

# HA/TMA Freedom of Information Act (FOIA) Process

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## Write a Freedom of Information Act Request

Sample FOIA Request Letter

Date

TRICARE Management Activity  
Attention Freedom of Information Act Officer  
16401 East Centretech Parkway  
Aurora, CO 80011-9066

Dear TMA FOIA Officer:

This is a request under the Freedom of Information Act (5 U.S.C. 552). I request that a copy of the following document(s) be provided to me: [Identify the documents as specifically as possible].

In order to help you determine my status for the purpose of assessing fees, you should know that I am [insert one of the descriptions below]

- a representative of the news media affiliated with the \_\_\_\_\_ newspaper (magazine, television station, etc.), and this request is made as part of news gathering and not for a commercial use.
- affiliated with an educational or noncommercial scientific institution, and this request is made for a scholarly or scientific purpose and not for a commercial use.
- affiliated with a private business and am seeking information for use in the company's business.
- an individual seeking information for personal use and not for a commercial use.

[required] I am willing to pay fees for this request up to a maximum of \$\_\_\_\_. If you estimate that the fees will exceed this limit, please inform me first.

[optional] I also include a telephone number and e-mail address at which I can be contacted if necessary to discuss any aspect of my request.

Sincerely,

Name  
Address  
City, State, Zip Code  
Telephone number [optional]  
e-mail [optional]

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**TMA may contact you to resolve issues such as fee status or the scope of your request.**

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**Submit your FOIA Request on the TMA website, by Mail or by Fax:**

FOIA Request Website:

<http://www.tricare.mil/tma/privacy/FOIARrequestForm.aspx>

Mail: TRICARE Management Activity  
Attention: Freedom of Information Act Officer  
16401 East Centretech Parkway  
Aurora, CO 80011-9066

Fax: (303) 676-3827

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**Acknowledgement letter sent to Requester from TMA (1-5 Business Days)**



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
HEALTH AFFAIRS

16401 EAST CENTRETECH  
AURORA, COLORADO 80011

TRICARE  
MANAGEMENT ACTIVITY  
Privacy Office

Mr. FOIA Requester  
FOIA Solutions Incorporated  
3642 FOIA Avenue  
FOIA City, ST 94787

Dear Mr. FOIA Requester:

This is an interim response to your Freedom of Information Act (FOIA) Request, received in this office on November 11, 2008. Your request has been assigned a case number based upon its receipt in this office, and is being processed as quickly as possible in accordance with procedural requirements promulgated in DoD Regulation 5400.7-R at 32 CFR 286. The actual processing time will depend upon its complexity; whether it involves sensitive records, voluminous records, extensive searches, consultation among DoD components, contractors or other agencies; and our administrative workload.

Your request has been assigned Control Number 2009-11(FOIA). Please refer to this number in any future correspondence on this matter.

With the Freedom of Information Reform Act of 1986, Congress amended the FOIA to provide that some of the processing costs be passed on to the requesters, particularly commercial category requesters. In addition, the DoD Regulation 5400-7.R states that, regardless of the requesters fee category, all requesters must agree to pay the likely chargeable fees associated with processing their requests. This regulation also allows the assessment of search fees even if no responsive records are located, or if responsive records are located but determined to be exempt from release.

If you have any questions on processing your request under the FOIA, please call Ms.

**Response times** depend on agency workload and the complexity of the request. It may take one week or, in extreme circumstances, more than 10 years.

Chief, Freedom of Information Service Center

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**TMA will make a release determination to:**

- 1—Release records in full
- 2—Release records in part
- 3—Withhold records in full
- 4—No records found



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

TRICARE  
MANAGEMENT ACTIVITY  
Privacy Office

Mr. FOIA Requester  
FOIA Solutions Incorporated  
3642 FOIA Avenue  
FOIA City, ST 94787

Dear Mr. FOIA Requester:

Thank you for your Freedom of Information Act (FOIA) Request, received in this office on November 11, 2008. Your request has been assigned Control Number 2009-11(FOIA). Please refer to this number in any future correspondence on this matter.

This is in response to your request for a copy of contract TMA-2009-C-1111D. We searched the Contract Management Information Database (CMID). No records were found under this contract number. Should you deem this no record response to be an adverse determination, you may appeal this finding by offering justification to support an additional search effort. A request to appeal should be addressed within 60 calendar days of the above date to the Assistant Secretary of Defense, Office of Freedom of Information, 1155 Defense Pentagon, Room 3C843, Washington, D.C. 20301-1155.

With the Freedom of Information Reform Act of 1986, Congress amended the FOIA to provide that some of the processing costs be passed on to the requesters, particularly commercial category requesters. In addition, the DoD Regulation 5400-7.R states that, regardless of the requester's fee category, all requesters must agree to pay the likely chargeable fees associated with processing their requests. This regulation also allows the assessment of search fees even if no responsive records are located, or if responsive records are located but determined to be exempt from release.

Since the total collectable charges are under \$25.00, there is no charge for processing your FOIA Request.

If you have any questions on processing your request under the FOIA, please call

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**Additional information is available through the TMA FOIA Website at:**

<http://www.tricare.mil/tmaprivacy/foia.cfm>

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**If you are not satisfied with the FOIA Action, you may appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense. To submit your appeal you should write directly to the Defense Freedom of Information Policy Office, Attn: Mr. James Hogan, 1155 Defense Pentagon, Washington, D.C. 20301-1155.**

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**Director of Administration and Management, Office of the Secretary of Defense will either:**

- 1—Accept your appeal and release additional records
- 2—Deny your appeal and continue to withhold records