Department of Defense

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

For 2016

Preparation of this study/report cost the DoD approximately $41,449 for the 2016 Fiscal Year

Table of Contents

2016 Department of Defense

Chief Freedom of Information Act (FOIA) Officer Report to the Department of Justice

Executive Summary

The 2009 Attorney General's Freedom of Information Act (FOIA) Guidelines require the Chief FOIA Officer for each federal agency to submit a report to the Attorney General containing a detailed description of the steps undertaken by the agency to improve FOIA compliance and transparency.

In my capacity as the Deputy Chief Management Officer (DCMO), I am pleased to present the 2016 Department of Defense (DoD) Chief FOIA Officer Report to the Department of Justice (DOJ). I was confirmed as the DCMO by the Senate on May 23, 2015, and serve as the senior advisor to the Secretary of Defense and the Deputy Secretary of Defense on business transformation. In this capacity, I also serve as the DoD Chief FOIA Officer. I lead the Department's efforts to streamline business processes and achieve greater efficiencies in management, headquarters, and overhead functions and have continued the DoD tradition of leadership dedication to the success of the Department's 32 FOIA Requester Service Centers (DoD Components) located around the world.

On my behalf, the Directorate for Oversight and Compliance (DO&C) oversees all FOIA policy matters within the DoD. Through the DO&C, I ensure ongoing emphasis on the President's Open Government goals, applying the presumption of openness, effective systems for responding to requests, increasing proactive disclosures, increasing greater utilization of technology, and improving timeliness. This report encompasses the efforts and results of DO&C and those of all 32 DoD Components listed below:

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
DCAA	Defense Contract Audit Agency
DCMA	Defense Contract Management 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 IG	Department of Defense Inspector General
DSS	Defense Security Service
DTIC	Defense Technical Information Center
DTRA	Defense Threat Reduction Agency
EUCOM	U.S. European Command
JPRA	Joint Personnel Recovery Agency
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
PACOM	U.S. Pacific Command
SOCOM	U.S. Special Operations Command
SOUTHCOM	U.S Southern Command
STRATCOM	U.S. Strategic Command
TRANSCOM	U.S. Transportation Command
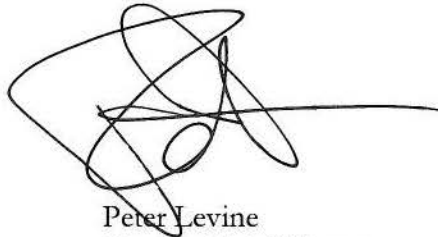
The DoD has a decentralized FOIA program, with each of the 32 DoD Components listed above implementing their own FOIA programs. The DO&C provides overall DoD FOIA guidance to the DoD Components, helping them ensure that their FOIA processes comply with the FOIA, relevant case law, and DoD policy. The DoD Components are, in turn, responsible for establishing and maintaining FOIA processes uniquely tailored to each component, providing the best quality customer service possible.

The 2016 DoD Chief FOIA Officer report details how DoD has continued to improve its administration of the FOIA and develop new initiatives to further streamline our FOIA processes and promote openness and transparency. Some of the key highlights of this report include how DoD Components remain vigilant regarding promoting and attending FOIA training to ensure that DoD has a vanguard of strong FOIA professionals. More components are making discretionary releases, striving to reach more agency non-FOIA professionals, and provide items of particular interest to their requester communities.

All the DoD Components are focused on enhancing customer service and communications with FOIA requesters. Many report that public facing electronic tools have helped requesters better track their requests and monitor progress towards case completion. They also report a variety of initiatives and steps undertaken to ensure that their FOIA systems are operating efficiently and effectively. Centralizing systems and overhauling processes top this year's list of creative solutions.

DoD Components remain attuned to public interest and some report posting nearly all processed requests on their websites, while over half indicate they are taking steps to make the posted information on their websites more useable to the public. A continued commitment to the principles of openness was showcased this year as over 50,000 FOIA requests were processed during FY15 and over 91% of *all* received requests were processed in less than 100 days.

I am proud of the efforts of the Department to improve overall FOIA processes and look forward to the Department's continued work to enhance and promote the principles of an open and transparent government.

Peter Levine
Deputy Chief Management Officer

1.0 Steps Taken to Apply the Presumption of Openness

1.1 FOIA Training

During this reporting period, over 90% of DoD FOIA professionals received training. Notably, 72% of the DoD Components reported that *all* of their FOIA professionals attended training.

Most components also sent representatives from their FOIA professional staff to the DoD-wide FOIA/Privacy Act (PA) Training Workshop and to the regular DO&C Defense Collaboration Services (DCS) training and chats. Over 80% of the components sent personnel to the DOJ, Office of Information Policy (OIP) training as well as the American Society of Access Professional (ASAP) training. Over half of the DoD Components hosted training for their own personnel. The components which infrequently receive FOIA requests did not send their personnel for training this year because they were either balancing other training requirements or suffered budgetary constraints.

The DO&C is the office within DoD responsible for policy as well as encouraging and promoting FOIA training within the Department. In this capacity, the DO&C conducts FOIA/PA Training workshops and provides virtual training. During this reporting period, DO&C conducted training by facilitating two three-day FOIA/PA Training Workshops.

- The first was held in June 2015 in Garmisch, Germany. This workshop was attended by over 50 DoD FOIA professionals and attorneys stationed in Europe and the Mideast. This workshop was the latest in a series of European workshops that are held every two to three years.

- The second workshop, a three-day FOIA/PA Training Workshop, took place in September 2015 at Fort Sam Houston, in San Antonio, Texas. There were over 325 attendees at this workshop, and both workshops featured expert instructors from multiple DoD Components. FOIA topics included DoD FOIA policy, exemptions 4, 5, 6 and 7, document declassification, fees and fee waivers, litigation considerations, mechanics and best practices in redacting documents. Privacy Act topics included conditions of disclosure, privacy concerns with information sharing and social media and records management. In continuation of the outstanding training at low or no-cost training facilities, another FOIA/PA Training Workshop is planned for April 2016, in Tampa, Florida which has a high concentration of DoD installations and personnel.

The DO&C also continued virtual training environment efforts through the live DCS and the static Joint Knowledge Online (JKO) tools. DCS permits the trainer to simultaneously present PowerPoint slides to attendees seated at their own desks and to have interactive discussions with personnel around the world. The JKO tool allows for uploading previously recorded material and is the current platform upon which the OIP FOIA training videos are hosted.

The DO&C continued last year's sliding schedule for DCS chats so that world-wide time zones could be accommodated and FOIA Professionals would find one or more of the sessions scheduled at convenient times. Participants joined in from across the United States and DoD installations in

Europe, Bahrain, Afghanistan, and the Pacific. Average attendance was between 110 and 200 at the ten chats held during this reporting period.

Over half the DoD Components reported hosting their own training for FOIA professionals. For example:

- Air Force has moved to a sustainable model of distributed electronic training to reach their global workforce. Their training completion requires successfully passing an online exam.

- Army continued supporting its decentralized program through individual commands creating training programs specifically for their workforce and also focuses on basic FOIA tenants, processing, legal and policy requirements. For instance, the Intelligence and Security Command conducted training in Europe and Korea. The Installation Management Command created "FOIA University" and holds a quarterly 3-day training course focusing on a series of FOIA topics.

- DHA and NORTHCOM have found that training their FOIA professionals achieves better results when other personnel are invited to attend, so they have routine blended training supplemented by more individualized training for caseworkers.

