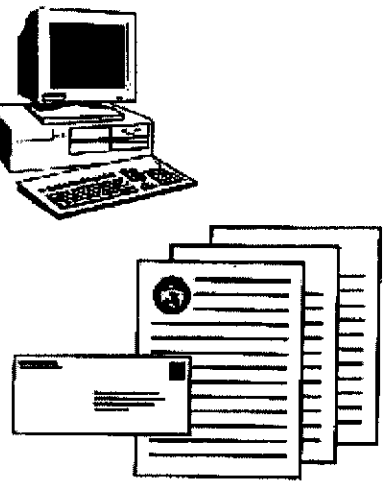
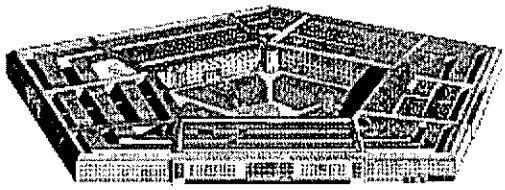
Department of Defense (DoD)

Freedom of Information Act Program Report for Fiscal Year (FY) 2000





Prepared By:

The Directorate for Freedom of Information and Security Review (DFOISR)

FREEDOM OF INFORMATION ACT
ANNUAL REPORT
FISCAL YEAR 2000
(Report Period: October 1, 1999 through September 30, 2000)

EXECUTIVE SUMMARY

During fiscal year (FY) 2000, a total of 96,479 public requests for records under the Freedom of Information Act (FOIA) were completed by the Department of Defense (DoD). In the processing of these cases, the Department of Defense fully denied 2,367 and partially denied 11,551 out of 97,266 requests on the basis of FOIA exemptions. Of those exemptions, 7% were for classified information; 6% for internal rules and practices; 7% for statutory exemptions; 6% for proprietary data; 10% for deliberative material; 39% for privacy information; and 24% for law enforcement investigations. Thirty thousand and eighty (30,080) requests could not be filled in whole or in part for other reasons, such as lack of records, referral to another agency, or lack of specificity sufficient to identify the requested records. There were 1,058 actions taken on appeals of denied requests (39 granted, 193 partially denied, 473 fully denied, and 357 not filled for other reasons, as mentioned earlier).

The total DoD operating cost associated with the processing of requests during this report period was $36,526,671.09. The average cost of processing a single case during this period was approximately $378.60. Fee collections for records provided to the public amounted to $666,362.64 (1.8% of total program cost).

Table of Contents

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Item I.

Basic Information Regarding the Report

A. Title, address, and telephone number of person to be contacted with questions about the report:

Write to: Chief, Program Management Division (PMD)
Directorate for Freedom of Information & Security Review
1155 Defense Pentagon
Washington, DC 20301-1155

Telephone: (703) 695-4773

Name of Incumbent Chief, PMD: LTC J. F. Deming, U. S. Army

B. The electronic address (Universal Resource Line, URL) for this report is:

http://www.defenselink.mil/pubs/foi/00report/

C. You may obtain a paper copy of DoD's Annual FOIA Report for Fiscal Year 2000 by writing to the above address and asking for a copy. A FOIA request is not necessary. Please include a mailing address.

Item II.

How to Make a FOIA Request

The Department of Defense (DoD) Freedom of Information Act Handbook provides basic information about how to make a Freedom of Information Act (FOIA) request and general information about the Freedom of Information Act Program within the Department of Defense (DoD). This document also contains DoD component addresses, a brief description of response times, and the reason why some requests are not granted. The DoD Freedom of Information Act Handbook can be found at:

http://www.defenselink.mil/pubs/foi/foiapam3.pdf

Item III.

Definitions of Terms and Acronyms Used in the Report

A. Agency-specific acronyms or other terms.

1. The Military Departments.

   a. The Department of the Army: Dept Army.

   b. Department of the Navy: Dept Navy. The United States Marine Corps, USMC, is a part of the Department of the Navy.

   c. Department of the Air Force: Dept Air Force.

2. Other Defense Agencies and Activities.

   a. Defense Contract Audit Agency: DCAA.

   b. Defense Finance and Accounting Service: DFAS.

   c. Defense Information Systems Agency: DISA.

   d. Defense Intelligence Agency: DIA.

   e. Defense Logistics Agency: DLA.

   f. Defense Security Service: DSS. Formerly Defense Investigative Service, DIS.

   g. Defense Threat Reduction Agency: DTRA. Formerly Defense Special Weapons Agency, DSWA.

   h. National Imagery and Mapping Agency: NIMA. Formerly Defense Mapping Agency, DMA.

   i. National Security Agency/Central Security Service: NSA/CSS or NSA.

   j. National Reconnaissance Office: NRO.

   k. Office of the Inspector General, Department of Defense: OIG, DoD.

