



**DEPARTMENT OF DEFENSE**

**AGENCY CHIEF FREEDOM OF INFORMATION**

**ACT OFFICER REPORT**

**FOR 2013**

Preparation of this study/report cost the  
Department of Defense approximately \$40,000 for the 2013 Fiscal Year.

**DIRECTOR OF ADMINISTRATION**  
**AND MANAGEMENT**

# 2013 Department of Defense (DoD) Chief Freedom of Information Act (FOIA) Officer's Report to the Department of Justice

## Executive Summary

DoD Leadership continues to be committed to the successful execution of the Department's FOIA programs throughout its 31 components located around the world. The Chief FOIA Officer met with the FOIA Public Liaisons from each of the various DoD Components twice during this reporting year, where all engaged in discussions that led to the continued emphasis on training, reducing backlogs and ensuring that FOIA professionals continue to have the resources needed to successfully manage their FOIA programs and to meet the President's Open Government goals. The continued engagement of leadership was evident, with 93% of DoD Components reporting their FOIA professionals attended training and 68% indicating that they conducted training for their own personnel. Components continue to be heavily engaged in proactively posting material to websites and in fostering a more transparent environment. In support of proactively posting material, FOIA professionals met with document owners within their components and sought opportunities to ensure greater transparency of information by encouraging reviews of information that had not been requested, but information that would likely be of interest to members of the public.

Over 50% of DoD Components met backlog reduction goals, resulting in DoD, as a whole, achieving a 12% backlog reduction. Ninety-four percent of requests that fell in the category of "Simple" were processed within 20 days; 78% of requests that fell in the "Complex" category were processed within 100 days; and 93% of all DoD FOIA requests were closed within 100 days of receipt.

On behalf of the Director of Administration and Management, who serves as the DoD Chief FOIA Officer, the Defense Freedom of Information and Policy Office (DFOIPO) oversees all FOIA policy matters within the DoD. The Office of the Deputy Chief Management Officer (DCMO) leads and integrates enterprise-wide performance improvement and business operations and is tasked with leading the DoD Open Government Team. This report encompasses the execution of efforts by DFOIPO, DCMO and all 31 DoD Components.

<b>Air Force</b>	Department of the Air Force
<b>AFRICOM</b>	U.S. Africa Command
<b>ASBCA</b>	Armed Services Board of Contract Appeals
<b>Army</b>	Department of the Army
<b>CENTCOM</b>	U.S. Central Command
<b>DCAA</b>	Defense Contract Audit Agency
<b>DCMA</b>	Defense Contract Management Agency

<b>DeCA</b>	Defense Commissary Agency
<b>DFAS</b>	Defense Finance and Accounting Service
<b>DIA</b>	Defense Intelligence Agency
<b>DISA</b>	Defense Information Systems Agency
<b>DLA</b>	Defense Logistics Agency
<b>DoDEA</b>	Department of Defense Education Activity
<b>DoD IG</b>	Department of Defense Inspector General
<b>DSS</b>	Defense Security Service
<b>DTIC</b>	Defense Technical Information Center
<b>DTRA</b>	Defense Threat Reduction Agency
<b>EUCOM</b>	U.S. European Command
<b>Navy</b>	Department of the Navy
<b>NGA</b>	National Geospatial-Intelligence Agency
<b>NGB</b>	National Guard Bureau
<b>NORTHCOM</b>	U.S. Northern Command
<b>NRO</b>	National Reconnaissance Office
<b>NSA</b>	National Security Agency
<b>OSD/JS</b>	Office of the Secretary of Defense/Joint Staff
<b>PACOM</b>	U.S. Pacific Command
<b>SOCOM</b>	U.S. Special Operations Command
<b>SOUTHCOM</b>	U.S. Southern Command
<b>STRATCOM</b>	U.S. Strategic Command
<b>TRANSCOM</b>	U.S. Transportation Command
<b>TMA</b>	TRICARE Management Activity

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**Steps Taken to Apply the Presumption of Openness:**

The DoD remained dedicated to applying the “Presumption of Openness” in all decisions involving FOIA throughout its 31 components. DoD Leadership demonstrated that keeping the FOIA community trained and fully engaged in conducting training is a top priority. From its own well attended, low cost, agency-wide FOIA training workshops, to training hosted by the Department of Justice (DOJ), the American Society of Access Professionals (ASAP) and the United States Department of Agriculture Graduate School, 93% of the components reported that their FOIA professionals attended FOIA training this past year. In fact, 68% of the DoD Components reported that they hosted workshops and/or conducted training.

DoD continued and expanded upon its robust training program, hosting over 600 FOIA professionals at its DoD-wide FOIA/Privacy Act (PA) Training Workshops in San Diego, California, in April, in Padova, Italy, in June and in Knoxville, Tennessee, in October. Eighty-two percent of the components reported that their FOIA professionals took advantage of these DoD-sponsored training opportunities.

Catering to the training needs of newer FOIA professionals, as well as those in need of refresher training, and subject matter experts (SMEs) interested in learning the FOIA process, DoD continued its online training sessions. These sessions took place in a virtual environment, known as Defense Connect Online (DCO). The DCO tool allows the presenter and participants across the globe to participate in the training while seated at their very own desks. Training slides are uploaded; the presenter presents the material; and every participant has the opportunity to ask questions and engage in dialog during the training session. Well over 200 DoD FOIA professionals took advantage of these DCO training opportunities throughout the year.

