



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY MEDICAL COMMAND
HEALTH CARE ACQUISITION ACTIVITY
2050 WORTH ROAD, SUITE 37
FORT SAM HOUSTON, TEXAS 78234-6037

MCAA

12 October 2001

MEMORANDUM FOR CHIEFS, MEDCOM HCAA CONTRACTING OFFICES

SUBJECT: Administrative Processing Procedures for Freedom of Information Act (FOIA) Request, Operating Instruction 02-01 (FAR 24.2)

1. Purpose. To establish administrative procedures for processing FOIA requests.
2. If HCAA receives the FOIA request through the MEDCOM FOIA Officer, HCAA will establish a suspense date and forward FOIA requests to the responsible contracting office under a suspense cover. If the FOIA is routed directly to a contracting office, the responsible contracting office official will track the suspense with and through the assigning FOIA Officer.
3. FOIA requests coming in to HCAA, MEDCOM FOIA Officer, or a regional contracting office on the Purchase Card Program (aka IMPAC) will be tasked to the applicable RCO's Purchase Card Agency Program Coordinator (APC) for immediate action. FOIA requests typically fall into two categories; request for Cardholder lists and/or specific Cardholder purchasing data. Requestors are typically vendors. When a listing of Cardholders is requested, a bank generated TBR00210 report is releasable after account numbers have been removed.
4. A request for specific cardholder data is also releasable with appropriate sensitive information removed. When a TBR00210 report is not readily available, or can not be reasonably generated, the requestor should be advised that cardholder statements are available and are generally releasable. Keep in mind that certain cardholder records may be exempt due to the cardholders' position (deployable), duty station (overseas), or sensitivity (Intel) and it will be up to each RCO's Purchase Card Agency Program Coordinator (APC) to ensure those accounts are not

This Operating Instruction supersedes OI 01-01, 25 Oct 00.

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released under the FOIA. Please work closely with the HCAA and FOIA office in determining which accounts can be released.

5. Irrespective of the origin of the FOIA request, the responsible contracting office official will prepare the response letter for signature of either the Principal Assistant Responsible for Contracting (PARC), if the contracting officer determines facts warrant denial, or appropriate responsible contracting official if the information is deemed releasable.

6. The responsible contracting official will normally mean the contracting officer, but could also be an individual in the contracting officer's chain of command commensurate with the value of the contract and circumstances surrounding the release. **Only denials require PARC signature.**

7. If releasable, the responsible contracting official should forward a copy of the response to HCAA and through the cognizant FOIA Officer to close the action. When processing an IMPAC FOIA information request, make sure you remove the card account number from the statement prior to release.

8. If a denial letter is required, the responsible contracting official will obtain legal coordination prior to forwarding the proposed letter to HCAA for PARC signature (a minimum of 2 working days before the HCAA suspense date if applicable). If the responsible contracting official can not meet the HCAA or FOIA Office assigned suspense date, the official will coordinate the extension with the HCAA administrative staff or the FOIA Office as appropriate and annotate the suspense extension in the final submission. Denial letters must cite relevant exemption(s). Should changes be required, the package will be returned to the contracting office for correction.

9. The responsible contracting official will prepare all responses IAW guidance contained in AR 25-50 and MEDCOM Correspondence Guide.

10. The responsible contracting office official will include the standard paragraph on fees or waiver of fees in the

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response. Fees will be waived if it takes less than 2 hours to prepare the response and/or 100 pages or less are provided.

11. The responsible contracting office will ensure all enclosures are attached and a DD Form 2086, Record of Freedom of Information Processing Cost, is completed. **Only Asterisk items are chargeable.**

12. Once the PARC signs the denial letter, the HCAA will add the date to the original and return to the responsible contracting office for dispatch and closure through the appropriate FOIA Officer. If HCAA initially received the request through the MEDCOM FOIA Officer, the suspense will be closed by HCAA.

13. Sample letters of releasable information with fee and fees waived are at Enclosures 1 and 2, respectively. Sample denial letter is at Enclosure 3.

14. Our technical point of contact is Mr. Gary Pinion, (210) 221-3089. Our administrative point of contact is Mrs. Kathleen Battaglia, (210) 221-3298.



LINDA H. SMITH
Chief of Staff

3 Encls

CF:
MEDCOM FOIA/PA OFFICER
HCAA/BOB-CAT Webmaster



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

LETTERHEAD OF HCAA CONTRACTING OFFICE

Mr. William N. Hunter
Hunter Medical, Incorporated
2104-A Gallows Road
Vienna, Virginia 22182

Dear Mr. Hunter:

This is in response to your Freedom of Information Act request of October 26, 1999, for copies of modifications since September 1998 through the most recent modification under contract DADA10-97-D-0026.

I have enclosed copies of modifications P00021 through P00025 issued under contract DADA10-97-D-0026.

In order to comply with federal requirements for requesters to pay a reasonable cost, as outlined under the Freedom of Information Act, remit a check in the amount of \$37.00 to the Treasurer of the United States. Mail the check to Commander, U.S. Army Medical Command, Attention: FOIA Officer, 2050 Worth Road, Suite 13, Fort Sam Houston, Texas 78234-6013.

Should you have any questions, please contact Mrs. Margie Moncada, Contracting Center, U.S. Army Medical Command Health Care Acquisition Activity, 210-295-4346.

Sincerely,

Contracting Officer or
Individual in KO's Chain of
Command

Enclosures

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I have enclosed copies of modifications P00021 through P00025 issued under contract DADA10-97-D-0026.

We are waiving the fees for furnishing this information as they are under the automatic waiver threshold.

Should you have any questions, please contact Mrs. Margie Moncada, Contracting Center, U.S. Army Medical Command Health Care Acquisition Activity, 210-295-4346.

Sincerely,

Contracting Officer or
Individual in KO's Chain of
Command

Enclosures

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U.S. ARMY MEDICAL COMMAND
HEALTH CARE ACQUISITION ACTIVITY
2050 WORTH ROAD, SUITE 37
FORT SAM HOUSTON, TEXAS 78234-6037

REPLY TO
ATTENTION OF

(preparing office;
i.e., Contracting Center)

Mr. Dale G. Johnson
Med National, Incorporated
1010 Central Parkway South
San Antonio, Texas 78232

Dear Mr. Johnson:

Reference your September 13, 2000, request for information under the Freedom of Information Act.

As the Initial Denial Authority, I must inform you that the abstract of proposals for contract DADA10-96-C-0028 is not releasable. Denial is under Exceptions 3 and 4 of the Freedom of Information Act. The MEDCOM Contracting Center has already provided the other information you requested.

You may appeal this initial denial to the Secretary of the Army. In the event you decide to appeal, send your letter of appeal within 60 days of the date of this denial letter through the U.S. Army Medical Command, Attention: Principal Assistant Responsible for Contracting, to the Office of the Secretary of the Army, The Pentagon, Attention: Office of the General Counsel, Freedom of Information Act Appeal, Washington, DC 20310-0104.

Should you have any questions, please contact Mr. Mike Gonzales, Contracting Center, U.S. Army Medical Command Health Care Acquisition Activity, 295-4357 for further assistance.

Sincerely,

Paul G. Michaels
Lieutenant Colonel, U.S. Army
Principal Assistant Responsible
for Contracting

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