

HEADQUARTERS UNITED STATES CENTRAL COMMAND
7115 SOUTH BOUNDARY BOULEVARD
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

REGULATION
Number 25-210

15 January 2008

Information Management
PROCESSING FREEDOM OF INFORMATION ACT REQUESTS

1. PURPOSE. This supplements the Department of Defense (DoD) 5400.7-R, Department of Defense Freedom of Information Act (FOIA) Program and prescribes procedures and responsibilities for processing FOIA requests.

2. APPLICABILITY. This regulation applies to all United States Central Command (USCENTCOM) Directorates, Special Staff Offices, Joint Task Forces (JTF), Multi-National Forces (MNF), and Component Commands, collectively referred as USCENTCOM organizations.

3. REFERENCES

a. DoD 5400.7-R, Department of Defense Freedom of Information Act Program.

b. Executive Order (E.O) 12958, as amended, Classified National Security Information.

c. Title 5, United States Code (U.S.C.) § 552b, the Freedom of Information Act.

d. USCENTCOM Freedom of Information Act Policy DMS Message, 01 December 2006.

e. USCENTCOM Regulation 380-1, Information Security Program Regulation, 1 Apr 07

4. POLICY

a. In accordance with (IAW) references a and c, FOIA is a Federal law that establishes the public's right to request existing records from Federal government agencies.

b. IAW reference c, federal agencies have 20 working days to provide a person access to requested records. The FOIA generally

*This new USCENTCOM regulation supersedes USCENTCOM Sup 1 to DOD 5400.7-R dated 17 Mar 1999.

provides that any person has a right, enforceable in court, to obtain access to federal agency records, unless disclosure is protected by one of nine exemptions (See reference a, Chapter 3).

c. USCENTCOM's intention is to provide a final response determination within the 20-day statutory time period. If unusual circumstances prevent a final response determination within the statutory time period, USCENTCOM will advise the requester in writing, and provide a new response determination date, which shall not be later than an additional 10 working days. If USCENTCOM needs more than this 10-day extension, it will provide the requester an opportunity to narrow the scope of the request, or arrange for an alternative timeframe. FOIA defines "unusual circumstances" as any of the following:

(1) The need to search for and collect records from separate offices.

(2) The need to examine a voluminous amount of records required by the request.

(3) The need to consult with another government agency or agency component.

d. Any "person," can file a FOIA request that either explicitly or implicitly invokes the FOIA, including a member of the public (United States [U.S.] or foreign citizen/entity), an organization, or a business; but not including a Federal Agency or a fugitive from the law, per reference a, reference C1.4.2.

e. Requesters must reasonably describe the record(s) sought, providing a description of the desired record that enables the U.S. government to locate the record with a reasonable amount of effort. A record must exist and be in the possession and control of the DoD (USCENTCOM) at the time of the request to be considered. Requesters should also indicate a willingness to pay fees associated with the processing of their request or, in the alternative, an explanation of why a waiver of fees may be appropriate (See Appendix E).

f. A FOIA request may be received by postal service or other commercial delivery means; and, by facsimile or electronic mail (e-mail). Requests received by facsimile or e-mail must have a postal mailing address included since it may not be practical to provide a substantive response electronically.

g. All FOIA requests are processed in a multi-track system (i.e., simple, complex, and expedited processing).

(1) The USCENTCOM FOIA Requester Service Center (within CCJ6-RDF) will establish a minimum of three processing tracks, all based on a first-in/first-out concept and with requests ranked by date of receipt. One track shall be for simple requests (or normal requests), one for complex requests (or unusual/voluminous), and one for expedited requests. The USCENTCOM FOIA Requester Service Center shall determine whether a request is simple, complex, or requires expedited processing. Requesters whose requests are categorized as "complex" shall be given an opportunity to limit in writing the scope of the request in order to qualify for the simple track.

(2) Two circumstances merit expedited processing:

(a) Compelling Need. The failure to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, or that the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity.

(b) Imminent Loss of Due Process Rights.

(3) Expedited processing shall be granted to a requester upon a specific request for such demonstration of a compelling need for the information. The USCENTCOM FOIA Requester Service Center will respond to the requester with the determination whether to grant or deny expedited processing within 10 calendar days after receipt of the request. Note: generally, media will often claim expedited processing.

(4) Expedited processing shall also be granted to a requester if loss of substantial due process rights is imminent. A demonstration of imminent loss of substantial due process rights by the requester shall include a description of the due process rights that would be lost and a statement certified to be true and correct to the best of the requester's knowledge. This statement must accompany the request in order to be considered and responded to within the 10 calendar days required for decisions on expedited access.

h. The FOIA allows fees to be charged to certain types of requesters, but it also provides that waivers or reductions in fees be given if disclosing the information is in the public interest.