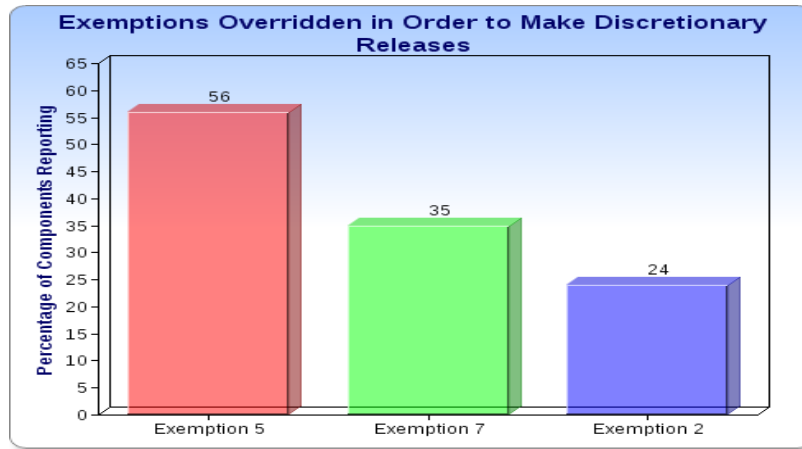
Additionally, keeping in mind the President's message to agencies on his first day of office, that agencies should act “in a spirit of cooperation” remembering that we are “servants of the public,” DoD followed the example set by the Office of Government Information Services (OGIS). DFOIPO partnered with its DoD and Army Alternative Dispute Resolution offices to conduct Conflict Resolution/Customer Relations training to the DoD FOIA community. Close to 100 DoD FOIA professionals took advantage of this training opportunity.

Thirty-nine percent of the components reported that their FOIA professionals were able to take advantage of FOIA training hosted by DOJ. Also, with reduced training budgets, components reported that due to the high cost of the conference fees, they have found it challenging to obtain funding to send their FOIA professionals to the ASAP FOIA Symposiums; however, even with reduced budgets, 75% of the components reported that they have been able to provide some representation at the ASAP events.

Components were heavily engaged in conducting FOIA training and the below represents some of the training conducted:

- AF -** DCO training sessions focusing on AF implementation of FOIA
- Army -** Briefings on FOIA basic concepts
- DCMA -** General Counsel directed mandatory FOIA training for the legal staff
- DTRA –** Presentations of the Administration’s guidelines to senior leadership; participation in on-site discussions and presentations of FOIA training materials at the Governmental and Public Affairs Open House.
- Navy -** Command orientations; introductory training on its tracking system; and break-out sessions at the DoD-wide FOIA/PA Training Workshops.
- NGA –** Regularly scheduled classes, at the NGA College, that cover the distribution and release of classified and unclassified material; Brown Bag lunches to educate NGA employees about the FOIA.
- OSD/JS -** Monthly training for its FOIA staff and training for SMEs
- PACOM –** Staff Assistance Visits; meetings with Directorate Heads and SMEs, to discuss areas of improvement needed for the FOIA process.
- SOCOM -** FOIA Coordinator and Action Officer Training; training on the use of the Component’s new tasking system.
- SOUTHCOM -** Training sessions on FOIA Exemptions and FOIA/PA Interface
- TMA -** Monthly FOIA training for new employees; and a Health Information Conference, including learning opportunities in applying the FOIA.

Fifty-six percent of the DoD Components reported that they made discretionary releases of information that would have otherwise been exempt under the FOIA. All of the 56% reported making a discretionary release of information that could have been protected under FOIA Exemption 5; 35% reported releasing information that could have been protected under FOIA Exemption 7; and 24% reported releasing information that could have been protected under FOIA Exemption 2.



Some examples of information released as a matter of discretion were as follows: Draft documents; attorney work products related to investigations; opinions and assessments involving cancelled policies, information about the processing of closed investigations and about internal processing of information from extremely dated and closed FOIA requests; Contract Discrepancy Reports; Airlift Mission data; Scientific Advisory Board meeting minutes and reports; pre-decisional documents pertaining to the development and discussion of the Regional Maritime Security Initiative proposal paper, presented to the members of the Association of Southeast Asian Nations Regional Forum during the 2004 Shangri-La Dialogues; a collection of documents (over 1500 pages and an audio file) about the QUILL satellite; material regarding the TRIESTE II recovery of a lost Hexagon satellite bucket of film during the 1970's; preliminary flight reports on how the engineering of the Hexagon Satellite worked and a chronology of NRO-CIA relationships from 1960-1966; pre-award records generated during solicitation and award determinations; traffic accident police/security investigative reports; industrial hygiene reports, command HIPAA violations, incident reports, trial reports, investigative reports, draft audit reports and audit-related working papers.

Additional initiatives undertaken to ensure that the presumption of openness was applied were as follows:

TRANSCOM joined others (DLA and TMA) in the proactive posting of all contract awards and contract administrative files requested under the FOIA in its Electronic Reading Room, to include the proactive release of all sole source justifications for contract awards. SOUTHCOM emphasized with every FOIA tasking, that maximum disclosure is the rule versus the exception. The NGB emphasized, at its new action officer training, that all personnel should look for ways to be more open by sending any records that would be of public interest to the FOIA Office for publishing in the FOIA Reading Room; the NORTHCOM legal counsel and FOIA Office met with staff to explain the presumption of openness and responsive documents that would normally be protected under the deliberative process of exemption 5 are now being released; DCMA reported that they underwent a culture change, as its leadership widely supports the presumption of openness, ensuring that reasonably segregable portions are released whenever possible. At weekly staff meetings, the DCMA FOIA staff identified and fully discussed specific requests where discretionary disclosures were possible, carefully weighing the benefits and any likelihood

of harm; packages requiring initial denial action were reviewed by senior/primary FOIA attorneys to ensure the Agency applied the presumption of openness to the highest degree possible. The DLA Internet Bid Board System publishes all records regarding solicitations posted on the automated system and all contract awards made by the same automated system. The DLA Land and Maritime component has an easy to use website (<http://www.landandmaritime.dla.mil/Programs/MilSpec/DocSearch.aspx>) with a database of military specifications and drawings available to the public. There is a list of qualified products and manufacturers, as well as notifications of DLA approval or disapproval of vendors' parts. The "What's New" section of the site includes information about major initiatives such as the Tire Successor Initiative (<http://www.landandmaritime.dla.mil/programs/TSI/>). DeCA regularly canvassed its directorates in search of information that may be posted or linked to its electronic reading room. The Office of General Counsel at DISA is working with the DISA Publications Organization to review agency publications currently marked "For Official Use Only" to ensure that maximum disclosure of publications is the practice at DISA. As such publications were cleared, they were posted on the DISA web site. SOCOM provided a contract resource page to aid requesters seeking information about contracts and engages with the SOCOM Public Affairs Officer about information readily available to the public to ensure that such information is proactively posted.

