



DEPARTMENT OF DEFENSE  
DIRECTORATE FOR FREEDOM OF INFORMATION AND SECURITY REVIEW  
1155 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1155

19 JAN 1999

Ref: Ref: 99-CORR-006

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: FOIA requests from the Stars and Stripes

It has come to our attention that another DoD component has received a FOIA request from the Stars and Stripes. This situation has been previously addressed as reflected by the attached memorandums dated December 31, 1993, and August 1, 1991.

Please advise your components once again that Stars and Stripes personnel, as representatives of a Federal Agency, may not request information under the FOIA.

A handwritten signature in black ink, appearing to read "A. H. Passarella", is positioned above the printed name.

A. H. Passarella  
Director

Attachments:  
As stated





OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-1400

PUBLIC AFFAIRS

AUG 01 1991

Ref: 91-CORR-126

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: FOIA Requests from the Stars and Stripes Newspaper

Components are reminded that the Stars and Stripes Newspaper is an organization within the DoD, and as such, its personnel do not qualify as requesters under the FOIA.

A FOIA request can be made by "any person," which is defined in Title 5 USC 551(2), as "an individual, partnership, corporation, association, or public or private organization other than an agency." Department of Justice has further interpreted the definition to include foreign individuals, and foreign or domestic governments (state and local). The statute specifically excludes federal agencies from the definition. Therefore, a federal agency, or a representative of a federal agency may not serve a FOIA request on its own agency, or another federal agency.

Components receiving FOIA requests from representatives of the Stars and Stripes should inform them of this fact, and advise them to seek their information through official channels, apart from the FOIA.

A handwritten signature in black ink, appearing to read "W. M. McDonald", is positioned above the typed name.

W. M. McDonald  
Director  
Freedom of Information  
and Security Review