Department of Defense

Chief Freedom of Information Act Officer Report to the Department of Justice

For 2025

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Summary

The Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency (ATSD(PCLT)) serves as the Department of Defense (DoD) Chief Freedom of Information Act (FOIA) Officer. The Office of the ATSD(PCLT) provides FOIA oversight and guidance to the DoD Components, ensuring their processes comply with the FOIA and Privacy Act (PA), relevant case law, and DoD policy. The Report details the DoD's accomplishments from March 2024 through March 2025 to promote transparency and openness in government through implementation of the FOIA. The DoD FOIA program is supported by the leadership and dedication of the DoD FOIA Program Components and professionals located around the world.

The DoD has a decentralized FOIA program, with each of its DoD Components maintaining their own FOIA programs. Since its inception in 2019, U.S. Space Force included its FOIA processing metrics within U.S. Air Force's FOIA reports. In Fiscal Year (FY) 2024, however, SPACE FORCE began reporting their metrics independently, which increased the number of FOIA Requester Service Centers (RSC) from 34 to 35. DoD Components establish and maintain FOIA processes uniquely tailored to their organizations while providing the best quality customer service possible.

Incorporating FOIA into our Component's strategic plans has proven to further build upon the foundation of successful FOIA programs. Our force remains dedicated towards fulfilling our obligation under the spirit of the FOIA and maintaining a culture of openness. To do so, we require enthusiastic leadership coupled with innovative thinkers willing to push the boundaries of past normalcies. Many Components have emphasized FOIA compliance at the leadership level, ensuring that senior leaders are consistently involved in monitoring and enforcing FOIA-related tasks. These initiatives are critical to enhancing transparency, accountability, and efficiency in managing FOIA RSCs, while protecting the sacred trust placed onto our FOIA professionals by the public.

In applying the presumption of openness, DoD has also noted the importance of monitoring Glomar responses and how the response is being used at the Component level. Because of this, OATSD(PCLT) has started to request data pertaining to its use in our Component's quarterly reports.

During FY 2024, DoD received 61,858 FOIA requests and processed 57,662 FOIA requests. DoD Components processed almost 83% percent of all perfected requests in fewer than 100 days. Additionally, a total of ten Components reported closing all of their ten oldest requests reported in FY 2023, while two Components closed nine of the ten oldest, and three Components closed seven of their oldest ten. Furthermore, two Components with less than ten cases reported in FY 2023 were able to close them during FY 2024. Notably, DTIC did not have any oldest requests reported in FY 2023.

Equally impressive, six components did not have any backlogged appeals reported and 13 had zero backlogged consults in FY 2023. Three DoD components closed all ten of their oldest appeals, and one closed nine of their ten. Components described challenges encountered in completing their oldest consultations, but despite the challenges, four components closed all 10 of their oldest consultations reported in FY 2023.

DoD has continued to strengthen its FOIA program in response to the Attorney General's (AG) FOIA Guidelines memorandum, issued on March 15, 2022. As detailed in the Report, DoD FOIA Program Components continue to report enhanced efforts to improve the navigability and usability of their FOIA websites, to increase proactive disclosures and improve internal processes to identify such disclosures on an ongoing basis, and to enhance methods outside of FOIA by which records are made available to individuals or the public.

With the advancement of Artificial Intelligence (AI), DoD is unquestionably dedicated towards identifying key areas to benefit our workforce, while also investing into the crucial relationship between FOIA professionals and requesters. Components reported seeking methods to utilize greater technology in FOIA processing through advancements to include seeking out new case management systems, deduplication tools, and machine-learning to assist in reducing response times and improving efficiency.

DoD also continues to improve Component FOIA administration and streamline processes. FOIA personnel across DoD remained knowledgeable in FOIA policies, procedures, and exemptions, as well as best practices for handling initial requests, administrative appeals, and FOIA litigation. DoD Components are consistently committed to ensuring that their staff is well-equipped to meet the challenges of processing FOIA requests while adhering to privacy protections, transparency expectations, and national security requirements.

Highlights in this report also include DoD Components' prioritization in not only attending, but also hosting FOIA training to ensure our FOIA professionals are well-versed in the nuances of complicated FOIA requirements. Components expanded FOIA training to more DoD non-FOIA professionals through various outreach methods, improving overall program efficiencies and providing specific information of most interest to requester communities as well.

DoD Components have also focused on enhancing customer service and improving communications with FOIA requesters. Many Components reported improving their public-facing sites and tools. By doing so, requesters benefit from tracking requests more effectively and locating publicly available records with greater ease.

The report also highlights the importance of the relationship between Component FOIA Programs with their respective Offices of General Counsel (OGC). Many Components reported increased OGC involvement as a proactive measure to review FOIA responses to ensure proposed submissions are legally compliant. Additionally, FOIA professionals and OGC have operated in tandem to satisfy demands presented by litigation requirements.

Consistent with the Department of Justice Office of Information Policy (DOJ OIP) guidance, this report is not delineated by data from each of the 35 DoD FOIA Program Components, but provides highlights, examples, and narratives of the efforts across the Department.

DoD FOIA Program Components/35 FOIA Requester Service Centers (RSC)

AIR FORCE	Department of the Air Force
AFRICOM	U.S. Africa Command
ASBCA	Armed Services Board of Contract Appeals
ARMY	Department of the Army
CENTCOM	U.S. Central Command
CYBERCOM	U.S. Cyber Command
DCAA	Defense Contract Audit Agency
DCMA	Defense Contract Management Agency
DCSA	Defense Counterintelligence and Security Agency
DeCA	Defense Commissary Agency
DFAS	Defense Finance and Accounting Service
DHA	Defense Health Agency
DIA	Defense Intelligence Agency
DISA	Defense Information Systems Agency
DLA	Defense Logistics Agency
DoDEA	Department of Defense Education Activity
DoD OIG	Department of Defense Office of the Inspector General
DTIC	Defense Technical Information Center
DTRA	Defense Threat Reduction Agency
EUCOM	U.S. European Command
JPRA	Joint Personnel Recovery Agency
INDO-PACOM	U.S. Indo-Pacific Command

NAVY	Department of the Navy
NGA	National Geospatial-Intelligence Agency
NGB	National Guard Bureau
NORTHCOM	U.S. Northern Command
NRO	National Reconnaissance Office
NSA	National Security Agency
OSD/JS	Office of the Secretary of Defense/Joint Staff
SOCOM	U.S. Special Operations Command
SOUTHCOM	U.S. Southern Command
SPACECOM	U.S. Space Command
SPACE FORCE	U.S. Space Force
STRATCOM	U.S. Strategic Command
TRANSCOM	U.S. Transportation Command

SECTION I: FOIA LEADERSHIP AND APPLYING THE PRESUMPTION OF OPENNESS

The guiding principle underlying the Attorney General's 2022 FOIA Guidelines is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective FOIA administration. Please answer the following questions about FOIA leadership at your agency and describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

A. Leadership Support for FOIA

1. **The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level?**

   Yes.

2. **Please provide the name and title of your agency's Chief FOIA Officer.**

   Ms. Joo Y. Chung, the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency.

3. **What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?**

   DoD Components continue to improve FOIA compliance, operations, training programs, and leadership oversight. Within OATSD(PCLT), PCLT-FD oversees all FOIA matters within DoD. PCLT-FD ensures ongoing emphasis on FOIA, including: (1) applying the presumption of openness; (2) implementing effective systems for responding to requests; (3) increasing proactive disclosures; (4) increasing greater utilization of technology; and (5) improving timeliness.