**Steps Taken to Ensure an Effective System for Responding to Requests:**

Sixty-seven percent of the DoD Components report sufficient IT support. Of the remaining 33%, the most common shortfalls are inability to conduct Optical Character Recognition (OCR) searches; inability to scan large documents; problems with printers; and difficulties with new commercial-off-the-shelf tracking tools.

DoD formed a Technology Working Group with the mission to advise the DoD Chief FOIA Officer, the Director of Administration and Management (DA&M), on ways that information technology can improve the DoD FOIA program in its goals of reducing FOIA backlogs and providing better customer service. This working group was formed to perform the following:

- Identify areas of the DoD FOIA process where innovative information technology solutions may increase efficiencies.
- Identify DoD and federal government information technology capabilities that currently are in use within the DoD.
- Identify new information technology capabilities that would improve FOIA processing.
- Provide guidance to the DoD FOIA Components, through DFOIPO, on the use of current and emerging information technology capabilities.

DoD also participated in the DOJ, Office of Information Policy Technology Working Group and the OGIS Technology Working Group.

Sixty-four percent of DoD Components reported working closely with their Open Government teams. Some reported that no such team exists within their components; and some reported that even without an officially designated Open Government team, their FOIA offices are partnering

with Public Affairs, Records Management, and in some instances, Declassification Offices to implement and promote the principles of transparency.

Greater than 50% percent of the DoD Components reported using metrics, program reviews, Lean Six Sigma studies, audits and staff visits to assess the staffing needs of their FOIA programs. Eighty-two percent indicate they maintain adequate staff or have asked for and have received additional staff. Leadership approval for additional staff has come in the form of new hires, term employees, reservists, contractors, or the reassignment of personnel on a temporary basis to meet a short-term goal.

Some expressed concern that attorneys and managers assigned to FOIA are often tasked with competing responsibilities, such as Privacy and Civil Liberties, EEO, ethics, claims management, and other duties, which prohibit them from focusing the attention needed to meet the demands of the FOIA responsibilities assigned to them.

DoD Component FOIA Offices have demonstrated commitment in ensuring that their FOIA systems operate efficiently and effectively by implementing significant efforts in the areas of customer service, audits, realignments and reorganizations, performance metrics and operating procedures, tracking and technology and engagement between Headquarters and colleagues.

*Customer Service:*

NSA understands the importance of taking care of its FOIA customers upfront, starting when FOIA requests come in to the office. As such, they have established a FOIA Access and Customer Outreach team that serves as the first point of entry for all FOIA requesters. This team is responsible for providing prompt attention to phone calls and email questions that come in from the public and for creating specialized templates for responses. Furthermore, they are trained to prepare accurate cost estimates; to perform adequate searches; and to assist requesters in reframing their requests. This practice has increased the visibility of the NSA FOIA Requester Service Center and emphasizes the criticality of being responsive to the FOIA requesters. NSA has received notes of appreciation from requesters for this forward-leaning, customer-focus approach.

The OSD/JS FOIA Officer shares a best practice presentation with all OSD/JS FOIA professionals on what is expected when communicating with FOIA requesters and the public. This practice removes the guesswork out of what is expected of the FOIA professional, providing them with the tools to more effectively communicate with requesters and to be more comfortable during such communications.

TMA implemented a system where all outgoing electronic correspondence invites the public to comment directly to senior leadership on their experience and quality of service. This has proven popular with the public and provides management with valuable feedback.



### *Audits:*

Various components (Army, Navy, Air Force, OSD/JS, and DLA) underwent or conducted audits, inspections and staff visits which revealed successes and identified weaknesses. The identification of strengths and weaknesses gave these components a blueprint of where to direct their focus. The Navy underwent an in-house audit of the FOIA organization at naval activities, and a GAO audit of its overall program. These reviews enabled the Navy to establish a plan for improvement. In fiscal year 2011, the Navy reported a 70% increase in its backlog. In fiscal year 2012, the Navy successfully decreased its backlog by 28%.

### *Realignment/Reorganization:*

The Air Force reduced the layers of legal review to the lowest level in order to reduce the response time on their FOIA requests. As a result, they experienced a reduction on the average number of processing days for both simple and complex requests, going from 34 days to 15 days for simple requests and from 92 days to 85 days for complex requests.

### *Performance Metrics/Standard Procedures*

The Air Force reported greater use of performance metrics to achieve greater focus on timely and accurate responses. The Air Force FOIA Officer shares these metrics with senior leadership, who, in turn, routinely expresses support for the FOIA program, issuing policy guidance which improves FOIA processing and supports Openness objectives.

NGA underwent a Lean Six Sigma study which led to the evaluation of all aspects of the FOIA program and ultimately to the development of a number of efficiency improvements of the FOIA process.

The Navy, TMA, and DLA established standard operating procedures and/or process flow charts to outline the necessary steps to accomplish the work and to remove the guesswork for FOIA processing.

### *Tracking Systems/Technology:*

Components identify the use of Safe Access File Exchange (SAFE), and various tools within INTELINK, such as the SharePoint site, to host internal information, to assist with information sharing, to store training templates and letter samples, and to announce in-house training opportunities; the INTELDOCS feature within INTELINK is used for the consultation referral process. SAFE is available for DoD and other federal government agencies, while INTELINK is only available for DoD, agencies that have components that are members of the Intelligence Community and the Law Enforcement community. Using these tools, DoD Components are able to transmit sensitive government information throughout DoD and, in some instances, from agency to agency, in a safe and secure environment, cutting down on processing time, thus improving efficiency and saving resources.

NRO and DCAA use an enterprise system to track FOIA staff actions on requests, bringing FOIA tasks to the attention of senior leaders within their Components; DCAA's system allows for the creation of a FOIA log, the annual report and improved scanning capabilities.

