



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

IN REPLY REFER TO
BUMEDINST 5720.7B
BUMED-M00J
15 Jun 2011

BUMED INSTRUCTION 5720.7B

From: Chief, Bureau of Medicine and Surgery
To: All Internal BUMED Codes

Subj: PROCEDURES FOR HANDLING FREEDOM OF INFORMATION ACT REQUESTS

Ref: (a) The Freedom of Information Act (FOIA)
(b) DoD Directive 5400.07 of 2 Jan 2008
(c) SECNAVINST 5720.42F

1. Purpose. To ensure Bureau of Medicine and Surgery (BUMED) compliance with references (a) through (c) and to establish related administrative procedures.

2. Cancellation. BUMEDINST 5720.7A.

3. Background

a. The Freedom of Information Act (FOIA), setting forth the right of members of the public access to Government records, has been in effect for several years. In late 1974, Congress enacted a set of amendments to the Act which, among other things, requires a very high degree of responsiveness, including timeliness, in the handling of all FOIA requests. These amendments became legally binding on 19 February 1975.

b. The FOIA governs the release to the public of all types of information, including personal information contained in Federal records.

c. In contrast, the Privacy Act of 1974 deals primarily with personal information in systems of records – its collection, maintenance, use, and dissemination – and governs all requests from individuals who seek information on, access to, copies or amendment of records pertaining to themselves that are contained in a system of Federal records.

4. Policy

a. BUMED Legal Affairs (BUMED-M00J) shall serve as the FOIA Coordinator.

b. All BUMED personnel who receive requests for information under FOIA shall refer the request to BUMED-M00J as soon as it is received so that it can be processed in a timely fashion. Supervisors at every level shall ensure subordinates are aware of how to recognize a FOIA request, the time limits for responding to a FOIA request, and how to route such a request.

c. Forward requests for information which do not refer directly to the FOIA, but which suggest possible application of the FOIA, to BUMED-M00J for a determination.

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d. FOIA requests will receive top priority, and the action offices shall assign an action officer as soon as a request is assigned or received.

e. BUMED-M00J is responsible for responding to all FOIA requests in accordance with references (a) through (c).

5. Initial Denial Authority. The BUMED denial authority is the Legal Affairs Staff Judge Advocate who has the authority to act "by direction."

6. Reports. All reports required by references (b) and (c) will be processed and submitted by BUMED Legal in accordance with those references.

A handwritten signature in black ink that reads "A. M. Robinson, Jr." with a stylized, cursive script.

A. M. ROBINSON, JR.

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