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Information Management: Records Management

PUBLICATIONS AND RECORDS MANAGEMENT PROCEDURES GUIDE

***This pamphlet is the first edition.**

FOR THE COMMANDER:

LEWIS F. SETLIFF III
Colonel, GS
Chief of Staff

OFFICIAL:



GARRIE BARNES
Chief, Publications and
Records Management

Summary. This pamphlet establishes procedures for the Publications and Records Management areas of Command Publications, Forms Management, Self-Service Copiers, Translation Services, Records Transfer, Privacy Act (PA), Freedom of Information Act (FOIA) and Official Mail and Distribution. Its purpose is to provide information and guidance pertaining to local procedures that are either not addressed in the publications directing these programs or procedures that need local guidance/clarification.

Summary of change. This pamphlet has been substantially changed; a full review of its contents is required.

Applicability.

a. As provided for under DOD 5100.3-D, the Eighth Army is the Executive Agent for inter-service support in the Republic of Korea (ROK). As such, the Installation Management Command Korea (IMCOM-K) is responsible for providing administrative support and guidance to Eighth Army in the areas contained in this pamphlet.

b. DOD Directive 5330.3 requires all commands and activities to obtain printing and reproduction services from the Document Automation and Production Services (DAPS).

c. This pamphlet applies to United States Forces, Korea (USFK) staff elements, Eighth Army Headquarters (HQ) and staff elements, subordinate commands, assigned units, IMCOM-K, and other activities in the ROK, which have inter-service support agreements with Eighth Army.

Supplementation. Issue of supplements to this pamphlet is prohibited.

Forms. AK forms are available at http://8tharmy.korea.army.mil/g1_ag/

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. Records titles and descriptions are available on the Army Records Management System website: <https://www.arims.army.mil>.

Suggested Improvements. The proponent of this pamphlet is the Assistant Chief of Staff (ACS) G1, (EAGA-PPR). Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Publication and Record Management (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236.

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Chapter 1

Introduction

1-1. Purpose

This pamphlet establishes procedures for the areas of Command Publications, Forms Management, Self-Service Copiers, Translation Services, Records Transfer, PA and FOIA, and Official Mail and Distribution. Its purpose is to provide information and guidance pertaining to local procedures that are either not addressed in the publications directing these programs or procedures that need local guidance/clarification.

1-2. References

Required and related publications are listed in appendix A.

1-3. Explanation Of Abbreviations and Terms

Abbreviations and terms used in this pamphlet are explained in the glossary.

Chapter 2

Command Publications

2-1. General

This chapter and AK Regulation 25-35 prescribe uniform procedures necessary for writing and publishing United States Forces Korea (USFK) and Army in Korea (AK) command publications. This guidance may also be followed for writing and publishing local agency publications. Since Eighth Army is the administrative agent for USFK on publication policy, this chapter also applies to USFK staff sections that prepare USFK command publications and tri-headquarters publications, i.e., United Nations Command (UNC)/ Combined Forces Command (CFC)/USFK publications).

a. If a command is serving as the administrative agent for another command, or if a support agreement, memorandum of understanding (MOU), or memorandum of agreement (MOA), exists between commands or between a command and an element of another major Army command (MACOM), procedural policies and responsibilities may be prescribed by another official publication. In such cases, proponents must be careful not to exceed the authority of their role as administrative agent or exceed the bounds of the support agreement, MOU, or MOA.

b. If a publication applies to elements of the United Nations Command (UNC), CFC, and USFK, a joint publication must be issued. A draft of the proposed publication must be staffed through all affected Commands. Staffing through UNC, CFC or USFK must begin with the Secretary Combined Joint Staff (SCJS). The draft must be hand carried to the SCJS by the action officer or a knowledgeable representative.

c. The G1 Publications Officer will notify staff agencies when new publications are published which may require updated supplementation. When required, staff agencies will initiate action to publish or update supplements to higher HQ publications.

d. All publication proponents must conduct a review of their publications every 18 months to ensure the continued need for the publication and determine whether the publication should be revised or rescinded.

e. In accordance with (IAW) the Department of the Army "less paper" policy, when a new publication is processed, paper copies are no longer printed, stocked and distributed. AK and USFK Publications (with the exception of classified publications) are on the USFK Intranet for

access and downloading as required at: <http://www.usfk.mil>.

f. Standing operating procedures (SOPs), policy letters, operation plans, and contingency plans are not eligible for editorial service by the G1 Publications Officer.

g. The editing of classified publications must be done in the proponent's office using a classified computer. The proponent of a classified regulation is responsible for maintaining and transferring the records set IAW AR 380-5.

h. Normally, supplements are automatically rescinded when the basic regulation is rescinded. Proponents of such supplements must review them to ensure their supplements are current IAW AR 25-30, chapter 2. Subordinate command supplements to Army, AK, and USFK regulations must be coordinated through the G1 Publications Officer. **NOTE:** The supplementation of Pamphlets is prohibited.

i. The index of command publications is updated quarterly and published on the intranet annually on 1 October.

j. Publications will be written IAW rules for writing in AR 25-50, DA Pam 25-40, and the United States (U.S.) Government Printing Office Style Manual.

2-2. Procedures For Writing New or Revised Publications

a. Proponents (staff section chiefs) of command publications are responsible for the content of their publications. The following guidelines are provided when creating draft publications:

(1) Review existing publications to ensure that proposed publications do not conflict with or duplicate other existing publications. Consolidating or revising current publications is preferred to establishing a new regulation.

(2) If consolidation is not possible, determine the appropriate publication media IAW AR 25-30. Proponents will contact the G1 Publications Officer at 724-6499, to resolve questions on the appropriate medium and the correct assignment of a number for a new command publication. The G1 Publications Officer will also provide assistance in the formatting of the publication prior to staffing.

b. Coordinate the draft using the following guidelines:

(1) The coordinating process is the responsibility of the proponent. Proponents, at a minimum, will:

(a) Include a summary of the revisions or changes being made when staffing either revisions or changes to publications. Arrange all comments in sequence by draft page and paragraph or subparagraph number, and show exactly what is meant to be changed and how. Ensure that all comments are numbered consecutively, that deleted material is shown in quotation marks when it is part of a paragraph or subparagraph, and that added material is properly inserted in the appropriate section.

