OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

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ADMINISTRATION & MANAGEMENT

Ref: 01-CORR-010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Withholding Personal Information of DoD Personnel

The Defense Authorization Act for FY 2000 granted the Secretary of Defense authority to withhold personal identifying information regarding personnel in overseas, sensitive, or routinely deployable units pursuant to the Freedom of Information Act (FOIA), Title 5 USC § 552(b)(3). This provision is codified at Title 10 of the United States Code at Section 130b.

This statute allows for the withholding of names, ranks, duty addresses, official titles, and pay information of DoD personnel (civilian and military) in overseas, sensitive, or routinely deployable units when this information is requested under the FOIA. Previously, such information was withheld under the FOIA (b)(6) exemption. Effective immediately, components should withhold the above described information by citing both the (b)(3) and (b)(6) exemptions. Although the statute does not address withholding telephone numbers and e-mail addresses, it is DoD policy in accordance with DoD 5400.7-R, section C3.2.1.6.2.2, to withhold the additional information of DoD personnel in these units under FOIA exemption (b)(6).

This policy does not preclude a DoD component's discretionary release of names and duty information of personnel in overseas, sensitive, or routinely deployable units who, by the nature of their position and duties, frequently interact with the public, such as flag/general officers, public affairs officers, or other personnel designated as official command spokespersons. Additionally, this does not change the way public affairs officials do business and the rules under which public affairs offices release information to the general public and the media. Public affairs offices should continue to release information in accordance with current Defense Department directives and regulations, Service regulations, Privacy Act restrictions and security classifications.

The point of contact for this policy is Mr. Jim Hogan, Directorate for Freedom of Information and Security Review, (703) 697-4026 or DSN 227-4026.

D. O. Cooke
Director