DoD FOIA Professionals Attended FOIA Training

A bar chart with the y-axis ranging from 0.0% to 80.0% in 20% increments. The x-axis categories are: No; DoD-wide FOIA/PA Training Workshop; DCMO-TO Defense Connect Service (DCS) Training; DCMO-TO DCS Chats; Department of Justice; American Society of Access Professionals (ASAP); Component-sponsored training.
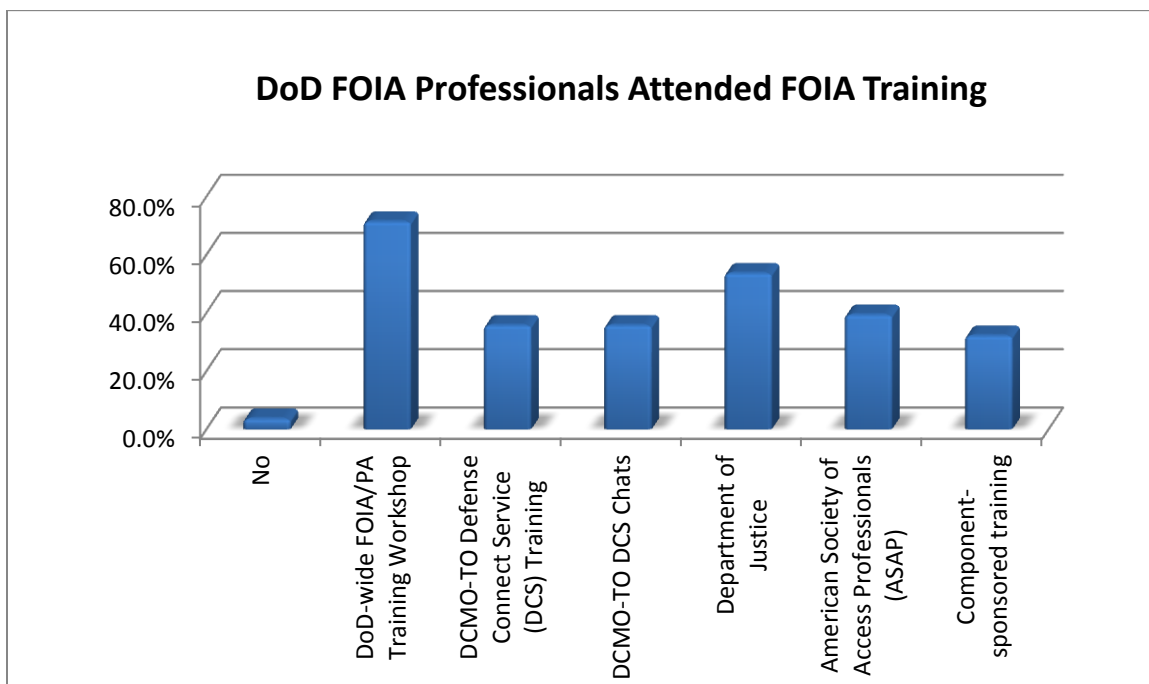
- DIA, NGB and NSA all offered comprehensive training to their FOIA professionals and taught on subjects such as component policies and case processing procedures while also covering FOIA challenges and openness in government.

- Navy offered broad spectrum training through DCS as well as in person workshops in Hawaii and Norfolk, Virginia, and hands-on training for commands located in the National Capitol Region.

Finally, the commitment of quality customer service and partnering with the DoD Office of General Counsel (OGC) Alternative Dispute Resolution (ADR) Liaison and the Army OGC ADR Program Director remains strong although the DO&C experienced a staff transition and could not maintain its training for FOIA professionals in the areas of conflict resolution and customer relations during 2015. The new staff will be trained and expects to resume offering collaborative training with the DoD OGC and Army ADR personnel for DoD FOIA professionals in 2016.

1.2 Outreach

DO&C provides the DoD representative to the FOIA Federal Advisory Committee which is a public forum for FOIA requesters and professionals to discuss ideas and concerns. The Committee is composed of ten government and ten non-government members, supported by the Office of Government Information Services (OGIS) and governed by the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. The Committee studies the current FOIA landscape across the Executive Branch and may recommend legislative action, policy changes or executive action.

The components that receive few requests report little need for substantial engagements with their requester community in the form of outreach activities because the component requester volume lends itself to more personalized interactions with requesters from the beginning of the FOIA process. The smaller staffs result in requesters working with the same person which allows rapport development and better anticipation of high demand materials. For instance, ASBCA reports an average response time for FY15 requests of seven days and that many of the documents typically sought by those making FOIA requests, such as the Board's opinions and reports, are already available on their website.

However, over a third of the DoD Components reported engagement in outreach activity. For example:

- Several of the DoD Components, including Army, DoD IG and Navy reported participating in DOJ OIP sponsored sessions with the requester community.

- Some components also reported participating in ASAP events and initiating other efforts.

- NSA hosted a roundtable with a representative of the advocacy community in July and held a session with a frequent requester at the Intelligence Community FOIA Officers Information Day in April. NSA also focused on the historian community during a Cryptologic History Symposium.

- Other components emphasize their work with their Public Affairs Offices to better reach the public. For example, NORTHCOM worked closely with its Public Affairs Office as well as historians to clarify and engage in open dialogue with the community, and the Army continued to work with their worldwide Public Affairs Offices to reach the requester community and promote open dialogue.

Additionally, other components opted for tools more closely suited to their component structures. For example:

- NGA conducted formal audits with their requester community in order to better assess and understand requester satisfaction with response times and provided information. This auditing process is ongoing through the reporting period.

- DCMA worked with their requester community in regards to Monthly Assessment Reports (MAR). The MAR, which is particularly of interest to their requester community relates to the F-35 program. As a result of the community interaction, DCMA began proactively posting those reports in their electronic reading room.

1.3 Discretionary Releases

As previously reported, all but two of the DoD Components have distinct processes in place to review records for discretionary release. DTIC and JPRA are limited by the fact that little of the information they hold is solely agency-originated and in final form. However, over 70% of the components report that they ask document owners to take another look at portions of information they have asked to withhold, send packages to a legal advisor when document owners recommended withholding information under exemption 5 and question document owners when they recommended withholding information under an exemption that can be applied with discretion. Moreover, fourteen components reported taking the additional measure of sending document owners the Attorney General's guidance on discretionary disclosures. These actions resulted in an eight percent increase over last year in the number of components reporting release of information that would have otherwise been withheld under exemption 5.

Additionally, several components are posting discretionary releases on their websites. DeCA posts on their component website, www.commissaries.com, materials such as annual reports, Notices to the Trade, the Strategic Plan, testimony of officials before Congress, EEO complaint data, food safety and sanitation guidelines and issues, financial statements of assurance and organizational information. DeCA is also participating in the "release to all" pilot program whereby information released under FOIA to one is made publicly available to all except in the case of responses to requests in which individuals seek access to information about themselves.

Furthermore, 62% of DoD Components reported making discretionary releases this reporting period which is a two percent increase over last year. The vast majority of information would have been withheld under exemption 5 and included legal reviews, pre-decisional email communications, opinions and recommendations used to make agency decisions. Information that could have been withheld under exemptions 7 and 2 relating to information of an investigation and internal hiring pre-decisional information was reported released as a matter of discretion. The material was determined not to contain information that would compromise the integrity of an investigation or cause the agency harm. Some specific examples are provided below.

- STRATCOM reported that information related to attorney work products, opinions, recommendations and lessons learned that could have been withheld under exemption 5 was released.

- Army reported that the types of information that could have been withheld under exemption 5 but were released as a matter of discretion, related to contracts, administrative manuals and policy memorandums.

- DIA and SOCOM also indicated that deliberative process information was released as a matter of discretion.

- DCAA has diligently spent the previous three fiscal years expanding the amount of pre-decisional information released under FOIA and the information released this year consisted of draft audit report working papers and internal investigation documents that would have been previously withheld.

- Navy reported that nearly all information subject to withholding under exemption 2 was not withheld as the exemption was only invoked once this year.

The remaining 38% of DoD Components reported an inability to make discretionary releases this reporting period because the information reviewed was not subject to discretionary release. The types of information reviewed were properly classified, statutorily protected, ongoing investigatory, privacy related or contained proprietary business information.

1.4 Other Initiatives

The DoD Components reported a wide variety of methods to inform non-FOIA professionals about FOIA. The most common method is to provide comprehensive overviews of FOIA and agency policy coupled with detailed instructions and points of contact for questions when tasking an element of the component to execute a search for records that have been requested under the FOIA. For example:

- SOUTHCOM created a standard operating procedure to accompany requests. Their reasoning was that it was the best method for assisting personnel unaccustomed to working FOIA cases and it facilitates a synonymous understanding of the legal obligation and desired cooperation with the requester community.

- JPRA reports that to best facilitate sharing information, non-FOIA professionals who are primarily archivists and subject matter experts, are taught via tasking instructions regarding proper search documentation, line-by-line reviews, appropriate application of exemptions, and referral and consultation procedures. JPRA is also developing an internal training plan to ensure that all non-FOIA professionals are provided with uniform guidance on the proper handling of FOIA requests.

- DIA conducted FOIA training for their subject matter experts so they would better understand FOIA tenants and appropriate exemption recommendations.

Some components prefer to educate starting at the top of the chain of command. For instance:

- DoD IG reported that they hosted senior-level employees for discussions about respective missions and types of records created so that the FOIA Office could describe processes and

provide guidance on search execution. The DoD IG FOIA Office Supervisory Attorney also attended meetings with senior leadership and briefed on the component obligations under FOIA and how their office assists in that process.

- OSD/JS Chief of the Freedom of Information Division meets with sub-component officials who receive tasks from the OSD/JS FOIA Office to train them on their obligations under the FOIA.