3. Office of the Secretary of Defense, Chairman of the Joint Chiefs of Staff, Combatant Commands, and Defense Agencies/Activities not listed above: OSD/JS.

4. "Other Reasons" Cited on Initial and Appeal Determinations.

   a. No Records. A reasonable search of files failed to identify records responsive to the request.

   b. Referrals. The request was referred to another DoD Component or Federal Agency for action.

   c. Withdrawn. The request was withdrawn by the requester.

   d. Fee-Related Reason. The requester is unwilling to pay fees associated with the request; the requester is past due in the payment of fees associated with a previous FOIA request; or the requester disagrees with a fee estimate.

   e. Records not Reasonably Described. The request could not be acted upon since the record had not been described with sufficient particularity to enable the DoD Component to locate it by conducting a reasonable search.

   f. Not a Proper FOIA Request for Some Other Reason. The requester has failed unreasonably to comply with legitimate procedural requirements which are not not fee-related.

   g. Not an Agency Record. The requested information was not a record within the meaning of the FOIA.

   h. Duplicate Request. A request for the same information by the same requester. This includes identical requests received via different means (e.g., electronic mail, facsimile, mail, courier) at the same or different times.

   i. Other. Any other reason a requester does not comply with published rules, other than those mentioned above.

B. Basic terms, expressed in common terminology.

1. Freedom of Information Act/Privacy Act (FOIA/PA) request: A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests.

2. Initial Request: A request to a federal agency for access to records under the Freedom of Information Act (FOIA).

3. Appeal: A request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other adverse FOIA determination.

4. Processed Request or Appeal: A request or appeal for which an agency has taken a final action on the request or the appeal in all respects.

5. Multi-track processing: A system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first out basis. A requester who has a compelling need for records may request expedited processing (see below).

6. Expedited processing: An agency will process a FOIA request on an expedited basis when a requester has shown a compelling need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

7. Simple request: A FOIA request that an agency using multi-track processing places in its fastest (nonexpedited) track based on the volume and/or simplicity of records requested.

8. Complex request: A FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

9. Grant: An agency decision to disclose all records in full in response to a FOIA request.

10. Partial grant: An agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entireties, but to withhold others in whole or in part.

11. Denial: An agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).

12. Time limits: The time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

13. "Perfected" request: A FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

14. Exemption 3 statute: A separate federal statute prohibiting the disclosure of a certain type of information and authorizing its with holding under FOIA subsection (b)(3).

15. Median number: The middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

16. Average number: The number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

Item IV.
Exemption 3 Statutes Invoked

Court Upheld?	Statute	Types of Material Withheld Under Statute
Yes[1]	5 USC §7114(b)(4)	Civil Service Reform Act – Representation Rights and Duties, Labor Unions
No	10 USC §128	Authority to Withhold Unclassified Special Nuclear Weapons Information
Yes[2]	10 USC §130	Authority to Withhold Unclassified Technical Data with Military or Space Application
No	10 USC §130(b)	Personnel in Overseas, Sensitive or Routinely Deployable Units
No	10 USC §424	Protection of Organizational and Personnel Information for DIA, NRO, and NIMA
No	10 USC §455	Maps, Charts, and Geodetic Data; Public Availability
No	10 USC §618(f)	Action on Reports of Selection, Generally for Promotion, Boards
No	10 USC §1102	Confidentiality of Medical Records
No	10 USC §1506(f)	Debriefing of a Missing Person Returned to U.S. Control During the Period Beginning on July 8, 1959, and ending on February 10, 1996
No	10 USC §2305(g)	Protection of Contractor Proposals
No	10 USC §2371(i)	Research Projects: Transactions Other Than Contracts and Grants
No	10 USC §2640(h)	Authority to Protect Safety-Related Information Voluntarily Provided by an Air Carrier
No	12 USC §3403	Confidentiality of Financial Records
No	15 USC §1, PL 105-271	Year 2000 Information and Readiness Disclosure Act
No	15 USC §3705(e)(E)	Centers for Industrial Technology - Reports of Technology Innovations
No	16 USC §470w-3	National Historic Preservation
Yes[3]	18 USC §798(a)	Communications Intelligence
Yes[4]	18 USC §5038	Interviews of Juveniles in Criminal Defense
No	21 USC §1175	Drug Abuse Prevention/Rehabilitation