   Several DoD Components have implemented systems for tracking FOIA requests and monitoring backlogs. Additionally, Components have prioritized the modernization of their FOIA processes, seeking to improve efficiency, reduce processing times, and make information more accessible.

   - DIA has embedded the FOIA program into their overall strategic plan, ensuring that FOIA compliance is treated as an integral part of the agency's operations.

   - DLA has incorporated FOIA milestones into its operations, focusing on tracking and staffing support to address any backlogs which helps mitigate FOIA litigation risks and ensures timely responses to requests.

- DIA and DCSA have been proactive in improving FOIA appeal processes and creating clear policies for handling requests related to national security and/or classified information.

B. Presumption of Openness

4. **The Attorney General's 2022 FOIA Guidelines provides that "agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions." Does your agency provide such confirmation in its response letters?**

   Yes.

5. **In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interested protected by a FOIA exemption. This is commonly referred to as a Glomar response. If your agency tracks Glomar responses, please provide:**

   - **The number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2024 (separate full and partial if possible);**
   - **the number of times a Glomar response was issued by exemption during FY 2024 (e.g., Exemption 7(C) – 20 times, Exemption 1 – 5 times).**

   In some circumstances, DoD Components respond to a requester that "it can neither confirm nor deny the existence of requested records." This Fiscal Year, DoD Components reported issuing Glomar responses* 894 times.

   *Please note, some issuances of a Glomar response warrant simultaneous use of exemptions. As such, the itemized list of issued exemptions below does not directly equate to the number of issuances given.

   In asserting Glomar responses, the following exemptions were cited:

   (b)(1) – 425
   (b)(3) – 467
   (b)(5) – 17
   (b)(6) – 302
   (b)(7) – 333

6. **If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.**

   During Fiscal Year 2024, several DoD Components implemented initiatives to ensure that the presumption of openness is consistently applied while handling FOIA requests.

   - ASBCA provides access to over 6,000 published decisions and reports, providing an archive of information (online repository) for requesters to access, enhancing transparency.

   - EUCOM has developed a "front-loading" procedure for exemption determinations which encourages subject-matter experts to assess foreseeable harm before considering the applicability of FOIA exemptions, thus speeding up reviews and ensuring openness.

SECTION II: ENSURING FAIR AND EFFECTIVE FOIA ADMINISTRATION

The AG FOIA Guidelines provide that "ensuring fair and effective FOIA administration requires proper training and a full understanding of FOIA obligations by the entire agency workforce." The Guidelines reinforce longstanding guidance to "work with FOIA requesters in the spirit of cooperation." The AG also "urges agency Chief FOIA Officers to undertake a comprehensive review of all aspects of its agency's FOIA administration" to ensure fair and effective FOIA administration.

A. FOIA Training

1. **The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.**

   PCLT-FD is responsible for developing and promoting FOIA training across the agency. OATSD(PCLT) conducts in-person and virtual FOIA/PA presentations and training in this capacity. DoD also strongly encourages that Components conduct internal training to increase the knowledge of DoD's FOIA professionals.

   In FY 2024, OATSD(PCLT) led a DoD Breakout session during the American Society of Access Professionals (ASAP) 17th Annual National Training Conference held in June 2024 in Anaheim, California. The breakout session topics included OATSD(PCLT) structure, responsibilities, relevant FOIA and privacy information, and other crucial topics. In September 2024, ASAP also conducted a FOIA/PA Training Workshop in Pittsburgh, Pennsylvania, where PCLT-FD's Director also provided training on various FOIA topics.

In October 2023 and again in August 2024, OATSD(PCLT) hosted a three-day DoD FOIA/PA Training Workshop, at the Mark Center in Alexandria, Virginia. PCLT coordinated with various government agencies, including the Department of Treasury, the National Archives, the Office of Personnel Management, the Office of Government Information Services, the Federal Bureau of Investigation, and various FOIA offices within the DoD to conduct in-person training on common topics and increase collaboration across multiple agencies of the federal government.

OATSD(PCLT) also continued its Virtual FOIA/PA Training Program for the DoD FOIA Community. The program delivered initial, refresher, and advanced training courses for DoD FOIA professionals. Monthly training topics included Glomar Responses, Exemption (b)(3) Statutes, FOIA Negotiation Skills, 508 Compliance and FOIA, Annual FOIA Report, Chief FOIA Officer Report, Quarterly Report Preparation, and various other FOIA-related topics.

2. **Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?**

   Yes.

3. **If yes, please provide a brief description of the type of training attended or conducted and the topics covered.**

   Throughout FY 2024, DoD Component personnel participated in a broad spectrum of FOIA-related training designed to enhance understanding of the FOIA and the Privacy Act. This training not only covered foundational topics, but also delved into more specialized areas to ensure full compliance with applicable laws and policies.

   DoD provides training to FOIA professionals both in person and virtually. A significant portion of the training occurred at DoD-wide FOIA and Privacy Act Training virtual events, such as the FOIA 101 virtual training, which provides a comprehensive overview of FOIA and its procedural requirements. Additionally, in-person workshops covering topics like Backlog Reduction Ideas and Best Practices and FOIA exemptions ensured that participants understood the nuances of processing FOIA requests, especially when dealing with sensitive, proprietary, or classified information. Participants who attended our DoD FOIA/PA Training Workshops at the Mark Center also learned about FOIA reporting schedules, the foreseeable harm standard, and how to weigh public interest and privacy concerns in a release of information under the FOIA.

   DoD's virtual training included presentations on topics like FOIA negotiation skills and managing mandatory declassification reviews (MDR). The training on MDR, which focused on handling classified records and ensuring compliance with executive orders, was particularly relevant for those involved in processing requests

related to national security or classified information. Additionally, training on FOIA exemptions and privacy considerations further strengthened the understanding of what can be released and what must be protected under the law. Training also emphasized specialized FOIA procedures, such as handling FOIA requests for Reports of Investigation (ROI) and electronic communications. These sessions addressed the complexities of dealing with specific types of records, including how to navigate legal and privacy concerns when processing FOIA requests related to investigative reports and records**.**

Additionally, DOJ training was a crucial resource for many FOIA professionals, with sessions on litigation**,** FOIA compliance, and administrative appeals. The DOJ's FOIA Exemption and FOIA Litigation training were particularly important, helping participants gain deeper insight into how to manage requests that might involve legal challenges. Other DOJ-sponsored courses, such as the Processing a Request from Start to Finish and FOIA Best Practices, provided a step-by-step breakdown of the request handling process, ensuring FOIA personnel were equipped to efficiently manage requests from inception to resolution.

For many Components, internal training was equally important. Sessions focused on the use of electronic case management systems and the process of handling complex requests like those for investigations or classified materials. Additionally, training on FOIA exemptions, particularly exemption (b)(4) and exemption (b)(5), provided clarity on protecting sensitive commercial or privileged information.

4. **Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.**

   During this reporting period, 100% of DoD FOIA Components received formal FOIA training.

5. **OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.**

   N/A.

6. **Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process.**

Many of the DoD Components have developed structured efforts to inform non-FOIA professionals about their obligations under FOIA. These efforts primarily consist of regular training sessions, briefings, and resources that aim to ensure all staff involved in the FOIA process are well-versed in their responsibilities.