- Army reported that the Army FOIA Office and numerous commands provide briefings to the different Army leadership command levels, as well as, command specific personnel and staff elements on the basic principles of FOIA and their responsibilities.

- DeCA reported that the FOIA Officer interacts with other agency directorates and ensures that they are aware of their responsibilities under FOIA. He also recently briefed a meeting of senior officials regarding the FOIA and Open Government initiative and outlined the responsibilities and requirements for officials and the component.

- NGA reported that they also briefed leadership on the FOIA program and responsibilities and obligations under FOIA.

Other components find that education is more effective when new personnel come into the component.

- DSS reports that they added basic FOIA training into classes for all new employees at DSS as part of new employee indoctrination.

- PACOM reported that they cover FOIA at monthly in-processing meetings for newly assigned personnel.

- DoDEA reports that the FOIA Officer briefs all incoming employees on the broad aspects of FOIA as well as the component FOIA program.

- DLA indicated that FOIA and the Privacy Act is discussed at new employee orientation with a particular emphasis on the agency process. Also, anyone at DLA who becomes designated as a subject matter expert is provided in depth training on proper records searches.

Other components use a mix of educational opportunities to reach component personnel.

- DHA reports that they collaborate with their Office of Public Affairs to provide courtesy copies of FOIA actions and updates for general dissemination. Each office in DHA is also required to have a designated FOIA point of contact (POC) who interacts with the DHA FOIA Service Center on a regular basis. DHA requires all POC's to attend annual FOIA training provided through one-on-one, general monthly or annual methods.

- NRO reports that they participate in frequent briefings given to component records and security officers. They use these forums to remind personnel of their FOIA obligations and periodically publish "did you know" or other broad-scale announcements to the NRO

workforce. The NRO FOIA Office also sponsors brown-bag briefings, particularly during their Records and Information Management Month in May of every year.

- CENTCOM indicated that their Chief of Staff published memorandums reiterating obligations under FOIA and that they conduct quarterly subject matter expert meetings for non-FOIA professionals.

- The NSA FOIA Office provided five briefings and information sessions to several organizations as part of their "town hall" meetings during the reporting year. They also provide a FOIA module during the monthly classroom course, Principles of Classification and Information Security, which had approximately 400 students in attendance. \

- Air Force reports that they use a blended approach. Their FOIA office continues to provide updated FOIA content for the Annual Total Force Awareness Training for Air Force personnel. In addition, senior leadership receives monthly FOIA program updates via the FOIA Requester Service Centers and briefs their counterparts to reiterate FOIA obligations.

With respect to other initiatives to ensure the presumption of openness, OSD/JS reports that on all initial FOIA taskings, they include language, excerpted from DOJ's OIP website, to ensure that all sub-components tasked to search for and review records are aware that they are to apply the presumption of openness. NORTHCOM indicated that beginning in October 2015, they posted all releases, with no Privacy Act implications, to the FOIA Reading Room and that they proactively post the FOIA logs. The NORTHCOM FOIA Office also works closely with their Public Affairs Office to understand the events, missions, and records that might be requested under FOIA so that they can better anticipate requester community interest.

Although they receive very few requests per year, ASBCA reports that during FY16, they added a FOIA page http://www.asbca.mil/FOIA/foia.html to the component website. The FOIA page contains useful contact information for making FOIA requests and encourages potential FOIA requesters to contact the ASBCA General Counsel, who acts as the ASBCA FOIA Public Liaison, prior to making a request. The Navy requires that material released under FOIA, with the exception of the requests with privacy implications, be posted on Navy FOIA websites and online reading rooms such as http://www.doncio.navy.mil/ContentView.aspx?id=5231 and https://www.foia.navy.mil/foia/webbas02.nsf/(vwwebpage)/home.htm?opendocument.
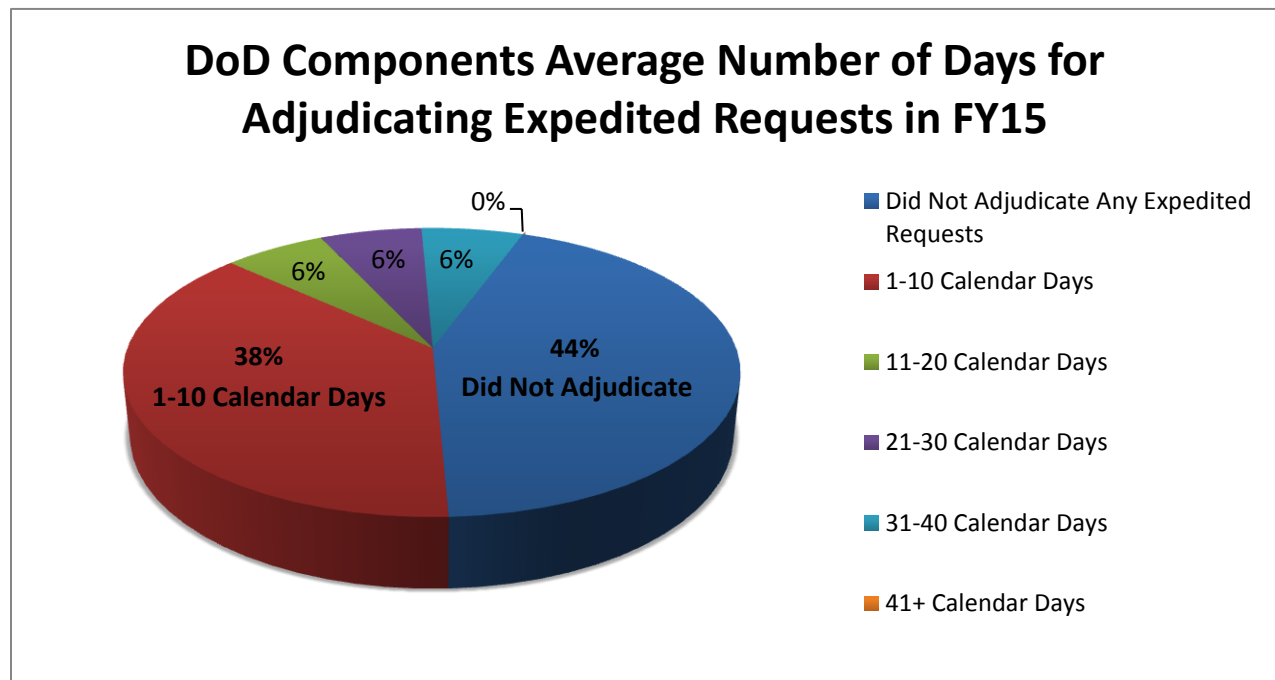
DoD IG uses social media and list servers to distribute information about pending and recently released reports. They also upgraded their reading room to be searchable and to alert subscribers when new documents are posted. DoDEA reports that they post their most popular information, all school data such as test scores, school assessments and enrollment data, on their web site: http://www.dodea.edu/datacenter/index.cfm.

Air Force reports that the FOIA Offices routinely publish all FOIA responses to their FOIA Library, with the exception of the requests with privacy implications. They further indicated that during FY15, an aggregate of 301 new responses totaling 62,221 pages were added to the site: http://www.foia.af.mil/foialibrary/index.asp. Also, the Air Force FOIA Office continues to work closely with their Public Affairs Office to routinely post responsive documents that may be deemed significant or newsworthy and to reiterate the presumption of openness to all Air Force personnel.

2.0 Steps Taken to Ensure that DoD has an Effective System in Place for Responding to Requests

2.1 Processing Procedures

For FY15 the average number of days reported for adjudicating requests for expedited processing in DoD was 6.3 days. Of the components, 44% report not adjudicating any requests for expedited processing while 38% report adjudication within 10 calendar days. The remainder of the components experienced slippage in response times due to staff changeovers, understaffed offices, other duties and conflicting priorities as well as a lack of awareness in tasked offices. These components report updates to electronic systems to provide automatic reminders, preparation of audit teams to formalize accountability and better training so that personnel in all levels of the process understand processing time differentials.

DoD Components Average Number of Days for Adjudicating Expedited Requests in FY15

- Did Not Adjudicate Any Expedited Requests
- 1-10 Calendar Days
- 11-20 Calendar Days
- 21-30 Calendar Days
- 31-40 Calendar Days
- 41+ Calendar Days

As noted above, DoD Component FOIA programs operate in a federated manner and some have a centralized FOIA process and some do not. Of the components with decentralized FOIA processes, most have taken steps to improve the efficiency of rerouting misdirected requests. For instance, Air Force and DFAS use centralized systems to reach decentralized offices. Air Force misdirected requests are referred to the appropriate FOIA Requester Service Center or component via their case management system. DFAS requests go directly into a tasks/suspense system and then requests are forwarded to the appropriate functional area accompanied by written guidance and a FOIA POC for any questions or concerns.