(b) Reflect only approved policies and procedures so the proposed draft publication may be easily read and understood. The writing style will be appropriate for the user and the intended purpose of the publication. Additional guidance on style is available in DA Pam 25-40. Additionally it is recommended all "draft publications" be pre-edited by G1 prior to initial staffing;

this will reduce errors and workload.

(2) Draft publications may be staffed by e-mail or by posting to the intranet in order to reduce workload and paper usage. Submit the draft publication for coordination to those staff elements, component commands, and subordinate commands which are delegated responsibilities, must implement the provisions of the publication, or are significantly affected by the publication. Proposed publications that may impact on a wide range of personnel (for example, prohibited conduct, law enforcement, overseas tours, and others) will be coordinated with all major subordinate commands (MSCs). Supplements to local regulations will be coordinated with subordinate commands to negate the need for further supplementation. To expedite the staffing of publications, e-mail should be utilized whenever possible.

(3) Merge relevant comments and changes in order to resolve any conditional concurrence or nonconcurrence. Major changes to draft regarding policies and procedures may require restaffing, as determined by the appropriate staff secretariat.

(4) After the document has been edited by G1 and after all concurrences/nonconcurrences have been reviewed and resolved, the action officer will ensure the following listed actions are taken:

(a) The Chief, Administrative Law Division (FKJA-AL), reviews the publication for legal sufficiency. If the publication is determined to be punitive in nature, the SJA will include a comment to that effect to alert the appropriate staff secretariat or Chief of Staff of the requirement for the personal approval of the Commander, USFK or Commanding General, Eighth Army.

(b) The labor counselor(s) at the Office of the Judge Advocate reviews the proposed publication for impact from a labor relations standpoint. Those proposed publications that may affect this program will be taken, by the action officer, to the Director, Human Resources Management (DHRM), Unit #15236, APO AP 96205-5236.

(c) The appropriate authority in the DHRM determines the effect of the proposed publication on labor relations. If the determination is that labor organization notification is mandatory, the proponent is responsible for ensuring that all issues are resolved prior to requesting publication approval.

c. Approval process

(1) The draft publication will be taken to the SCJS/SGS using the appropriate USFK or AK Form 108 (Staff Summary Sheet). The USFK/AK Forms 108 are available on the USFK Intranet at: <http://www.usfk.mil/> for filling and downloading as required. As a minimum, all publications (prior to final submission for editorial services) will be coordinated through the SJA and the SCJS, for UNC/CFC/USFK publications, for the Chief of Staff approval. IAW AK Reg 25-35, AK publications must be submitted to either SGS or IMCOM-K, as appropriate, for approval by the respective Chief of Staff.

(2) If approved for publication, the staff secretariat will stamp the USFK or AK Form 108 and return the publication to the proponent. If the publication is not approved, the staff secretariat will return the publication to the proponent, and the proponent will make any additional coordination or changes and resubmit the publication for approval.

(3) The proponent will provide an electronic copy of the USFK or AK Form 108 showing coordination and approval for publishing to the G1 Publications Officer. When writing supplements to ARs which prohibit supplementation unless approved by the DA proponent, a copy of the DA

proponent approval must be included in the packet.

(4) The G1 Publications Officer will perform a final edit of the publication (after coordination and approval) and direct changes necessary to ensure that publications are administratively sufficient. Material that is unnecessary or duplicates or conflicts with existing publications may be deleted. The editing process will also include the review of forms, formats, and reporting requirements to ensure that they are given correct form numbers and titles within the publication, and that they contain proper Requirement Control Symbols (RCS) for required reports directed in the publication. If required a Privacy Act statement will be added to forms.

(5) If new or revised forms are required, the action officer must complete a DD Form 67 for each form.

(6) After editing, the proposed final publication will be returned to the proponent for a final review. After the final review, the publication will be returned to the G1 Publications Officer for authentication and then placement on the Intranet.

2-3. The POC for Command Publications: The G1 Publications Officer - 724-6499.

Chapter 3 Forms Management

3-1. General

Policies on Forms Management are contained in AR 25-30.

- a. Forms requests that duplicate a higher echelon form will not be approved.
- b. Agency and Command forms will have a prescribing directive. If the prescribing directive is rescinded, the form(s) prescribed by that directive are also canceled.
- c. The reproduction of blank forms, available electronically, is a user responsibility. When mass (in excess of 500 pages) reproduction is required, the user must provide funding to DAPS. Blank forms, which are not in electronic media, must be ordered from the USAPA, St. Louis, by each individual account holder individual units. Funding for reproduction of USFK/AK forms not available electronically is the responsibility of the using activity.
- d. Current Army policy states that only one overseas activity is allowed to requisition blank forms. However, an exception has been granted to permit Eighth Army to designate lower levels of command to requisition blank forms directly from USAPA. This exception does not apply to accountable and sensitive forms, e.g., award certificates, cash meal books, courier cards, etc. To requisition accountable and sensitive forms from USAPA, users must submit a DA Form 17 (Request for Publications and Blank Forms) to the PRM. Users should maintain a 90-day supply of blank forms due to the lead-time of 6-8 weeks involved in the shipping process from USAPA. The POC for requisition accountable and sensitive forms is 724-7095.

3-2 Procedures for Requesting and Obtaining Blank Forms

- a. Commanders will designate requisitioning authorities; however, this authority may be no lower than battalion level except for activities geographically remote from their battalion HQs. The C/J/G staffs and separate activities may establish separate accounts. All requisitioning activities must submit a DA Form 12-R (Request for Establishment of a Publications Account) through this

HQ (EAGA-PPR). Publications account holders must submit a change 12-R to effect any changes of address or of the publications officer. USAPA will not process any requests that are not approved by this headquarters. Further guidance can be obtained from the USAPA website at: www.usapa.army.mil

- b. Joint award certificates are requisitioned and issued by the J1.
- c. Local non-electronic command forms must be reproduced by DAPS and, if necessary, paid for, stored and issued by the user.
- d. For all local command forms (USFK/AK), the proponent will forward requests to the Command Forms Manager for final approval and assignment of form numbers. Specific procedures for requesting approval of forms are found in paragraph 3-3.