- CYBERCOM has a comprehensive training system in place to ensure its personnel understand their FOIA responsibilities. The FOIA Officer provides monthly onboarding presentations during the newcomer's orientation to familiarize incoming staff with FOIA duties. For more formalized training, CYBERCOM's updated FOIA instruction mandates that all staff will complete FOIA training, with links to courses available through the Joint Knowledge Online portal (JKO), the DOJ OIP portal, and the MyGovLearn portal.

- Several components, including CYBERCOM and the DoD OIG, focused on increasing internal awareness by providing FOIA training for non-FOIA staff and developing digital resources like FOIA reference libraries and core process documentation. These initiatives aim to streamline processes and ensure consistency in FOIA responses.

- INDO-PACOM emphasizes the importance of FOIA training by requiring all new arrivals (military, civilian, and contractor) complete JKO FOIA training as a prerequisite for their Newcomers Employee Orientation. The FOIA office has worked to incorporate an in-person FOIA presentation training to ensure that staff members are aware of their obligation to search for responsive records when tasked with processing FOIA requests. To further support the training effort, the FOIA office is staffing an update to INDO-PACOM's annual training program to include FOIA computer-based training via JKO, along with records management and Privacy Act training.

- NRO provides regular quarterly in-person briefings on FOIA to non-FOIA professionals as part of the Security and Counterintelligence training course, which is aimed at helping staff understand their role in the FOIA process. NRO's senior leadership also participates in briefings, ensuring they are kept informed of the FOIA program's requirements and developments. Their FOIA office also works closely with Public Affairs to update the publicly available FOIA website, posting Command Histories and other records in the library for greater public transparency.

- DCSA provides monthly privacy Pop-Up notifications on its SharePoint site, reminding staff about the importance of safeguarding information and complying with FOIA requirements. This is part of the broader training initiative aimed at ensuring that all staff understand the critical role they play in FOIA compliance. The Component also conducts regular briefings for senior leadership to keep them informed of any FOIA operational concerns and challenges.

Service components have also worked towards establishing outreach practices for non-FOIA professionals. For instance, the Navy provides summary information sheets to subject matter experts when they are tasked with searching for records. The U.S. Marine Corps (USMC) regularly briefs its senior leadership on FOIA-related matters, including the implications of FOIA litigation, and offers one-on-one training when needed. The Army similarly provides FOIA training to individuals involved in the FOIA request process.

Across the DoD, many Components provide quarterly, annual, or ad-hoc training sessions on FOIA principles and exemptions. These training sessions help non-FOIA professionals understand the importance of searching for responsive records, the appropriate application of exemptions, and the documentation required to ensure proper FOIA compliance. Training is typically provided via in-person sessions, virtual courses, and online platforms like JKO or internal websites. Senior leaders at many commands and Components also receive regular briefings on FOIA resources, obligations, and expectations to ensure they are aligned with the broader FOIA compliance efforts.

B. Outreach

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.

Yes. Components across DoD proactively engage with requesters to clarify the scope of a request to mitigate requests for "all records" that "relate to" or "refer to" or "pertain to" or "concern" or "regarding" a particular subject. The goal of these proactive efforts is to reduce the burden on both the requester and the agency by ensuring requests are appropriately refined and processed in a timely manner. By collaborating with requesters, Components can provide more relevant, targeted information and improve the efficiency of the FOIA process. Some examples of requester assistance include:

- ASBCA provides a docket sheet and contact details for the OSD/JS FOIA Requester Service Center and Public Liaison to provide assistance with regard to submission requirements and narrowing of the scope of FOIA requests.

- DCAA and DIA proactively offer strategies to locate the most relevant records, which can help reduce the overall processing time and ensure the response is more specific to the requester's needs.

- Components such as DCSA and USEUCOM highlighted improved customer service through more direct communication with requesters, narrowing requests,

and reducing confusion. DCSA emphasized the importance of focusing on transparency and information security.

8. **Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue, with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.**

Yes. Proactive communication with requesters has proven to be an invaluable approach to satisfying our roles as stewards of Government information. DoD and several of its Components provided responses highlighting proactive efforts to foster communication and transparency with requesters:

- Members of OATSD(PCLT) participated in the NexGen FOIA Technology Showcase 2.0 in May of 2024, a public forum which facilitated collaborative efforts between vendors and the Chief FOIA Officers Council Technology Committee to identify vendor FOIA technology solutions, and help the public understand how advanced/emerging technology can be applied towards improving the FOIA customer experience.

- CYBERCOM participated in the Federal FOIA Advisory Committee meetings as a DoD representative, which provides a forum for dialogue between the administration and the requester community.

- DIA hosts an annual Information Management & Compliance Symposium (INFOCOM) where requesters can participate on a FOIA requester panel, enhancing communication and understanding.

- DCSA promotes open communication through an organizational email inbox, telephone calls, and occasional audio conference meetings which maintain a strong relationship with frequent media requesters and provides guidance to ensure better transparency and understanding of the FOIA process.

9. **The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2024 (please provide a total number or an estimate of the number for the agency overall).**

Requesters sought assistance approximately 3,000 times from the 19 DoD FOIA Public Liaisons that represent the 35 DoD Components. Within DoD, 18 of the Components have a dedicated FOIA Public Liaison, while one individual serves as the FOIA Public Liaison for OSD/JS and 16 additional DoD Components. The role of FOIA Public Liaison continues to be a key resource for helping requesters navigate delays or address complex issues in the FOIA process.

C. Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

Yes, DoD has evaluated the allocation of personnel resources required to respond to both current and anticipated FOIA demands. Several initiatives have been implemented across various Components which focus on increasing staff, cross-training personnel, leveraging contractor support, and exploring technological solutions to improve efficiency. Several key examples include:

- AFRICOM received funding for two additional FOIA positions, to support the demand in FOIA processing requirements.

- DoD OIG is reviewing options for de-duplication software to assist with processing demand and has estimated future request volumes to better plan resource allocation.

- INDO-PACOM added contract support to assist with reducing the FOIA backlog.

- NAVY added personnel to assist in backlog reduction and regularly evaluates staffing levels and explores more effective use of reservist support and detailed government personnel.

- NGA is upgrading its case management tools and researching AI technologies to improve responsiveness to increasing FOIA demands.

- NRO has cross-trained several Prepublication Team officers with the FOIA Team, enabling a greater number of personnel to support FOIA tasks either on a more flexible or full-time basis. This ongoing evaluation of resources against workflow will ensure continued efficiency.

- OATSD(PCLT) has implemented a backlog reduction effort to assist OSD/JS and DoD Components with redaction support.

- OSD/JS acquired additional contractor personnel to assist with the significant workload, to manage over 3,500 cases, and support various sections across their FOIA office.

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.

DoD Components utilize various data and processing metrics, to ensure efficient management of the FOIA workload. These tools and methods help track progress, identify bottlenecks, allocate resources, and ensure compliance with statutory deadlines. These practices include:

- Many Components, including DTRA and INDO-PACOM, use case management information that provides critical insights into the lifecycle of FOIA requests, such as the number of cases received, processed, and closed. This information is reviewed regularly to prioritize tasks and allocate resources effectively. Also, DIA tracks the requested information, processing times and simple or complex queue. This data directs staffing decisions and ensures the workload is balanced.

- Multiple Components, like DoD OIG and DHA, have implemented custom databases, tools or software, such as FOIAXpress, to manage FOIA requests. These systems generate real-time reports, track backlogs, and monitor overdue requests. NGB uses spreadsheets to manage multiple workflows, but is also exploring capabilities through FOIAXpress, while NGA is improving its case management tools to enhance responsiveness.