Public interest is defined as information which significantly enhances the public's knowledge of the operations and activities of the DoD. Fees are waived for bereaved family members placing a FOIA request seeking information of their fallen or seriously injured Service Member.

5. PROCEDURES

a. In order to comply with DoD statutory requirements outlined in reference a, all USCENTCOM organizations will appoint, in writing, a FOIA point of contact (POC) to liaise with the USCENTCOM FOIA Requester Service Center for any questions or concerns pertaining to a FOIA request; quality control responses to FOIA requests; assist assigned subject matter experts with applying appropriate exemptions; marking and redacting documents, as applicable; and creating internal memoranda, specifically stating document(s) releasability. Due to the critical and sensitive nature of FOIA requests, FOIA POCs will be an E-7 or above (or civilian equivalent).

b. Upon receiving a FOIA request, the USCENTCOM FOIA Requester Service Center will task the appropriate USCENTCOM organization to provide responsive records or information within 12 working days (overseas 15 working days). If the suspense can not be met, the USCENTCOM organization shall provide the USCENTCOM FOIA Requester Service Center with a description of what "unusual circumstance(s)" may prevent the production of responsive records or information within the allotted time.

c. The USCENTCOM Chief of Staff (COS) is the Initial Denial Authority for FOIA requests.

d. The Commander, USCENTCOM (CDRUSCENTCOM) has delegated release/denial authority to component commanders for joint records/documents created by the components which are Service specific. The USCENTCOM FOIA Requester Service Center will review all appeal responses and forward to DoD Office of Freedom of Information (DoD OFOI), the appellate authority for Joint Records/Documents.

e. If the FOIA request does not fall under USCENTCOM purview, the USCENTCOM FOIA Requester Service Center will send a referral letter to the appropriate agency and notify the requester of the referral.

6. FOIA PROCESS. In performing the FOIA assessment process, follow the USCENTCOM FOIA process and guidelines found in Appendix A.

7. PROPONENT. The proponent of this regulation is the USCENTCOM Freedom of Information Act Office (CCJ6-RDF). Users can send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQ USCENTCOM, ATTN: CCJ6-RDF, 7115 South Boundary Boulevard MacDill AFB, FL 33621-5101.

FOR THE COMMANDER:

OFFICIAL:


THOMAS L. MOORE, JR.
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Appendix A