Court Upheld?	Statute	Types of Material Withheld Under Statute
No	22 USC §2778(e) Sec 38(e) of the Arms Export Control Act	Control of Arms Exports
No	31 USC §3729(d) 31 USC §3730(b)(2)	False Claims Act Civil Actions for False Claims (specifies that materials related to civil complaints filed by private individuals on behalf of the U. S. Government under the False Claims Act will remain under seal for at least 60 days and shall not be served on a defendant until the court so orders).
No	35 USC §181-188	Secrecy of Certain Inventions and Withholding of Patents
No	35 USC §205	Confidentiality of Inventions Information
No	41 USC §423	Procurement Integrity
Yes[5]	42 USC §2162(a)	Restricted Data (Atomic Energy), Atomic Energy Act of 1954
No	42 USC §2168(a)(1)(C)	Formerly Restricted Data (Atomic Energy), Atomic Energy Act of 1954
Yes[6]	50 USC §402 Note Sec 6, P.L. 86-36	NSA Functions and Information
Yes[7]	50 USC §403-3(c)(6) National Security Act of 1947, Subsection 102(d)(3), as amended	Intelligence Sources and Methods
Yes[8]	50 USC §403(g), Section 6 of the CIA Act of 1949	CIA Functions and Information
No	50 USC §421	Protection of Identities of US Undercover Intelligence Officers, Agents, Informants and Sources
No	50 USC §435 Note Sec 1082, P.L. 102-190	Disclosure of Information Concerning US Personnel Classified as POW/MIA During Vietnam Conflict (McCain "Truth Bill")
Yes[9]	Rule 6(e), Federal Rules of Criminal Procedure	Grand Jury Information Intrinsic to Jury's Internal Working Process.

Item IV. Endnotes

[1] Dubin v. Department of the Treasury, 555 F. Supp. 408, 412 (N.D. Ga. 1981), aff'd, 697 F.2d 1093 (11th Cir. 1983) (unpublished table decision); NTEU v. OPM, No. 76-695, slip op. at 4 (D.D.C. July 9, 1979).

[2] Chenkin v. Department of the Army, No. 93-494, 1994 U.S. Dist. LEXIS 20907, at *8 (E.D. Pa. Jan. 14, 1994), aff'd, 61 F.3d 894 (3d Cir. 1995) (unpublished table decision); Colonial Trading Corp. v. Department of the Navy, 735 F.

Supp. 429, 431 (D.D.C. 1990); see also American Friends Serv. Comm. v. DOD, No. 83-4916, 1986 WL 10659, at *4(E.D. Pa. Sept. 25, 1986), rev'd on other grounds, 831 F.2d 441 (3d Cir. 1987).

[3] Winter v. NSA, 569 F. Supp. 545, 548 (S.D. Cal. 1983); see also Gilmore v. NSA, No. C 92-3646, 1993 U.S. Dist. LEXIS 7694, at **26-27 (N.D. Cal. May 3, 1993) (finding that information on cryptography currently used by NSA "integrally related" to function and activity of intelligence gathering and thus protected).

[4] McDonnell v. United States, 4 F.3d 1227, 1251 (3d Cir. 1993) (holding state juvenile delinquincy records outside scope of statute).

[5] Meeropol v. Smith, No. 75-1121, slip op. at 53-55 (D.D.C. Feb. 29, 1984), aff'd in relevant part & remanded in part sub nom. Meeropol v. Meese, 790 F.2d 942 (D.C. Cir. 1986). But see General Elec. Co. v. NRC, 750 F.2d 1394, 1401 (7th Cir. 1984) (concluding that provision concerning technical information furnished by license applicants lacked sufficient specificity to qualify as Exemption 3 statute).

[6] Founding Church of Scientology v. NSA, 610 F.2d 824, 828 (D.C. Cir. 1979); Hayden v. NSA, 452 F. Supp. 247,252 (D.D.C. 1978), aff'd, 608 F.2d 1381 (D.C. Cir. 1979).

[7] CIA v. Sims, 471 U.S. 159, 167 (1985); see also Minier v. CIA, 88 F.3d 796, 801 (9th Cir. 1996) (finding that agency properly refused to confirm or deny existence of records concerning deceased person's alleged employment relationship with CIA); Maynard v. CIA, 986 F.2d 547, 554 (1st Cir. 1993) (stating that under § 403(d)(3) it is responsibility of Director of CIA to determine whether sources or methods should be disclosed); Krikorian v. Department of State, 984 F.2d 461, 465 (D.C. Cir. 1993) (same); Fitzgibbon v. CIA, 911 F.2d 755, 761 (D.C. Cir. 1990) (same); Hunt v. CIA, 981 F.2d 1116, 1118 (9th Cir. 1992) (upholding agency's "Glomar" response to request on foreign national, because acknowledgement of any records would reveal sources and methods); Knight v. CIA, 872 F.2d 660, 663 (8th Cir. 1989) (same); Levy v. CIA, No. 95-1276, slip op. at 14-17 (D.D.C. Nov. 16, 1995) (same), aff'd, No. 96-5004 (D.C. Cir. Jan. 15, 1997); Roman v. Dailey, No. 97-1164, 1998 U.S. Dist. LEXIS 6708, at **10-11 (D.D.C. May 11, 1998) (concluding that agency properly refused to confirm or deny existence of records pertaining to agency personnel and spy satellite programs); Blazy v. Tenet, 979 F. Supp. 10, 23-24 (D.D.C. 1997) (protecting intelligence sources and methods located in requester's personnel file), summary affirmance granted, No. 97-5330 (D.C. Cir. May 12, 1998); Andrade v. CIA, No. 95-1215, 1997 WL 527347, at **3-5 (D.D.C. Aug. 18, 1997) (holding intelligence methods used in assessing employee fitness protectible); Earth Pledge Found. v. CIA, 988 F. Supp. 623, 627 (S.D.N.Y. 1996) (finding agency's "Glomar" response proper because acknowledgement of records would generate "danger of revealing sources"), aff'd per curiam, 128 F.3d 788 (2d Cir. 1997) (unpublished table decision); Campbell v. United States Dep't of Justice, No. 89-CV-3016, 1996 WL 554511, at *6 (D.D.C. Sept. 19, 1996) ("CIA director is to be afforded 'great deference' by courts determining the propriety of nondisclosure of intelligence sources"); cf. Linder v. DOD, 133 F.3d 17, 25 (D.C. Cir. 1998) ("[C]ourts must give 'great deference' to the Director of Central Intelligence's determination that a classified document could reveal intelligence sources and methods and endanger national security.") (non-FOIA case).

