



DEPARTMENT OF THE NAVY
NAVAL DENTAL CENTER SOUTHWEST
2310 CRAVEN ST.
SAN DIEGO, CALIFORNIA 92136-5596

NDCSWINST 5720.1B
02
26 June 2003

NAVDENCEN SOUTHWEST INSTRUCTION 5720.1B

Subj: FREEDOM OF INFORMATION ACT (FOIA) PROGRAM

Ref: (a) SECNAVINST 5720.42E
(b) CNO ltr 5720 Ser N09B10/3U507685 dtd 26 Mar 03

1. Purpose. To establish policy and guidance for implementing the provisions of the Freedom of Information Act (FOIA) in accordance with references (a) and (b).
2. Cancellation. NDCSWINST 5720.1A.
3. Applicability. This instruction applies to disclosure of records to “any person”, defined as any individual (including foreign citizens), partnerships, corporations, associations and foreign, state or local governments. These may use the FOIA to obtain information. Excluded from this policy are Federal agencies or fugitives from justice.
4. Policy. It is the Department of the Navy (DON) policy to make its records available to those requesting such under the FOIA. When requested, this command shall assist those requesters in complying with administrative procedures necessary to obtain materials sought under the Act. Due to the limited number of FOIA requests, this activity will consult with legal services prior to acting on a request. Such actions shall not create unauthorized delays, and reply shall be processed within 10 working days.
5. Responsibility and Authority
 - a. FOIA Coordinator: The Leading Chief Petty Officer of the Personnel Administration Department is designated as the FOIA Coordinator, and shall:
 - (1) Ensure FOIA Program is implemented and administered as directed under reference (a).
 - (2) Serve as principal point of contact on FOIA matters and consult with legal services on all FOIA requests.
 - (3) Ensure entry of each FOIA request and fee remittance into correspondence tracking system to comply with timely response to each request.
 - (4) Collect statistics to forward a timely and accurate Annual FOIA Report to higher authority.

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b. Release Authority. The role of the release authority is to respond to requests for documents under his/her cognizance for which no FOIA exemption applies. The Commanding Officer is the releasing authority.

c. Initial Denial Authority (IDA). The IDA role is to deny and grant requests, in whole or in part, for documents or records under his or her cognizance; to grant one 10-working day formal extension to the time limit for responding to FOIA requests; and to deny requests to waive or reduce FOIA fees when the information sought relates to matters within their respective geographical areas of responsibility or chain of command. Commander, Navy Region Southwest is the IDA for this command.

5. Action. All personnel shall ensure that any FOIA requests, which are received by them, are delivered to the FOIA Coordinator immediately upon receipt. All personnel are charged with ensuring timely and accurate compliance with the FOIA program and its guiding directive.



J. W. KIRBY