3-3. Procedures for Approval of New, Revised, or Electronically Generated Forms

a. Send one copy of a completed DD Form 67 (Forms Processing Action Request) to your Forms Management Officer (FMO). The DD Form 67 is available electronically on the USAPA homepage at: www.usapa.army.mil. For all USFK and AK forms, requests will be forwarded by the FMO to G1, Eighth Army (EAGA-PPR), Unit #15236, APO AP 96205-5236.

b. For electronic forms, send a draft on disk of the proposed form, or a list of the data elements required on the form.

c. Title the form and show the prescribing directive underneath the title.

d. A suppression notice will be included when the form replaces another form or an earlier edition of the same form. Indicate whether a previous edition may be used until the existing supply is exhausted or whether it should be destroyed.

e. If a form is to be used to collect personal data from an individual--

(1) A Privacy Act (PA) Statement must be developed. Consult your PA official as needed, to ensure that the statement meets the requirements of the PA.

(2) Have your PA official complete the PA portion of the form (item 14a) before submitting DD Form 67 to your FMO. The FMO will not accept this form unless that portion is checked and signed.

(3) Integrate the PA statement on the form using one of two methods below. (This integration is done by the FMO.)

(a) Include the PA statement in the body of the form, preferably below the title and positioned so that it can be easily seen before the person begins to fill out the form.

(b) Print the statement on the back of the form. In this instance, place a note on the front of the form, below the title, stating where the PA information is located.

3-4. Temporary, Test, or One-Time Forms

a. Forms needed for temporary, test, or one-time use must be assigned a number in the proper series. Following the form number, insert the wording "Temporary," "Test," or "One-Time."

Examples are--

USFK Form 0000, 1 Aug 10 (TEMPORARY)
AK Form 0000, 1 Aug 10 (TEST)
AK Form 0000, 1 Aug 10 (ONE-TIME)

b. A temporary form will be printed for a limited time (normally not more than 1 year) to serve a specific requirement. The form will become obsolete when its purpose has been served.

c. A test form will be printed for use only during a testing period that is specified in the prescribing instructions. The form will become obsolete after the test is completed. To continue use after the test, convert the form to a permanent form.

d. A one-time form will be printed to meet a one-time requirement, such as a report made only once. When the requirement is completed, the form will become obsolete.

3-5. Forms or Labels Designed to Be Self-Mailing

These forms or labels will not be approved by the designated functional manager unless authorized by the Official Mail Manager (OMM) by signature appearing on the DD Form 67, block 14b.

3-6. Overprinting of Forms

a. Send the request for overprinting of command forms to the PRM (EAGA-PPR), G-1 Eighth Army, Unit #15236, APO AP 96205-5236, and overprinting of agency forms to the FMO in your area. The DD Form 67 will be used to request overprinting approval. To avoid waste, do not overprint with data subject to change (such as names) and limit the quantity printed at one time. AR 25-30 does not authorize overprinting of Standard Forms (SFs) or Optional Forms (OFs).

b. Overprinting must not alter the appearance of the form. Overprinting is considered filling out information that will be the same each time it is filled out in the space provided.

3-7. Reviewing Forms

a. Commanders or designated functional managers will ensure that an annual review is conducted of all forms for which their agency or command is responsible. This review is necessary to ensure that all forms are essential and current.

b. Commanders or their designated functional managers will forward one copy of their pamphlet, Index of Blank Forms, to PRM, G-1, Eighth Army and provide updates as they occur.

c. The Command Forms Manager will consolidate and publish a pamphlet annually to reflect all current forms under his/her jurisdiction.

3-8. The POC For Forms: The Command Forms Manager - 724-6499.

Chapter 4

Self-Service Copiers

4-1. General Information

a. The USFK staff, 8th Army staff and assigned units, and IMCOM-K units will comply with the procedures in this pamphlet when requesting copier equipment. Office copiers are leased through Defense Logistics Agency (DLA), Document Services Korea.

b. Acquisition of self-service copiers (including color self-service copiers) will not be acquired for the primary purpose of circumventing the use of the installation in-house or reproduction facility, or DLA.

c. Prior to the beginning of a new fiscal year (FY), funding will be established for each user by the supporting resource manager.

d. Copiers are not to be obtained as a convenience; they must be justified as making a significant contribution to mission accomplishment, and be cost effective. Justification must be based on mission support, not personal convenience. The fact that offices or sections have to share a copier is not sufficient justification to obtain another copier.

e. Short-term lease of copiers for exercises, contingencies, and other special requirements may be accomplished using the unit IMPAC Card only after certification of funds by the supporting Funds Manager. Coordination for copiers will be made through the supporting DLA office.

f. Self-service copiers will not be used to copy classified documents unless they are designated for such use by the unit Security Manager. Classified copiers are authorized on an individual basis by designated security officials IAW AR 380-5.

g. Movement of copiers must be performed by the maintenance contractor that installed the machine. Movement is considered to be from one room or building to another.

4-2. Procurement of Copying Equipment

a. A capability request (CAPR) is not required to obtain new or replacement copiers. However, a feasibility study is required for color copiers, and any request for a color copier must be signed by a general officer.

b. Requests for initial service or upgrades to current equipment must be submitted on AK Form 25-50A (Request for Office Copiers) with full justification and routed to PRM, G-1 through each activity's resource manager for funds certification. When requesting a new copier, justification must be included for accessories such as FAX, scanner, finisher, etc.

c. Once all requirements described above have been met the request will be forwarded to DLA for their coordination requirements with the vendor. DLA will assign the vendor based on "best price". If approved, PRM, G-1 will assign the request a control number that will be used in any future correspondence regarding the equipment.

d. A copy of the approval letter will be maintained under file number 1q by the requiring activity until turn-in of the equipment.

e. Requests not submitted in the proper format will be returned to the activity for resubmission.

4-3. Procedures for Maintaining Copiers

An AK Poster 25-50-E (Copying Regulations) will be posted next to or near each office copier. This poster is available on the USFK Army Intranet at: <http://www.usfk.mil>.

4-4. Turn-In Of Equipment

A request for turn-in of office copiers must be submitted as a memorandum through the activity's Copier Manager to PRM (EAGA-HRP), G-1, 8th Army, Unit #15236, APO AP 96205-5236, no later than (NLT) 30 days prior to request date. Deactivations of using activities require the same procedure.

