



DEPARTMENT OF THE ARMY
FREEDOM OF INFORMATION AND PRIVACY ACTS OFFICE
7798 CISSNA ROAD
SPRINGFIELD VA 22153-3166



REPLY TO
ATTENTION OF

September 9, 2002

20020485 ARM024

FOIA 02-1146

Mr. William Ferroggiaro
The National Security Archive
The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, DC 20037

RECEIVED SEP 12 2002

Dear Mr. Ferroggiaro:

This letter responds to your Freedom of Information Act (FOIA) request dated September 3, 2002, and received in this office on September 4, 2002. You request all records concerning the Department of the Army's implementation of U.S. Attorney General John Ashcroft's October 12, 2001, memorandum, Subject: The U.S. Freedom of Information Act.

In response to your request a search was conducted of all files within the jurisdiction of the Freedom of Information and Privacy Acts Office, Springfield, VA, concerning the Army implementation of the Ashcroft October 12, 2001 memorandum forwarded to this office under a Department of Defense (DoD) memorandum. Enclosed are our electronic mail attachments disseminated throughout Army advising all subordinate commands that this FOIA policy supersedes the Janet Reno policy Memorandum dated October 4, 1993. Please be advised that some of the information contained in those documents has been redacted. This information has been withheld pursuant to 5 U.S.C. § 552(b)(6), which protects the release of personally identifying information concerning military and civilian Federal employees, as disclosure would raise security or privacy concerns. Portions of this information is also withheld pursuant to 5 U.S.C. § 552(b)(3), which protects the release of personally identifying information regarding any member of the armed forces or employee of DoD who is assigned to a unit that is overseas, "sensitive," or "routinely deployable".

Further, AR 25-55, The Department of the Army Freedom of Information Act Program, is being revised to include the provisions of the Ashcroft memorandum as written. Please be advised that this regulation is a draft, and is therefore being withheld pursuant to 5 U.S.C. § 552(b)(5), Deliberative Process Privilege, as disclosure would injure the quality of agency decisions. When this regulation is finalized and published it will be available at our web site www.rmda.belvoir.army.mil.

If you interpret this response as an adverse action, you may appeal in writing to this office, at the above address, within 60 days from the date of this letter. This office will prepare an appeal package and forward those documents together with your appeal to the Secretary of the Army, ATTN: Office of the General Counsel, 104 Army Pentagon, Room 2E725, Washington, DC 20310-0104, for a final determination.

The fee has been waived as it falls below the DoD threshold of \$15.00. If this office can be of further assistance to you, please contact Brenda Carter of my staff, or myself, at the above address. The telephone number is (703) 806-7140.

Sincerely,

Rose Marie Christensen
Chief, Freedom of Information
and Privacy Acts Office

Enclosures