USCENTCOM FOIA PROCESS

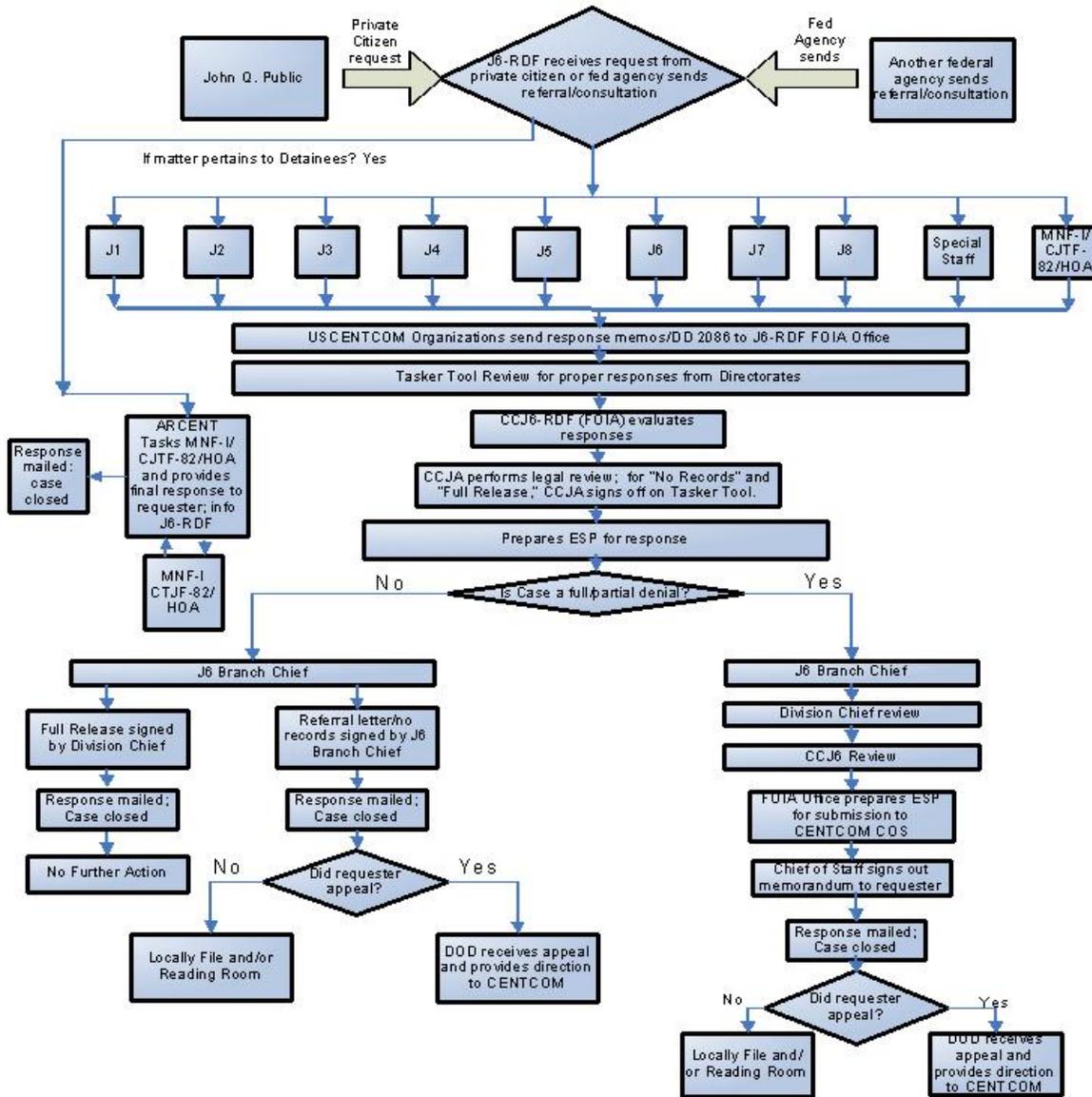


Figure A-1, USCENTCOM FOIA Process Graphic

1. A FOIA request is received at the USCENTCOM FOIA Requester Service Center either by postal service or other commercial delivery means, facsimile or electronically from a private citizen and/or Federal Agency.

2. USCENTCOM FOIA Requester Service Center uses the USCENTCOM Action Processing Form (CC Form 14), to task and coordinate appropriate directorates for responsive documents pertaining to FOIA requests/inquiries from the public. The Processing Information Packet (PIP) is a quick reference guide to aid each USCENTCOM organization in processing requests. The DoD Record of Freedom of Information Processing Cost worksheet (DD Form 2086) (Appendix E, figure E-1), is used to record fees for searching, reviewing, copying, and administrative costs.

a. In exceptional situations USCENTCOM Command and Control, Communications and Computer Systems/Information Systems Support Division (CCJ6-D) will assist the FOIA Requester Service Center by utilizing network resources to conduct extensive electronic searches for potential responsive documents in USCENTCOM's various networks and databases. To facilitate the most efficient, timely support from CCJ6-D, the FOIA Requester Service Center will be required to submit a formal ticket outlining exact requirements/parameters of search.

b. Appointed Subject Matter Experts (SME)/Action Officers (AO) must conduct a search and review for records that are responsive to the FOIA request and state any applicable exemptions (See reference a, Chapter 3) and rationales justifying nondisclosure of such records. A completed DD Form 2086 is required for all responses, regardless of whether documents are found.

c. All USCENTCOM organizations must provide an original signature with their cover memorandum, approved by an O-6 or higher, along with any responsive documents, including those proposed for a partial or full denial to the USCENTCOM FOIA Requester Service Center.

3. USCENTCOM FOIA Requester Service Center will then evaluate each organization's response to a FOIA request and prepare an Electronic Staff Package (ESP).

4. For "Partial Denial" or "Full Denial" responses, the USCENTCOM FOIA Requestor Service Center will build an ESP for COS signature. As the Initial Denial Authority, the COS signs the final response memorandum to the requester. For "Partial Denial" or "Full Denial"

responses, USCENTCOM Judge Advocate (CCJA) will perform a signed legal review of this ESP.

5. For "No Records" and "Full Release" responses, CCJA will provide a legal comment and sign off on the USCENTCOM Central Network (CENTRANET) tasker tool.

a. For a "Full Release" response, the HQ USCENTCOM Chief, Resources and Analysis Division (CCJ6-R) will sign the memorandum to the requester.

b. If the case is a "No Records" response or referral, the HQ USCENTCOM Chief, Command Records Branch (CCJ6-RD) will sign the memorandum to the requester.