Navy is also using a web based online electronic case management system to electronically reroute misdirected requests to the appropriate component. This results in an immediate transfer of the full request to the appropriate FOIA Office for the relevant component as opposed to multiple emails,

telephone calls or mail transfers which can slow the process and introduce risk of loss and/or significant delay for the Navy and Marine commands that are spread around the globe.

On the other hand, OSD/JS already has a well-working efficient system whereby they contact the receiving component by telephone or email and refer the misdirected requests via email or fax. These differing processes work well for Navy and OSD/JS because misdirected requests to OSD/JS are readily identified by their staff as belonging to one of the other 31 DoD Components who have land-based headquarters FOIA professionals and varying case management systems. Whereas the Navy has many smaller offices with routine personnel changeovers, the mandated use of the case management system ensures that requests are rerouted and accessible to the correct command irrespective of an individual POC.

Other components, such as DHA and Army, have formalized the more traditional misdirected request transfer methods in their component guidance. Once DHA identifies a case as misdirected, they call the prospective component to confirm potential transfer and then generate a transfer letter and memo for both the correct component and the requester. The Army initial recipient of a FOIA request coordinates the referral of the request with the gaining activity FOIA office for action and direct response to the requester. The Army initial recipient of the request also provides a written notification to the requester that includes the gaining activity address and POC information.

Finally, 72% of DoD Components report implementing the OIP guidance on "still interested" letters whereas 25% had no occasion to send letters inquiring whether a requester was still interested in their request being processed. One component reported that the guidance issuance prompted a re-examination of their backlog. Partially as a result of implementing the new guidance, they were able to considerably reduce their backlog. Another component reported that they did not implement the guidance because given the low number of relatively-simple requests that they typically receive, as well as the high level of personal interaction between agency personnel and requesters, they consider 30 working days to be an unreasonably long period of time to wait for a non-responsive requester. Rather, they inform non-responsive requesters that their request will be considered withdrawn if they fail to respond in 10 calendar days.

2.2 Requester Services

All the DoD Components report particular focus on good customer service and communications with FOIA requesters. Telephone and email communications are the primary methods preferred for working with the public but many components are also reporting that public facing electronic tools have helped requesters better track their requests and monitor progress towards case completion. Components report that employees have taken customer service training offered by their components and that the subject is a matter of routine emphasis from headquarters elements throughout the field.

NORTHCOM is particularly proud of their efforts this year because the previous reporting period saw a variety of issues elevated to the FOIA Public Liaison and during this reporting period, all issues were resolved at the FOIA Requester Service Center. NRO has also made a concerted effort this year to work more effectively with requesters in explaining processes. This reporting period, the DCAA FOIA Advisor proactively communicated with requesters regarding issues that might have escalated and thereby prevented potential disputes. DCAA also held teleconferences with requesters and their General Counsel's Office to resolve issues.

How Customer Complaints/Concerns Are Handled
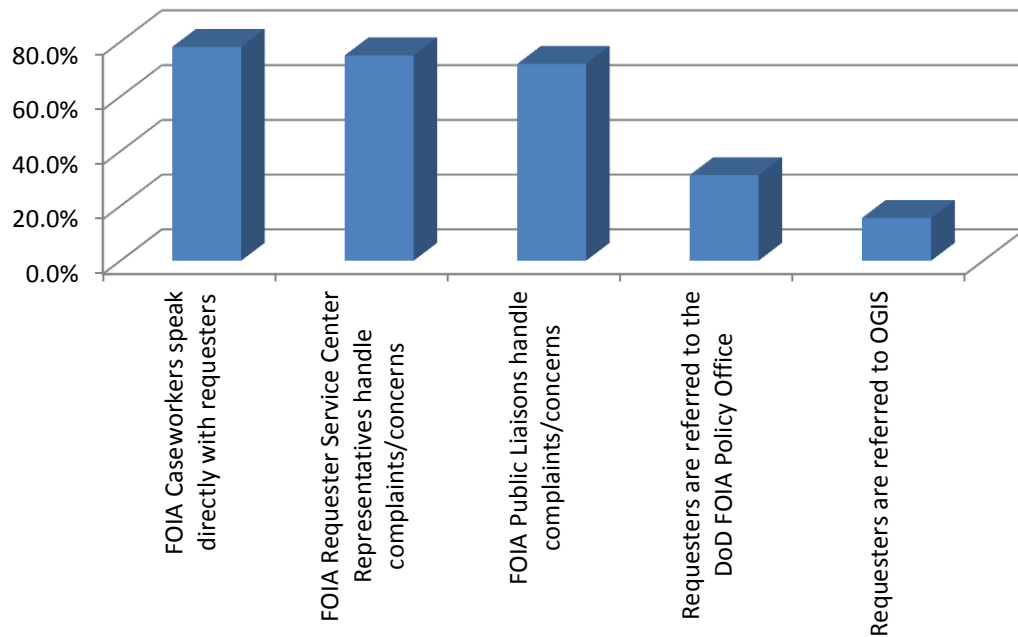
However, some components report that despite their best efforts to provide helpful details, great customer service and efficient responses they are still overwhelmed by one or two requesters who try to monopolize the system by filing a large number of requests or submitting disparate requests in groups which require a great deal of administrative time to adjudicate. For instance, one particular requester singlehandedly filed three requests with SOUTHCOM, 53 requests with AFRICOM, 35 requests with SOCOM and 217 requests with OSD/JS for a total of 308 cases this fiscal year alone. For AFRICOM, this represents 43% of their entire incoming requests for the year and 12% for SOCOM. This requester holds over 13% of the currently open and pending requests with OSD/JS and over the past two years has filed 415 initial requests and 54 appeals with this one component.

Additionally, the OSD/JS Freedom of Information Division (FOID) oversees, through the Litigation Support Office (LSO), support to the DOD Office of General Counsel for FOIA litigation involving OSD and Joint Staffs, Combatant Commands and other DoD Components unrelated to intelligence functions. FOID currently has 61 cases in litigation. As a result of litigation increases over the previous five years, as well as high profile litigation referrals from agencies outside DoD, specifically from State Department concerning former Secretary Clinton's emails during this reporting period, FOID has increased resource transfers from the OSD/JS Initial Processing Office to assist LSO in execution of court-driven rolling and final FOIA releases. This process adversely affects initial request processing which usually leads to more litigation and disgruntled requesters who do not understand why the Requester Service Centers and Public Liaisons cannot provide more satisfactory solutions. Many components report that additional

personnel would be beneficial in resolving their backlogs and complex cases but looming budgetary and personnel cuts, particularly in headquarters elements, across DoD do not promise easy or fast resolutions.

2.3 Other Initiatives

DoD Components report a variety of initiatives and steps undertaken to ensure that their FOIA systems are operating effectively. Centralizing systems, tools and overhauling processes top this year's list of creative solutions to find efficiencies. As noted above, DoD Components run FOIA programs following a federated model but some components are centralizing key systems and establishing preferred formats. For instance, the Navy indicated that along with case management system upgrades to make the system run more efficiently, the FOIA Policy Office created template letters so that FOIA response letters throughout the component could be generated quickly.

The Navy FOIA program also highlights one of the unusual aspects of the DoD in that some components use the OSD written correspondence style guide but most components maintain their own. Each component has their own writing style and expected data elements. Both TRANSCOM and DCMA updated their correspondence templates and several components report upgrades to their electronic systems. For instance, the DCMA FOIA program recently shifted away from shared drive storage to SharePoint centralization which has resulted in efficiencies for personnel no longer awaiting U.S. Postal Service mail shipments of large volumes of records. The shift has also resulted in staff having a central point of reference guidance and better visibility into metrics.

Other highlights include:

- DCAA reports that their case management system was upgraded this year which helped with their reporting cycles.

- NGB reports that their FOIA program underwent a top to bottom review coupled with a recent manpower study which resulted in streamlined processes and improved instructions for record holders.

- SOCOM made changes to their routing sheet so that final responses can be processed faster.

- JPRA created internal forms for documenting searches and more accurately calculating processing costs. JPRA also found efficiencies in document sharing platforms.

- DTRA increased their effectiveness by using their case management system to generate metrics on pending case status and working closely with program offices and document owners.

- The Air Force continues to upgrade their case management system to improve processing times and now have the ability to send responsive documents directly from the system to requester accounts on the Public Access Link which is a significant improvement on delivery time.

- DeCA reports that the component's use of a centralized records-keeping system has made a significant difference for their process because FOIA professionals can search for responsive documents agency-wide in a single repository.

