100%)

Item 10 D

Internal Memoranda  
(Including Directives not Published in Federal Register)

<u>Reporting Activity</u>	<u>No. of Memoranda</u>	<u>No. Available to Public</u>
DoD	3	3
OSD/JCS	8	8
DEPT ARMY	4	4
DEPT NAVY	16	16
DEPT AF	2	2
DCA	0	0
DCAA	4	4
DIA	2	2
DIS	0	0
DMA	0	0
DNA	0	0
DSA	12	12
NSA	4	0
DCPA	0	0
DoD Total	<u>55</u>	<u>51</u>

Copies of internal memoranda have been withdrawn from agency reports and consolidated by agency in the Attachments to the Report.

Item 11

FOIA Instructional and Educational Efforts

DoD

In 1976, the Interservice Training Review Organization was tasked to develop a common exportable FOIA training package for use throughout the Department of Defense. This training package will provide broad-based, effective training to DoD personnel on their obligations, rights, and responsibilities under FOIA. The Assistant General Counsel for Manpower, Health, and Public Affairs, in addition to serving as a panelist on numerous seminars and conferences, hosted 11 DoD FOIA legal Working Group meetings. On a broader scale, periodic conferences were continued for DoD program officials.

OSD/JCS

Instruction to employees involved in the implementation of the FOIA program was augmented during 1976 within the Office of the Secretary of Defense and Organization of the Joint Chiefs of Staff through conferences for program officials; notification concerning Civil Service Commission FOIA course offerings; and a standard procedure to brief newly appointed program officials and other employees upon request. Personnel from the FOIA Program Director's office continued to brief Senior Service College staff, faculty, and student bodies. Additionally, they attended several FOIA conferences, symposia, and seminars conducted by both federal and private agencies.

DEPT ARMY

As part of an intensive two-year educational effort, the Office of the Secretary of the Army has provided educational seminars as well as having stressed responsive and procedural efforts in responding to FOIA requests from the public. Policies, practices, and procedures relative to the FOIA are continually reviewed to insure conformity to the Act. At The Judge Advocate General's School, FOIA instruction is presented to the JAGC basic, advanced, and various continuing legal education courses. This school has developed a two and one-half day continuing legal education course for JAGC attorneys on Government Information Practices which will be presented in 1977 for the first time.

DEPT NAVY

The Air Force film concerning the Act was shown extensively to concerned military and civilian personnel. Navy field activities capitalized on the seminars and symposia sponsored by the Civil Service Commission as a vehicle for information relative to the Act. As part of the annual Judge Advocate General Conference, two one-hour seminars were presented regarding the Act, implementing instructions, and recent case developments.

DEPT AF

A 24 minute color film has been developed which is designed to create an interest in and understanding of the Freedom of Information Act. The film has received a wide viewing throughout the Air Force and will continue to be viewed on a priority basis. Additionally, personnel have attended FOIA Workshops sponsored by the U.S. Civil Service Commission and the Federal Bar Association. The FOIA has been the subject of briefings at various conferences throughout the Air Force as a means of broadening personnel understanding of the FOIA and USAF policies in support of the Act.

DCA

Provided a 45 minute briefing to all newly assigned personnel on the FOIA.

DCAA

Each of the six regional headquarters established a new position which encompasses all aspects of the FOIA. Specifically, these individuals will provide training to regional office personnel, as well as make frequent trips to each field audit office to provide training and guidance to those employees.

DIA

There was increased participation by Command Elements in stressing importance of the FOIA. Compliance with the Act is an item on the agenda of The Inspector General.

DIS

Incoming agents undergoing training received formal instruction in the FOIA.

DMA

Maximum use of internal communication means was used to disseminate information relative to the FOIA. Headquarters and Component Counsel and public affairs personnel assisted in the educational process.

DSA

Instructional and educational efforts focused on attendance and participation in seminars and panels by interested personnel.

DNA

All assigned FOI representatives participate in a mandatory annual briefing relative to the Act.