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Appendix B

DEFINITIONS

1. Administrative Appeal. A request by a member of the public, made under the FOIA, asking the appellate authority of the DoD Component to reverse any adverse determination by an Initial Denial Authority (IDA). A requester may also appeal the failure of an agency to respond within the statutory time limits or any determination that the requester believes is adverse in nature.
2. Agency Record. All products of data compilation made or received by an agency of the U.S. Government under Federal law in connection with the transaction of public business and in DoD possession and control at the time the search in response to a FOIA request is made.
3. Appellate Authority. The Head of the DoD Component, or designee, having jurisdiction to review and possibly reverse or amend any adverse determination by an IDA.
4. Approval Authority. An individual who has been delegated as an Original Classification Authority (OCA) by the CDRUSCENTCOM, Deputy Commander (DCDR), USCENTCOM or USCENTCOM COS (See USCENTCOM Regulation [CCR] 380-1, INFORMATION SECURITY PROGRAM REGULATION).
5. Compilation Theory. Government agency compiles selected unclassified information into a single record or portion thereof that in its totality is classified (e.g., a listing of titles by date or control number of all intelligence studies done for a particular period of time).
6. Duplication. The process of making a copy of a document in response to a FOIA request. Such copies can take the form of paper, microfiche, or audiovisual/machine-readable documentation (e.g., magnetic tape or disc), among others.
7. Electronic Records. Records (including e-mail) created, stored, and retrievable by electronic means.
8. FOIA Office. The DoD Component office that receives FOIA requests from and responds directly to the public.
9. FOIA Requester. Any "person," including a partnership, corporation, association, State or State agency, foreign government, foreign national, or a lawyer or other representative acting on behalf of any person who submits a FOIA request. This

definition specifically excludes agencies within the Executive Branch of the Federal Government.

10. Initial Denial Authority (IDA). An official who has been granted authority by the head of a DoD Component to withhold records requested under the FOIA for one of more of the nine categories of records exempt from mandatory disclosure.

11. Joint Record. Record, as defined in paragraph 13 (below), which is created by a supporting organization during contingency operations, exercises, or wars under the authority of the Combatant Command.

12. Mosaic Theory. Government agency determines that release of all unclassified records on a particular subject would enable a knowledgeable person to analyze the material and determine information which is classified (e.g., Release of all records concerning arms sales to a friendly nation [e.g., Israel] for a significant period of time).

13. Record. As defined by 44 U.S.C. 3301, all books, papers, maps, photographs, machine readable materials, or other documentary material regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successors as evidence of the organization's functions, policies decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them.

14. Review. The examination of documents located in response to a FOIA request to determine whether one or more of the statutory exemptions permit withholding. Review also includes processing the documents for disclosure, such as excising them for release. Review does not include the time spent resolving general legal or policy issues regarding the application of exemptions.

15. Search. Includes all time spent looking, both manually and electronically, for records that are responsive to a FOIA request. The term "search" also includes a page-by-page or line-by-line identification (if necessary) of material in the record to determine if it, or portions of it, are responsive to the request. Time spent reviewing documents to determine whether to apply one or more of the statutory exemptions is not search time; it is review time.

16. Subject Matter Expert (SME). An expert in a particular area.

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Appendix C

USCENTCOM ORGANIZATIONS FOIA RESPONSIBILITIES

PURPOSE: This appendix assigns responsibilities of Directorates, Special Staff Offices, Joint Task Forces, Multi-National Forces, and Component Commands.

1. All USCENTCOM organizations will establish organizational mailboxes and provide their Automated Message Handling System (AMHS) addresses to USCENTCOM'S FOIA office at centcomfoia@centcom.smil.mil. Subordinate FOIA offices are authorized to use electronic portals as their primary means for processing their notification/coordination/submission of USCENTCOM FOIA Taskers.
2. All USCENTCOM organizations are responsible for adhering to the guidance contained in this regulation with specific attention paid to the following:
 - a. Forward all FOIA requests containing USCENTCOM joint equities to USCENTCOM/CCJ6-RD (FOIA) for release determination.
 - b. Conduct a line-by-line review on all classified and unclassified material responsive to the FOIA request to determine if the information can be released or withheld from the public.
3. Subordinate FOIA Offices are responsible for tracking and responding to each assigned request to the USCENTCOM FOIA Requester Service Center.
4. JTFs will appoint primary and alternate FOIA officers who will possess at least a Secret security clearance, be in the grade of E-7 or above (or civilian equivalent) and be responsible to the JTF. The USCENTCOM FOIA office will ensure and coordinate for in-theater training of FOIA personnel.
5. All FOIA Offices will ensure reasonable search and/or review is conducted for records pertaining to the FOIA request.
6. If the FOIA request is determined to be "too broad or vague in scope," promptly inform the USCENTCOM FOIA Requester Service Center. Forward a recommendation and/or draft response requesting USCENTCOM negotiate with the requester towards narrowing the scope of the request.