Chapter 5 Translation Services

5-1. General

Information contained herein applies to all HQ USFK staff elements, Eighth Army staff, IMCOM-K staff and component commands.

a. ACofS, G1 translations section provides translation services (Hangul to English, English to Hangul) for the HQ USFK staff elements, U.S. Air Forces, Korea (USAFK), U. S. Naval Forces, Korea (USNFK), Eighth Army staff and IMCOM-K staff.

b. The ACofS, C1, Translation Branch, provides translation service for the CFC staff and C staff sections.

c. All elements will translate documents within their capability.

d. Due to their nature, technical and field manuals will not be accepted for translation. Provisions for exception to policy are explained in paragraph f below.

e. Classified documents submitted for translation must be--

- (1) Confidential ROK/US or Release to Republic of Korea (RELROK).
- (2) Secret ROK/US or RELROK.
- (3) Marked IAW AR 380-5 and DOD 5200.1-R.

f. Exceptions to policy regarding material submitted for translation must be submitted in writing to the PRM (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236. Requests for exceptions to policy will include:

- (1) a justification for translation;
- (2) the current translation capabilities of the requesting agency;
- (3) other translation sources available to requesting agency; and
- (4) the required delivery date.

g. Assigned translators are not trained as interpreters, and will not provide this service.

h. All official command publications (regulations, pamphlets, memorandums, etc.) proposed as bilingual publications must:

- (1) include a justification for why they must be bilingual;
- (2) be edited (English version) before translation; and
- (3) include an acknowledgement from the head of the proponent staff activity that he/she is responsible for the contents of all official translations.

5-2. Procedures for Acquiring Translation Services

a. To request translation services, each authorized requestor will complete an AK Form 25-50B-E (Request for Translation Service) and forward it to the PRM (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236, located in building 1190, Camp Coiner.

b. Once the AK Form 25-50B-E (Request for Translation Service) is received by the translations section, telephonic coordination will be made with the requesting POC.

c. All documents (both classified and unclassified) for translation service must be submitted in both hard copy and electronic form by the POC. Justification for all urgent requests for translation services will include:

- (1) circumstances justifying the urgent request; and
- (2) the date translation is required to be completed.

d. Requests must also state why the document must be bilingual and contain a statement regarding the translation capabilities of the requesting agency.

f. Priorities are established by the Chief, Publication and Records Management (PRM) IAW paragraph 5-3 below.

g. The POC is responsible for coordination between their office and the translations section when conflicts arise in fulfilling short suspense dates. The POC is also responsible for coordination if conflicts in suspense dates arise between different command elements. Respective POCs will coordinate with each other and advise the Chief, PRM, which document will have the higher priority.

h. A projected completion date will be provided to the customer by the translation section. Figure 5-2 at the end of this chapter provides an outline of time required for translation services.

5-3. Translation Priorities

a. Urgent.

- (1) Operation plans, exercise documents.
- (2) General officer correspondence having urgent requirements or short suspense dates.
- (3) MOA/MOU.

b. Routine. Official correspondence and documents will be processed on a first-in, first-out basis.

c. Deferred. All other documents accepted for translation will be translated as time permits.

d. The translations section will telephonically notify an agency when a document is ready for pickup.

5-4. The POC for Translation Services: The Senior Translator at 724-7024.

GUIDANCE FOR PREPARING DOCUMENTS TO BE TRANSLATED

1. BASIC RULES

a. Use short simple sentences--

- (1) To enable a more accurate translation.
- (2) To speed the translation process.

b. Abbreviations, acronyms, organizations/titles.

(1) Must be spelled out completely the first time used within the text. Abbreviations, acronyms, and so forth, will follow in parentheses.

(2) Must have a separate list of all abbreviations, acronyms, and so forth, and their meanings will be attached to document.

(3) Hangul documents will be coordinated through ROK counterparts for compliance with the above.

2. PHRASING AND LANGUAGE USAGE

a. Use same phraseology style throughout document.

- (1) Different phraseology may or may not be translated with the same meaning.
- (2) Repetition allows a faster and more accurate translation.

b. Do not use abstract ideas.

- (1) Translation may not be consistent with original intent
- (2) Requires that both parties have an understanding of these ideas/be of the same background.

c. Do not use slang.

d. Do not use technical language that only a subject matter expert would understand.

3. CONSIDERATIONS

a. Completion date.

- (1) Request completion date.
- (2) Length of document.
- (3) Technical language.

Figure 5-1. Preparing Documents for Translation

b. Format.

(1) One inch left/right margin and top/bottom margin.

(2) 10 or 12 characters per inch.

(3) Single or double line spacing.

(a) Single, no more than 50 lines per page.

(b) Double, no more than 25 lines per page.

(4) No between the line typing of translation will be accomplished except for--

(a) Graphs

(b) Line and block charts.

(c) Other charts.

(d) Slides.

(e) General officer correspondence. (Not to exceed two pages.)

c. All documents except as stated above will be translated and formatted on a page-by-page basis (for example, one page of Hangul for one page of English and vice versa).

Figure 5-1. Preparing Documents for Translation. (Cont')

OUTLINE OF TIME REQUIRED FOR TRANSLATION

The following guidelines will be followed when requesting completion dates. Consideration must be given to the total process a document proceeds through for translation for one page or an average of 50 lines of information.

1. Total time. Approximately 4 1/2 hours.
 - a. Review, approval, and completion of AK Form 25-50B by the translation section.
 - (1) Ensure document compliance with this memorandum.
 - (2) Ascertain the technical character of the language being used.
 - (3) Set a completion date.
 - b. Initial translation. 1 to 2 hours.
 - c. Review by project chief of initial translation 1/2 to 1 hour.
 - d. Typing. 1/2 to 1 hour.
 - e. Review of translation and typographical errors by project chief. 1/2 to 1 hour.
 - f. Final review by the NCOIC, Translation Section. One half to 1 hour.
2. All times are estimated based on technicality of language, similarity to documents previously processed by this office, and guidance outlined in this chapter.

Figure 5-2. Time Requirement for Translation Services

Chapter 6 Records Transfer

6-1. General Information

a. See AK Pamphlet 25-68 for Army Records Transfer guidance.

b. The records holding area in Korea was closed in 2005. All hard copy transfer records are stored at the Accession & Disposal Branch, Washington National Records Center (WNRC), 4205 Suitland Road, Suitland, MD 20746-8001. Electronic records may be transferred electronically to the Army Electronic Archives (AEA), Fort Belvoir, VA. Refer to AK Pamphlet 25-68 for specific procedures on the transfer of records.

c. Records should be shipped during January and February for calendar year files, and during October and November for FY files.