[8] Minier, 88 F.3d at 801; Roman, 1998 U.S. Dist. LEXIS 6708, at **10-11; Blazy, 979 F. Supp. at 23-24; Earth Pledge Found., 988 F. Supp. at 627-28; Campbell, 1996 WL 554511, at *6; Kronisch v. United States, No. 83-2458, 1995 WL 303625, at **4-6 (S.D.N.Y. May 18, 1995); Hunsberger v. CIA, No. 92-2186, slip op. at 3 (D.D.C. Apr. 5, 1995); Rothschild v. CIA, No. 91-1314, 1992 WL 71393, at *2 (D.D.C. Mar. 25, 1992); Lawyers Comm. for Human Rights v. INS, 721 F. Supp. 552, 567 (S.D.N.Y. 1989); Pfeiffer v. CIA, 721 F. Supp. 337, 341-42 (D.D.C. 1989).

[9] Astley v. Lawson, C.A. No. 89-2806 D.C.C. January 11, 1991. (Grand jury information but only to the extent that the documents reveal the internal workings or the deliberations of the grand jury. Documents extrinsic to the jury's internal working process do not qualify.

Item V.

Initial FOIA/PA Access Requests

A. Numbers of initial requests.

1. Number of requests pending as of end of preceding fiscal year (1 Oct 99): 10,843[1]

2. Number of requests received during current fiscal year (FY 2000): 97,266

3. Number of requests processed during current fiscal year (FY 2000): 96,479

4. Number of requests pending as of end of current fiscal year (30 Sep 00): 11,630

B. Disposition of initial requests.

1. Number of grants: 56,836

2. Number of partial grants: 11,551

3. Number of denials: 2,367

   a. Number of times each FOIA exemption used (counting each exemption once per request).

      (1) Exemption 1: 1,251

      (2) Exemption 2: 1,196

      (3) Exemption 3: 1,342

      (4) Exemption 4: 1,075

      (5) Exemption 5: 1,933

      (6) Exemption 6: 7,265

      (7) Exemption 7(A): 229

      (8) Exemption 7(B): 20

      (9) Exemption 7(C): 3,638

[1] The Annual Report for FY 1999 (Line V.A.4) noted 11,407 pending requests. During the preparation of this report, five hundred sixty four pending requests were over reported for FY 1998 due to some defense agencies conversion to automated tracking systems. They have been deducted this year in this line item.

(10) Exemption 7(D): 583

(11) Exemption 7(E): 248

(12) Exemption 7(F): 32

(13) Exemption 8: 0

(14) Exemption 9: 0

4. Other reasons for nondisclosure (total):

a. No records:	11,466
b. Referrals:	9,163
c. Request withdrawn:	2,595
d. Fee-related reason:	757
e. Records not reasonably described:	1,975
f. Not a proper FOIA request for some other reason:	896
g. Not an agency record:	781
h. Duplicate request:	938
i. Other (specify*):	1,509

* Note: See table on page 20.

Item VI.

Appeals of Initial Denials of FOIA/PA Requests

A. Numbers of appeals.

1. Number of appeals received during fiscal year (FY 2000):	896
2. Number of appeals processed during fiscal year (FY 2000):	1,058

B. Disposition of appeals.

1. Number denied in full:	473

2. Number denied in part: 193

3. Number completely reversed (granted): 39

   a. Number of times each FOIA exemption used (counting each exemption once per appeal).