7. Send e-mail requests for extensions, narrowing the scope of requests and any other questions pertaining to a FOIA request to the USCENTCOM FOIA Requester Service Center at centcomfoia@centcom.smil.mil within 10 working days of initial receipt of a FOIA tasking.

8. The Director or Principal Staff Officer responsible for FOIA processing will ensure their command's legal office is involved in advising and reviewing FOIA responses.

9. The Principal Staff Office will sign a cover memorandum along with any responsive documents, including those proposed for a partial or full denial to the USCENTCOM FOIA Requester Service Center.

10. Additionally, the Principal Staff Office responsible for FOIA will ensure responsive records are properly classified IAW E.O. 12958, as amended, and are forwarded with the applicable exemptions IAW reference c, and submitted with a legal memorandum justifying nondisclosure of such records.

11. In the event that no responsive records are found, the Principal Staff Office will provide the USCENTCOM FOIA Requester Service Center with a "No Records Found" memorandum which will include a description of the method and scope of the search.

Appendix D

APPEALS

1. USCENTCOM FOIA Requester Service Center will ensure USCENTCOM's initial denial authority advises the requester, in writing, of the right to appeal an adverse decision. All appeals are sent to the Office of the Freedom of Information (OFOI), 1155 Defense Pentagon, Washington, DC 20301-1155. Requesters will have 60 calendar days from the date of the initial response letter to appeal a decision. Requesters must submit appeals with a copy of the initial denial letter.
2. All adverse determinations (i.e., the denial of information) are subject to appeal. Other adverse actions are as follows:
 - a. The disapproval of a fee category claim by a requester, the disapproval of a request for waiver or reduction of fees and a dispute regarding fee estimates.
 - b. A determination not to grant expedited processing.
 - c. Not providing a response determination to a FOIA request within the statutory time limits set forth by reference a.
 - d. Any determination found to be adverse in nature by the requester.
3. If the requester submits an appeal after the conclusion of the 60-day threshold, the DoD OFOI decides whether to process the appeal. Upon determination DoD OFOI notifies USCENTCOM of an appeal via e-mail and/or official correspondence.
4. Response recommendations to DoD OFOI are due within 20 working days from date of receipt. USCENTCOM FOIA Requester Service Center must coordinate with DoD OFOI regarding the status of appeals. Extensions may be requested on a case-by-case basis with justification. When processing a significant number of appeals, the USCENTCOM FOIA Requester Service Center will establish a multi-track system to answer first-in/first-out requests. The USCENTCOM FOIA Requester Service Center retains all fully and partially denied records for a period of 6 years to meet the Chairman Joint Chiefs of Staff Records Disposition Schedule.

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Appendix E

ASSESSING REQUESTER FEES

PURPOSE: 5 U.S.C 552 (The FOIA) allows agencies, in this case DoD organizations, to apply fees for records/documents requested pursuant to the FOIA. This appendix establishes organizational procedures for assessing fees. Fees can not be assessed to deter a requester from seeking information.

1. USCENTCOM FOIA Requester Service Center will inform requesters of the steps necessary to obtain records from appropriate sources, such as the Government Printing Office or the National Technical Information Service, when responsive documents are maintained for distribution by agencies operating statutory-based fee schedule programs. These fees are chargeable under a statute which specifically provides for setting the level of fees for certain types of records.
2. Assessed fees for requests submitted pursuant to the FOIA must reflect direct costs for search, review (in the case of commercial requesters), and duplication of documents. Fees are limited to standard charges and may not be used to discourage requesters.
3. Fees are assessed based on the category determined to be appropriate for the requester's status. A requester is required to indicate a willingness to pay fees before requests are processed. DD Form 2086, Record of Freedom of Information (FOI) Processing Cost (See Figure E-1 for instructions), is used to document costs associated with processing all FOIA requests. The categories are as follows:
 - a. Commercial. Requesters should indicate a willingness to pay all search, review, and duplication costs when the records are requested for commercial use. Therefore, commercial requesters are not entitled to 2 hours of free search time and 100 free pages of document reproduction. Requesters are not normally entitled to a waiver or reduction of fees based upon an assertion that disclosure would be in the public interest.
 - b. Educational, Noncommercial Scientific Institution, or News Media. Requesters should indicate a willingness to pay duplication charges in excess of 100 pages if more than 100 pages of records are desired.
 - (1) Educational Institution. Fees shall be limited to only reasonable standard charges for document duplication (excluding

charges for the first 100 pages) when the request is made by an educational institution whose purpose is scholarly research.