- Several Components, including DIA and DHA, engage in detailed data analysis to identify trends and bottlenecks. For instance, DHA tracks patterns in FOIA requests to predict workload surges and adjust staffing accordingly. AFRICOM and EUCOM also examine processing metrics and trends which help identify areas where additional resources may be required.

- Some Components, like SPACECOM, utilize situational reports to track incoming requests and backlogged cases, adjusting resources to address areas of concern. Similarly, OSD/JS uses processing metrics to help prioritize cases and ensure the efficient use of resources across multiple subcomponents.

12. The federal FOIA Advisory Committee, comprised of agency representatives and members of the public, was created to foster dialogue between agencies and the requester community, solicit public comments, and develop recommendations for improving FOIA administration. Since 2020, the FOIA Advisory Committee has issued a number of recommendations. Please answer the below questions:

- **Is your agency familiar with the FOIA Advisory Committee and its recommendations?**

  Yes.

- **Has your agency implemented any of its recommendations or found them to be helpful? If so, which ones?**

Recommendations being implemented by DoD include the following:

- 2020-03 - Agencies will work toward the goal of collecting, describing, and giving access to FOIA-released records in one or more central repositories, and on agency websites.

- 2022-03 - Agencies should post on their FOIA websites information for requesters about "Neither Confirm Nor Deny"/Glomar responses (in progress).

- 2022-10 - Agencies should endeavor to provide regular and proactive online publication of searchable FOIA logs containing certain information in Excel/CSV (comma-separated values) format (in progress).

- 2024-09 - Federal agencies should expand public engagement activities focused on improving all aspects of their FOIA process (working on creating FOIA training for requesters).

- 2024-11 - The Chief FOIA Officers Council should form a working group to analyze the interest in and need for 1) a shared FOIA case management system and 2) a centralized records repository for use by federal agencies and the public (OATSD(PCLT) is a working group participant and researching this for DoD).

13. **If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here:**

To ensure fair and effective administration of FOIA requests, our Components have implemented several initiatives aimed at improving processing efficiency, enhancing coordination, and maintaining compliance with legal requirements. Key initiatives include:

- At DHA the IMO Director and other senior leadership meet monthly to discuss and develop operational guidance for FOIA requests, ensuring consistent and fair processing across the Component.

- DTRA has established a practice where previously released documents are proactively offered to requesters if they are seeking the same information.

- DCSA employs a centralized coordination approach to maintain consistent policies and performance reporting across its decentralized offices, ensuring standardized handling of requests.

- The NSA Office of Information Management is actively procuring new technology to improve case management, tracking, and document review efficiency.

- At DIA, FOIA requests are subject to legal sufficiency reviews by the General Counsel's office, ensuring compliance with legal standards.

- DTRA's FOIA Public Liaison proactively reaches out to requesters to negotiate rolling releases of records. This strategy helps alleviate the backlog by providing partial responses to large requests, reducing delays and the risk of litigation.

These efforts ensure that FOIA processing remains transparent, effective, and compliant with statutory requirements.

SECTION III: PROACTIVE DISCLOSURES

The AG FOIA Guidelines emphasize that "proactive disclosure of information is . . . fundamental to the faithful application of the FOIA." The Guidelines direct agencies to post "records online quickly and systematically in advance of any public request" and reiterate agencies should post records "in the most useful, searchable, and open formats possible."

1. **Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.**

   The Department takes a range of steps to identify, track, and make publicly available documents of interest. These efforts include regular reviews of processed FOIA requests, close collaboration with internal offices, and the use of tracking systems to identify records that should be disclosed. These efforts not only enhance transparency, but also reduce duplicate requests and increase public access to important government information. Four key areas outline our approach:

   a. Identifying and Reviewing Records: Components routinely assess processed FOIA requests to identify documents that are frequently requested or of significant public interest. DCAA consistently updates its public website with audit guidance and other related materials to keep the public informed.

   b. Posting Documents for Public Access: Components have established online FOIA libraries to make information readily available to the public. TRANSCOM and DIA also works closely with legal and security teams to assess which records are appropriate for posting.

c. Expanding Proactive Disclosures: Components are actively expanding their proactive disclosure practices and several components made significant strides in proactively disclosing information. SPACECOM regularly posts command-related information to its website, making it more accessible to the public without the need for a formal FOIA request. CYBERCOM FOIA posted numerous records proactively and NRO also posted over 1,200 documents related to the POPPY Program to its website. Additionally, the Navy FOIA office increased its proactive disclosure uploads from one day per quarter to one day per month, significantly expanding the public's access to records.

d. Training and Guidance for Staff: To support proactive disclosures, NSA and other Components provide regular training for FOIA professionals. This training ensures that staff understand how to identify records that are suitable for disclosure. Additionally, Component guidelines and internal tracking tools help staff manage the identification, tracking, and posting of these records.

2. **Does your agency post logs of its FOIA requests?**

- **If so, what information is contained in the logs?**
- **Are they posted in CSV format? If not, what format are they posted in?**

Yes, DoD Components post their FOIA logs. These logs are regularly updated and made available on their public-facing websites to ensure compliance with FOIA's proactive disclosure requirements. FOIA logs typically contain a variety of data elements that track the progress and outcome of each request submitted. The specific information included in these logs can vary slightly between Components, but generally contain the FOIA case number, name of requester, requester's organization, description of the request, date the request was received, date the request was closed, and final disposition. The FOIA logs are currently posted in PDF or Excel format.

Links to DoD Component FOIA Libraries:

AFRICOM:
- https://www.africom.mil/foia-freedom-of-information-act-requests

AIR FORCE:
- https://efoia.cce.af.mil/app/ReadingRoom.aspx

ASBCA:
- https://open.defense.gov/Transparency/FOIA/DoD-Annual-Reports-to-AG/

CENTCOM:
- https://www3.centcom.mil/FOIALibrary/Search

CYBERCOM:
- https://www.cybercom.mil/FOIA-Privacy-Act/Reading-Room/

DCAA:
- https://www.dcaa.mil/Freedom-of-Information-Act/FOIA-Reading-Room/

DCSA:
- https://www.dcsa.mil/Contact-Us/Privacy-Civil-Liberties-FOIA/FOIA-Requests/

DIA:
- https://www.dia.mil/FOIA/FOIA-Electronic-Reading-Room/

DISA:
- https://disa.mil/about/legal-and-regulatory/freedom-of-info-act-program

DODEA:
- https://www.dodea.edu/offices/executive-services/freedom-information-act-foia

DoD OIG:
- https://www.dodig.mil/FOIA/FOIA-Reading-Room/

DTRA:
- https://www.dtra.mil/About/Mission/Freedom-of-Information-Act-and-Privacy-Act/FOIA-Reading-Room/

EUCOM:
- https://www.eucom.mil/policies-and-compliance/freedom-of-information-act-foia-requester-service-center/foia-reading-room

NAVY:
- https://www.secnav.navy.mil/foia/readingroom/SitePages/Home.aspx?RootFolder=%2Ffoia%2Freadingroom%2FCaseFiles%2FFOIA%20Logs&FolderCTID=0x012000CD3AEB341204C14DB4C7B99C57E99B26&View=%7B988EEA5C%2DDFDB%2D4A5D%2D8414%2DB7A63DACECE2%7D