      (1) Exemption 1: 94

      (2) Exemption 2: 52

      (3) Exemption 3: 72

      (4) Exemption 4: 14

      (5) Exemption 5: 181

      (6) Exemption 6: 255

      (7) Exemption 7(A): 21

      (8) Exemption 7(B): 2

      (9) Exemption 7(C): 175

      (10) Exemption 7(D): 15

      (11) Exemption 7(E): 11

      (12) Exemption 7(F): 10

      (13) Exemption 8: 0

      (14) Exemption 9: 0

4. Other reasons for nondisclosure (total):

   a. No records: 158

   b. Referrals: 30

   c. Appeal withdrawn: 190

   d. Fee-related reason: 11

   e. Records not reasonably described: 6

   f. Not a proper FOIA request for some other reason: 9

g. Not an agency record: 4

h. Duplicate request: 4

i. Other (specify*): 5

* Note: See table on page 25.

Item VII.

Compliance With Time Limits/Status of Pending Requests

A. Median processing time for requests processed during the year (FY 2000).

1. Simple requests.

a. Number of requests processed: 79,788

b. Median number of days to process: 25

2. Complex requests.

a. Number of requests processed: 15,872

b. Median number of days to process: 69

3. Requests accorded expedited processing.

a. Number of requests processed: 819

b. Median number of days to process: 3

B. Status of pending requests (as of: 30 Sep 00).

1. Number of requests pending: 11,309

2. Median age of above cases in days: 87

Item VIII.

Comparison With Previous Year

(Optional, Not Used)

Item IX.

Costs/FOIA Staffing

A. Staffing levels (expressed in work-years).

1. Number of full-time FOIA personnel:	297.76
2. Number of personnel with part-time or occasional FOIA duties:	592.45
3. Total number of personnel:	890.21

B. Total costs (including staff and all resources).

1. FOIA processing (including appeals):	$35,243,410.00
2. Litigation-related activities (estimated):	$1,283,261.00
3. Total costs:	$36,526,671.00

Item X.

Fees

A. Total amount of fees collected by the agency for processing requests: $666,362.64

B. Percentage of total costs: 1.8%

Item XI.

FOIA Regulations (Including Fee Schedule)

A. The Department of Defense (DoD) Freedom of Information Act Program Regulation, DoD 5400.7-R, September 4, 1998, which provides guidance regarding administration of the Freedom of Information Act (FOIA) Program within the Department of Defense (DoD), can be found at:

http://web7.whs.osd.mil/html/54007r.htm

B. The Fee Schedule is Chapter 6 of the above regulation.

C. Additional Department of Defense FOIA documents and hyperlinks can be found by accessing the following Universal Resource Locator (URL):

http://www.defenselink.mil/pubs/foi/

Tabular Information For DoD Components

While not required, the tables on the pages that follow provide additional information for DoD components.

Table for Item V., Part A.

Numbers of Initial Requests

Component	Number Pending 1-Oct-99	Number Received FY 2000	Total Processed FY 2000	Number Pending 30-Sep-00
OSD/JS	1,932	3,313	2,921	2,003
Dept Army	2,748	33,651	33,532	2,867
Dept Navy	848	21,286	20,743	1,391
Dept Air Force	1,783	14,994	15,357	1,420
DCAA	21	157	167	11
DFAS	279	4,030	4,015	294
DIA	1,581	951	835	1,697
DSS	33	138	158	13
DISA	67	482	415	134
DLA	567	16,175	16,303	439
DTRA	102	240	180	162
NIMA	49	232	213	68
NRO	40	117	121	36
NSA/CSS	747	1,180	1,195	732
OIG, DOD	46	320	324	42
DOD Totals	10,843	97,266	96,479	11,630

Notes: The fiscal year (FY) period covered by this report is FY 2000, 1 October 1999 through 30 September 2000.

Total cases processed may exceed number of cases received due to processing backlogged cases during the report period

Table for Item V., Part B.

Disposition of Initial Requests

Component	Total Processed	Granted in Full	Denied in Part	Denied in Full	Other	Total Actions*
OSD/JS	2,921	914	338	340	1,477	3,069
Dept Army	33,532	19,518	5,439	726	9,475	35,158
Dept Navy	20,743	12,010	2,915	512	6,766	22,203
Dept Air Force	15,357	7,312	1,837	344	6,257	15,750
DCAA	167	76	15	6	70	167
DFAS	4,015	2,631	42	30	1,327	4,030
DIA	835	117	356	83	279	835
DSS	158	72	34	15	37	158
DISA	415	196	20	12	195	423
DLA	16,303	13,586	117	13	2,678	16,394
DTRA	180	41	51	7	88	187
NIMA	213	148	8	12	80	248
NRO	121	19	37	26	39	121
NSA/CSS	1,195	148	201	195	793	1,337
OIG, DOD	324	48	141	46	89	324
DOD Totals	96,479	56,836	11,551	2,367	29,650	100,404

* Please Note: 1. More than one action can be taken on each Initial Request.
2. Multiple "Other" actions can be taken on a single Initial Request.
See page 19, "Other Reasons Cited on Initial Determinations for Nondisclosure."