- The Army FOIA Office indicated that they work closely with IT personnel to continuously analyze and troubleshoot issues thereby ensuring reliability of the Army's Freedom of Information Case Tracking System. Recognizing the variances across Army workplaces, the Army FOIA Office actively solicits recommendations for tracking system improvements from Army FOIA personnel/managers at all levels.

- OSD/JS also recently implemented using the OSD-wide tasking system so that FOIA tasks are now visible to senior leadership. This system also eliminated the need to re-task offices if/when tasks are misplaced. It is hoped that using the OSD tasking system will promote more timely responses from document owners because the taskings will be visible across a broader range of personnel and the system has automated reminder capabilities.

- DoD IG reported that they conducted a year-long self-assessment which determined that rather than assigning cases to personnel for the life of the case, that personnel should be assigned to phases of case processing so that staff resources can be surged depending on workload levels. They report that visibility into case management is much better and represents found efficiencies for case oversight, the entire FOIA process and the individual staff member.

- CENTCOM indicated that they established a working group to analyze workflow processes, eliminate redundancies in methodologies, formulate records search consistency and review standardize/specialized software for proper redaction requirements.

- NSA is undergoing a continuous process improvement cycle and an Integrated Process Improvement Team was formed to document the current FOIA process, review, identify and document core business lines and critical business processes.

- NRO also completed a business process review and is converting to a new case management and redaction system that will support more consistent case administration, review and reporting. The new system promotes duplicate detection, importing files and letter generation.

Finally, NORTHCOM has also made significant forward progress in their FOIA administration specifically with search processes in their new portal-based system. The transition facilitated the FOIA professional's ability to execute initial searches and then task specific organizations based on the search results instead of assigning searches to organizations and awaiting responses. They also implemented an electronic records management application which is improving record search and retrieval.

3.0 Steps Taken to Increase Proactive Disclosures

3.1 Posting Material

Frequently requested records are easily identified at some DoD Components because case tracking systems or small staffs recognize requests and flag them for posting. Other components report not having frequently requested records or as in the case of DoD IG, already posting nearly all the requests on their websites which negates the need to identify records as frequently requested in order to post them.

Some components such as DSS, DFAS and JPRA report that the vast majority of the requests for information fall into privacy or other restrictions which do not lend themselves to frequently requested records for posting. However, most components report some level of FOIA log review or request trend analysis to pinpoint items of high public interest. These items may be subject to posting as frequently requested items. DISA sets the bar at only two, vice three, requests in identifying records to be posted.

Additionally, NORTHCOM, OSD/JS, DTIC and Air Force post nearly all requests without privacy implications to their FOIA libraries and websites. Other components, DIA among them, report that they are moving towards posting all requests online. In fact, TRANSCOM is redesigning their website to accommodate the change. Navy highlights some as "hot topics" on their website but their case management system has made searching for released records much easier for requesters.

Furthermore, 62% of DoD Components reported a distinct process or method of identifying other records for disclosure.

- NGA posts annual reports and FOIA logs to the reading room.

- DIA has a monthly review team to identify records from closed cases that should be posted.

- ASBCA posts all of its publicly available decisions on its website irrespective of FOIA requests.

- DTIC automatically publishes all releasable technical reports.

- The NRO FOIA program is actively working with the component website owner to post released records aside from the material with privacy interests.

- A few Army activities have developed relationships with the historical research community and identify records that may be of interest and execute proactive disclosures accordingly.

- CENTCOM has a prominent case release working group which works to review records that may be identified as high profile or of media interest. The working group facilitates manpower surges to prepare cases for release.

Only 38% of DoD Components report that their FOIA professionals are involved in coding the released records for Section 508 compliance. Of those that do, components indicate that individual documents take anywhere from 15-120 minutes and cost valuable review time over the course of the

reporting period. Other components provide files in portable document format (.pdf) to information technology (IT) or web teams for the Section 508 compliance process and eventual posting in reading rooms.

Of the 32 DoD Components, 36% reported challenges with posting records that they would have liked to post on their websites. Issues ranged from limited permissions and authority to post materials to basic file size limitations. Others encountered security slow-downs due to layers of required review and concerns about component websites being overloaded with traffic. One final concern was inability to control IT priorities and subsequent delays in posting released material.

During the reporting period, 65% of DoD Components proactively disclosed material and over half of those components publicized and highlighted important disclosures for public awareness. DoD IG tweets newly published reports and offer an email subscription service for notification of new postings. Most components are on social media and report making announcements through Facebook, Twitter, YouTube and blog posts.

ASBCA published opinions and significant orders, including dismissals are available at the following link: http://www.asbca.mil/Decisions/decisions2015.html. PACOM uses the All Partners Access Network (APAN), https://www.apan.org/ for reaching their primary audiences in governments, militaries, international and non-governmental organizations participating in humanitarian assistance or disaster response and other events.

NSA posted over 52,000 pages of the William F. Friedman papers along with 2,000 pages of oral histories and the history of Arlington Hall at the following link: https://www.nsa.gov/public_info/declass/index.shtml. Friedman is considered the dean of American Cryptology and was a pioneer in the field of scientifically making and breaking codes. His most well-known accomplishment was leading a small team which broke Japan's "Purple" diplomatic cipher prior to the Pearl Harbor attack but he also laid the foundation of the 20th century U.S. Signals Intelligence so this wholly proactive release sheds light on the history of American signals intelligence.

Army posted over 7,000 pages of material to their FOIA library (https://www.foia.army.mil/ReadingRoom/) covering such topics as court-martial results of trials from the Office of the Judge Advocate General, military insignias from the Institute of Heraldry, updated inmate Manning documents from the Army Court of Criminal Appeals, and the Fort Hood Army Regulation 15-6 investigation from the Office of the Chief Attorney and Legal Service.

NORTHCOM proactively disclosed several FOIA logs to include the FOIA log for Fiscal Year 2016 two weeks into the fiscal year at the following link: http://www.northcom.mil/AboutUSNORTHCOM/FreedomofInformationAct/ReadingRoom.aspx.

Air Force posted material such as aircraft accident reports, historical reports, contracts, mission reports, government purchase card holders, audit reports, radar reports, FOIA logs, FOIA annual reports, organizational charts, phone books/directories, FOIA training material, policy, guidance, flight operation, unit histories and historical honors to the FOIA Library at the following link: http://www.foia.af.mil/foialibrary/index.asp.

TRANSCOM published contract notice documents at the following link: http://www.ustranscom.mil/foia/contract_notices.cfm and SOUTHCOM published detainee information at the following link: http://www.southcom.mil/foia/Pages/FOIA-Reading-Room.aspx.

3.2 Other Initiatives

DCAA leads the way in other steps to increase proactive disclosures through its Field Liaison Advisors who work with acquisition, contract administration, and contract audit personnel to coordinate audit processes and provide other valuable audit assistance. They also focus on assisting small businesses with training and information to help them navigate the audit process. Presentations and guidebooks are posted on their public website at http://www.dcaa.mil/audit_process_overview.html.

Additionally, DCAA posts the results of their outside auditor's review of their financial statements. The statements provide important information on the DCAA's financial health and compliance with applicable financial laws and regulations. DCAA earned an "unqualified opinion" which is the highest rating available. DFAS posts the Social Security Number (SSN) Justification Memorandums and Privacy Impact Assessments at the following links: http://www.dfas.mil/foia/SSN-Justification-Memos.html and http://www.dfas.mil/foia/privacyimpactassessments.html.
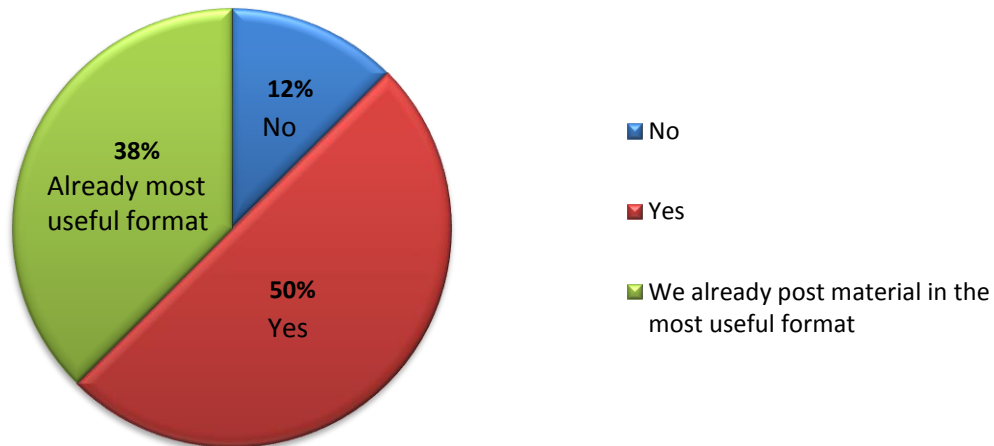
4.0 Steps Taken to Greater Utilize Technology

4.1 Making Material Posted Online More Usable

Over 50% of DoD Components report they are taking steps to make the posted information on their websites more useable to the public. Most of these components indicate that they have added or broadened search functions to their websites to make it easier to find specific information. Others discussed making the websites easier to use on mobile devices and finding ways to speed downloads.