DCMA implemented a tracking system, as did the Navy. The Navy's system is implemented across 80% of the Department and includes an instance for the PACOM FOIA Office which processes both Navy-related and non-Navy-related FOIA requests.

TMA is accepting FOIA requests through its website, and now 90% of all requests come in via the website.

DoDIG recently acquired a new commercial-off-the-shelf product that includes case management and redaction software. With the decentralization of the DoDIG FOIA process, this new system is beneficial as it allows a virtually paperless approach to transferring documents and files within DoDIG.

OSD/JS and DTIC experienced improved search capabilities and faster turn-around time for older documents through advanced technology used by their Records Management Office. One example is the deployment of the OSD Executive Archive (EA), which compiles the highest levels of OSD accomplishments and policies. Records dating back as far as the 1950's were either converted from hard copy or captured from electronic sources and placed within the OSD EA in both PDF and XML format. With the document in XML format, sophisticated software is applied to enable the OSD EA to locate all responsive records quickly. The system can locate 1,000 documents in three seconds. This significantly reduces the search time for documents and serves as a great benefit to the agency personnel and to the public it serves. One top level leader, when watching a demonstration of the system, asked the demonstrators to search for a particular document. In less than three seconds, the document appeared. The top official asked for a copy and expressed that he had been searching for the document for the past six months.

#### *Engagement between Headquarters and Colleagues*

DLA FOIA Officers regularly consult with one another in order to ensure there is no redundancy across the enterprise; to ensure consistency in processing; and to ensure responses are provided as promptly and accurately as possible. Also, DLA engages with program offices to consistently identify frequently requested documents in order to expedite their delivery to the FOIA Office for prompt posting to the public website.

#### **Steps Taken to Increase Proactive Disclosures**

The DoD continued to embrace the underlying goal of the Open Government initiative. In addition to adding new features, the DoD completely redesigned its Open Government website during 2012 to take advantage of a new content management system. The website now matches the look and feel of the main website of the agency and follows best practice guidelines for information dissemination websites.

The new features for 2012 include a Data page with links directly to DoD's datasets on data.gov, a Dashboard page with up-to-date information on DoD's progress on its Open Government initiatives, and an Initiatives page with descriptions of, and links to, various Initiatives and Challenges being conducted by DoD.

It is evident that a culture change has taken place as DoD Components continue to post, with more frequency and greater volume than ever before, vast amounts of information on websites. Ninety-seven percent of the Components reported posting new material.

Examples of datasets and tools published by the Open Government team on data.gov during FY12 include:

- Raw Data:
  - Federal Voting Assistance Program 2010 Post Election Surveys
  - Scientific and Technical Subject Categories-Numeric Index
  - Scientific and Technical Subject Categories-Alphabetic Index
- Tools
  - DTIC Corporate Source Authority System
  - DTIC Thesaurus

Components continue to proactively post information reported last year, such as: FOIA logs, policy, guidance, historical reports, mission reports, government purchase card holder lists, strategic plans, contracts and search engines for contracts, contract listings, sole source justifications for contracts, lists of accessioned documents, intelligence summaries, press releases, testimonies and speeches, aircraft accident reports, Congressional travel, investigations, audit reports, press kits, reports to Congress, Congressional hearings, technical journal articles, Cryptologic Quarterly articles, Cryptologic Almanac articles, Cryptologic Spectrum articles, EEO complaint data and links on nutrition, food safety and healthy living.

Specific examples of new information proactively posted by components include:

- The Army posted their Regulation 15-6 investigations, the Internal Investigation on Agent Orange (Korea), an Ecological Report (MO River Mainstream Reservoir), the Historical Review of Chemical/Biological Weapons (Mid-Term Review), and the Fire Cause and Origin Report-Aberdeen Proving Ground (Edgewood Area).
- DeCA provided the public with a wealth of information, to include all agency press releases, identifying the locations of its stores, area directorate and headquarters information; information concerning commissary shopping, including case lot sales, the ability to create shopping lists for each commissary,

information on the ordering of specialty items, information concerning nutrition, recipes and information concerning customer service, including patron councils, comment cards, and the shoppers' bill of rights; information concerning commissary news, including press releases and links to food safety information and information on doing business with DeCA and applying for a job with DeCA.

- On DLA's website, over 45 DLA-specific videos were posted, exploring individual supply chains, DLA support to military services, operations, exercise support, personal experiences in the enterprise, special programs, systems use and procedures, and various training topics.
- The Navy posted the inspection report of the Naval Post Graduate School; Naval Research Laboratory press releases; and the Tactical Satellite IV launch video; laboratory video and photos; and Office of the Judge Advocate General military justice policy files, to name a few.
- The NRO Office of Corporate Communications created and made available for public access on NRO.gov: videos of the NRO's four 2012 satellite launches; forty-one press releases and thirteen news articles on various topics including the declassification and release of the Perry History of the Gambit-Hexagon satellites; Director NRO public speeches; the NRO's Statement for the Record before the House Armed Services Committee; and the 2012 No Fear Act statistics.
- To recognize NSA's six decades of keeping our nation safe, NSA prepared a 60th anniversary publication entitled, "National Security Agency: 60 Years of Defending our Nation." The publication is organized by decades and covers a wide range of topics: personnel, physical growth, Signals Intelligence and Communications Security mission expansion, support to the President, support to the warfighter, and support to U.S. foreign policy goals. It also includes an interactive DVD with 250 declassified documents, seven audio recordings, two videos, and over 150 photographs. As part of NSA's ongoing commitment to transparency and open government, 196 documents were released for the first time. The book and DVD contents are also available on the NSA.gov website.

The NSA added new material to its website (NSA.gov). Numerous NSA organizations, including the Research Directorate, the Information Assurance Directorate (IAD), the Associate Directorate for Human Resources, and Public Affairs have added or updated material on NSA.gov and other NSA-sponsored websites. The NSA FOIA Office posted 67 documents relating to the USS Pueblo incident released under the FOIA, along with a summary explaining the significance and content of the release.