NGA:
- https://www.nga.mil/search/index.html?query=FOIA

NGB:
- https://www.nationalguard.mil/Resources/FOIA/Library/

NORTHCOM:
- https://www.northcom.mil/FOIA/

NRO:
- https://www.nro.gov/foia-home/foia-resources-foia-for-all/

NSA:
- https://www.nsa.gov/Helpful-Links/NSA-FOIA/Declassification-Transparency-Initiatives/FOIA-Reports-and-Releases/#foia-logs

OSD/JS:
- https://www.esd.whs.mil/FOIA/Reading-Room/Reading-Room-List_2/FOIA_Log/

SOCOM:
- https://www.socom.mil/FOIA/Pages/FOIA-Logs.aspx

SPACECOM:
- https://www.spacecom.mil/Support/FOIA/Reading-Room/

SPACE FORCE:
- https://efoia.cce.af.mil/app/ReadingRoom.aspx

TRANSCOM:
- https://www.ustranscom.mil/foia/index.cfm?thisview=readroom#hideFYLogs

USMC:
- https://www.hqmc.marines.mil/Agencies/USMC-FOIA/FOIA-Reports/

3. **Provide examples of any material (with links) that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D)**

During the past reporting year, several Components proactively disclosed various materials in compliance with FOIA requirements. Examples of such disclosures include:

ASBCA:
- ASBCA posted decisions, annual reports, rules, biographies, and alternative dispute resolution materials on their website:
  - https://www.asbca.mil/Decisions/

DCAA:
- Administrative documents, contractor listings, and agency FOIA policies are available on their FOIA Library:
  - https://www.dcaa.mil/Freedom-of-Information-Act/FOIA-Reading-Room/

DoD:
- DoD Directive Type Memorandums:
  - https://www.esd.whs.mil/DD/DoD-Issuances/DTM/

NAVY:
- Various topics, including UAP requests, Red Hill Investigation, and others, are posted on the U.S. Navy's FOIA Library:
  - https://www.secnav.navy.mil/foia/readingroom/SitePages/Home.aspx

NRO:
- Records of public interest, such as satellite records, and documents requested three or more times, can be found at:
  - https://www.nro.gov/foia-home/foia-declassified-from-the-nro-archives/
  - https://www.nro.gov/foia-home/foia-fiscal-year-2024/

NSA:
- Historical releases, including Grace Hopper videos, are made available through the NSA's FOIA transparency initiatives:
  - https://www.nsa.gov/Helpful-Links/NSA-FOIA/Declassification-Transparency-Initiatives/Historical-Releases

SPACECOM:
- Mission-related documents, such as the SPACECOM Magazine and Commercial Integration Strategy Overview, are posted at:
  - https://www.spacecom.mil/Newsroom/Publications/

TRANSCOM:
- Documents such as the Unsuitable Vendor List and updates to the Global Household Goods Contract are posted:
  - https://www.ustranscom.mil/foia/docs/(U)%20USTRANSCOM%20Unsuitable%20Vendor%20MFR%2028%20May%2024_Redacted.pdf

4. **Provide links where your component routinely posts its frequently requested records.**

AFRICOM:
- https://www.africom.mil/foia-freedom-of-information-act-requests

AIR FORCE:
- https://efoia.cce.af.mil/app/ReadingRoom.aspx

ASBCA:
- https://www.asbca.mil/Decisions/

CENTCOM:
- https://www3.centcom.mil/FOIALibrary/Search

CYBERCOM:
- https://www.cybercom.mil/FOIA-Privacy-Act/Reading-Room/

DCAA:
- https://www.dcaa.mil/Freedom-of-Information-Act/FOIA-Reading-Room/

DFAS:
- https://www.dfas.mil/foia/electronicreadingroom/

DHA:
- https://dhapal.health.mil/app/Home.aspx

DIA:
- https://www.dia.mil/FOIA/FOIA-Electronic-Reading-Room/

DLA:
- https://www.dla.mil/Information-Operations/FLIS-Data-Electronic-Reading-Room/
- https://www.dla.mil/Disposition-Services/Offers/Law-Enforcement/Public-Information/

DoDEA:
- https://www.dodea.edu/offices/executive-services/freedom-information-act-foia

DoD OIG:
- https://www.dodig.mil/reports.html/

DTIC:
- https://www.esd.whs.mil/FOIA/Reading-Room/Reading-Room-List_2/

DTRA:
- https://www.dtra.mil/About/Mission/Freedom-of-Information-Act-and-Privacy-Act/FOIA-Reading-Room/

JPRA:
- https://www.jpra.mil/

NAVY:
- https://www.secnav.navy.mil/foia/readingroom/SitePages/Home.aspx
- https://as-jece-cms-d-usgva.azurewebsites.us/foia/manual-investigations/
- https://www.usna.edu/AdminSupport/foia/reading-room.php
- https://www.navair.navy.mil/comfrc/FOIA

NGA:
- https://www.nga.mil/search/index.html?query=FOIA

NGB:
- https://www.nationalguard.mil/Resources/FOIA/Library/

NRO:
- https://www.nro.gov/foia-home/foia-declassified-from-the-nro-archives/
- https://www.nro.gov/foia-home/foia-resources-for-all/

NSA:
- https://www.nsa.gov/Helpful-Links/NSA-FOIA/Declassification-Transparency-Initiatives/
- https://www.nsa.gov/Helpful-Links/NSA-FOIA/Declassification-Transparency-Initiatives/Historical-Releases

SOCOM:
- https://www.socom.mil/FOIA/Pages/FOIAContracts.aspx

STRATCOM:
- https://www.stratcom.mil/Contact/Freedom-of-Information-Act/Reading-Room/

TRANSCOM:
- https://www.ustranscom.mil/foia/index.cfm?thisview=readroom

5. **Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If not taking steps to make posted information more useful, please explain why.**

Yes. Components are taking steps to improve the accessibility and usability of their posted records, focusing on making documents more searchable, readable, and available in machine-readable formats.

a. Section 508 Compliance:
- DCAA ensures that all posted documents are Section 508 compliant, making them accessible to individuals with disabilities.

b. Machine-Readable Documents:
- ASBCA posts documents that are machine-readable, and their website includes a search bar for easy searching of key terms or phrases.
- Many Components ensure that documents are posted in machine-readable formats, such as PDFs that are optimized with OCR (Optical Character Recognition), allowing text within the PDFs to be searched.

c. Usability Improvements:
  - DFAS has improved the usability and navigability of its FOIA public webpage, offering easy-to-follow tabs, captions, and a modern, user-friendly design.
  - DoD OIG enhances the availability of reports by posting them with significant interest and promoting them via social media alerts.

d. Searchability:
  - NAVY and USMC efforts include OCRing PDFs to make them searchable by keywords.
  - Some Components have upgraded their internal systems or websites to ensure records are available in OCR format and optimized for search.

e. Website and Access Enhancements:
  - DHA has developed a user-friendly website that allows users to check the status of requests, file appeals, and search for frequently requested documents.
  - DTIC is exploring ways to make their public-facing information more user-friendly by improving organization and indexing.

