



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

MAY 31 2024

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Delegation of Authority to Exempt Certain Information from Disclosure Pursuant to Title 10, U.S. Code, Sections 130e and 2254a

The Department of Defense must balance its dual obligations to both security and transparency, as both are critical to defending and upholding our democracy. This effort is guided by the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency (ATSD(PCLT)), who also serves as the DoD Chief Freedom of Information Act (FOIA) Officer. In that capacity the ATSD(PCLT) exercises delegated authority to exempt certain information from release under FOIA, consistent with applicable law.

In accordance with the National Defense Authorization Act for Fiscal Year 2024, I delegate to the ATSD(PCLT), as the DoD Chief FOIA Officer, the authority to exempt DoD critical infrastructure security information, pursuant to title 10, U.S. Code, section 130e, and information contained in any data file of the military flight operations quality assurance system of a Military Department, pursuant to title 10, U.S. Code, section 2254a, from disclosure under title 5, U.S.C., section 552(b)(3). This authority cannot be further delegated.

All DoD components or Offices of Principal Staff Assistants will provide requests for exemptions under these sections of law in writing to the ATSD(PCLT) for approval through the FOIA Directorate in the Office of the ATSD(PCLT) at OSD.FOIAPolicy@mail.mil.

The Performance Improvement Officer and Director of Administration and Management shall incorporate this delegation into the chartering directive for the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency.

A handwritten signature in black ink, reading "Karl H. Hirsch", is centered below the text.



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