

2014 DoD Chief FOIA Officer Report

1. Name of Component

Section I: Steps Taken to Apply the Presumption of Openness

Unless otherwise noted, your responses to the questions posed within should address agency activities that have occurred since the submission of your input for last year's Chief FOIA Officer report, which was January 4, 2013.

1. Did your Component hold a FOIA conference, or otherwise conduct training during this reporting period?

YES

NO

If yes, please provide details (i.e. the number of conferences or trainings held; description of topics covered; estimate of the number of participants from your Component.)

2. Did your FOIA professionals attend FOIA training? If so, please indicate the source of the training.

No

DoD-wide FOIA/PA Training Workshop

DFOIPO Defense Connect Online (DCO)

Department of Justice

American Society of Access Professionals (ASAP)

Additional Comments

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3. Provide an estimate of the percentage of your FOIA professionals who attended FOIA training during this reporting period.

- 100%
- 90 - 99%
- 80 - 89%
- 70 - 79%
- 60 - 69%
- 50 - 59%
- 40 - 49%
- 30 - 39%
- 20 - 29%
- 10 - 19%
- Less than 10%

4. What is your plan to ensure that all of your Component's FOIA professionals attend substantive FOIA training between now and next year's reporting? Your plan should anticipate an upcoming reporting requirement for your 2015 Chief FOIA Officer Reports that will ask whether ALL agency FOIA professionals attended substantive FOIA training in the past year.

5. Did your FOIA professionals engage in outreach and dialogue with the requester community or open government groups regarding your administration of the FOIA?

- No
- Yes

If yes, please briefly discuss that engagement.

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6. Does your Component have a formal process in place to review records for discretionary release?

- Yes (Please provide details below)
- No

Our process for reviewing records for discretionary release is as follows:

7. Did your Component make any discretionary releases of otherwise exempt information? If yes, please check the exemptions that would have been used.

- No
- Exemption 2
- Exemption 5
- Exemption 7

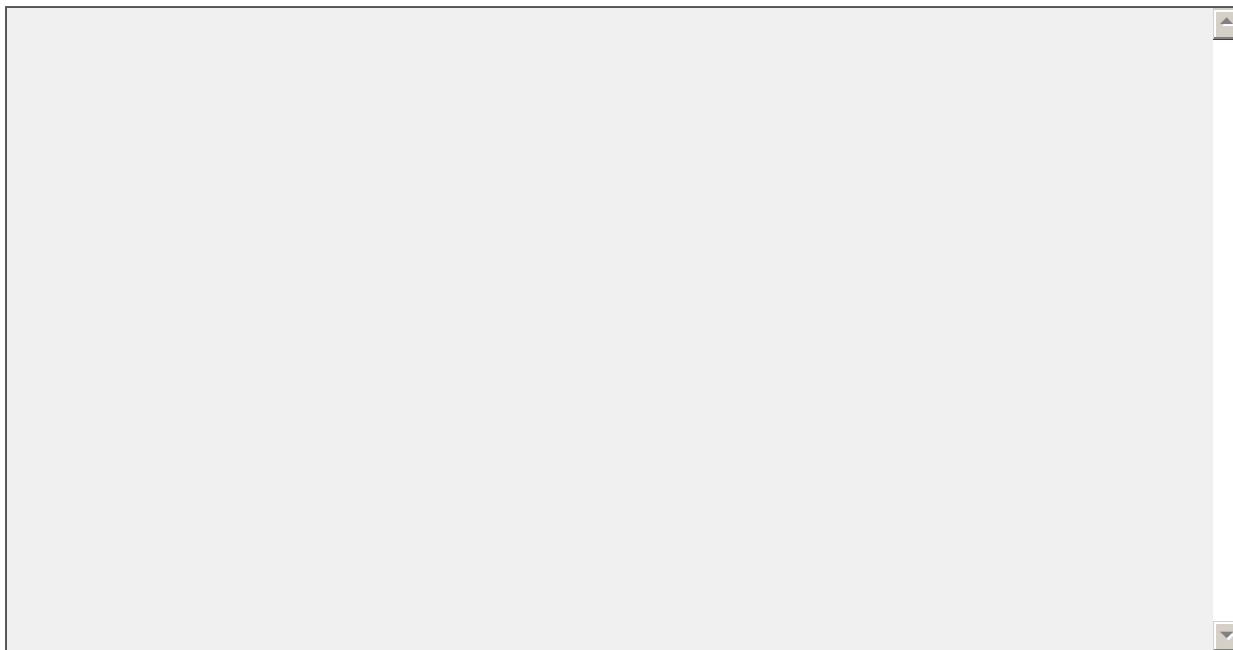
If other exemptions used, please note here.

8. Provide a narrative description, or provide examples of the types of information that your agency released as a matter of discretion.

9. If your Component was not able to make discretionary releases of information, please explain why.

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10. Describe any other initiatives undertaken by your Component to ensure that the presumption of openness is being applied. If the initiatives are online, please provide links in your description.



Section II: Steps Taken to Ensure that Your Component Has an Effective Sys...