Table for Item V., Part B., Number 3.

Exemptions Invoked on Initial Denials

Component	Exemptions by Number (5 U.S.C. §552(b))														Total*
	(1)	(2)	(3)	(4)	(5)	(6)	(7)(A)	(7)(B)	(7)(C)	(7)(D)	(7)(E)	(7)(F)	(8)	(9)	
OSD/JS	173	30	79	51	60	107	2	0	17	1	1	0	0	0	521
Dept Army	309	720	154	459	749	4,011	78	3	1,974	385	153	1	0	0	8,996
Dept Navy	106	121	158	247	533	1,765	65	13	879	76	39	19	0	0	4,021
Dept Air Force	134	112	385	216	512	1,073	28	4	587	100	32	12	0	0	3,195
DCAA	0	0	0	5	7	8	1	0	0	0	0	0	0	0	21
DFAS	0	0	0	6	8	45	0	0	13	0	0	0	0	0	72
DIA	210	156	111	3	3	54	0	0	0	0	0	0	0	0	537
DSS	0	12	0	0	9	20	0	0	5	3	0	0	0	0	49
DISA	0	2	16	6	2	9	0	0	0	0	0	0	0	0	35
DLA	0	9	6	37	14	45	7	0	29	0	5	0	0	0	152
DTRA	7	7	24	24	4	6	0	0	0	0	0	0	0	0	72
NIMA	7	1	2	0	2	8	0	0	0	0	0	0	0	0	20
NRO	39	0	42	2	1	12	0	0	0	0	1	0	0	0	97
NSA/CSS	264	24	364	11	14	51	2	0	0	8	14	0	0	0	752
OIG, DOD	2	2	1	8	15	51	46	0	134	10	3	0	0	0	272
DOD Totals	1,251	1,196	1,342	1,075	1,933	7,265	229	20	3,638	583	248	32	0	0	18,812
Percent of Total	7%	6%	7%	6%	10%	39%	1%	0%	19%	3%	1%	0%	0%	0%	100%

* Please note: 1. More than one exemption may be used to deny information on any single request.
2. Rounded to nearest whole percentage point which is sometimes zero, 0%.

Table for Item V., Part B., Number 4.
Other Reasons Cited on Initial Determinations for Nondisclosure

Component	Category*									Total
	1	2	3	4	5	6	7	8	9	
OSD/JS	404	954	236	24	36	16	15	64	28	1,777
Dept Army	2,890	3,203	639	326	458	477	419	277	809	9,498
Dept Navy	3,218	1,766	626	133	198	169	93	234	349	6,786
Dept Air Force	2,227	2,305	880	190	278	160	103	109	5	6,257
DCAA	27	24	9	1	9	0	0	0	0	70
DFAS	166	167	6	7	860	62	13	0	46	1,327
DIA	215	52	5	0	1	0	0	2	4	279
DSS	27	3	4	0	2	0	1	0	0	37
DISA	36	115	10	3	25	0	0	6	0	195
DLA	1,865	361	133	24	37	7	54	205	0	2,686
DTRA	23	27	17	2	1	2	3	8	5	88
NIMA	26	1	3	7	2	0	3	2	49	93
NRO	34	1	0	0	0	3	1	0	0	39
NSA/CSS	272	146	24	40	57	0	75	31	214	859
OIG, DOD	36	38	3	0	11	0	1	0	0	89
DOD Totals	11,466	9,163	2,595	757	1,975	896	781	938	1,509	30,080

Note: See Item III., Definitions of Terms and Acronyms Used In Report, for definitions of categories below:

1. No records.
2. Referrals.
3. Withdrawn.
4. Fee-Related Reason
5. Records not Reasonably Described.
6. Not a proper FOIA Request for Some Other Reason.
7. Not an Agency Record.
8. Duplicate Request.
9. Other (See next page).

Table for Item V., Part B., Number 4., Supplemental

"Specific" Other Reasons Cited on Initial Determinations for Nondisclosure

Component	Other Specific Reason*									Total
	Electronic Referral	Insufficient Address/Info	Lacked 3d Party Waiver	Publicly Sold Document	Direct NPRC Referral	Non-Attribution	Improper Referrals	NARA Referral	Not Agency Issue	
OSD/JS		1	3				2		22	28
Dept Army	322	15	23	14	245		77		113	809
Dept Navy	142	10			157		26	12	2	349
Dept Air Force		5								5
DFAS		15	2				29			46
DIA		4								4
DTRA		5								5
NIMA		25							24	49
NSA/CSS		165				49				214
DOD Totals	464	245	28	14	402	49	134	12	161	1,509

Note: See Definition of terms on the following page.