The NSA Research Directorate began publishing its technical journal entitled, "The Next Wave," in digital format, and posted four issues on NSA.gov. There appears to be high interest in this publication.

Additional issues will be converted to PDF and published to the web in the future. The IAD publishes information on both the NSA.gov web page, as well as the IAD.gov web page. It also manages the Committee on National Security Systems web page (CNSS.gov) and the Interagency OPSEC Support Staff. Although some of the information on the IAD web pages is only available to certified government users, there is also information made available to the general public, including information on sponsored conferences and community briefings and media. Examples of information made available in 2012 by IAD are: - the latest information on the NSA/DHS National Centers of Academic Excellence - [New Page]: NSA Mobility Program, which includes an updated Mobility Capability Package (Version 1.2) - Defending Against Compromised Certificates Factsheet - Mobile Device Management: A Risk Discussion for IT Decision Makers - Mobile Device Management: Capability Gaps for High-Security Use Cases - Deploying Signed BIOSes to Enterprise Client Systems - Deploying and Securing Google Chrome in a Windows Enterprise - Defending Against Compromised Certificates - Security Configuration Recommendations for Apple iOS 5 Devices - Associated SCAP Content - New Smartphones and the Risk Picture - [updated] Availability of IPsec Conformance Evaluator (ICE) Test Tool - [New Page]: Commercial Solutions for Classified Program - IAD's Top 12 Technical Security Challenges - An Overview of Cloud Computing NSA's PAO added a new page which includes video and text of NSA's Deputy Director, John C. Inglis discussing NSA/CSS Core Values, which include respect for the law, honesty, integrity, and transparency. They also posted the 2012 NOFEAR Data and updated information on the Mathematics Education Partnership Program, as well as 11 Press releases and 3 Public Announcements to the Press Room page on the public website during 2012. The Cyber Defense Exercise 2012 video was made available on the web, along with a transcript.

- TMA posted SAIC Breach Preliminary Statistical Breakout for October and December 2011; Capital and Direct Medical Education Costs (CapDME Payments) posted monthly as data becomes available; CDC Morbidity and Mortality Weekly Report for March 30, 2012; Prescriptions Dispensed from 2001 through 2011; TRICARE Plans by Type; Bariatric Services for Active Duty; TRICARE North Region Contract; TRICARE West Region Contract; TRICARE South Region Contract; and TRICARE Overseas Program Contract.
- DSS posted Counterintelligence publications.
- AFRICOM posted monthly photos/videos of Component Activities, Transcripts of AFRICOM senior leadership Remarks/Speeches, Factsheets on Component Operations and other activities; EUCOM posted articles, videos, photos, key activities and events; PACOM posted videos of the Commander's speeches, photos from prior events, all official press releases, and the Commander's reading list, to name a few; STRATCOM posted Force Structure Analysis for the Nuclear

Posture Review and Global Guardian 2001 related documents. TRANSCOM posted Transportation rates and rules.

- DCAA posted its Contract Audit Manual (CAM) updates, Audit Program updates and open audit guidance updates. The most significant change was to the DCAA Field Audit Office locator tool which is now linked to their Management Information System for real-time updates. The locator tool can now search on Commercial and Government Entity (CAGE) codes and Data Universal Numbering System (DUNS) codes as well as ZIP codes to identify suppliers. Other significant changes include: - DCAA 2011 Year in Review - Incurred Cost Adequacy Checklist (update) - Updates to DCAA's Incurred Cost Electronic (ICE) Model - FY 2012 Active Contractor Listings DCAA has posted the annual Contractor Listing for FY 2012 as they have for FY 2007-2011. This posting will save the agency from processing up to twenty requests for this information.

The DoD continued to embrace social media as a vital communication tool to engage fully with the American people. These tools include RSS Feeds, Podcasts, Blogs, and Widgets that web developers can incorporate into their websites, Facebook, Twitter, YouTube, LinkedIn, and Flickr.

These social media tools provide DoD with the ability to disseminate information to the public through a variety of social media platforms, reaching audiences that might not otherwise visit the Department's main website or the DoD Social Media Hub.

Several DoD Components have been particularly active in the use of social media, especially to engage families during deployments of their Service Members and to assist returning Service Members into reintegrating into civilian life after their deployment ends. Some examples include:

- Our Military (<http://www.ourmilitary.mil/>) provides a means to connect family members and the general public to the military community.
- The Hero 2 Hired Program (<https://h2h.jobs/>) allows returning veterans to match their military job skills to openings in the civilian community.
- The Yellow Ribbon Reintegration Program (<http://www.yellowribbon.mil/>) provides resources to assist returning veterans in reintegrating into civilian life following combat deployments.

Other examples of the active presence of DoD Components on social media are as follows:

- The National Guard Bureau uses websites and its social media presence to disseminate news and information to both internal and external audiences. Information includes but is not limited to leadership changes, mission, crisis actions, force development, family support, etc. The social media platforms are also used as two-way communication tools

between the National Guard and various members of the public. The following are sites that better illustrate the National Guard's social media presence:

<http://www.nationalguard.mil>  
<http://www.nationalguard.mil/news/default.aspx>  
[http://www.nationalguard.mil/news/State\\_Publications/default.aspx](http://www.nationalguard.mil/news/State_Publications/default.aspx)  
<http://www.nationalguard.mil/media/default.aspx>  
<http://www.facebook.com/TheNationalGuard>  
<http://www.twitter.com/USNationalGuard>  
<http://www.pinterest.com/NationalGuard>  
<http://www.flickr.com/photos/thenationalguard>  
<http://www.youtube.com/TheNationalGuard>  
<http://www.slideshare.net/TheNatlGuard>