6-2. The POC for Records Transfer

Contact the manager of your area for assistance in transferring hard copy records. POCs are listed below:

USFK and EUSA:	724-6391
USAG-RC:	730-4732
USAG-YONGSAN:	738-7621
USAG-HUMPHREYS:	753-6120
USAG-DAEGU:	768-6402

Chapter 7 Privacy Act (PA)

7-1. Duties And Responsibilities

a. The Command PA Officer (EAGA-PPR), is designated as the responsible officer for implementation of the PA program. Each major subordinate commander, commanders of assigned units, and commanders of other HQs and activities for which Eighth Army is the administrative agent will designate, in writing, a PA Program Coordinator. The same individual should also be designated as a FOIA Program Coordinator. A copy of the designation document will be provided to the Command PA Officer, PRM (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236.

b. With the exception of those received by the Inspector General's (IG's) Office (see paragraph 7-1c below, all inquiries received by staff offices, MSCs, assigned units, and activities for which Eighth Army is the administrative agent, will be forwarded to the Command PA Officer, by the most expeditious means available.

c. Requests for records received by the USFK or Eighth Army Office of the IG for records under their control will be referred to the Records Release Office (SAIG-ZXR), The Inspector General, 1700 Army Pentagon, Washington, DC 20310-1700, as the Access and Amendment Refusal Authority for a direct response to the requester. The USFK and Eighth Army Office of the IG will advise the requester of the referral.

d. Program Coordinators designated by major subordinate commanders, commanders of assigned units, and commanders of other HQs and activities for which Eighth Army is the administrative agent are responsible for the administration of the PA Program within their particular organization.

e. The PA Coordinators will not directly release any material to a PA requester. Upon receipt of a PA request from this HQ, the PA Coordinator will determine if requested records are releasable. (Authorized exemptions are contained in AR 340-21, chapter 5). If releasable, forward the records to the Command PA Officer for coordination with the SJA and transmittal to the requester. If records are determined to be unreleasable, forward records to the same office for coordination with the SJA and transmittal to the Access and Amendment Refusal Authority for final releasability determination.

f. There is no standard procedure for appealing refusals to release information. Within USFK, Eighth Army, and IMCOM-K, all recommendations to refuse release of information will be forwarded by the Command PA Officer to the appropriate Access and Amendment Refusal Authority listed in AR 340-21, paragraph 1-7, for a release determination. A sample letter of appeal to a PA request is at figure 7-2.

g. Individuals have the right to amend any record about themselves contained in a system of records which they can prove is factually erroneous, outdated, incomplete or irrelevant. A sample letter requesting to amend a PA record is at figure 7-3.

(1) If an agency refuses to amend the record(s), it will provide the requester the reason(s) for the refusal, instructions on how to appeal, and the address to send any appeal.

(2) The appeal letter should include a copy of the original request along with a copy of the agency's denial. Any additional information in support of the appeal should be included. A sample letter appealing an Agency's refusal to amend a record is at figure 7-4.

(3) A decision must be rendered by the appeal authority within 30 working days from receipt of the appeal. In unusual circumstances, an additional 30 days may be granted.

h. If the agency denies the appeal and continues to refuse to make the desired changes, the requester has the right to file a brief statement giving the reasons for disputing the record. This statement of disagreement then becomes part of the record and must be forwarded to all past and future recipients of the file. The agency is also permitted to place in the file a short explanation of its refusal to change the record. This also becomes a part of the permanent file and is forwarded along with the statement of disagreement. If the appeal is denied or if the agency fails to act upon it within the specified time, the requester can take the case to court.

7-2. Procedures For Submitting A Privacy (PA) Request

a. The requester must be a U.S. citizen or legal resident alien.

b. The request can be made in writing, by telephone or in person. Written requests must be signed and proof of identity is required for all requests regardless of form.

(1) Written requests have the advantage of enabling the requester to document the date and content of the request and the Agency's response.

(2) The request should be addressed to the head of the Agency which maintains the desired records. For USFK, Eighth Army, and IMCOM-K records, all requests should be addressed to the Command PA Officer, PRM (EAAGA-PPR, G-1, Eighth Army, Unit #15236, APO AP 96205-5236.

c. The requester must pay fees for reproduction of material. The first 100 pages of reproduction are free and the remainder is charged at 15 cents per copy.

d. The desired record should be described in as much detail as possible. The better the record is described the faster the agency will be able to respond.

e. A sample PA request is at figure 7-1.

7-3. The POC for PA: The Command Privacy Act Officer - 724-4549.

PRM (EAGA-PPR/PA Officer)
G-1, Eighth Army
Unit #15236
APO AP 96205-5236

Dear Sir:

1. Under the provisions of the Privacy Act, Title 5, U.S.C. 552a, as amended, I am requesting the following documents:

a. A copy of all data maintained on me in the Personal Information Management System-Korea (PIMS-K) for purchases made for January and February 20xx.

b. The desired record should be described in as much detail as possible. The better the record is described the faster the agency will be able to respond.

2. I agree to pay all applicable fees associated with processing this request. (The requester may, at their discretion, set a limit on the amount they are willing to pay).

SAMPLE

*Signature (mandatory)
NAME
ADRESS

*Although not required, consideration should be given to having the document notarized.

Figure 7-1. Sample Privacy Act Request

Agency Head or Appeal Officer
Title
Agency
Agency Address
APO Address or City, State

Re: Privacy Act Appeal

Dear Whomever:

On (date), I received a letter from (individual's name), of your Agency denying my request for access to (description of the personal records you were requesting). Enclosed is a copy of this denial along with a copy of my original request. By this letter, I am appealing the denial.

Since Congress intended that information sought under the Privacy Act of 1974, Title 5, U.S.C. 552a, be released unless it could be withheld under both the Privacy Act and the Freedom of Information Act, Title 5, U.S.C 552, I hereby request that you also refer to the Access and Amendment Refusal Authority for consideration of this appeal.

(Optional) I am seeking access to these records (state the reason for the request if you think that it will assist in obtaining the material and give arguments to justify reasons for release).