Furthermore, 38% report that they are already providing information in its most useable format. Those components indicate that they have categorized information on their websites so that it is easily browsed by topics of interest and are uploading materials that are Section 508 compliant. One component mentioned that for larger data sets, the files are uploaded in multiple formats such as .pdf and Microsoft Excel. Two components reported that they are undergoing complete website redesigns while one component is moving to a format whereby an entire contract document, redacted as necessary, will be added to the websites instead of only posting the cover page as in years past.

Component taking steps to make posted information more useable to the public?

- 12% No
- 38% Already most useful format
- 50% Yes

Legend:
- No (blue)
- Yes (red)
- We already post material in the most useful format (green)

The DoD Components also report that they are working with non-FOIA professional agency staff to identify other ways to post agency information online. Most work very closely with their IT professionals and with their Public Affairs Officers to address technical aspects and better gauge public interest. Others report working with document repository owners so that they are readily involved in potential discretionary releases. Several components reported working with their case management system professionals, who are not necessarily agency staff, to improve the systems that serve the public as well as the agency FOIA professionals through case or document release automation.

4.2 Use of Technology to Facilitate Processing of Requests

During this reporting period, 46% of DoD Components reported that they conducted training for FOIA professionals and staff on new processing tools. Most of the training centered on the technical application of redaction software or on new or revised case management systems. Some components reported movement from traditional shared drives to document sharing platforms which necessitated training on better searching, as well as, file naming conventions.

As a result of advancing technology 63% of DoD Components report using technology to facilitate overall FOIA efficiencies. Several components report moving to enterprise records management (ERM) systems which will facilitate de-duplication and better searches similar to those reporting moving to document sharing platforms. Of the components reporting the move to ERMs, several expect to eliminate wasted effort by both FOIA professionals and agency subject matter experts. Several components also report movement onto agency task management systems so that FOIA deadlines have better visibility throughout the chain of command. The training on these systems was offered by other agency elements to FOIA professionals and staff.

4.3 Other Initiatives

DoD successfully posted all four quarterly reports consisting of information from all 32 components during fiscal year 2015 on the www.FOIA.gov website. All of the DoD Components report using email and other electronic means to communicate with requesters whenever feasible. There is a reported growing trend of most requesters preferring all-electronic methods.

Components report using online platforms, such as their case management systems, for some communications as well as the traditional telephone, facsimile and U.S. Postal Service. Additionally, some components report extensive use of The U. S. Army Aviation and Missile Research Development and Engineering Center (AMERDEC) Safe Access File Exchange (SAFE) system (https://safe.amrdec.army.mil/safe/) to transfer files up to 2 GB in size to requesters. The system permits anyone with a DoD-issued Common Access Card to securely upload files and anyone with an email address to be the recipient of a link and unique password to download the material.

5.0 Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

5.1 Simple Track

All but two of the DoD Components use a separate track for simple requests or receive so few requests that the cases default to the simple request category for tracking and reporting purposes. DTRA and TRANSCOM received requests that were all complex or expedited, resulting in those components having no reporting metrics for the simple track and being unable to complete processing in less than 20 days.

For DoD as a whole, the average number of days to process simple requests was 16.6 days with 94% of components reporting processing accomplishment in under 20 days. Considering that 59.3% of all FY15 requests processed by DoD Components were in the simple track, the vast majority of requesters are seeing their cases resolved in less than 20 days. This is particularly positive given that six components processed over 1,500 cases and of those six, half processed over 6,000 requests during the last reporting period.

5.2 Backlogs

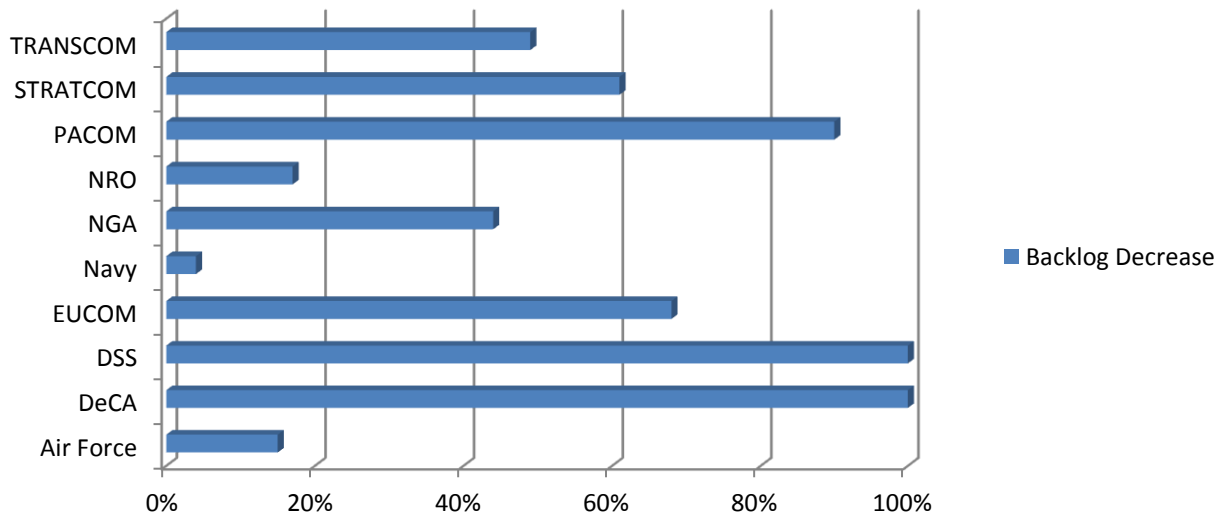Of the 32 DoD Components, 16% had no request backlog at the end of fiscal year 2014. In comparison to the previous FY, 31% reported a decrease in their request backlog at the conclusion of FY 2015. Eighteen components reported having no decrease for a variety of reasons, the primary one being an increase in the complexity of the requests received, followed closely by an increase in the overall volume and a loss of staffing.

Did the FY15 backlog decrease as compared to FY14?

- 50% No
- 34% Yes
- 16% N/A

Legend:
- No
- Yes
- N/A
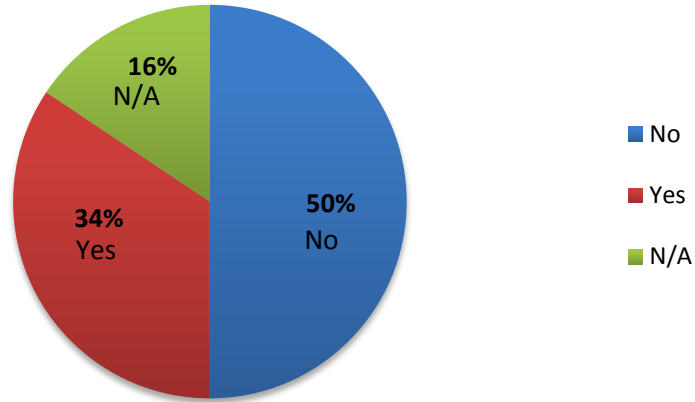
Overall for DoD, the backlogged requests represent 16.5% of the overall requests received in FY15. NGB saw the creation of an Office of Complex Investigations which resulted in an increase of interest and additional effort for the FOIA program. Army cites requests with growing volumes of material as a contributing factor in addition to the overall request growth coupled with staffing losses.

Backlog Decrease

Categories (top to bottom): TRANSCOM, STRATCOM, PACOM, NRO, NGA, Navy, EUCOM, DSS, DeCA, Air Force

Legend: Backlog Decrease

However, there were highlights that the broad averages cannot illustrate. For instance, the DoD IG reports that despite their request backlog increase, they closed 56% of their pre-FY15 requests including 16 of their oldest 20 while closing 23% more cases than in the previous year. They also

cite a challenge shared by many of the components – that pending consultations represent a significant portion of their request backlogs.