1. Has your Component converted all of its FOIA Professionals to the new Government Information Specialist Job Series?

- Yes
- No

2. If not, what proportion of personnel has been converted to the new job series?

- 90 - 99%
- 80 - 89%
- 70 - 79%
- 60 - 69%
- 50 - 59%
- 40 - 49%
- 30 - 39%
- 20 - 29%
- 10 - 19%
- Less than 10%

Other (please specify)

3. If not, what is your plan to ensure that all FOIA professionals' position descriptions are converted?

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4. For FY13 did your Component maintain an average of ten or less calendar days to adjudicate requests for expedited processing? If not describe the steps your Component will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

- Yes
 No

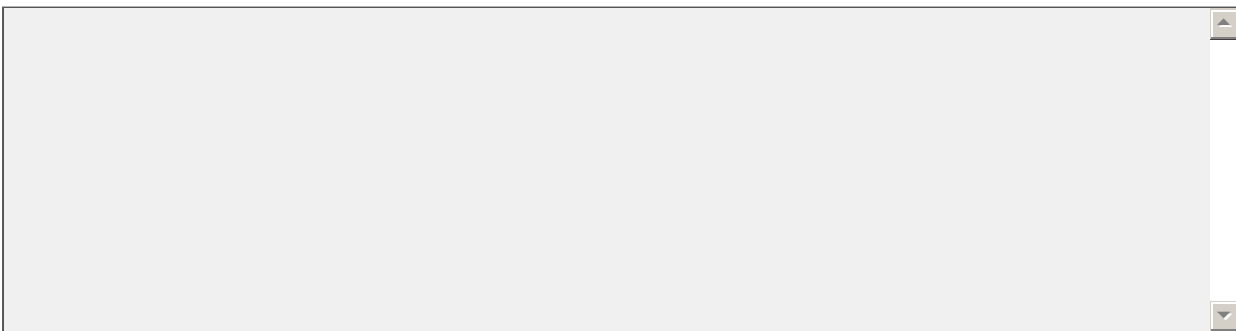
If not, what challenges did you face and what steps will be taken to ensure that requests for expedited processing are adjudicated within ten calendar days or less?



5. Has your Component taken any steps to make the handling of consultations and referrals more efficient and effective, such as entering into agreements with other agencies or other components on how to handle certain categories or types of records involving shared equities so as to avoid the need for a consultation or referral altogether, or otherwise implementing procedures that speed up or eliminate the need for consultations. If so, please describe those steps.

- Yes
 No

If so, please describe what you are doing.



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6. Do you use e-mail or other electronic means to communicate with requesters when feasible?

- Yes
- No

If not, please explain why.

7. How are customer complaints/concerns handled within your Component? Choose all that apply.

- FOIA Caseworkers speak directly with requesters
- FOIA Requester Service Center Representatives handle complaints/concerns
- FOIA Public Liaisons handle complaints/concerns
- Requesters are referred to DFOIPO
- Requesters are referred to OGIS

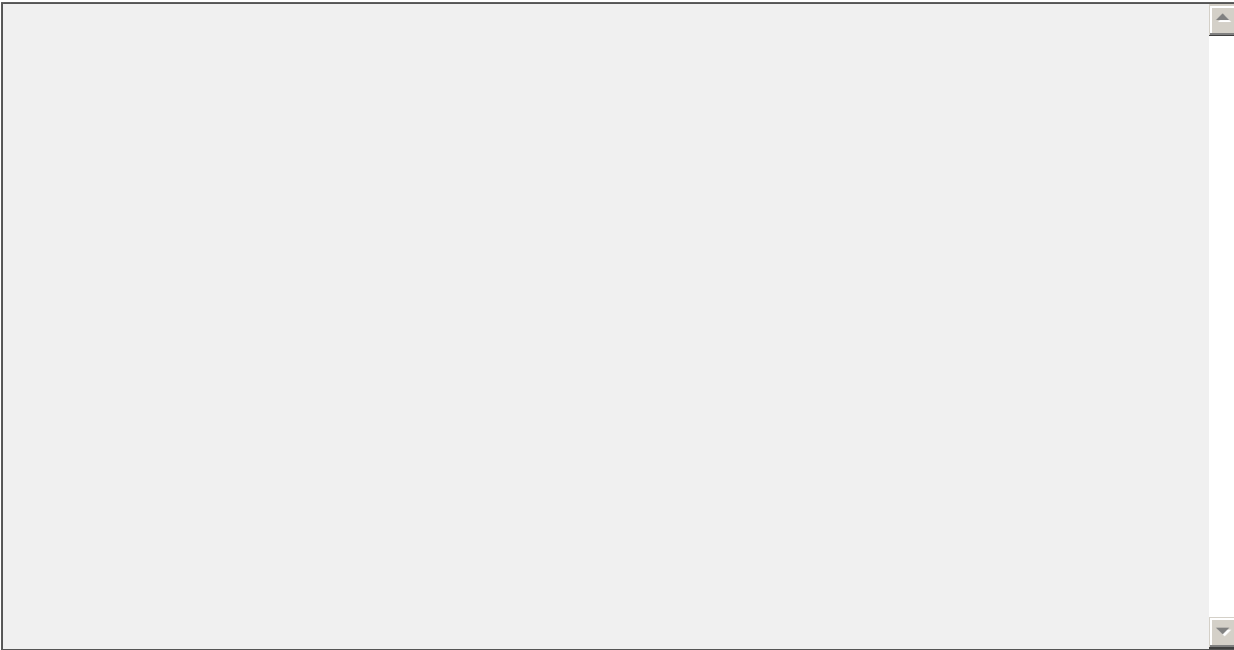
8. Have FOIA professionals within your Component taken Conflict Resolution/Customer Service training offered by DoD or OGIS?