6. **Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.**

DoD Components place a strong emphasis on collaboration between their respective FOIA offices and various departments to facilitate compliant and accessible proactive disclosures to the public. Some collaboration examples include:

a. Public Affairs and Communications: Many Components collaborate with Public Affairs offices, which manage public-facing websites and post information to their FOIA libraries.

b. Legal Reviews: Several Components indicated their legal offices are involved in the proactive disclosure process prior to documents being posted publicly.

c. IT and Data Personnel: Collaboration with IT personnel is common, particularly for managing and posting records to public facing websites. Some Components are also working with IT and data staff to improve the user experience, automate processes, and increase accessibility.

d. Security and Operational Reviews: Components routinely work with security offices to ensure that sensitive information is properly reviewed and protected before posting to public websites.

e. Website and Document Management: Several Components use systems for ensuring that documents are properly categorized, updated, and posted. Some

Components are also exploring technology improvements to streamline their proactive disclosure process, such as working with external departments like Chief Digital and Artificial Intelligence Office for better website organization and compliance.

7. Optional - Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

Best Practices for Proactive Disclosures:

a. Engagement with Stakeholders: Many Components collaborate with various stakeholders such as IT professionals, legal teams, public affairs, and subject matter experts to identify and post records proactively. This includes working with program offices and field offices to find records that can be disclosed without a FOIA request.

b. Release of High-Interest Records: In addition to posting documents that have been requested more than three times, DoD Components proactively post documents relevant to national news or topics that may generate high interest.

Challenges in Proactive Disclosure:

a. Time and Personnel Constraints: Many Components reported the challenge of balancing proactive disclosures against other competing priorities, such as responding to FOIA litigation and processing ongoing requests, many of which are complex in nature or contain voluminous responsive records. This is also further hindered by limitations in staffing, technology, and other resources. Staff reported that they also require time for legal reviews, declassification reviews, and processing or reviews for 508 compliance (accessibility).

b. Website and IT Limitations: Some Components face challenges with IT infrastructure, such as limited control over the platform used for posting, or issues with website maintenance and updates.

SECTION IV: STEPS TAKEN TO GREATER UTILIZE TECHNOLOGY

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. The Attorney General's 2022 FOIA Guidelines emphasize the importance of making FOIA websites easily navigable and complying with the FOIA.gov interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

1. **Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?**

   Yes.

2. **Please briefly describe any new types of technology your agency uses to support your FOIA Program.**

   During the reporting period, several Components adopted or began exploring new technologies to enhance their FOIA processes. Key developments include:

   - DTRA fully implemented Public Access Link (PAL) for its FOIAXpress system, enhancing public access and case management for FOIA requests.

   - NAVY transitioned to SecureRelease, a new cloud-based FOIA software case management system for tracking and processing FOIA requests, replacing FOIAOnline at all NAVY and USMC subcomponents.

   - DIA started using RedactXpress for reviewing and redacting classified materials which integrates redactions directly into their FOIA Case Management System and streamlines the FOIA process. DIA also adopted DoD 365 SharePoint for logging, tracking, and storing FOIA cases.

   - ASBCA adopted MS Teams for scheduling, tracking requests, and conducting video conferences and implemented government-issued phone lines for workstations, allowing requesters to directly contact FOIA personnel.

   - DHA initiated training modules that include publishing responsive documents to the DHA FOIA Library via PAL.

   - The Office of Legislative Affairs and Communications (OLAC) collaborated with the DoD OIG FOIA office to use Adobe Audition for redacting audio files as part of the proactive release of information.

3. **Does your agency currently use any technology to automate record processing? For example, does your agency use machine learning, predictive coding, technology assisted review or similar tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.**

   Of DoD's 35 Components, 8 have indicated that they consider technology to automate record processing. Those Components are either using or exploring technologies such as machine learning, predictive coding, and technology-assisted review for record processing, searches, or redactions.

- At DLA, their FOIA BOT is estimated to save the equivalent of one Full-Time GS-9 level employee, reducing manual labor costs.

- Also, DTIC highlights that their automation tool enables searching PST files rapidly, dramatically improving their efficiency.

4. **OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?**

   Yes.

5. **Did all four of your agency's quarterly reports for Fiscal Year 2024 appear on FOIA.gov?**

   Yes.

6. **If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2025.**

   N/A.

7. **The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2023 Annual FOIA Report and, if available, for your agency's Fiscal Year 2024 Annual FOIA Report.**

   https://open.defense.gov/Transparency/FOIA/DoD-Annual-Reports-to-AG.aspx

8. **In February 2019, DOJ and OMB issued joint Guidance establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?**

   No.

9. **Optional - Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.**

   DoD has several best practices in place, such as the use of specialized FOIA software, regular system health checks, and website enhancements. Despite this, Components still face significant challenges in adopting and maintaining modern

technology. These challenges are primarily driven by funding limitations, older systems, personnel shortages, and difficulties with interoperability between different agency platforms.

Best Practices:

a. FOIA Software and Document Management Systems: Components such as NGA and NAVY have adopted specialized FOIA software, like FOIAXpress and SecureRelease to improve response efficiency and streamline document processing. These systems offer tools for identifying duplicates and expediting responses. TRANSCOM's new records management system (Content Manager) is enhancing record searchability, while other Components, like DHA, maintain user-friendly FOIA websites with access to key policies, status checks, and proactive disclosure.

b. Accessibility and Compliance: Many Components are ensuring their FOIA libraries and released documents comply with Section 508 accessibility standards. This practice allows individuals with disabilities to access government records more easily, ensuring legal compliance and enhancing user experience.

c. Collaboration and Training: Components such as DIA benefit from collaboration with software providers to receive extensive help-desk support and training. This collaboration aids in adapting to the evolving needs of FOIA processing.

d. Website Enhancements: Several Components, including ASBCA and DHA, have recently updated their FOIA websites to improve navigation, clarify FOIA procedures, and provide more detailed information to requesters. These updates often include links to proactive disclosure repositories and guidance for directing misdirected requests.

Challenges:

a. Lack of Updated Technology and Funding: A common challenge for many Components is the absence of modern FOIA-specific tools. While many Components have made efforts towards acquiring and implementing technology, many offices still rely on manual systems, such as spreadsheets or outdated case tracking systems, which can result in inefficiencies. Additionally, Components face significant hurdles in securing the necessary funds to procure, implement, and maintain modern technology.

b. Integration and Interoperability Issues: Components struggle with integrating technology across multiple, disparate systems. The lack of a common platform between different agencies, including Components within DoD and the intelligence community, complicates data sharing and the referral and consultation process.

c. Personnel and Training Gaps: Another challenge is the shortage of skilled personnel capable of effectively utilizing advanced technologies. Many Components report resource shortages, including insufficient staffing and expertise, which hampers the ability to leverage technology fully. This has led to delays and backlogs in processing requests.

d. Security and Regulatory Compliance: Components obtaining or utilizing new software face challenges related to the handling of classified information, cybersecurity regulations, and the labor-intensive process of obtaining an Authority to Operate (ATO). The complexity of these security processes can also delay the implementation and use of modern technology.

SECTION V: STEPS TAKEN TO REMOVE BARRIERS TO ACCESS, IMPROVE TIMELINESS AND RESPONDING TO REQUESTS, AND REDUCE BACKLOGS

The Attorney General's 2022 FOIA Guidelines instruct agencies "to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs." Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

A. Remove Barriers to Access

1. **Has your agency established alternative means of access to first-party requested records, outside of the typical FOIA or Privacy Act process?**

   Yes.