Item V., Part B., Number 4., Supplemental (Continued)

"Specific" Other Reasons Cited on Initial Determinations for Nondisclosure Explained

Electronic Referral: Requested information available on Internet and the requester was apprised of the Internet address.

Insufficient Address/Info: The requester provided an insufficient or inaccurate address and could not be contacted. The requester did not respond to inquiry from the FOI Office requesting clarification of their request.

Lacked 3d Party Waiver: A third party (e.g., an attorney) making a request on behalf of someone else failed to provide an authorization from the requester which would allow the third party access to the requester's records.

Publicly Sold Document: Requested material was available through cash sales and the requester was advised how to purchase.

Direct NPRC Referral: Requested concerned military service records of former service members. Requests were returned to the requester along with blank a form SF-180 and suggestion that they complete the form and submit directly to the National Personnel Records Center (NPRC) of the National Archives and Records Administration (NARA), St. Louis, MO.

Non-Attribution: The agency's involvement in a referral action would itself compromise national security matters which are properly classified.

Improper Referrals: Referrals were returned to the referring agency/activity without action for correction because they were incorrect or incomplete.

NARA Referral: Requested records were no longer under control of the referred agency. Requesters were directed to contact NARA directly.

Not Agency Issue: Requested documents did not pertain to the agency.

Table for Item VI., Part A.

Numbers of Appeals

Component	Received FY 2000	Total Processed
OSD/JS	95	62
Dept Army	254	290
Dept Navy	265	390
Dept Air Force	122	132
DCAA	6	6
DFAS	3	3
DIA	39	29
DSS	7	7
DISA	3	3
DLA	17	20
DTRA	0	0
NIMA	4	4
NRO	10	9
NSA/CSS	53	81
OIG, DOD	18	22
DOD Totals	896	1,058

Note: Total cases processed may exceed number of cases received due to processing backlogged cases during the report period

Table for Item VI., Part B.

Disposition of Appeals

Component	Total Processed	Granted in Full	Denied in Part	Denied in Full	Other	Total Actions*
OSD/JS	62	5	18	15	25	63
Dept Army	290	2	17	134	137	290
Dept Navy	390	20	72	155	143	390
Dept Air Force	132	3	25	99	5	132
DCAA	6	2	2	1	1	6
DFAS	3	0	0	3	0	3
DIA	29	0	15	12	2	29
DSS	7	0	4	3	0	7
DISA	3	0	1	1	1	3
DLA	20	4	9	4	6	23
DTRA	0	0	0	0	0	0
NIMA	4	0	0	2	2	4
NRO	9	0	5	2	2	9
NSA/CSS	81	3	8	40	30	81
OIG, DOD	22	0	17	2	3	22
DOD Totals	1,058	39	193	473	357	1,062

* Please Note: 1. More than one action can be taken on each Appeal.
2. Multiple "Other" actions can be taken on a single Appeal.
See page 25, "Other Reasons Cited on Appeal Determinations for Nondisclosure."

Table for Item VI., Part B., Number 3.

Exemptions Invoked on Appeal Denials

Component	Exemptions by Number (5 U.S.C. §552(b))														Total*
	(1)	(2)	(3)	(4)	(5)	(6)	(7)(A)	(7)(B)	(7)(C)	(7)(D)	(7)(E)	(7)(F)	(8)	(9)	
OSD/JS	7	0	4	0	0	2	0	0	0	0	0	0	0	0	13
Dept Army	20	19	3	1	42	85	2	0	65	9	11	9	0	0	266
Dept Navy	3	6	6	3	84	107	16	2	70	3	0	1	0	0	301
Dept Air Force	9	1	6	5	40	40	1	0	21	1	0	0	0	0	124
DCAA	0	0	0	1	0	1	0	0	1	0	0	0	0	0	3
DFAS	0	0	0	0	1	2	0	0	0	0	0	0	0	0	3
DIA	22	22	15	0	0	0	0	0	0	0	0	0	0	0	59
DSS	0	1	0	0	2	2	0	0	2	0	0	0	0	0	7
DISA	0	1	0	0	0	1	0	0	0	0	0	0	0	0	2
DLA	0	1	0	3	4	5	0	0	1	0	0	0	0	0	14
DTRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NIMA	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2
NRO	7	1	5	0	0	1	0	0	0	0	0	0	0	0	14
NSA/CSS	32	0	34	1	0	2	0	0	0	0	0	0	0	0	69
OIG, DOD	1	0	1	0	8	9	2	0	15	2	0	0	0	0	38
DOD Totals	94	52	72	14	181	255	21	2	175	15	11	10	0	0	902
Percent of Total	10%	6%	8%	2%	20%	28%	2%	0%	19%	2%	1%	1%	0%	0%	100%

* Please note: 1. More than one exemption may be used to deny information on any single appeal.
2. Rounded to nearest whole percentage point which is sometimes zero, 0%.