- Yes
- No

Additional Comments

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9. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc.



Section III: Steps Taken to Increase Proactive Disclosures

Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

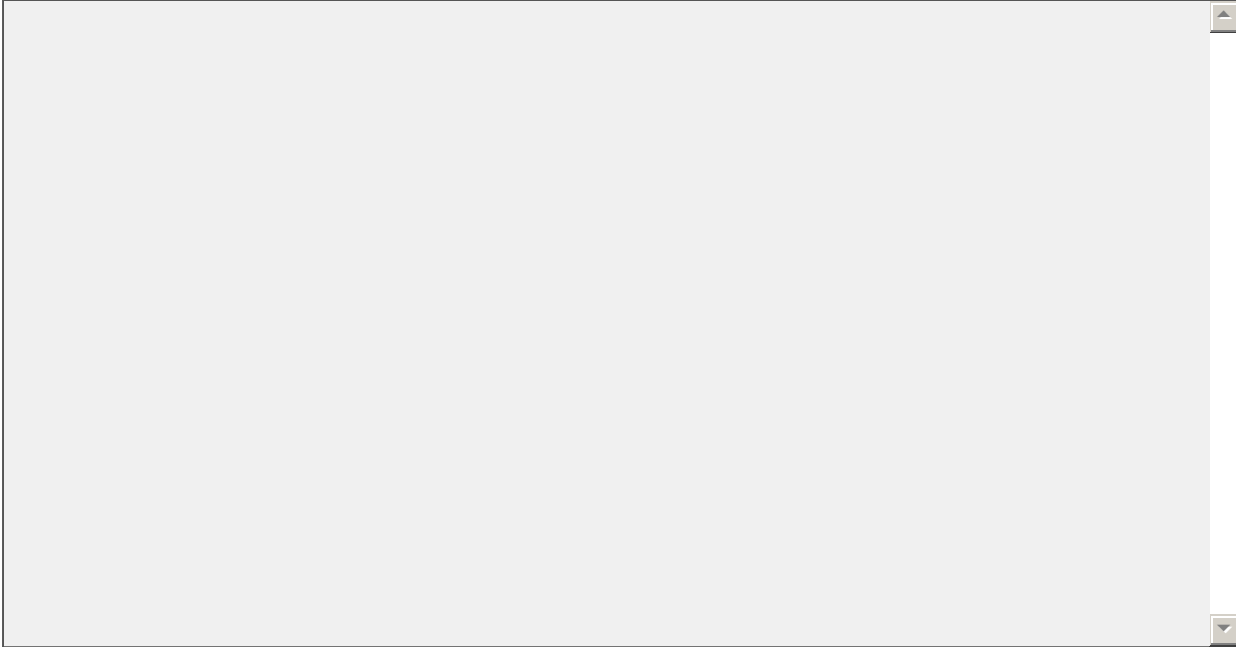
Describe here the steps your Agency/Component has taken both to increase the amount of material that is available on your agency website, and the usability of such information, including providing examples of proactive disclosures that have been made during this past reporting period (i.e., from March 2013 to March 2014). In doing so, answer the questions listed below and describe any additional steps taken by your Agency/Component to make and improve proactive disclosures of information.

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1. Do your FOIA professionals have a system in place to identify records for proactive disclosures?