2. **If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.**

   - DFAS has developed a secure, in-house tool called *AskDFAS*, which allows individuals to request first-party records outside the FOIA/PA process. This platform helps track inquiries, reduces call/email traffic, and provides a streamlined, secure method for the public to interact with DFAS. DFAS offers several online tools, such as *MyPay*, *MyInvoice*, and *PayDFAS*, which allow authorized users to access payroll and debt account information without needing to go through FOIA.

   - NAVY (U.S. Naval Academy) directs requesters to their Registrar's website for obtaining official transcripts, which can also be requested through the normal FOIA process, if needed. First-party requesters can also contact record holders directly for full-grant records.

- DCSA provides requestors with direct connections to specific program offices depending on the record type, such as the use of the INV100 form for background investigation records and the DCSA Form 335 for security clearance records.
- Requests for medical records are processed directly by Medical Treatment Facilities rather than through the FOIA process, such as at DHA.

3. **Please describe any other steps your agency has taken to remove barriers to accessing government information.**

   Overall, many Components have taken significant steps to enhance access to government information through proactive disclosure, website updates, and improved online tools. These efforts reduce the need for formal FOIA requests and increase public access to records.

B. Timeliness

4. **For Fiscal Year 2024, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2024 Annual FOIA Report.**

   30 days.

5. **If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2024 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.**

   This number is an average number of days across the Department's 35 Components. Most DoD Components are effectively processing expedited requests within the statutory ten-day timeframe, with ongoing efforts to address any unexpected delays. Measures like improved staff training, prioritization of requests, and additional resources are being implemented to ensure continued and improved compliance with expedited processing deadlines.

6. **Does your agency utilize a separate track for simple requests?**

   Yes.

7. **If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2024?**

   No. The average time to process simple requests was 30 days.

8. **If not, did the simple track average processing time decrease compared to the previous Fiscal Year?**

   No. The average processing time to process simple requests increased from 28 days to 30 days.

9. **Please provide the percentage of requests processed by your agency in Fiscal Year 2024 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.**

   43%

10. **If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?**

    N/A.

C. Backlogs

Backlogged Requests

11. **If your agency had a backlog of requests at the close of Fiscal Year 2024, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2023?**

    No.

12. **If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2024 than it did during Fiscal Year 2023?**

    Yes.

13. **If your agency's request backlog increased during Fiscal Year 2024, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:**
    - **An increase in the number of incoming requests**
    - **A loss of staff**
    - **An increase in the complexity of requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)**
    - **Litigation**

- **Any other reasons – please briefly describe or provide examples of when possible**

Across the Department, Components have consistently faced challenges in day-to-day FOIA processing due to a wide range of reasons, which include limitations in manpower and resources, lack of technological assistance, request complexity, and litigation matters. The common reasons Components provided are as follows:

- Several Components noted a significant rise in the volume of FOIA requests during Fiscal Year 2024, leading to a heavier individual processing workload.

- Turnover and vacancies in FOIA-related positions were common, often exacerbated by long delays in filling positions. In some cases, there were additional duties assigned to the limited staff, further delaying processing times.

- Requests became more complex, requiring reviews of large volumes of documents, consultations with other agencies or Components, and handling sensitive information (classified materials or personally identifiable information), which slowed processing.

- Increased FOIA litigation which diverted resources from limited assigned personnel affecting standard FOIA processing.

- Other reasons include issues with upgrading technology and implementing electronic case tracking systems, frequent staff rotation and lack of subject matter expertise were also items mentioned as challenges.

14. **If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2024. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."**

35%

Backlogged Appeals

15. **If your agency had a backlog of appeals at the close of Fiscal Year 2024, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2023?**

Yes.

16. **If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2024 than it did during Fiscal Year 2023?**

    N/A.

17. **If your agency's appeal backlog increased during Fiscal Year 2024, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:**
    - **An increase in the number of incoming appeals**
    - **A loss of staff**
    - **An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)**
    - **Litigation**
    - **Any other reasons – please briefly describe or provide examples when possible**

    N/A.

18. **If you had an appeal backlog, please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2024. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2024 and/or has no appeal backlog, please answer with "N/A."**

    55%

D. Backlog Reduction Plans

19. **In the 2024 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2023 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2024.**

    No, DoD did not implement a backlog reduction plan during Fiscal Year 2024. However, the Department is fully dedicated towards assessing our agency's needs and implementing measures aimed at mitigating the DoD's backlog of perfected requests. Together, with input from our Components, we are developing a reduction plan that will better facilitate compliance with current FOIA demands.

We have identified key areas that we will seek to sustain and prioritize as part of the continued development of the backlog reduction plan. Training across all levels of FOIA staff has remained a priority for DoD. In doing so, our FOIA professionals are better equipped to navigate the challenges presented in our day-to-day functions. Additionally, consistently assessing our resources and comparing them against the Department's requirements has allowed for responsible allocation of personnel, as well as exploring the acquisition of FOIA-related technology to assist in FOIA processing.

Some methods our components employed to reduce their individual backlogs include:

- The AIR FORCE mandated monthly reports from offices with significant backlogs, which helped track progress and expedite processing.

- DHA started by targeting simple requests, conducted backlog reviews, engaged with requesters, and prioritized the oldest cases. They also analyzed and improved their electronic tracking system and established a Helpdesk that saved over 1,000 man-hours annually. These efforts led to a 22% reduction in the backlog for FY24.

- Components made significant progress towards reducing backlogs and DCMA was able to reduce their FOIA backlog by almost 90%.

- DIA updated processes, improved case management, established processing goals, and developed strategies for consistency, which led to an overall reduction in DIA's backlog.

- NSA conducted audits of backlogged cases, contacted requesters to confirm interest, and worked with the Office of General Counsel on complex cases. As a result, NSA also achieved a reduction in their backlog.

- OSD/JS collaborated closely with Component offices to focus on requests closest to completion. They also increased manpower and improved training efforts, both internally and externally. Finally, by also systematically ensuring the oldest cases continued to move forward, they achieved a backlog reduction.

- TRANSCOM focused on increasing manpower, implemented additional processing tracks, prioritized litigations, consultations, and older cases, and streamlined processing for smaller cases.

20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2024, please explain your agency's plan to reduce this backlog during Fiscal Year 2025

Despite an increase in overall backlog of requests, DoD will continue to implement and develop methods to decrease our backlog. Addressing manpower shortages, assisting in development and implementation of technological advancements, such as exploring machine learning and automated case management systems, while also working closely with requesters to identify specific records they are seeking will be efforts we practice and enforce across the Department. Some changes DoD Components forecast include:

- CENTCOM plans to enhance last year's backlog reduction plan. They are reallocating resources to create more Quality Assurance Analysts and Subject Matter Experts to enhance production capability. They also plan to establish a dedicated team focused on requester interaction, aiming for 100% contact with requesters to confirm the relevance of their requests, provide updates on their status, and explore opportunities to narrow the scope of requests to expedite processing.

- DIA continues to mature its case management processes as well as improve the professional skills of the analysts. They have established a new onboarding process for apprentice analysts which include weekly progression meetings to assess every step of each case they are currently working. Additionally, they're continuing to meet monthly with their journeyman and veteran case analysts to discuss processing steps. This meeting provides a mechanism to address any challenges and allows the Branch Chief to identify and intercede in any challenges that are causing stagnation in case processing.

E. Reducing the Age of Requests, Appeals, and Consultations

TEN OLDEST REQUESTS

21. **In Fiscal Year 2024, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2023 Annual FOIA Report?**

    Yes.

22. **If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2023 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.**

    N/A.

