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DEPARTMENT OF THE NAVY  
COMMANDING OFFICER  
NAVAL SUPPORT ACTIVITY, NORFOLK  
7918 BLANDY ROAD SUITE 100  
NORFOLK, VIRGINIA 23551-2419

NAVSUPPACTNORVAINST 5720.1  
N4  
17 Jan 03

NAVSUPPACT NORFOLK INSTRUCTION 5720.1

Subj: IMPLEMENTATION OF THE FREEDOM OF INFORMATION ACT

Ref: (a) SECNAVINST 5720.42F  
(b) COMNAVREGMIDLANTINST 5720.42  
(c) DODD 5400.7R

1. Purpose. To assign responsibilities for coordination and implementation of the Naval Support Activity (NAVSUPPACT), Norfolk Freedom of Information Act (FOIA) Program, delineate procedures for processing requests, and promote uniformity in the Department of the Navy (DON) FOIA Program as outlined in references (a) through (c).

2. Cancellation. LANTFLTHEDSUPPACTINST 5720.42A.

3. Background. Department of the Navy policy specifies that commands will provide requesting individuals and organizations with access to agency records subject to the exemption procedures listed in reference (a).

4. Definitions

a. Freedom of Information Act Request. A written request for DON records, made by any "person", including a member of the public (U.S. or foreign citizen), an organization, or a business, but not including a Federal agency or a fugitive from the law.

b. Agency Record. The products of data compilation, such as all books, papers, maps, photographs, machine readable materials, 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 in DON's possession and control at the time a FOIA request is made. An agency is not required to create a record when a search results in a failure to locate responsive records.

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c. Release Authority. The Commanding Officer of NAVSUPPACT Norfolk or their designee is authorized to furnish copies of records under their cognizance for which no FOIA exemption applies.

d. Initial Denial Authority. An official who has been granted authority to withhold records under FOIA, either in whole or in part, based on FOIA exemptions.

5. Action

a. The Legal Officer will serve as the FOIA Coordinator and will:

(1) Serve as point of contact for NAVSUPPACT Norfolk matters and prepare responses to FOIA requests;

(2) Prepare implementing instructions regarding the FOIA;

(3) Submit an annual FOIA report to Commander, Navy Region, Mid-Atlantic, with a copy of existing applicable records by 25 October of each year;

(4) Provide FOIA training to all command personnel;

(5) Review all command internal directives, practices, and procedures relating to the control of DON forms and records, for conformity with reference (a);

(6) Review activity compliance with reference (a) for "For Official Use Only" information;

(7) Provide guidance on handling FOIA requests and the scope of FOIA exemptions; and

(8) Conduct departmental visits within the command to ensure familiarity and compliance with FOIA.

b. Employees of DON will:

(1) Not disclose any information contained in agency records by any means of communication to any person or agency, except as authorized by reference (a);

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(2) Safeguard the privacy of individuals and confidentiality of personal information contained in agency records; and

(3) Familiarize themselves with all regulations under the FOIA.

6. Rejection of requests for access to information under the FOIA. Commander, Navy Region, Mid-Atlantic is authorized to deny requests for access to agency records made under reference (a), when the records relate to NAVSUPPACT Norfolk since the Commanding Officer does not have general courts-martial convening authority as required by reference (a).



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