- DIA routinely posts to its official social media presence on Facebook, Twitter, and YouTube. Additionally, they post the following: news articles about DIA sponsored or DIA attended events; good news stories about efforts to help the community; history articles detailing DIA's contributions to historical events; press releases on government contracts, prestigious awards, and the Change of Directorship; Congressional testimonies and speeches at public forums, including transcripts of Lieutenant General Flynn's speech at the Change of Directorship; videos for outreach purposes, including the new video, "We are DIA" - videos of senior leadership messages to the workforce and public, including a message from LTG Flynn to Veterans for Veterans Day; historical videos, including a video of Mr. John Hughes giving his briefing on the Cuban Missile Crisis.
- The AF is on various social media sites such as YouTube, Twitter, Flickr, Blogs and Facebook. The AF views the use of social media sites as a positive way to communicate and conduct business as they believe disseminating information via social media allows them to communicate more effectively to all AF personnel, their families and external audiences. AF has numbers of ways the public can obtain information on the activities of the AF and proactive disclosures of information are made using these resources, including the following:

<http://www.af.mil/index.asp>  
<http://www.af.mil/news/index.asp> - Air Force Current News  
<http://www.af.mil/news/video/index.asp> - Air Force TV News  
<http://www.af.mil/information/factsheets/index.asp> - Air Force Factsheets  
<http://www.af.mil/rss/> - Air Force News Feeds  
<http://www.af.mil/information/transcripts/index.asp> - Air Force Transcripts  
<http://www.af.mil/news/socialmedia/index.asp> - Air Force News Widget  
<http://www.af.mil/socialmedia.asp> - Air Force Social Media

- The Navy's Bureau of Medicine (BUMED) office posted tobacco cessation, health preparation, wellness information and safe food preparation information on their blog; the Commander Navy Installation Command posted docket cases, Public Affairs releases, and Environmental Impact Statements; Naval Audit Services posted final audit report

titles, Naval History and Heritage Command released government records on various social media platforms, including Facebook, and Flickr.

- DCMA utilizes Facebook to proactively disclose information. During the past year, 82 Facebook posts, consisting of 66 stories, 11 recruiting announcements and 5 other (non-recruiting announcements or posts of DoD stories) were posted, resulting in the following: 18,817 unique users who have viewed the posts; 1,582 engaged users (unique users who have Liked, Shared, Reposted or Commented on our posts); and 11 interactions regarding potential employment. DCMA has two TWITTER accounts producing the following statistics: @DCMAnews: 74 Tweets, consisting of 63 stories, 3 recruiting announcements, 2 other announcements and 6 reTweets of @DCMAdirector - @DCMAdirector: 12 Tweets since starting in late November.
- The DLA Director's Blog posted over 40 topics since March 2012. The blogs varied from efficiencies and savings in line with the Secretary of Defense mandates, e.g. Big Ideas, personnel changes, enterprise culture, operations support, to topics like disaster response. DLA's "Ask a Leader," an intranet-based, open senior leader discussion platform, posted some 154 questions and answers ranging across a wide array of topics, such as: facilities maintenance and renovation, operations, human resource planning and activities, to new agency policy issues. DLA has an active Facebook presence, posting new feature and news stories daily, averaging two to three features and news stories, five days a week.
- Army Information is released via news and media outlets, the Army.mil website and through Social Media outlets such as Facebook, Skype, and Twitter.
- NSA launched a Facebook page to market National Cryptologic Museum initiatives, which has been very popular.
- EUCOM has a presence on Facebook, Twitter, YouTube and Flickr and has a Blog where, among other things, the Commander lists the ten books he enjoyed reading in 2012.

To identify additional sources of information that can be posted to Data.gov, the DCMO continually seeks out new data sources by scanning news items and reports as well as utilizing contacts throughout the DoD.

Most DoD Components report having routine meetings to discuss which high-value data are appropriate for posting. Program-specific records that are deemed to be the most valuable to the customers of individual agency components have been published.

Beyond posting new material, the DoD continued to seek direct and indirect feedback provided by the public to improve agency transparency and to identify information of greatest value to them. Feedback provided from Data.gov has been used to identify and characterize new high value data and improve the usability of disseminated data and tools. In addition to Data.gov, direct feedback posted on our Open Government website has been used to influence the contents



and updates to the DoD Open Government Plan. The agency also used social media tools on the DoD website, (<http://www.defense.gov/>) to seek feedback about initiatives that the public regards as important.

Components executed the following to make posted information more useful to the public:

- AFRICOM redesigned its homepage to make searching more user friendly. A research page and site map is available to search information by topic. Questions from the public may be directed to the AFRICOM Public Affairs Office via a homepage portal or by telephone.
- DIA enhanced the search capability on its website by incorporating USA.gov's search engine, which is the official search engine of the U.S. Government. This tool automatically archives all website content and social media posting and provides detailed analytics that provide insight into what visitors to [www.dia.mil](http://www.dia.mil) are searching for and where their interest lies. DIA is currently evaluating how to transition [www.dia.mil](http://www.dia.mil) to a responsive design that will be optimized for mobile and desktop visitors. In 2013 these updates will be expanded to include notifications of when the website has been updated in the FOIA Reading Room as well as quarterly NoFEAR updates.
- DFAS is working to stand-up a question and answer system to enable customers to ask questions through a web-based system and to provide feedback to the Information Government team.
- OSD/JS spent two months at the end of FY2012 re-formatting and applying Optimal Character Recognition (OCR) to documents currently posted in the reading room. While this effort is still ongoing, it has vastly improved the capability of requestors to broadly search the DoD website, or narrowly search the Reading Room to find documents of interest to them.
- Air Force used blogs and other social media to solicit feedback regarding documents posted on the website and within the Reading Room
- NRO has continued with the redesign of its website, improving public accessibility to information posted. The update not only improved how the information on the FOIA site was presented, but it also expanded the web site search capability and the size of the site to accommodate the future posting of large declassifications.
- DLA is currently working toward a mobile application for its agency magazine. The DLA Public Affairs Office is concentrated on improving communication, increasing its audience, and educating and entertaining followers. They use several tactics and techniques to accomplish these objectives. For example: topic series covering useful or unique DLA capabilities, fact sheets and customer-oriented knowledge aggregate products (DLA Toolkit). Their communications tie together through their products and are coordinated with their field activities so that they can/do provide additional

information as they synchronize the release of products to better inform and serve the audience.