- Yes
- No

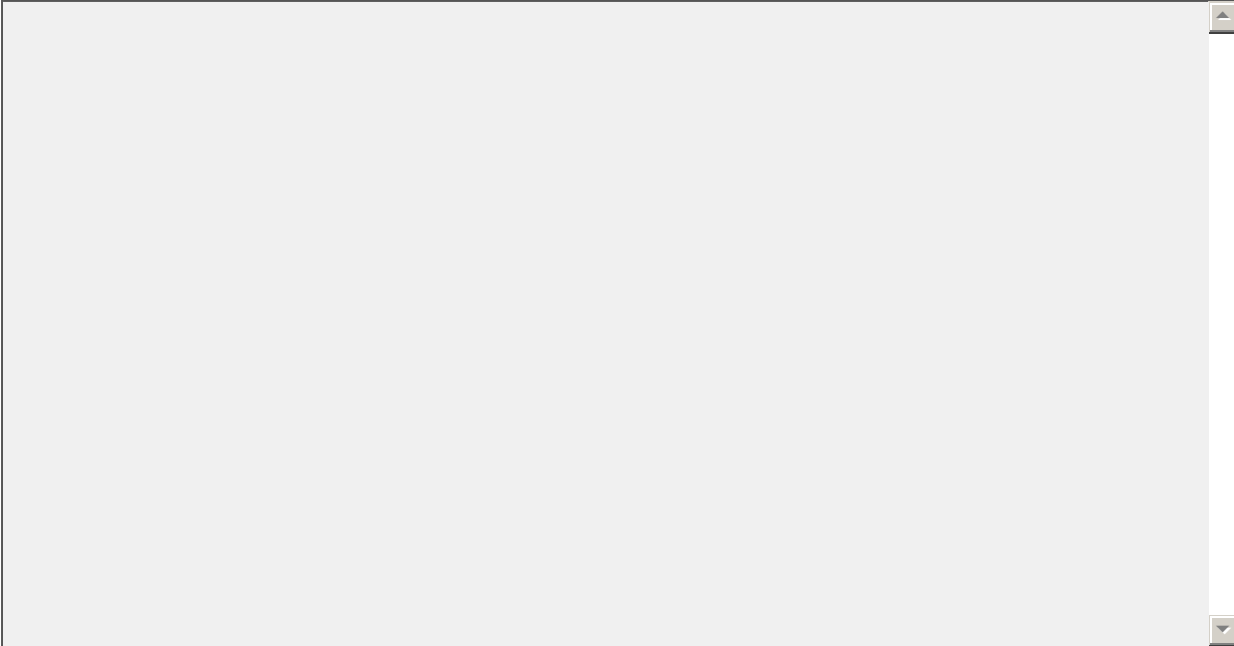
If yes, describe the system in place and provide examples of materials your Component has posted this past reporting period, including links to where this material can be found online.



2. Beyond posting new material, is your Component 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, such as soliciting feedback on the content and presentation of posted material, improving search capabilities on the site, posting material in open formats, making information available through mobile applications, providing explanatory material, etc.

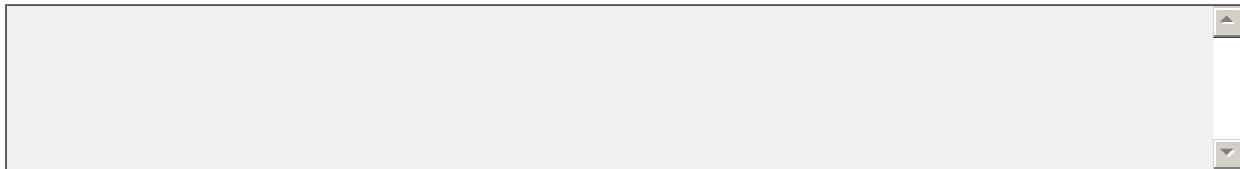
- Yes
- No

3. If yes, provide examples of such improvements.



4. Did your Component use any means to publicize or highlight important proactive disclosures for public awareness? If yes, was social media utilized?

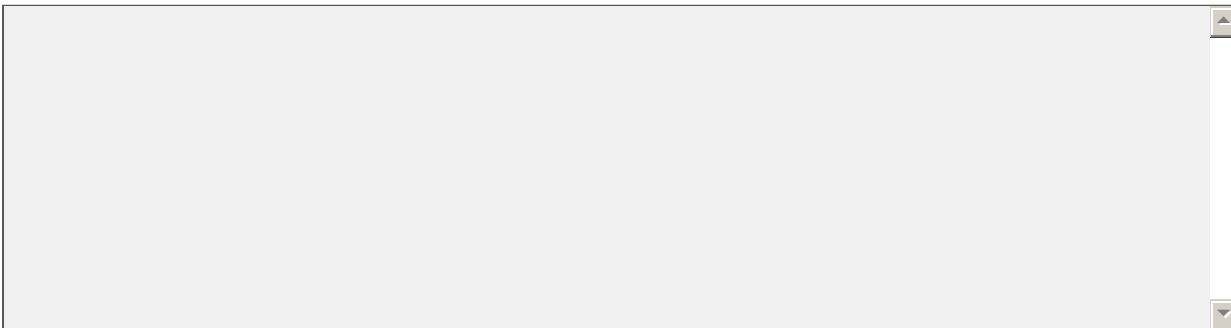
- No
- Yes, the following was used as a means to publicize:



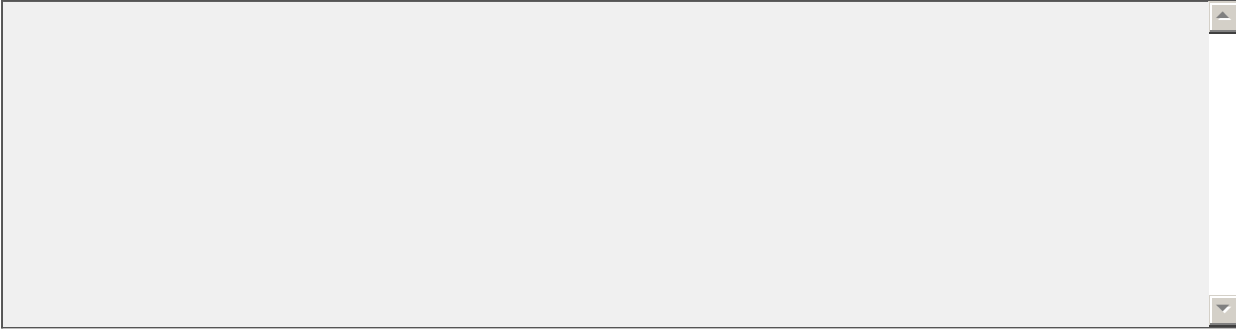
5. Has your Component encountered challenges that make it difficult to post records you otherwise would like to post? If so, please briefly explain what those challenges are.

- No

Yes, the following challenges were encountered:



6. Describe any other steps taken to increase proactive disclosures at your Component.



Section IV: Steps Taken to Greater Utilize Technology

1. Can a FOIA requester track the status of his/her request electronically?

YES

NO

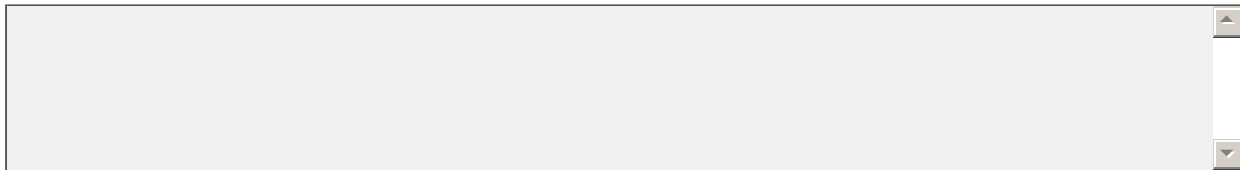
Other (please specify)



2. If yes, how is the tracking function provided to the public? For example, is it being done through regularly updated FOIA logs, online portals, or other mediums?

Not applicable

The tracking function is provided to the public as follows:



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3. If yes, describe the information that is provided to the requester through the tracking system. For example, some tracking systems might tell the requester whether the request is "open" or "closed," while others will provide further details to the requester throughout the course of the processing, such as "search commenced" or "documents currently in review." List the specific types of information that are available through your agency's tracking system.

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4. Does your Component tracking system provide the requester an estimated date of completion for his or her request?

Yes

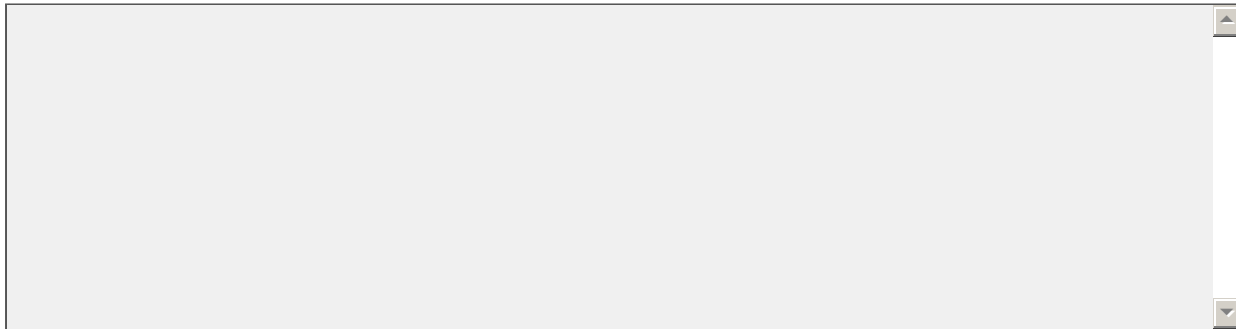
No

5. If your Component does not provide online tracking of requests, is your Component taking steps to establish this capability?

Yes

No (see comments below)

If you answered no to this question, please explain why you are not pursuing this capability here.

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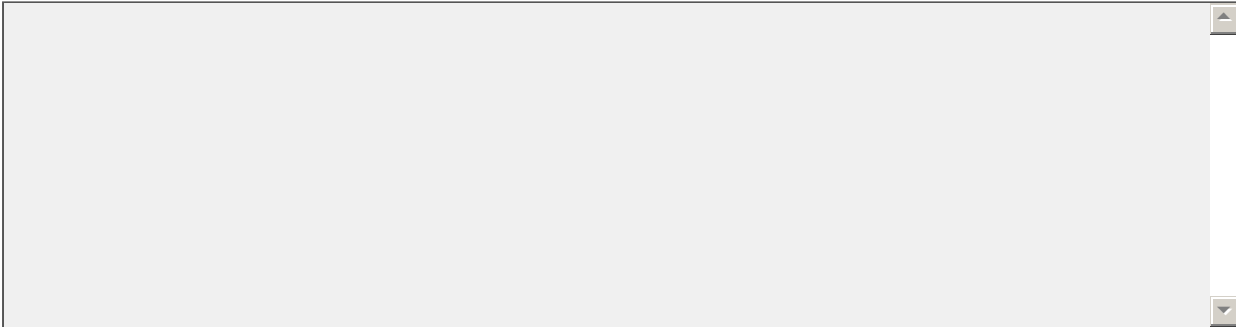
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6. Beyond using technology to redact documents, is your Component taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents?