Likewise, AFRICOM, DIA, NSA, OSD/JS and CENTCOM highlight growing concerns of a large litigation-driven workload which requires diverting resources away from routine initial FOIA request processing to litigation support in order to meet litigation deadlines. DCMA and SOCOM experienced almost a total staffing turnover while NSA saw the loss of several experienced staff members through retirements and rotational assignments. These components lost valuable processing time to staffing gaps between backfills and subsequent train up periods.

Of the 32 DoD Components, 13 do not process their own appeals because the OSD/JS FOIA Appeals Branch handles the actions for them. Of the remaining 19 components, 12 report decreases or no appeal backlogs in comparison to FY14. The appeal backlogs result from similar issues as the request backlogs, namely the volume and complexity increases coupled with staff decreases.
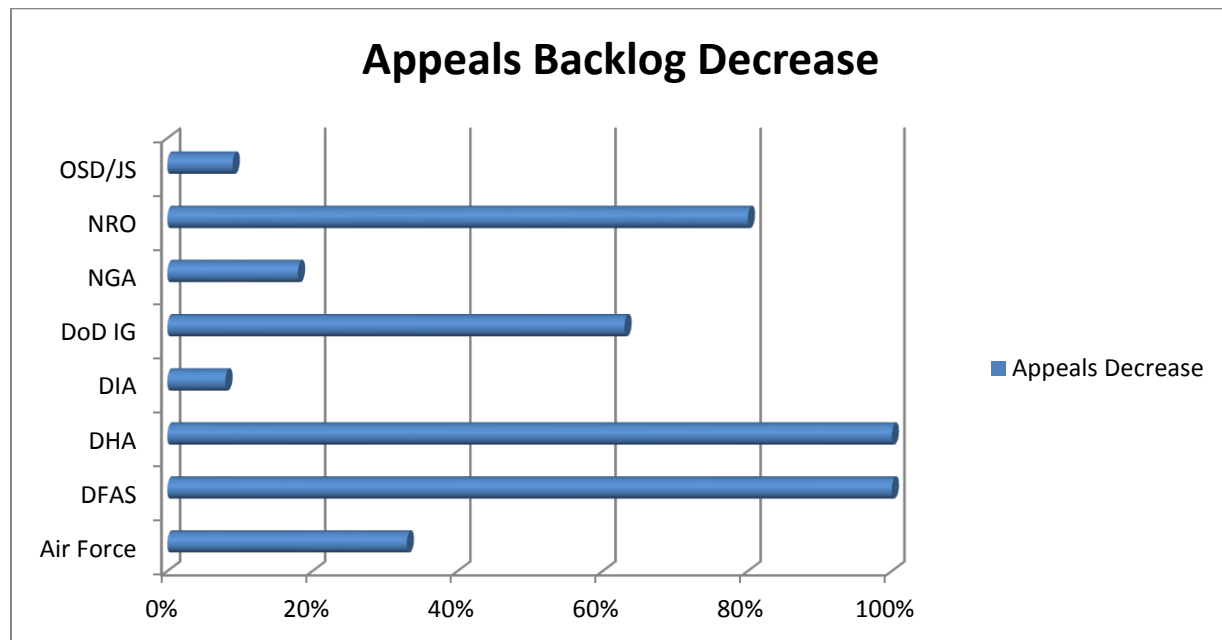
The NSA FOIA program experienced an unusual situation this reporting period in that the administrative processing of appeals actions was transferred from the Office of the General Counsel to the FOIA program with no accompanying resources. They are currently reorganizing support staff to address regular FOIA processing as well as appeals. Overall, DoD received 1,083 appeals during the FY resulting in 73.6% of the incoming appeals comprising the backlog.

5.3 Backlog Reduction Plans

The three DoD Components with backlogs over 1,000 requests at the end of FY14 implemented plans to reduce backlogs and address complicating factors. Navy was successful in reducing their backlog slightly which is remarkable considering that they received over 9,000 new requests during the year. They reported that they identified Navy components with the highest backlogs and tracked the metrics on a monthly basis. They noted significant improvements in their components with the largest backlogs.

Unfortunately both OSD/JS and NSA reported their plans becoming overcome by the perfect storm of staffing losses, litigation increases and ongoing high profile events. Collectively their backlogs went up 451 cases resulting in a 15.8% increase over the previous reporting period. The three components with over 1,000 requests at the end of FY14 were joined by Army at the conclusion of FY15.

Navy indicated that they are continuing their backlog monitoring program so they maintain the focus on problem areas and plan to recognize FOIA processors with remarkable successes in backlog reduction. They have also identified areas of additional training for users of the case management system and will be conducting reviews of the system to ensure data integrity and proper action officer maintenance. Navy also intends to seek additional personnel.

OSD/JS reports that they are having their action officers set weekly closure goals. They also expect that the use of the new tasking system for FOIA actions will provide greater visibility overall. The expectation is that it will help with sub component's clear tracking of pending and overdue actions for which the FOIA action officers require responses.

NSA has a series of actions which will be implemented by senior reviewers to help the newly trained reviewers process more material. They are hopeful that the division of labor between FOIA processing and appeals will become more streamlined. They indicate an expected better start, with more trained personnel at the outset, will improve their overall progress this year.

Army reported that since the FOIA program is decentralized, each Army component has established independent internal plans. However, those plans are monitored by the Army FOIA Office and metrics are reported to senior leadership monthly and quarterly. Army also indicated that human resource personnel may be engaged within the components to discuss staffing levels when appropriate.

DCMO is very concerned about the backlog and DO&C hosted a FOIA backlog root cause analysis workshop to identify the root causes of the steady increase of the backlog of FOIA requests and develop proposed countermeasures. Participants included individuals from FOIA officers from the Air Force, Army Corps of Engineers, Navy, DLA, DIA, and the Office of the Under Secretary of Defense (Policy). Also, DO&C has been monitoring the components monthly metrics. These monthly reports from the components are provided for leadership awareness and DO&C is using them to encourage discussion regarding ways to resolve issues and facilitate solutions.

5.4 Status of Ten Oldest Requests, Appeals, and Consultations

In FY 2015, DoD closed eight of its ten oldest requests, none of which were withdrawn. Additionally, 43.7% of the DoD Components reported closing all of the ten oldest requests, or had no pending requests, in the FY14 Annual Report.

- OSD/JS closed its entire ten oldest and two were withdrawn despite regular correspondence with the requester and there were no interim responses.

- NGB also closed all of their ten oldest and two were withdrawn with no interim responses.

- EUCOM was unable to close any of their ten oldest requests due to personnel changes and gaps.

- DIA and STRATCOM came close to reaching the goal by closing nine of their ten oldest requests.

- NGA closed eight of their ten oldest requests.

- Army closed seven of their ten, with none withdrawn, although one was closed because they were unable to contact the requester.

- SOCOM also closed seven of their ten oldest requests.

- TRANSCOM closed six of their ten oldest and two were withdrawn with no interim responses.

- DoD IG closed six of their ten oldest requests and the remainders are awaiting consultations.

- DTRA closed six of their ten oldest and one was withdrawn without a substantive interim response.

- NRO closed six of their ten oldest requests.

- AFRICOM, DISA and NORTHCOM were unable to close any of their ten oldest requests.

- Air Force closed five of their ten oldest requests.

- DCMA closed four of their ten oldest requests and one request was withdrawn with no interim response.

- NSA and SOUTHCOM each closed three of their ten oldest requests.

- Finally, CENTCOM closed one of their ten oldest requests.

In FY 2015, DoD closed ten of its ten oldest appeals. As indicated earlier, 13 DoD Components do not process their own appeals because the OSD/JS FOIA Appeals Branch handles the actions for them. Of the remaining 19 components, 12 reported pending appeals in the FY14 Annual Report.

- Air Force closed four of its ten oldest appeals.

- Army closed seven of its ten oldest appeals.

- OSD/JS closed all of its oldest appeals.

- DCMA closed none due to an oversight created by the staff turnovers and gaps. Remedying the issue is a top DCMA priority for this reporting period.

- DIA closed six of its ten oldest appeals.

- DoD IG closed eight of its ten oldest appeals.

- NGA closed six of its ten oldest appeals.

- NRO closed four of its five oldest appeals.

- NSA closed two of seven of its oldest appeals.

- DTRA closed one of its seven oldest appeals.

- Navy closed all ten of its oldest appeals.

In FY 2015, DoD closed ten of its ten oldest consultations. Of the 32 DoD Components, 11 reported no outstanding consultations in the FY14 Annual Report. The remaining 21 only saw eight components unable to close all their oldest consultations. Two were unable to close any as a result of staffing turnover and deployments while Army closed seven of ten, DISA closed two of five, Navy closed five of ten, NORTHCOM closed one of two, SOCOM closed seven of ten and SOUTHCOM closed eight of ten oldest consultations.