### **Steps Taken to Greater Utilize Technology**

Every DoD Component has the capability to receive requests electronically. Requests were received from online forms, email, and through facsimile. Ten percent of the Components indicate that they have the ability to provide the status of requests online. These Components indicate that they provide the following information to the requester: (1) Agency FOIA Tracking No., (2) Date request received; (3) Status of request "Open" or "Closed;" (4) Expected response date.

Because some components have FOIA tracking systems on classified networks, a separate but identical unclassified system would have to be maintained to enable requester-oriented enhancements such as immediate online request status and the receiving of FOIA request directly into a tracking system. Maintaining such a separate system on an unclassified network and keeping it up-to-date would require duplication and would be resource intensive. Components facing this dilemma take extra strides in the area of customer service to ensure that they go above and beyond in meeting the needs of requesters seeking the status of their requests. In fact, all components without the online status capability report that they ensure that they promote a customer friendly environment and make this information available to the requester over the phone, via email or in any manner the requester prefers. Those who are working to establish the online status feature report that technical support and budget constraints are the leading roadblocks to seeing this objective fulfilled.

As referenced, DoD Components are using Safe Access File Exchange (SAFE) and INTELINK to safely transmit documents for referrals and consultations. Also, Electronic Records Storage systems are in use within the DoD. Components report that record search capabilities have improved with new OCR software used by Records Management teams, which allows for greater search capability and includes removal and detection of duplicate documents.

Sixty-seven percent of the Components made IT improvements to increase timeliness. Forty-seven percent improved their existing tracking systems; 13% implemented new tracking systems; 27% implemented new redaction software and techniques; and 13% indicated that new Records Management software improved the key word searches for older documents stored at record storage facilities.

### **Steps Taken to Improve Timeliness in Responding to Requests and Reduce Backlogs**

All DoD Components are using simple and complex tracks for processing their requests. Ninety-four percent of all simple requests were processed in 20 days or less. In most instances where the processing of simple requests was accomplished in greater than 20 days, this was due to the fact that the component did not re-categorize the request after determining that issues warranted significantly more work, time and resources to complete the request.

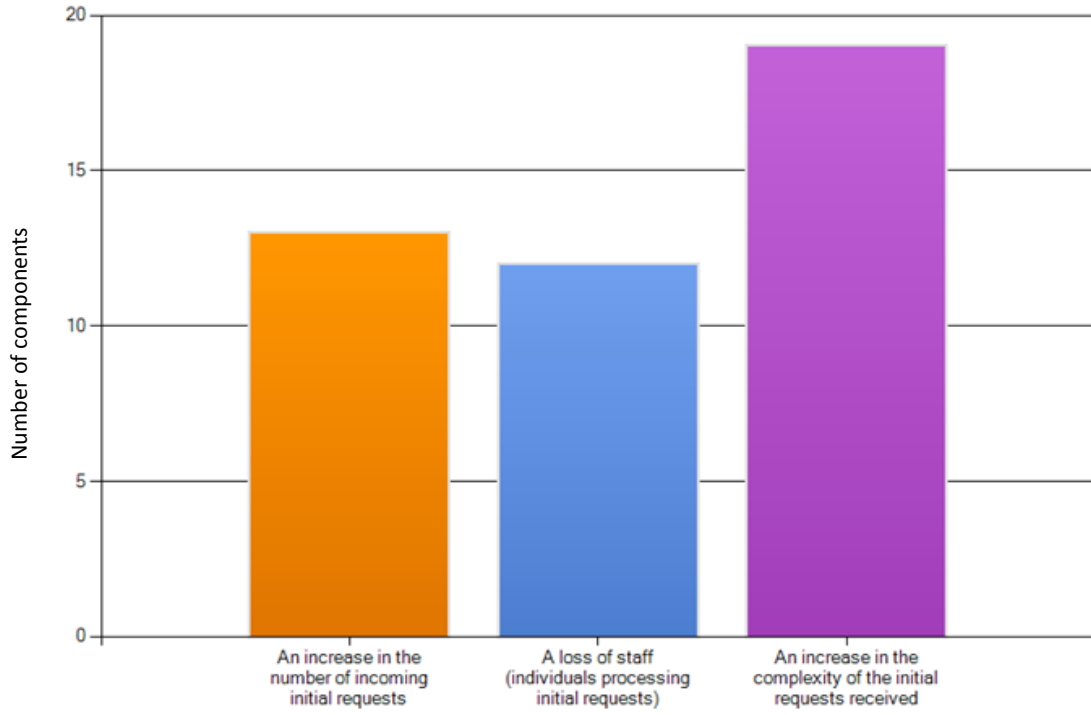
Seventy-nine percent of all complex requests were closed in 100 days or less. This left just 21% of all complex requests taking greater than 100 days to process. Less than 1% of all complex requests took more than a year to process.

Overall, the DoD reduced its backlog by over 12%. More than half of the DoD Components either reduced their initial case backlogs or maintained a backlog of zero. Impressive strides were made by the Army, DCMA, DIA, DeCA, DTIC, EUCOM, Navy, NGA, NRO and PACOM, who reduced their initial case backlogs by 10% or more. Forty percent of the DoD Components reduced their backlogs of FOIA appeals or maintained a backlog of zero. Those achieving this goal were the Air Force, ASBCA, Army, DCAA, DeCA, DFAS, DIA, and NRO.