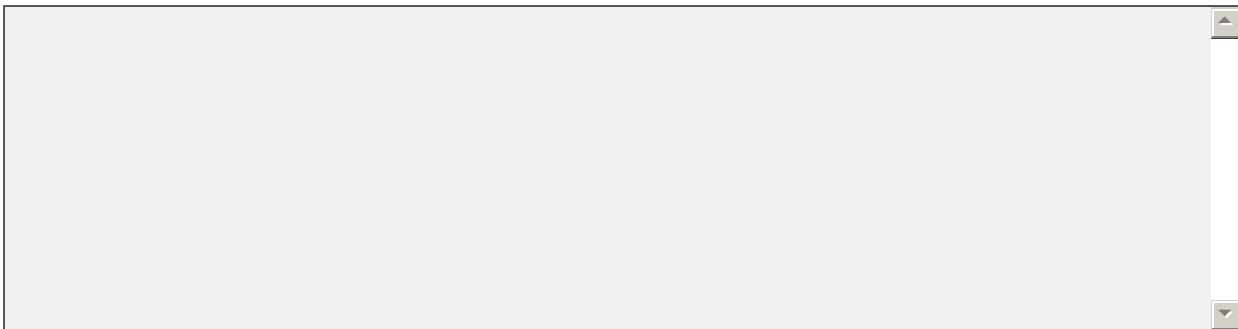
YES

NO

If so, describe the technological improvements being made.



7. Are there additional technological tools that would be helpful in achieving further efficiencies in your Component's FOIA program?



Section V: Steps Taken to Improve Timeliness in Responding to Requests and R...

The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. This section addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations. For the figures required in this Section, please use those contained in the specified sections of your agency's 2013 Annual FOIA Report and, when applicable, your agency's 2012 Annual FOIA Report.

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1. Does your Component utilize a separate track for simple requests?

- Yes
- No

Additional information you would like us to know:

2. For Fiscal Year 2013, was the average number of days to process simple requests twenty working days or fewer?

- Yes
- No

3. For Fiscal Year 2013, was the average number of days to process non-expedited requests twenty working days or fewer?

- Yes
- No

Other (please specify)

4. If your Component had a backlog of requests at the close of Fiscal Year 2013, did that backlog decrease as compared with Fiscal Year 2012?

- YES
- NO

5. If your Component had a backlog of administrative appeals in Fiscal Year 2013, did that backlog decrease as compared to Fiscal Year 2012?

- Yes
- No

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6. In Fiscal Year 2013, did your Component close the ten oldest requests that were pending as of the end of Fiscal Year 2012?

- Yes
- No

If not, how many remain pending? If you had less than "ten" total "oldest requests to close, please indicate that. For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E. and you closed two of them, you should note that you closed two out of seven "oldest" requests.

7. In Fiscal Year 2013, did your Component close the ten oldest administrative appeals that were pending as of the end of Fiscal Year 2012?

- Yes
- No

If no, please provide the number of these appeals your Component was able to close, as well as the number of appeals your Component had in Section VI.C.(5) of your Fiscal Year 2012 Annual FOIA Report..

8. In Fiscal Year 2013, did your Component close the ten oldest consultations that were pending as of the end of Fiscal Year 2012?

- Yes
- No

If no, please provide the number of these consultations your Component was able to close, as well as the number of pending consultations your Component listed in Section XII.C. of your Fiscal Year 2012 Annual FOIA Report..

9. If your Component did not experience a backlog reduction for initial FOIA requests, describe why by checking one of the following:

- An increase in the number of incoming initial requests
- A loss of staff (individuals processing initial requests)
- An increase in the complexity of the initial requests received

What other causes, if any, contributed to the lack of a decrease in your backlog?

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10. If your Component did not experience a backlog reduction for administrative appeals, explain why by checking one of the following:

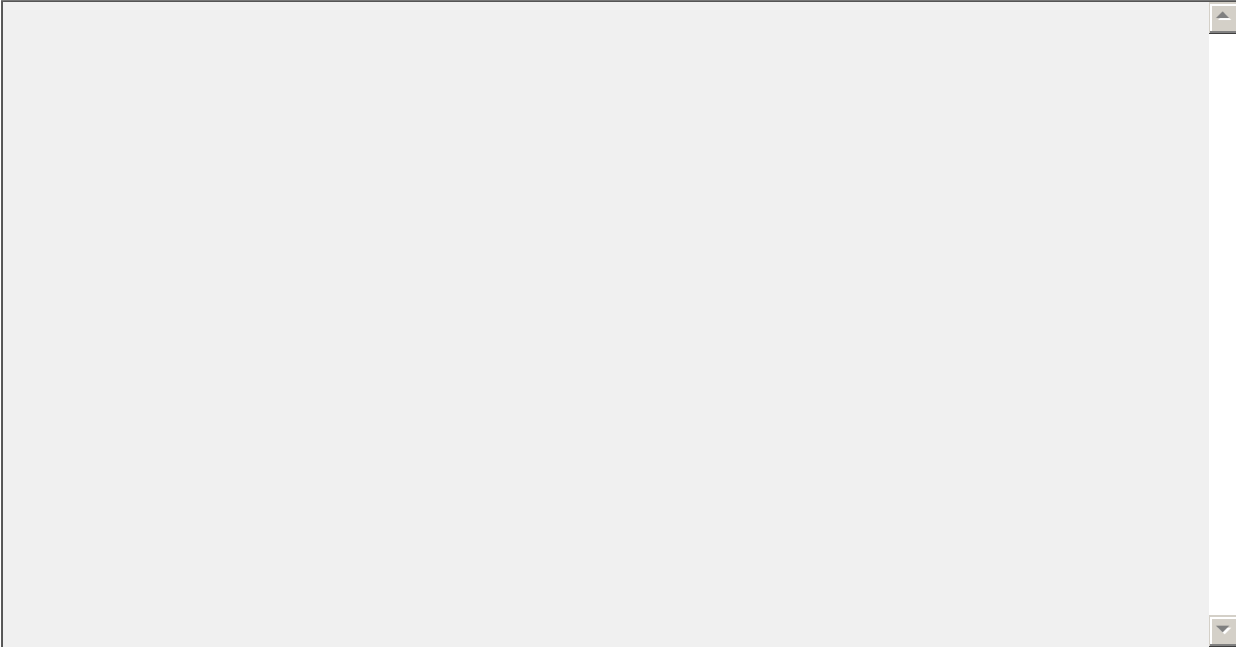
- An increase in the number of incoming appeals
- A loss of staff (individuals processing appeals)
- An increase in the complexity of the appeals received

What other causes, if any, contributed to the lack of a decrease in your backlog?

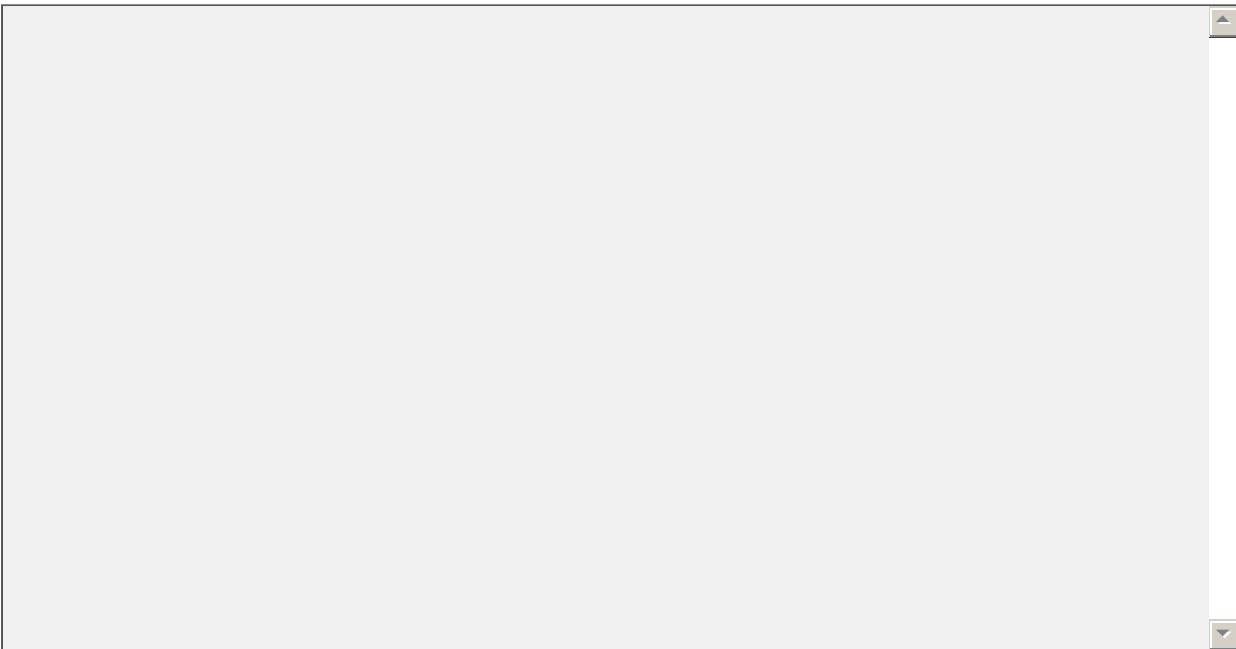
11. Please explain the obstacles your Component faced in closing its ten oldest requests, appeals, and consultations from FY 2012.