Table for Item VI., Part B., Number 4.
Other Reasons Cited on Appeal Determinations for Nondisclosure

Component	Category*									Total
	1	2	3	4	5	6	7	8	9	
OSD/JS	6	11	10	0	2	0	0	0	2	31
Dept Army	51	1	85	0	0	0	0	0	0	137
Dept Navy	65	14	88	11	3	8	4	3	3	199
Dept Air Force	0	0	4	0	0	0	0	1	0	5
DCAA	1	0	0	0	0	0	0	0	0	1
DFAS	0	0	0	0	0	0	0	0	0	0
DIA	2	0	0	0	0	0	0	0	0	2
DSS	0	0	0	0	0	0	0	0	0	0
DISA	1	0	0	0	0	0	0	0	0	1
DLA	2	2	1	0	1	0	0	0	0	6
DTRA	0	0	0	0	0	0	0	0	0	0
NIMA	0	0	0	0	0	0	0	0	0	0
NRO	1	0	0	0	0	1	0	0	0	2
NSA/CSS	26	2	2	0	0	0	0	0	0	30
OIG, DOD	3	0	0	0	0	0	0	0	0	3
DOD Totals	158	30	190	11	6	9	4	4	5	417

Note: See Item III., Definitions of Terms and Acronyms Used In Report, for definitions of categories below:

1. No records.
2. Referrals.
3. Withdrawn.
4. Fee-Related Reason
5. Records not Reasonably Described.
6. Not a proper FOIA Request for Some Other Reason.
7. Not an Agency Record.
8. Duplicate Request.
9. Other:
   Appeal not submitted within required time frame - 5 instances.

Table for Item VII. Part A.

Median Processing Times for Initial Requests Processed During the Year

Component	Total Processed	Simple Requests	Simple Median Age	Complex Requests	Complex Median Age	Expedited Requests	Expedited Median Age
OSD/JS	2,921	2,668	25	251	69	2	10
Dept Army	33,532	25,139	16	7,816	32	577	5
Dept Navy	20,743	16,522	15	4,101	40	120	5
Dept Air Force	15,357	13,262	12	2,033	53	62	6
DCAA	167	167	25	0	0	0	0
DFAS	4,015	3,746	89	246	163	23	9
DIA	835	330	30	485	400	20	60
DSS	158	27	5	119	35	12	3
DISA	415	359	90	56	40	0	0
DLA	16,303	15,974	15	329	29	0	0
DTRA	180	7	5	173	97	0	0
NIMA	213	103	37	110	90	0	0
NRO	121	82	10	39	122	0	0
NSA/CSS	1,195	1,127	29	65	1,318	3	16
OIG, DOD	324	275	56	49	150	0	0
DOD Totals	96,479	79,788	25.0	15,872	69.0	819	3.0

Note: The number of calendar days, not work days, elapsed between the date requests were perfected and completed is reflected in the above median calculations.

Table for Item VII., Part B.

Status of Pending Requests

Component	End Report Period 30 September 2000	
	Number Pending	Median Age
OSD/JS	2,003	310
Dept Army	2,867	18
Dept Navy	1,391	45
Dept Air Force	1,420	87
DCAA	11	30
DFAS	294	197
DIA	1,697	812
DSS	13	11
DISA	134	108
DLA	439	18
DTRA	162	107
NIMA	68	13
NRO	36	345
NSA/CSS	732	182
OIG, DOD	42	30
DOD Totals	11,309	87

Note: The number of calendar days, not work days, elapsed between the date requests were perfected and the date indicated (30 September 2000) is reflected in the above median calculations.

Table for Item IX.

FOIA Staffing/Costs

Component	Full-Time Personnel	Part-Time Personnel	Total Personnel	FOIA Processing Cost	Litigation Cost	Total Program Cost
OSD/JS	13.58	28.31	41.89	2,413,414	35,740	2,449,154
Dept Army	78.65	223.56	302.21	10,197,877	946,333	11,144,210
Dept Navy	73.25	240.88	314.13	10,072,296	50,686	10,122,982
Dept Air Force	56.3	70.32	126.62	7,605,878	47,171	7,653,049
DCAA	2.25	0	2.25	293,099	0	293,099
DFAS	13	12.7	25.7	318,411	25,800	344,211
DIA	8	0	8	465,069	10,500	475,569
DSS	3	0	3	184,804	0	184,804
DISA	0	2.83	2.83	201,570	0	201,570
DLA	15.73	5.75	21.48	1,223,467	38,000	1,261,467
DTRA	7	0	7	555,287	0	555,287
NIMA	1	7	8	180,518	0	180,518
NRO	5	0	5	390,201	0	390,201
NSA/CSS	17	0	17	882,247	129,031	1,011,278
OIG, DOD	4	1.1	5.1	259,273	0	259,273
DOD Totals	297.76	592.45	890.21	35,243,410	1,283,261	36,526,671