Thank you for your prompt attention to this matter.

SAMPLE

Name
Address

Figure 7-2. Sample Letter of Appeal to a Privacy Act Request

Agency Head or Privacy Act Official
Title
Agency
Address

Re: Privacy Act Request to Amend Records

Dear Whomever:

By letter (date of letter), I requested access to (use the same descriptions as the original request letter or enclose a copy).

In reviewing the information provided to me, I found that it was: (inaccurate) (incomplete) (outdated) (not relevant to the purpose of your Agency) (did not apply to record requested).

Therefore, pursuant to the Privacy Act of 1974, Title 5, U.S.C. 552a, I hereby request that you amend the record in the following manner: (describe the errors, new information, irrelevance, etc. Attach any documentation that will substantiate your claim for amendment.)

In accordance with the Act, I look forward to an acknowledgment of this request within 10 working days of receipt.

Thank you for your assistance in this matter.

Sincerely,

SAMPLE

Signature (Mandatory
Name
Address

Figure 7-3. Sample for Requesting to Amend Privacy Act Records

Agency Head or Designated Official
Title
Agency
Address

Re: Privacy Act Appeal

Dear Whomever:

By letter (date) to (Official to who you addressed your amendment request), I requested that information held by your Agency concerning me be amended. This request was denied, and I am hereby appealing that denial. For your information, I am enclosing a copy of my original request along with a copy of the denial reply. (Include any additional information as this time).

I trust that upon consideration of my request for seeking the desired changes, you will grant my request to amend the disputed material. However, in the event you refuse this request, please advise me of the Agency's procedures for filing a statement of disagreement.

(Optional) I plan to initiate legal action if my appeal is denied.

Thank you for your prompt attention to this matter.

Sincerely,

SAMPLE

Signature (Mandatory)
Name
Address

Figure 7-4. Sample for Appealing an Agency's Refusal to Amend a Record

Chapter 8

Freedom of Information Act (FOIA)

8-1. Duties and Responsibilities

a. The PRM is designated as the responsible officer for implementation of the FOIA program for USFK, Eighth Army units and IMCOM-K, but not for tenant commands of other commands. These commands will process FOIA requests through their command channels.

b. Each major subordinate commander, commanders of assigned units, and commanders of other HQ and activities for which Eighth Army is the administrative agent, will designate in writing a FOIA Program Manager. The appointed official will be the same individual as the PA official or coordinator. A copy of the designation document will be provided to the PRM (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236.

c. Program Managers designated by major subordinate commanders, commanders of assigned units, and commanders of other HQ and activities for which Eighth Army is the administrative agent are responsible for the administration of the FOIA program within their particular organization.

8-2. Procedures for Submitting a FOIA Request

a. General information.

(1) With the exception of those received by the U.S. Army Contracting Command-Korea (USACCK), the IG's Office, and U.S. Army Criminal Investigation Command, all FOIA inquiries received by staff offices, MSCs, assigned units, and activities for which Eighth Army is the administrative agent will, for control purposes, be forwarded to the Command FOIA Officer, PRM (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236, by the most expeditious means available.

(2) Requests for records received by the USFK or Eighth Army Office of the IG for records under their control will be referred to Records Release Office, (SAIG-ZXR), The Inspector General, 1700 Army Pentagon, Washington DC 20310-1700, for a direct response to the requester. The USFK and Eighth Army Office of the IG will advise the requester of the referral.

(3) Requests for Investigative Records received by the Army Criminal Investigation Command will be referred to Director U.S. Army Crime Records Center, Building 1465, 6010 6th Street, Fort Belvoir, Virginia 22060-0462, for a direct response to the requester. The Criminal Investigation Command will advise the requester of the referral.

(4) The FOIA Program Managers (other than USACCK) will not directly release any material to a FOIA requester (see AR 25-55, paragraph 2c(1), page 26, Specific Procedures).

(5) For individual requesters, fees may be charged for searching for records sought at the clerical, professional, and/or managerial rates of \$20/\$44/\$75 per hour respectively, calculated in quarter hour increments, and duplication costs at \$.15 per copy and printing at \$.02 per page. The first 100 pages copied and two hours of search time are not charged. The remaining combined charges for search and duplication must exceed \$15 before we will charge any fees. Most requests do not require any fees.

(6) Commercial requesters must generally pay fees for search, review and reproduction. However, fees that do not exceed \$15 may be waived.

(7) Individuals or organizations may request a waiver of fees if they can clearly demonstrate that release of the documents is in the interest of the public. There are very specific requirements for granting this waiver. Detailed information on fee waivers is contained in AR 25-55. The FOIA Officer, (EAGA-PPR), is the authority to approve requests to waive or reduce fees that exceed the automatic \$15 threshold up to \$100.

(8) If a request is denied (in whole or part), the requester may appeal, and has 60 days from the date of the denial letter to submit appeal. The requester will be provided instructions for administrative appeals by the Initial Denial Authority (IDA). The Agency is required to respond to the appeal within 20 days after receipt.

(9) If the administrative appeal is denied, the requester may take court action.

b. Specific procedures. The following procedures must be followed when submitting a FOIA request:

(1) The requester will:

(a) Submit a signed, written request. A sample of a proper FOIA request is at figure 8-1.

(b) Prepare the request on their own time using their own equipment and materials, if they are Government or military employees. Requests cannot be submitted on letterhead unless being submitted by a legal assistance attorney on behalf of their client.

(c) Agree in writing to pay applicable fees.

(d) At their discretion, place a ceiling on the amount of fees they are willing to pay. The FOIA will be processed until that ceiling is reached and the requester will be notified before any further processing takes place.

(e) Submit request to the office of record, unless the request is for a record from USFK, Eighth Army, or IMCOM-K. For control purposes, all such requests should be addressed to PRM (EAGA-PPR), G-1, Eighth Army, Unit #15236, APO AP 96205-5236.

(f) Describe the desired record in sufficient detail for the agency to identify and locate within a reasonable amount of effort.

(2) The Command FOIA Officer, upon receipt of a FOIA request, will:

(a) Determine the office of record and forward the request to the FOIA Program Manager of the organization.

(b) Coordinate and answer the request and furnish information that is releasable, upon receipt of the requested documents from the FOIA Program Manager of the office of record.

(c) Refer to the appropriate IDA with the SJA's comments when requested records are denied in whole or part.