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12. If you were unable to close any of your ten oldest requests or appeals because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

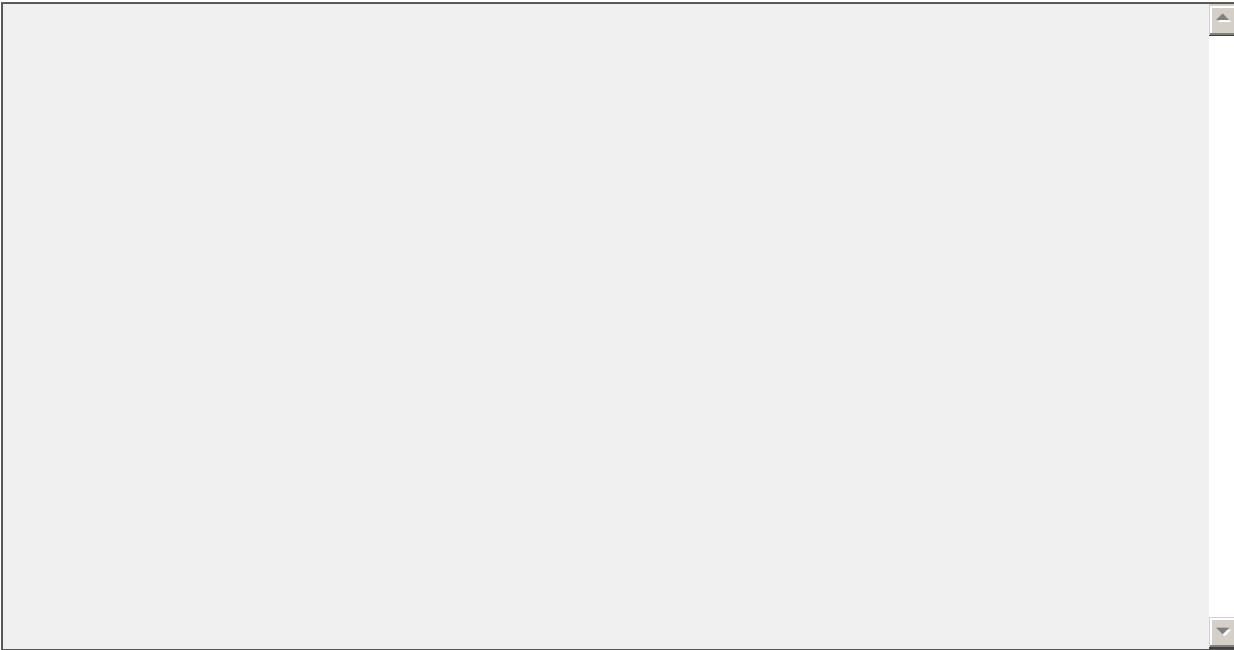


13. If your Component did not close its ten oldest pending requests, appeals, and consultations, please provide a plan describing how your Component intends to close those "ten oldest" requests, appeals, and consultations during FY14.



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14. If your Component did not reduce its backlog of initial requests and/or administrative appeals, please describe the plan you have in place for reducing the backlog during FY14?



OIP has issued guidance encouraging agencies to make interim releases whenever they are working on requests that involve a voluminous amount of material or require searches in multiple locations. By providing rolling releases to requesters agencies facilitate access to the requested information.

1. Does your agency have a system in place to provide interim responses to requesters when appropriate?

Yes

No

Other (please specify)



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2. If your Component had a backlog in Fiscal Year 2012, please estimate the percentage of the backlog cases where a substantive, interim response was provided, even if the request was not finally closed.

- I have no way of tracking this data.
- Because I can obtain this information with relative ease, the data is provided below.

Other (please specify)

3. Does your Component routinely set goals and monitor the progress of your FOIA caseload?

- YES
- NO

4. Has your Component increased or decreased its FOIA staffing in the previous three years?

- Increased
- Decreased

Please provide details

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5. Are there future plans to increase or decrease FOIA staffing within your Component?

YES

NO

Please provide details

6. Has your Component made IT improvements to increase timeliness?

YES

NO

Provide any comments here.

Use of FOIAs Law Enforcement "Exclusions"

In order to increase transparency regarding the use of the FOIA's statutory law enforcement exclusions, which authorize agencies under certain exceptional circumstances to "treat the records as not subject to the requirements of [the FOIA]," 5 U.S.C. § 552(c)(1), (2), (3), please answer the following questions:

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1. Did your Component invoke a statutory exclusion during Fiscal Year 2013?

YES

NO

If so, what is the number of times exclusions were invoked?

Spotlight on Success

1. Since submission of your last Chief FOIA Officer Report, out of all the activities undertaken by your Component to increase transparency and improve FOIA administration, describe success stories you would like to highlight as emblematic of your Component's efforts.

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2. Please provide the total cost for compiling this Chief FOIA Officer Report submission, based on the time spent by subcomponents and your component in preparing the report. This would include communications regarding the report, writing emails, verbal, phone, etc, any internal presentations and preparations for presentations, technical support, contractor costs, etc.