5.5 Additional Information on Ten Oldest Requests, Appeals and Consultations & Plans

As with other sections of this report, components indicate that the complexity of cases, personnel turnover and short staffing along with case volume, records classification status and multiple agency consultations all impact the ability to process requests and close cases. Additionally, seven components reported that they were unable to close some of their ten oldest requests because they were awaiting responses from consultation requests.

Air Force: Four of the oldest FOIA cases were sent for consultation in April 2010. One agency responded in August 2013 and the other responded in July 2014. The Air Force did not concur with the proposed redactions and therefore submitted the cases for a second review in September 2015. The four cases were received on 11/25/2011, 11/25/2011, 11/18/2011 and 11/16/2011 respectively.

NORTHCOM:

Date Received	Date Consultation Sent	Date last contacted agency
02/22/10	Varies*	04/23/15
03/05/10	Varies*	11/02/15
08/30/10	Varies*	11/02/15
03/22/11	09/27/13	11/02/15
01/31/12	06/17/13	10/27/15

05/07/12	05/22/13	11/02/15
04/30/13	06/05/13	11/02/15
07/24/13	11/14/13	11/02/15
12/12/13	05/22/14	11/02/15
01/30/14	05/16/14	09/30/15

*The first three oldest requests are for CONPLANs and the CONPLANs were sent out for consultation on different dates between 2010 and 2013.

NRO: Two cases have been closed since the end of FY15: Original Request Dates: 6/24/09 and 2/23/12. Last contact with the consulting agency regarding the cases below was in December 2015.

Date Received	Date consult sent to agency
06/05/12	03/25/13
09/17/12	04/01/13
10/22/12	02/28/13
03/20/13	05/01/13
03/29/13	08/22/13
04/05/13	09/13/13
05/02/13	07/11/13

Army: Two of the oldest consultations from FY15 have been closed since the end of FY15.

Date Received	Date consult sent to agency	Date last contacted agency
02/19/08	02/27/08	10/26/15
06/17/08	06/20/08	10/26/15 - CLOSED
06/17/08	06/20/15	10/26/15
06/17/08	06/20/15	10/26/15 - CLOSED
06/17/08	06/20/15	10/26/15

CENTCOM:

Date Received	Date consult sent to agency	Date last contacted agency
4/21/11	5/21/12	11/5/15
12/17/09	1/04/12	7/13/15*
09/15/10	8/10/11	9/28/15*
09/23/10	8/10/11	9/28/15*
10/07/10	8/10/11	9/28/15*
10/25/10	8/10/11	9/28/15*
11/18/10	8/10/11	9/28/15*
08/05/11	8/10/11	9/28/15*

*Represents dated last contacted and date received response from consulting organization.

DOD IG:

Date Received	Date consult sent to agency	Date last contacted agency
08/11/2005	10/27/2009	05/06/2015

|		
10/16/2007	09/15/2014	09/15/2014
07/14/2008	05/30/2014	09/12/2014
10/01/2009	02/13/2015	02/13/2015

STRATCOM: Date Received: 11/27/13. Date Forwarded: 01/13/15. Date of Last Contact: 11/18/15. This is a large case with multiple interim releases: 04/22/14 (1st Interim Release), 06/09/14 (Interim Release), 04/08/14 (3rd Interim Release) and 10/08/14 (4th Interim Release).

The DoD Components that did not close their ten oldest pending requests, appeals or consultations described a variety of methods on how they intend to close their ten oldest. Some have actually already done so as described above and beyond these individual efforts, the DCMO is very concerned about the ten oldest and has already begun monitoring the monthly metrics of the components holding the oldest cases. Some components will assign the oldest cases to individual staff members to see the cases through and others will continue routinely contacting the agencies holding their consultations. Several are following the DCMO lead and monitoring the metrics and requiring updates from staff. Finally, several are pursuing staffing increases.

5.6 Interim Responses

All the DoD Components report systems in place for interim responses when appropriate. Of the 26 components that had backlogs at the end of FY15, two estimate they provided interim responses in 81-100% of backlogged cases. One component estimates they provided interim responses in 21-80% of backlogged cases, two components estimate 21-40%, sixteen components estimate 0-20% and an additional five components report no way to track the percentages of the cases that receive interim responses with their current systems.

Estimated Percentage of Backlog Cases where Substantive, Interim Response Provided
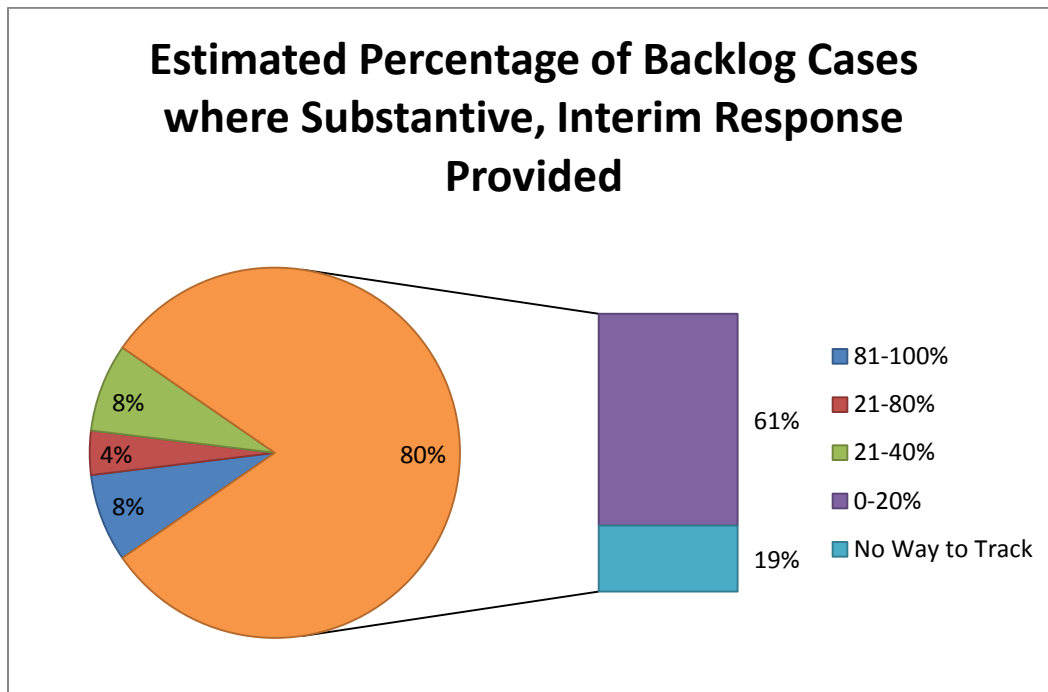
6.0 Use of FOIA's Law Enforcement Exclusions

DoD Components report no instances of invoking a statutory exclusion under 5 U.S.C. § 552(c) (1), (2), or (3) during the FY15.

7.0 Success Story

The activities undertaken by the DoD and the DoD Components since March of 2015 to increase transparency and improve FOIA administration are numerous. There has been renewed attention and vigor applied to ingrain the presumption of openness, ensure that DoD is responding to requests effectively, increase proactive disclosures, use technology more and improve timeliness in responding to requests. Amidst all the budget and resource constraints, DoD remains committed to sustainable training, outstanding customer service, and electronic access to released material that is accessible to all with improved alacrity.

To achieve these goals across the 32 DoD Components has required commitment at all levels to train personnel at micro and macro levels. DCMO continues leading the way through online training modules, the DCO chats and low cost training workshops in areas with significant DoD personnel concentration. These training opportunities afford personnel around the globe opportunities to expand their FOIA knowledge and increase the depth of their awareness regarding initiatives such as the DOJ pilot program of release to one is release to all, in most cases. Several DoD Components are participating in this initiative and are finding that their components are better able to serve the public through providing information of greatest interest.

Other key successes:

- Air Force achieved a 15% backlog reduction and NGA reached a 44% backlog reduction
- Proactive disclosures of high-demand types of information by DCAA, DCMA, DeCA, DLA, NSA and NORTHCOM
- Enhancements to case tracking systems facilitating the ability of requesters to monitor case progress at two of the components receiving the most requests per year - Army and Navy
- Improvements to component records management systems which facilitate searches at AFRICOM, CENTCOM, DCMA, NORTHCOM and SOUTHCOM

The 32 DoD Components continue showcasing commitment to the principles of openness as over 50,000 FOIA requests were processed during FY15. Given the often complex nature of requests directed to DoD and the extraordinary mission of protecting American assets at home and abroad, it is truly remarkable that over 91% of *all* received requests were processed in less than 100 days.