

**ANNUAL REPORT  
FREEDOM OF INFORMATION ACT**

REPORT CONTROL SYMBOL  
DD-DA&M(A)1365

**1. INITIAL REQUEST DETERMINATIONS**

a. GRANTED IN FULL	b. DENIED IN PART	c. DENIED IN FULL	d. "OTHER REASONS"	e. TOTAL ACTIONS
38	180	27	269	514

**2a. EXEMPTIONS INVOKED ON INITIAL REQUEST DETERMINATIONS**

(b) (1)	(b) (2)	(b) (3)	(b) (4)	(b) (5)	(b) (6)		
161	129	93	8	2	54		
(b) (7)(A)	(b) (7)(B)	(b) (7)(C)	(b) (7)(D)	(b) (7)(E)	(b) (7)(F)	(b) (8)	(b) (9)
0	0	1	0	0	0	0	0

**2b. "OTHER REASONS" CITED ON INITIAL DETERMINATIONS**

1	2	3	4	5	6	7	8	9	TOTAL
149	51	10	7	2	6	4	24	16	269

**2c. STATUTES CITED ON INITIAL REQUEST (b)(3) EXEMPTIONS**

(1)(b)(3) STATUTE CLAIMED	NUMBER OF INSTANCES	COURT UPHELD? (Yes or No)	CONCISE DESCRIPTION OF MATERIAL WITHHELD
10 USC 130b	1	No	DIA personnel names and organizational data.
10 USC 130c	1	No	Names of DoD deployed personnel.
10 USC 424	88	Yes	Information from international organization.
10 USC 455	1	No	Maps, charts, and geodetic data.
10 USC 2305 (g)	1	No	NSA and CIA functions.
18 USC 798 (a)	1	Yes	Contractor proposal.
50 USC 435 Note Section 1082	1	No	POW/MIA information from the Vietnam Conflict.
50 USC 402 Note Section 6	1	Yes	
50 USC 403-3 (c) (6)	2	Yes	
50 USC 403 (g)	1	Yes	

**3. APPEAL DETERMINATIONS**

a. GRANTED IN FULL	b. DENIED IN PART	c. DENIED IN FULL	d. "OTHER REASONS"	e. TOTAL ACTIONS
0	0	5	0	5

4a. EXEMPTIONS INVOKED ON APPEAL DETERMINATIONS									
(b) (1)	(b) (2)	(b) (3)	(b) (4)	(b) (5)	(b) (6)				
	5	5	0	0	0				1
(b) (7)(A)	(b) (7)(B)	(b) (7)(C)	(b) (7)(D)	(b) (7)(E)	(b) (7)(F)	(b) (8)	(b) (9)		
0	0	0	0	0	0	0	0	0	
4b. "OTHER REASONS" CITED ON APPEAL DETERMINATIONS									
1	2	3	4	5	6	7	8	9	TOTAL
0	0	0	0	0	0	0	0	0	0
4c. STATUTES CITED ON APPEAL (b)(3) EXEMPTIONS									
(1)(b)(3) STATUTE CLAIMED			NUMBER OF INSTANCES	COURT UPHELD? (Yes or No)	CONCISE DESCRIPTION OF MATERIAL WITHHELD				
N/A									
5. NUMBER AND MEDIAN AGE OF INITIAL CASES PENDING				(1) AS OF BEGINNING REPORT PERIOD			(2) AS OF END REPORT PERIOD		
a. TOTAL INITIAL REQUESTS PENDING ( <i>open</i> )				1,976			2,192		
b. MEDIAN AGE ( <i>in days</i> ) OF OPEN INITIAL REQUESTS				403			538		
6.a. TOTAL NUMBER OF INITIAL REQUESTS RECEIVED DURING THE FISCAL YEAR							730		
b. TOTAL NUMBER OF APPEALS RECEIVED							40		
7. TYPES OF INITIAL REQUESTS PROCESSED AND MEDIAN AGE				TOTAL NUMBER OF CASES			MEDIAN AGE (Days)		
a. SIMPLE				242			144		
b. COMPLEX				263			1,107		
c. EXPEDITED PROCESSING				9			81		
8. TOTAL AMOUNT COLLECTED FROM THE PUBLIC							\$ 0.00		
9. PROGRAM COST			10. REPORT ON EXECUTIVE ORDER (EO) 13392 IMPLEMENTATION (See Page 3)						
a. NUMBER OF FULL TIME STAFF		15	11. AUTHENTICATION						
b. NUMBER OF PART TIME STAFF		0	a. TYPED NAME ( <i>Last, First, Middle Initial</i> )				b. DUTY TITLE		
c. ESTIMATED LITIGATION COST		\$2,026.00	Kinsey, Brian, S				Chief, FOIA Staff		
d. TOTAL PROGRAM COST		\$2,278,152.50	c. AGENCY NAME				d. TELEPHONE NUMBER ( <i>Include Area Code</i> )		
			Defense Intelligence Agency				(202) 231-2261		

