



**DEPARTMENT OF DEFENSE  
OFFICE OF FREEDOM OF INFORMATION  
1155 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1155**

**30 APR 2008**

Ref: 08-F-0060

Mr. Scott Amey  
General Counsel  
Project on Government Oversight  
666 Eleventh Street, N.W.  
Suite 500  
Washington, DC 20001-4542

Dear Mr. Amey:

This is the final response to your September 19, 2007, Freedom of Information Act (FOIA) request on behalf of the Project on Government Oversight (POGO) for access to: (1) a list of contractors entered into the Past Performance Information Retrieval System; (2) all performance grades for all contractors from 2005 to the present; and (3) all PPIRS records for fifty named contractors from 2005 to the present.

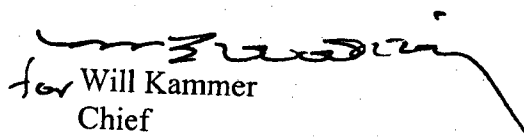
PPIRS is a system within the Federal eGov Integrated Acquisition Environment (IAE) initiative which is the authoritative source for contractor performance information submitted by the Department of Defense (DoD) and Federal agencies which affords federal government contracting officers and Source Selection officials with a one-stop shop for retrieving a potential supplier's past performance history. This history is measured by report cards on existing contracts that have been completed by government program managers or contracting officials from across the Federal Government. As the information in the PPIRS is originated and entered by multiple Federal agencies, the DoD does not have cognizance over all information in PPIRS. We are, therefore, responding to this request as it pertains to DoD contractors. You will need to contact other Federal agencies that have information in PPIRS concerning release of their records. The attached compact disc contains a listing of other Federal agencies that have contractor information in PPIRS. You can write to their principal FOIA offices using the contact information available on the Department of Justice website located at:  
<http://www.usdoj.gov/oip/foiacontacts.htm>.

In response to item (1) which seeks a list of all contractors entered into the PPIRS, we are responding to your request only as it pertains to DoD and are providing a listing of DoD contractors, also on the enclosed compact disc. Addresses of overseas contractors have been removed from that list. Concerning items (2) and (3) which concern performance grades and PPIRS records, that information is denied in its entirety as it pertains to those contractors doing business with the Department of Defense. Ms. Susan

G. Sweatt, Defense Business Transformation Agency Chief of Staff, an initial denial authority, has determined that information contained in the PPIRS for DoD contractors, except for the identity of those contractors, is exempt from release in its entirety pursuant to 5 U.S.C. § 552(b)(2)(high), which pertains to information the release of which would risk circumvention of Department of Defense rules and practices by providing insight into project vulnerabilities and information which may allow individual companies located overseas who do business with the DoD to be targeted by those seeking to harm the interests of the U.S. Government. Additional information is exempt from release pursuant to 5 U.S.C. § 552(b)(4), which pertains to trade secrets and commercial or financial data that is privileged or confidential. Disclosure of such information could cause harm to the commercial interest of the Government. Other information is exempt pursuant to 5 U.S.C. § 552(b)(5), which pertains to certain inter- or intra-agency communications protected by the deliberative process privilege. PPIRS information as it pertains to DoD contractors is exempt from disclosure because it contains internal opinions, evaluations, and recommendations that form the core of Government decision-making.

If you are not satisfied with this action, you may submit an administrative appeal to James Hogan, Chief, Policy, Appeals and Litigation Branch, Office of Freedom of Information, 1155 Defense Pentagon, Washington, D.C. 20301-1155. Your appeal should be postmarked within 60 calendar days of the date of this letter, should cite to case number 08-F-0060 and should be clearly marked "Freedom of Information Act Appeal." As there are no fees associated with this response, your request for a fee waiver is deemed moot.

Sincerely,

  
for Will Kammer  
Chief

Enclosures:  
As stated