(d) Notify the requester when request for information will be denied, and state the

reason(s) or exemption(s) number for denial, and the address of the IDA. The IDA will advise requester on how to appeal.

(e) Coordinate all requests with the SJA prior to release of information and coordinate all highly publicized and significant request with the Public Affairs Officer.

(3) The FOIA Program Managers will:

(a) Upon receipt of a FOIA request from anyone other than the Command FOIA Officer, forward the request to the Command FOIA Officer or telephone 724-4549 for pick up of the request(s).

(b) Upon receipt of a FOIA request from the Command FOIA Officer, determine the individual in his/her organization in control of the requested record(s) and then task that individual to provide the requested record(s) or a "No Record Certificate", if applicable, within the established suspense date.

(c) Ensure the individual in control of the record(s) expeditiously identifies, searches for, and furnishes the requested record(s) by preparing and providing to the FOIA Program Manager the proposed basis for the response to FOIA requests for records under their control.

(d) Review the requested information to ensure it is complete and contains the proper exemptions, if any, that justify release denial recommendations.

(e) Ensure established suspense dates are met. If a suspense cannot be met, the FOIA Program Manager will request an extension of the suspense from the Command FOIA Officer 724-4549.

(f) Furnish to the Command FOIA Manager a written explanation of all apparently applicable objections to release of all or any part of the records requested, and cite the exemption number that allows denial. Exemptions are listed in figure 8-2.

(g) Furnish the Command FOIA Officer both "clean" and redacted copies of the document, if only a part of a document is being recommended for withholding.

(h) If the whole document is being recommended for withholding, the FOIA Program Manager will still furnish a copy of the document to the Command FOIA Officer.

(i) Furnish to the Command FOIA Officer an executed DD Form 2086.

(j) Furnish to the Command FOIA Officer a "No Record Certificate" if no records exist that are responsive to the request.

(k) Upon completion of processing of a FOIA request, the FOIA Program Manager will telephonically notify the Command FOIA Officer (724-4549) that the request is completed and it will be picked up.

8-3. The POC for FOIA: The Command FOIA Manager - 724-4549, fax 724-8415.

PRM (EAGA-PPR/FOIA Officer)
DATE
G-1, Eighth US Army
Unit #15236
APO AP 96205-5236

Dear Sir:

Under the provisions of the Freedom of Information Act, I request the following records:

- a. State clearly what records you are requesting.
- b. Describe location of records, if known.

I agree to pay all applicable fees associated with processing this request, up to \$100.

John Q. Public
Full Address
Telephone number with area code

Figure 8-1. Sample Freedom of Information Act Request

Exemption 1 - Properly classified documents concerning the national defense and foreign policy Government secrets and confidential material. If the document(s) requested are classified, they may not be released, but the Agency is required to perform a review to determine whether the information should remain classified or be declassified and released.

Exemption 2 - Internal personal rules and practices. Covered under this exemption are internal rules and practices that do not affect interests outside the Agency.

Exemption 3 - Information that is exempt under other laws. This exemption includes items such as income tax returns the disclosure of which is prohibited by another.

Exemption 4 - Confidential business information. This exemption provides that trade secrets and confidential commercial or financial data do not have to be released. Determining what does and does not fall under this exemption has been controversial. One popular test has been the competitive harm test," exempting material that could competitively harm the submitter if made public. The confidential business information exemption also has spawned reverse-FOIA lawsuits in which companies that submit information go to court to block agencies from releasing the data. Legislation clarifying this exemption is expected.

Exemption 5 - Inter-agency or Intra-agency memorandums or letters which would not be available by law to a party in litigation with the agency. This exemption includes the deliberative process privilege, the attorney work product privilege, and the attorney-client privilege.

Exemption 6 - Personal and private information. Covered are personnel, personal, and medical files and other information which, if released, would constitute an unwarranted invasion of someone else's personal privacy.

Exemption 7 - Investigator files. These files are records of investigations which, if released, would interfere with enforcement Agencies, deprive someone of a fair trial, constitute an invasion of privacy, expose a confidential source, expose investigative techniques, or endanger life or safety.

Exemption 8 - Information about financial institutions, such as Federal Reserve Board records of investigations of Federal banks.

Exemption 9 - Information about U.S., wills, including some maps.

Figure 8-2. Categories of Information Exempt from Release

Chapter 9

Official Mail Management and Distribution

9-1. General

a. AK Regulation 25-51 prescribes policies and procedures necessary for implementing the Army Official Mail and Distribution Program in Korea.

b. Official Mail Distribution Centers (OMDC), with metering machines, are located at Camp Casey, Camp Red Cloud, Yongsan Main Post, Camp Humphreys, Camp Carroll, and Camp Henry.

9-2. The POC for Official Mail

The POC for official mail is the Command Official Mail Manager, 724-4549.

Appendix A References

Section I. Required Publications

AR 25-30 (The Army Integrated Publishing and Printing Program).

AR 25-50 (Preparing and Managing Correspondence).

AR 25-51 (Official Mail and Distribution Management).

AR 25-55 (The Department of the Army Freedom of Information Act Program).

AR 25-400-2 (The Army Records Information Management System (ARIMS)).

AR 310-50 (Authorized Abbreviations, Brevity Codes, and Acronyms).

AR 340-21 (The Army Privacy Program).

AR 380-5 (Department of the Army Information Security Program).

DOD 4525.8-M (DOD Official Mail Manual).

DOD 5100.3-D (Support of the Headquarters of Unified, Specified, and Subordinate Joint Commands).

DOD 5200.1-R (DOD Information Security Program).

DOD 5330.3 (Document Automation and Production Service).

Title 5, U.S.C. 552 (Freedom of Information Act).

Title 5, U.S.C. 552a (Privacy Act of 1974).

U.S. Government Printing Office Style Manual.

Section II. Related Publications

AR 25-1 (Army Information Management).

U.S. Department of Justice FOIA Update Newsletters.

DA Pam 25-51 (The Army Privacy Program-Systems Notices and Exemptions Rules).

DA Pam 25-40 (Administrative Publications: Action Officer's Guide).

AR 25-31 (Forms Management, Analysis, and Design).

Section III. Required Forms

DA Form 12-R (Request for Establishment of a Publications Account).