(2) Non-Commercial Scientific Institution. Fees shall be limited to only reasonable standard charges for document duplication (excluding charges for the first 100 pages) when the request is made by a non-commercial scientific institution whose purpose is scientific research.

(3) Representatives of the News Media. Fees shall be limited to only reasonable standard charges for document duplication (excluding charges for the first 100 pages). Upon meeting the fee waiver criteria, fees are waived or reduced.

c. All Others. Requesters who do not fit into any of the categories described above should indicate a willingness to pay assessable search and duplication costs if more than 2 hours of search effort or 100 pages of records are desired. Fees shall be waived or reduced if the fee waiver criteria are met.

4. When assessable costs for a FOIA request total \$25.00 or less, fees will be waived automatically for all requesters, regardless of category. Advance payment of any fee (i.e., payment before work is commenced or continued on a request), is not required unless:

a. The requester has a history of failing to pay fees in a timely fashion (within 30 days of the billing date) on a previous request.

b. USCENTCOM FOIA Requester Service Center determines that the fee will exceed \$250.00. The FOIA office will notify the requester of the likely cost and obtain satisfactory assurance of full payment in writing. Full payment will be required before remitting responsive documents to the requester.

5. Remit payments via electronic funds transfer (credit or debit card), money order, or check to the U.S. Treasurer. The preferred method of payment is via Electronic Fund Transfer through the Defense Finance and Accounting Service (DFAS). All money orders or checks remitting FOIA fees should be made payable to the U.S. Treasurer. USCENTCOM FOIA Requester Service Center will coordinate with the USCENTCOM Resources and Assessment Directorate (CCJ8) to process all checks and money orders, determine transaction codes for treasury account and forward account number to the requester for electronic payment, and confirm with CCJ8 when checks or money orders are processed and upon receipt of electronic payments.

RECORD OF FREEDOM OF INFORMATION (FOI) PROCESSING COST				REPORT CONTROL SYMBOL DD-DA&M(A)1365		
<i>Please read instructions on back before completing form.</i>						
1. REQUEST NUMBER 07-1234	2. TYPE OF REQUEST (X one) <input checked="" type="checkbox"/> a. INITIAL <input type="checkbox"/> b. APPEAL	3. DATE COMPLETED (YYYYMMDD) 20070706	4. ACTION OFFICE CCJ6-RDR			
5. CLERICAL HOURS (E-9/GS-8 and below)		FEE CODE	(1) TOTAL HOURS	(2) HOURLY RATE	(3) COST	
a. SEARCH		1	2.00	X \$20.00 =	40.00	
b. REVIEW/EXCISING		2	1.00		20.00	
c. OTHER ADMINISTRATIVE COSTS		3	4.00		80.00	
6. PROFESSIONAL HOURS (O-1 - O-6/GS-9-GS-15)/CONTRACTOR			(1) TOTAL HOURS	(2) HOURLY RATE	(3) COST	
a. SEARCH		1	1.00	X \$44.00 =	44.00	
b. REVIEW/EXCISING		2	2.00		88.00	
c. OTHER/COORDINATION/DENIAL		3	1.00		44.00	
7. EXECUTIVE HOURS (O-7 - ES 1 and above)			(1) TOTAL HOURS	(2) HOURLY RATE	(3) COST	
a. SEARCH		1		X \$75.00 =	0.00	
b. REVIEW/EXCISING		2			0.00	
c. OTHER/COORDINATION/DENIAL		3	2.00		150.00	
8. COMPUTER SEARCH			(1) TOTAL TIME	(2) RATE	(3) COST	
a. MACHINE TIME (Not PC, desktop, laptop)		4		X	0.00	
b. PROGRAMMER/OPERATOR TIME (Human)						
(1) Clerical Hours		1	0.50		\$20.00/hr	10.00
(2) Professional Hours		1	0.75		\$44.00/hr	33.00
9. OFFICE MACHINE COPY REPRODUCTION			(1) NUMBER	(2) RATE	(3) COST	
a. PAGES REPRODUCED FOR FILE COPY		3	13	X .15 =	1.95	
b. PAGES RELEASED		5	12		.15	1.80
10. PRE-PRINTED PUBLICATIONS			(1) TOTAL PAGES	(2) RATE	(3) COST	
a. PAGES PRINTED		5		X .02 =	0.00	
11. COMPUTER PRODUCT OUTPUT/ACTUAL COST CHARGES			(1) NUMBER	(2) ACTUAL COST	(3) COST	
a. TAPE/DISC/CD		6		X	0.00	
b. PAPER PRINTOUT		3			0.00	
12. OTHER ADMINISTRATIVE FEES			(1) NUMBER	(2) ACTUAL COST	(3) COST	
a. ALL POSTAGE/ADMINISTRATIVE (See instructions)		3	1	X 4.75 =	4.75	
13. AUDIOVISUAL MATERIALS			(1) NUMBER	(2) ACTUAL COST	(3) COST	
a. MATERIALS REPRODUCED		4		X	0.00	
14. SPECIAL SERVICES			(1) NUMBER	(2) ACTUAL COST	(3) COST	
a. ALL SPECIAL SERVICES (See instructions)		6		X	0.00	
15. MICROFICHE REPRODUCED		5		X .25 =	0.00	
FEE CODES 1 Chargeable to "commercial" requesters. Chargeable to "other" requesters after deducting 2 hours. 2 Chargeable to "commercial" requesters only. 3 Not chargeable to any fee category. 4 Chargeable to "commercial". Chargeable to "other" after deduction of the equivalent of 2 hours. (Example: deduct \$88.00 professional rate.) 5 Chargeable to all fee categories after deduction of 100 pages (DOES NOT include "commercial"). 6 Chargeable to all fee categories. No deductions.		16. FOR FOI OFFICE USE ONLY a. TOTAL COLLECTABLE FEES \$60.00 b. TOTAL PROCESSING FEES \$517.50 c. TOTAL CHARGED \$350.00 d. FEES WAIVED/REDUCED (X one) Yes No e. FEES NOT APPLICABLE (X one) Yes No See Chapter 6, Fee Schedule, DoD 5400.7-R, to determine appropriate assessment of fees.				