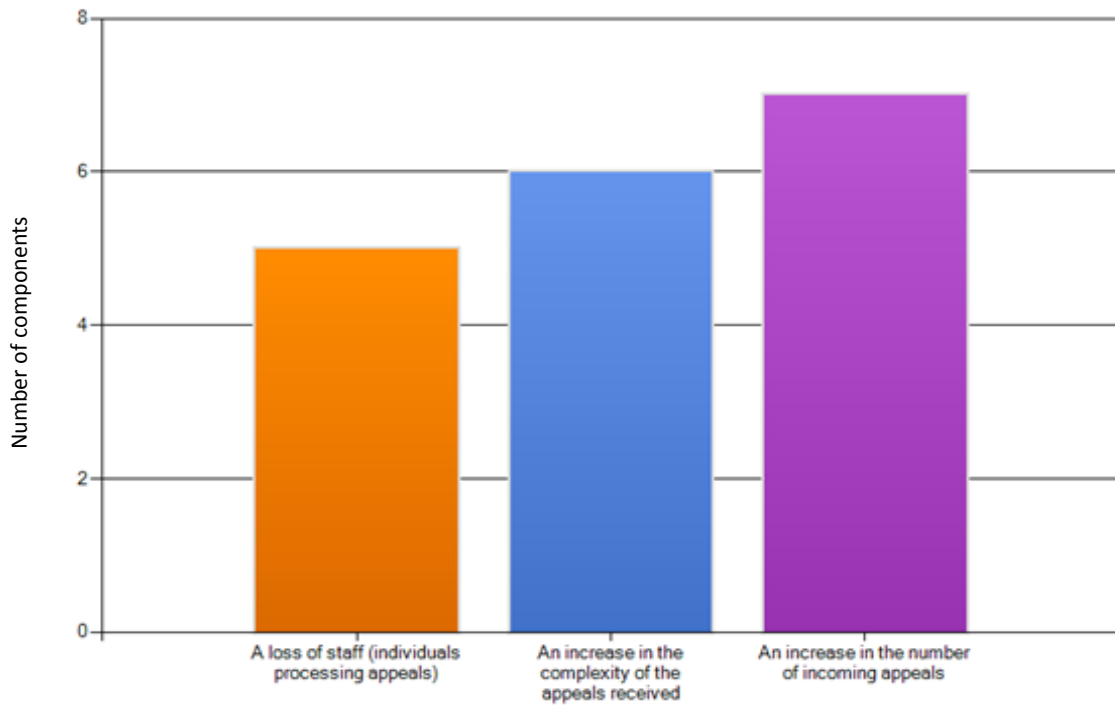
Concerning the ten oldest open FOIA requests as reported by each DoD Component in the DoD FOIA Annual Report for Fiscal Year 2011, 62% of the components closed all ten of their requests in FY 2012. Additionally, 54% of the DoD Components closed all ten of their oldest appeals for the same timeframe. As a whole, the DoD closed six of its ten oldest initial requests and four of its ten oldest appeals.

Components unable to reduce backlogs during this past fiscal year attribute their lack of success to an increase in the complexity of FOIA requests, an increase in incoming requests, and a loss of staff. For initial requests, an increase in the complexity of FOIA requests is reported as the main reason for the backlog, with an increase in the number of incoming requests reported as second and the loss of staff, as third. For appeals, components reported that the main reasons for backlogs were due to the increase in the number of requests, then the increase of complexity, and the loss of staff is reported as third. Components reported that the main reason for the inability to close out the ten oldest in the areas of initials and appeals was due to the complexities involved, as these requests often involve highly complex classified or intelligence-related matters.

**Reasons Attributed to Increase in Backlog of Initial Requests**



**Reasons Attributed to Increase in Backlog of Appeals**



In our regulation, DoD 5400.7-R, “DoD Freedom of Information Act Program,” and in 32 Code of Federal Regulation 286, DoD encourages components to provide interim responses to FOIA requesters; however, DoD Components do not track interim responses provided on cases reported as backlog. DFOIPO is asking the components to track this information, if possible without expending resources, and plans to report this information, if needed, during the next reporting year. No DoD Components reported the use of the FOIA law enforcement exclusions.

**Spotlight on Success:**

DoD had the following notable success stories:

- DoD trained over 600 FOIA professionals by continuing to utilize in-house talent and expertise to host low cost training workshops in San Diego, California, Padova, Italy, and Knoxville, Tennessee. The DoD continued to use these same assets, along with technology tools, to execute online training for a significant number of DoD FOIA professionals; and implemented a course to promote conflict resolution and customer service throughout the agency.
- NSA, OSD/JS and TMA demonstrated increased focus on the customer by promoting a culture to demonstrate that communicating with the requester is key and paramount to a successful relationship between both parties. NSA set up call centers to meet the needs of the requesters; OSD/JS indoctrinated FOIA professionals on what is expected with regard to customer communications; and TMA established customer feedback opportunities that raise awareness to senior leadership.
- The OSD Executive Archive system consolidated the highest levels of organizational accomplishments and policies from the 1950’s to the present. Documents are placed within the system in both PDF and XML formats. With the document in XML format, sophisticated software is applied to enable the OSD EA to locate records almost instantly. The system can locate 1,000 documents in three seconds. This significantly reduces the search time for documents and serves as a great benefit to the agency personnel and to the public it serves.
- Ninety-seven percent of the DoD Components reported to be heavily engaged in posting new material on their websites. This demonstrates a culture change within DoD to proactively post information on websites and to seek opportunities to meet with document holders in an effort to expand libraries, reading rooms and website content in order to get information into the public domain, without requesters having to submit a FOIA request.
- The concentrated efforts by Army (37%), DeCA (100%), DCMA (22%), DIA (29%), EUCOM (37%), Navy (28%), NGA (45%), and NRO (25%), to reduce their FOIA backlogs reaped great benefits, resulting in the DoD achieving a 12% backlog reduction overall. After raising backlog concerns to senior leadership within these components, implementing studies and audits, and applying metrics, backlog numbers decreased

significantly. This is the second year in a row that Army, NGA and DIA experienced significant backlog reductions.

- The CENTCOM Chief of Staff authorized a Prominent Case Release Working Group to mobilize as a quick response team to apply subject matter expertise to prominent cases or investigations for CENTCOM release. The PCRWG reviewed, declassified, redacted and provided recommendations for public release of the requests assigned to the team. This resulted in CENTCOM's improving significantly on the response time for its Complex FOIA requests. In FY2011, 14% of CENTCOM's complex requests were answered in 100 days or less and in FY2012, 62% of CENTCOM's requests were answered in 100 days or less.