23. **Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.**

DoD was successful in significantly reducing the age of our pending backlog. Components have been instrumental in focusing on their respective backlogs and are employing a variety of proven strategies to reduce their overall age of the oldest pending requests. Primarily, those efforts include improved tracking systems, enhanced coordination and communication with requesters, reallocation of resources and personnel, and creating separate tracks to manage simple and complex requests.

Specifically, by Component:

- DTIC had zero backlogged requests reported in FY 2023.

- DCAA, DCMA, DCSA, DFAS, DLA, DoDEA, NSA, OSD/JS, SOCOM, and TRANSCOM closed ten out of ten oldest requests.

- ASBCA closed nine out of nine oldest requests.

- DeCA closed two out of two oldest requests.

- DIA and STRATCOM closed nine out of ten oldest requests.

- DTRA, DoD OIG and NGB closed seven out of ten oldest requests.

- JPRA, Navy, and NGA closed six out of ten oldest requests.

- DISA closed five out of ten oldest requests.

- CYBERCOM closed four out of ten oldest requests.

- AFRICOM and CENTCOM closed three out of ten oldest requests.

- AIR FORCE, ARMY, NORTHCOM, and SPACE FORCE closed two out of ten oldest requests.

- SPACECOM closed five out of seven oldest requests.

TEN OLDEST APPEALS

24. In Fiscal year 2024, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2023 Annual FOIA Report?

No.

25. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2023 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

DoD closed 8 of the 10 oldest appeals.

26. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals?

Several Components made significant progress in addressing the age of their pending appeals through targeted actions, prioritization, and enhanced collaboration. Component efforts include collaborating with their respective Office of General Counsel on resolving the oldest or more challenging appeals and strengthening the oversight and management of the appeals process.

Specifically, by Component:

- ASBCA, DCAA, DCMA, DeCA, DISA, and DLA had zero backlogged appeals reported in FY23.

- DCSA, NSA and OSD/JS closed ten out of ten oldest appeals.

- DFAS and NRO closed one out of one oldest appeal.

- NAVY closed nine out of ten oldest appeals.

- DTRA closed three out of five oldest appeals.

- DOD OIG closed two out of three oldest appeals.

- AIR FORCE and DIA closed five out of ten oldest appeals.

- ARMY closed three out of ten oldest appeals.

- DHA closed one out of ten oldest appeals.

TEN OLDEST CONSULTATIONS

27. In Fiscal Year 2024, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2023 Annual FOIA Report?

No.

28. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2023 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that?

DoD closed 8 of the 10 oldest consultations.

DoD Components reported significant achievements in their pursuit of addressing their oldest consultations.

Specifically, by Component:

- ASBCA, DCAA, DCMA, DeCA, DFAS, DLA, DoDEA, DOD OIG, DTIC, NORTHCOM, SPACECOM, SPACE FORCE, and TANSCOM had zero backlogged consultations reported in FY 2023.

- DIA, DTRA, NSA, and OSD/JS closed all ten out of ten oldest consultations.

- NRO closed six out of six oldest consultations.

- DCSA closed one out of one oldest consultation.

- CENTCOM and NGA closed nine out of ten oldest consultations.

- ARMY closed six out of ten oldest consultations.

- CYBERCOM closed five out of ten oldest consultations.

- SOCOM closed four out of ten oldest consultations.

- NGB closed three out of ten oldest consultations.

- SOUTHCOM closed five out of seven oldest consultations.

- DHA closed three out of four oldest consultations.

- INDO-PACOM closed one out of two oldest consultations.

- AFRICOM closed one out of ten oldest consultations.

ADDITIONAL INFORMATION REGARDING TEN OLDEST

29. If your agency did not close its 10 oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those "10 oldest" requests, appeals, and consultations during Fiscal Year 2025.

Many Components faced delays in closing their oldest requests, appeals, and consultations due to resource constraints, complexity, and inter-agency coordination issues. However, the plan for Fiscal Year 2025 focuses on allocating additional resources, improving internal workflows, and collaborating more effectively with other agencies to ensure the closure of these cases. Several Components have already put measures in place, such as dedicated FOIA professionals, systematic reviews, and enhanced communication with stakeholders, to meet their goals of closing the oldest cases in the coming fiscal year. Finally, in Fiscal Year 2025, our agency will also seek to better understand and leverage FOIA related technology, such as machine-learning.

DoD identified four key reasons for not closing the oldest requests, appeals, and consultations:

Resource Constraints:

- Limited staffing or loss of personnel.
- Competing priorities, such as litigation or other high-priority cases.
- Limited resources for handling complex cases.

Complexity of Requests and Coordination:

- Requests requiring extensive reviews, consultations with multiple agencies or components, or classified information that needs coordination.
- Appeals and consultations needing multiple reviews, including input from legal teams (e.g., OGC).
- Some cases involved lengthy inter-agency coordination, such as consultations with other government departments.

Internal Workflow Issues:

- Difficulties in processing due to technical issues or complex records, especially involving different departments or external agencies.

Pending External Responses:

- Many components reported delays in completing requests and consultations due to prolonged responses from external agencies or components.

F. Additional Information about FOIA Processing

30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency's overall FOIA request processing and backlog. If possible, please indicate:

- **The number and nature of requests subject to litigation**
- **Common causes leading to litigation.**
- **Any other information to illustrate the impact of litigation on your overall FOIA administration.**

Litigation is a significant aspect of FOIA processing. It brings substantial challenges by diverting resources and time from routine requests, thus increasing backlogs and complicating efficient case management. During this reporting period, 48.57% of DoD components reported having FOIA requests subject to litigation. According to component responses, the most common subjects that have attracted litigation are requests pertaining to investigative records, classified records, or requests from media outlets or organizations advocating for transparency.

While there are a multitude of reasons that may trigger litigation, component responses indicate some common causes include timeliness issues, questions pertaining to the sufficiency of searches, and objections to withholding of information. In some cases, complexity of records (e.g. classified/sensitive or voluminous records) require extensive reviews and additional input or consultation, which can also trigger litigation.

Components listed several procedural challenges they faced, as a result of litigation. Some examples include:

- Litigation consumes significant resources, with teams needing to allocate considerable time to manage litigation cases, conduct searches, and draft necessary documents (e.g., Vaughn indices, declarations).

- Case officers' time is diverted and FOIA personnel are often reassigned to litigation tasks, leaving backlogged cases with fewer resources.

- As staff members focus on litigation, regular FOIA processing slows down, increasing the overall backlog.

- The need to continuously manage litigation can administratively disrupt routine FOIA processing, preventing timely responses to non-litigation requests. This is especially true with smaller FOIA teams that are already struggling to keep pace with day-to-day workloads.

SECTION VI: Conclusion

As the DoD looks forward to the upcoming year, we seek to demonstrate a continued focus on transparency, customer service, and process efficiency. We are reminded of the importance of the relationship between our agency and the requester community. Leaders throughout our organization maintain the responsibility to push beyond past accomplishments to create more opportunities to strengthen the trust placed onto us by those we serve. Our FOIA professionals remain widely dedicated to exploring methods to improve efficiencies and exemplify our roles in honoring the presumption of openness. Through FOIA training and various outreach programs, we're able to equip our personnel with relevant information to accomplish their duties. As we implement innovative solutions and capitalize on technology, we challenge ourselves to evaluate how we can continue to remove barriers to access, while improving timeliness and simultaneously reduce Component backlogs.