DD FORM 2086, JAN 2003

PREVIOUS EDITION IS OBSOLETE.

Reset

Figure E-1, Record of Freedom of Information (FOI) Processing Cost, DD Form 2086 (Front Side)

INSTRUCTIONS FOR COMPLETING DD FORM 2086	
<i>This form is used to record costs associated with the processing of a Freedom of Information request.</i>	
<p>1. REQUEST NUMBER - First two digits will express Calendar Year followed by dash (-) and Component's request number, i.e., 03-001.</p> <p>2. TYPE OF REQUEST - Mark the appropriate block to indicate initial request or appeal of a denial.</p> <p>3. DATE COMPLETED - Enter year, month and day, i.e., 20031001.</p> <p>4. ACTION OFFICE - Enter the office processing this request.</p> <p>5. CLERICAL HOURS - For each applicable activity category, enter time expended to the nearest 15 minutes in the total hours column. The activity categories are:</p> <p style="padding-left: 20px;">Search - Time spent in locating from the files the requested information.</p> <p style="padding-left: 20px;">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.</p> <p style="padding-left: 20px;">Other Administrative - Time spent in activity other than above, such as hand carrying documents to other locations, restoring files, etc.</p> <p style="padding-left: 20px;">- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category.</p> <p>6. PROFESSIONAL HOURS - For each applicable activity category, enter time expended to the nearest 15 minutes in the total hours column. The activity categories are:</p> <p style="padding-left: 20px;">Search/Review/Excising/Other - See explanation above.</p> <p style="padding-left: 20px;">- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category.</p> <p>7. 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:</p> <p style="padding-left: 20px;">Search/Review/Excising/Other - See explanation above.</p> <p style="padding-left: 20px;">- Multiply the time in the total hours column of each category by the hourly rate and enter the cost figures for each category.</p>	<p>8. 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 is available, enter the time used and the rate. Then, calculate the total cost which is fully chargeable to the requester.</p> <p style="padding-left: 20px;">- Programmer and operator costs are calculated using the same method as in Items 5 and 6. This cost is also fully chargeable to requesters as computer search time.</p> <p>9. OFFICE COPY REPRODUCTION - Enter the number of pages reproduced and/or released.</p> <p style="padding-left: 20px;">- Multiply by the rate per copy and enter cost figures.</p> <p>10. PRE-PRINTED PUBLICATIONS - Enter total pages.</p> <p style="padding-left: 20px;">- Multiply the total number of pages by the rate per page and enter cost figures.</p> <p>11. COMPUTER COPY - Enter the total number of tapes and/or printouts.</p> <p style="padding-left: 20px;">- Multiply by the actual cost per tape or printout and enter cost figures.</p> <p>12. OTHER ADMINISTRATIVE FEES - Covers postage (when known), correspondence preparation, other non-billable charges not covered under Items 5 - 7, etc.</p> <p>13. AUDIOVISUAL MATERIALS - Duplication cost is the actual cost of reproducing the material, including the wages of the person doing the work.</p> <p>14. SPECIAL SERVICES - Covers items outside of the FOIA such as authenticating records at \$5.20 per seal, overnight mail at cost, and other services for which the requester agrees to reimburse the agency.</p> <p>15. MICROFICHE REPRODUCED - Enter the number of copies and multiply by the rate per copy.</p> <p>16. FOR FOI OFFICE USE ONLY -</p> <p style="padding-left: 20px;">Total Collectable Fees - Add the blocks in the cost column and enter total in the total collectable fees 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.</p> <p style="padding-left: 20px;">Total Processing Fees - Add all blocks in the cost column and enter total in the total processing fees block. The total processing fees in most cases will exceed the total collectable fees.</p> <p style="padding-left: 20px;">Total Charged - Enter the total amount that the requester was charged, taking into account the fee waiver threshold and fee waiver policy.</p> <p style="padding-left: 20px;">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.</p> <p style="padding-left: 20px;">Fees Not Applicable - Indicate if the cost of processing the request was not applicable by placing an "X" in the "Yes" block or the "No" block.</p>