DA Form 17 (Requisition for Publications and Blank Forms).

DA Form 543-R (Request for Records).

DD Form 67 (Forms Processing Action Request).

DD Form 1131 (Cash Collection Voucher)

DD Form 2086 (Record of Freedom of Information (FOI) Processing Costs).

DD Form 7224-R (Quarterly Positive Accountability Postage Administrative System).

AK Form 108 (Eighth Army Staff Summary Sheet).

AK Form 25-50A (Request for Office Copier)

AK Form 25-50B (Request for Translation Service).

AK Poster 25-50 (Copying Regulations)

SF 135 (Records Transmittal and Receipt)

USFK Form 108 (USFK Staff Summary Sheet)

Glossary

Section I. Abbreviations

ACS	Assistant Chief of Staff
ADF	Automatic Document Feeder
CFC	Combined Forces Command
DAPS	Document Automation and Production Service
DOD	Department of Defense
FMO	Forms Management Officer
FOIA	Freedom of Information Act
FY	fiscal year
IAW	in accordance with
IDA	Initial Denial Authority
IG	Inspector General
IM	Information Management
MACOM	major command
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MSC	Major Subordinate Command
OCPD	Office of the Civilian Personnel Director
OMDC	Official Mail Distribution Center
OMM	Official Mail Manager
PA	Privacy Act
POC	point of contact
PRM	Publications and Records Management
RCS	Requirements Control Symbol
RELROK	Release to Republic of Korea

ROK	Republic of Korea
SCJS	Secretary Combined Joint Staff
SJA	Staff Judge Advocate
SOP	Standing Operating Procedure
UNC	United Nations Command
U.S.	United States (of America)
USACCK	United States Army Contracting Command-Korea
USAFK	United States Air Forces, Korea
USFK	United States Forces, Korea
USNFK	United States Naval Forces, Korea

Section II. Terms

Administrative appeal. A request by a member of the general public, made under the FOIA, asking the appellate authority of a DOD Component to reverse an IDA decision to withhold all or part of a requested record or to deny a request for waiver or reduction of fees.

Agency Forms. Forms created by agencies other than staff offices of USFK, Eighth or IMCOM-K. They apply to only the agency writing them and their subordinate units or activities.

Appellate authority. The head of the DOD component or the component head's designee having jurisdiction over an IDA's decision to withhold all or part of a requested record or to deny a request for waiver or reduction of fees.

Army-wide Forms. These are DA, DD, SF, OF, and DOD forms used throughout the Army worldwide. For changes to these forms, consult AR 25-30 on how to submit changes to the proponent of the form.

Command Forms. Forms created by HQ USFK or HQ Eighth Army staff offices. These apply to HQ USFK or HQ Eighth Army and their subordinate commands, units, or activities in Korea.

Electronic data. Those records and information created, stored, and retrievable by electronic means. This does not include computer software, which a tool for creating, storing, or retrieving electronic data.

FOIA Program Managers. The individuals appointed to manage the FOIA Program in the MSCs, assigned units, and other HQ or activities. These individuals coordinate FOIA request with the Command FOIA Officer or their command's FOIA Officer.

FOIA request. A written request for DOD 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, that either explicitly or implicitly invokes the FOIA.

Foreseeable harm. The foreseeable harm standard simply means that, even though requested information falls within one of the nine exemptions for withholding, agencies must determine that actual harm would result if the information were released. If it is determined that, although falling under one of the exemptions for withholding, no harm would result in releasing the information, the information should be released.

Initial denial authority (IDA). An official who has been granted authority by the head of DOD Component to withhold records requested under the FOIA for one or more of the nine categories of records exempt from mandatory disclosure.

Local Forms. Any forms created in Korea. There are two kinds of local forms here in Korea.

Prescribing Directive. The publication that authorizes the use of the form with instructions for completing it.

Proponent. The installation, activity, or agency creating a form or publication.

Public interest. Public interest is official information that sheds light on an agency's performance of its statutory duties because the information falls within the statutory purpose of the FOIA in informing citizens about what their Government is doing. That statutory purpose, however, is not fostered by disclosure of information about private citizens accumulated in various Government files that reveals little or nothing about an agency's or official's own conduct.

Record. The products of data compilation, such as all books, papers, maps, and photographs, machine readable materials or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the U.S. Government under Federal law in connection with the transaction of public business, and in DOD's possession and control at the time the FOIA request is made. The following are NOT included within the definition of the word "record":

a. Objects or articles, such as structures, furniture, vehicles and equipment, whatever their historical or evidentiary value.

b. Administrative tools by which records are created, stored, and retrieved. Normally, computer software, including source code, object code, and listings of source and object codes, regardless of medium, are not agency records. This does not include the underlying data which is processed and produced by such software, and which may in some instances be stored with the software.

c. Anything that is not a tangible or documentary record, such as an individual's memory of oral communication.

d. Personal records of an individual not subject to agency creation or retention requirements, created and maintained primarily for the convenience of an agency employee, and distributed to other agency employees for their official use.

e. Information stored within a computer for which there is no existing computer program for retrieval of the requested information. In some instances, computer software may have to be created as an agency record and processed under the FOIA. These situations are rare, and shall be treated on a case-by-case basis. Examples of when computer software may have to be treated as an agency record are--

(1) When the data is embedded within the software and cannot be extracted without the software. In this situation, both the data and the software must be reviewed for release or denial under the FOIA.

(2) Where the software itself reveals information about organizations, policies, functions, decisions, or procedures of a DOD component, such as computer models used to forecast budget outlays, calculate retirement system costs, or optimization models on travel costs.

f. A record must exist and be in the possession and control of the DOD at the time of the request to be considered subject to the FOIA. There is no obligation to create, compile, or obtain record to satisfy a FOIA request.

g. If unaltered publications and processed documents, such as regulations, manuals, maps, charts, and related geophysical materials are available to the public through an established distribution system with or without charge, they normally do not need to be processed under the FOIA. Normally, documents disclosed to the public by publication in the Federal Register also require no processing under the FOIA. In such cases, the requester should be directed to the appropriate source to obtain the record.

Redacted. A document that has portions deleted for withholding from a requester.

The Command FOIA Officer. The USFK and Eighth Army FOIA official who controls and assigns FOIA numbers to all requests for information.

The Office of Record. The office that created and/or has control of the requested records.