**10. REPORT ON EXECUTIVE ORDER (EO) 13392 IMPLEMENTATION.** In this section, which is required for the FY 2006 and FY 2007 FOIA Annual Reports, Components detail their compliance with EO 19932. *(Attach additional sheets if necessary. Reference each continuation sheet by item number.)*

a. **DESCRIPTION OF ANY SUPPLEMENTATION/MODIFICATION TO DOD IMPROVEMENT PLAN BY YOUR COMPONENT** *(If applicable).* Describe any refinements or changes to the DoD FOIA Improvement Plan made by your Component. If this does not apply to your Component, state "None".

None.

b. **REPORT ON YOUR COMPONENT IMPLEMENTATION OF THE DOD FOIA IMPROVEMENT PLAN.** Describe how your Component performed in meeting each of the milestones listed in the Plan.

See enclosure.

c. **IDENTIFICATION OF DEFICIENCIES** *(If applicable).* If your Component did not meet one or more milestones, list which one(s) were not met and why.

Backlog not reduced due to increase of complex and sensitive requests each month.

d. **ADDITIONAL NARRATIVE REGARDING OTHER EXECUTIVE ORDER-RELATED ACTIVITIES** *(optional).* This section allows Components the opportunity to provide any comments relevant to EO 13392.

No additional comments

**e. ADDITIONAL STATISTICS**

(1) **DATE OF YOUR COMPONENT'S OLDEST FOIA REQUEST**  
*(Date on request letter, or if undated, date received in your Component.)*

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(2) **DATE OF YOUR COMPONENT'S OLDEST FOIA CONSULTATION**  
*(Date of transmittal memo from referring Component or Agency to your Component. If undated, date received in your Component.)*

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Enclosure 1 to DD Form 2564, Section 10b:

REPORT ON YOUR COMPONENT IMPLEMENTATION OF THE DOD FOIA IMPROVEMENT PLAN. Describe how your Component performed in meeting each of the milestones listed in the Plan.

- DIA provided on time responses to each of the Plan milestones due prior to 17 November 2006 which addressed the DoD identified 4 areas needing improvement:
  - Organizational Structure
    - Current organizational structure and location is satisfactory to meet the spirit of EO 13392.
    - Grade structure: GG-12, GG-13, and GG-14.
    - Continued use of contractors to satisfactorily process FOIA requests.
    - DoD proposed position description language being examined for inclusion in DIA FOIA position descriptions.
    - Information Disclosure Officer: In addition to the Chief of Public Access and Dissemination, who serves as DIA FOIA Liaison per EO 13392, DIA has established an Information Disclosure Officer: This is a senior position whose duties include serving as liaison between DIA's FOIA Staff and DIA senior leadership (Command Element, Public and Congressional Affairs, and General Counsel). The incumbent handles unusually sensitive or complex FOIA and declassification requests that require coordination of DIA's senior leadership, thus freeing up DIA's FOIA staff to address more routine cases that can be moved through the process relatively quickly.
  - Training
    - DIA's FOIA training course is undergoing continuous improvements. This course is available to other DoD components through the Joint Intelligence Virtual University.
    - Implemented resident training improvements to existing training.
    - Taken advantage of external training opportunities.
  - Technology
    - Implemented customized modern electronic FOIA tracking and redaction software (FOIAXpress).
    - Testing in DIA computer lab ongoing on electronic intra-DIA redaction software (REDACTXpress) for use by DIA subject matter experts reviewing records.
    - Desktop scanners obtained for each FOIA Office personnel to scan hardcopy documents into electronic redaction system.

- High speed scanner obtained to batch scan documents into electronic redaction system.
- Resources/Backlog
  - Additional 4 permanent billets obtained – 3 at GG-13 and 1 at GG12 – with start dates of 27 November 2006 and later.
  - Recruited 2 temporary (not to exceed FY06) GG-14 federal personnel to work exclusively on FOIA requests.
  - Applied 8 contractor positions to processing FOIA requests .
  - All pre-2001 cases closed or are being actively processed and near closing.
  - Closed 239 more cases than in 2005.