DD FORM 2086 (BACK), JAN 2003

Figure E-1, Record of Freedom of Information (FOI) Processing Cost, DD Form 2086 (Back Side)

Appendix F

ELECTRONIC READING ROOM

PURPOSE: The FOIA requires that records described in 5 U.S.C. 552(a)(2)(A), (B), (C), and (D) are made available, physically and electronically, in an appropriate facility where the public may inspect or copy documents. Records created on or after 01 Nov 96, will be made available electronically.

1. USCENTCOM's reading room is located in the Command and Control, Communications and Computer Systems Directorate, Resources and Analysis Division, Command Records Branch (CCJ6-RD), MacDill AFB, Florida. Requesters can contact the Requester Service Center, Monday through Friday at 813-827-1810 to make an appointment to view digitally scanned or hard copies of released records only. Cost is \$.15 per page to copy document pages. In addition, requesters can view USCENTCOM's publicly released records electronically via the internet at www.centcom.mil/sites/foia/default.aspx.

2. USCENTCOM's FOIA Requester Service Center will establish a working group with Special Security Office, Foreign Disclosure Office, Operations Directorate, Staff Judge Advocate, and Public Affairs Office to evaluate proposed documents for possible "mosaic theory" or "compilation theory" before posting on the USCENTCOM FOIA Reading Room web site. Documents identified for posting should be records requested by two or more requesters or records obtaining high public interest where reading room accessibility would stave off additional requests seeking like material, (e.g., fratricide incidents). The working group will convene and determine sufficiency for adding the responsive material to the USCENTCOM FOIA website reading room. The FOIA Requester Service Center, as the chair of the working group, will staff the working group's recommendation for CCJ6 Director or Deputy's approval to load a releasable version of the responsive material into the USCENTCOM FOIA electronic reading room.

3. USCENTCOM may remove documents from the website when public interest fades or 24 months after being posted, whichever is later.

4. USCENTCOM will maintain an index of records published within the USCENTCOM FOIA reading room. The USCENTCOM FOIA Requester Service Center may link to records relied on, used, or cited as precedence from other agencies websites as reference documents.

5. The USCENTCOM FOIA Requester Service Center will update and submit a quarterly index of records to DoD OFOI, as applicable, or provide notification that an index is not necessary for the required quarter IAW U.S.C. § 552 (a)(2)(A)-(D), Frequently Requested Records.

6. Each index of U.S.C. 552 (a)(2) records will be arranged by topical or descriptive words, rather than by case name or numbering system, so that the public can readily locate material. Case name and numbering arrangements may also be included for convenience.

7. The USCENTCOM FOIA Requester Service Center will post on the website information describing USCENTCOM as an organization, its functions, and mission as described in 5 U.S.C. § 552 (a)(1), Publication Requirement. This requirement provides the public with automatic access to very basic information regarding the transaction of agency business.