

## COURT ORDERS AND SUBPOENAS

The United States Department of Defense is not subject to the jurisdiction of a State Court. See *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951), *Boron Oil Co. v. Downie*, 873 F.2d 67 (4th Cir. 1989); *United States v. Bizzard*, 674 F.2d 1382 (11th Cir. 1982); *United States v. Marino*, 658 F.2d 1120 (6th Cir. 1981). Moreover, the requested information is protected by the Privacy Act, 5 U.S.C. §552a; 32 C.F.R. § 97.6(b)(3).

Therefore, the Defense Finance and Accounting Service (DFAS) will only provide records in response to the following:

- Court order or subpoena signed by a Federal/U.S. District Court judge;  
OR
- Signed consent from the person to whom the information pertains.

Once you have obtained the appropriate order/subpoena or signed consent, please submit your request to the corresponding FOIA/PA office via one of the methods below.

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Corporate Communications  
FOIA/PA Adherence Division  
8899 East 56<sup>th</sup> Street  
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