



*Department of Defense*

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

*For 2022*

*Preparation of this study/report cost the DoD approximately  
\$19,000 for the 2022 Fiscal Year*

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## ***2022 Department of Defense Chief Freedom of Information Act (FOIA) Officer Report to the Department of Justice***

### **Executive Summary**

The 2009 Department of Justice's (DOJ) 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. This year's report covers the period from March 2021 to March 2022.

As the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency (ATSD(PCLT)), I also serve as the Department of Defense (DoD) Chief FOIA Officer. I am pleased to submit the 2022 DoD Chief FOIA Officer Report to DOJ. As the DoD Chief FOIA Officer, I am continuing the DoD tradition of leadership dedication to the success of the Department's FOIA program through the DoD FOIA Program Components located around the world.

On my behalf, the Privacy, Civil Liberties, and Freedom of Information Directorate (PCLFD), which is within the Office of the ATSD(PCLT), oversees all FOIA policy matters within the DoD. Through the PCLFD, I ensure ongoing emphasis on FOIA including the areas of particular interest to DOJ in this year's report: 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 PCLFD and the 34\* DoD FOIA Program Components.

The DoD has a decentralized FOIA program, with each of the 34 DoD FOIA Program Components implementing its own FOIA programs. The PCLFD establishes policy and provides overall FOIA guidance to the DoD Components, helping them ensure that their 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 their organizations, while providing the best quality customer service possible.

During Fiscal Year (FY) 2021, DoD Components received 52,805 FOIA requests and processed 50,703 FOIA requests. Eighty-eight percent of *all* received requests in FY 2021 were processed in fewer than 100 days. DoD Components remained attuned to public interest, but still faced some challenges. Only 18% of the components closed all of their ten oldest requests but there was a decrease of the overall appeals backlog by 13% this fiscal year.

This report details how DoD has continued to improve its administration of the FOIA and strengthen initiatives to further streamline our FOIA processes. Some of the key highlights in this report include details regarding DoD Components' vigilance in attending and hosting FOIA training

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\* There are 34 DoD FOIA Program Components, but for reporting purposes only 33 FOIA Program Components are reflected in this year's FOIA statistics because SPACECOM's statistical data was included/combined in STRATCOM's data.

to ensure that FOIA professionals are well versed in the nuances of FOIA requirements. Components are also striving to reach more agency non-FOIA professionals through creative outreach methods, improve overall program efficiencies, and provide specific items of most interest to their requester communities.

All DoD Components are focused on enhancing customer service and communications with FOIA requesters. Many report that public facing electronic tools assist requesters with tracking requests, monitoring progress towards case fulfillment, and finding released records with greater ease. They also reported a variety of initiatives and steps undertaken to ensure their FOIA systems are operating efficiently and effectively.

I am proud of the efforts of the Department to improve FOIA processes and look forward to the Department's continued work enhancing and promoting the principles of openness and transparency.

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Joo Y. Chung

Assistant to the Secretary of Defense  
for Privacy, Civil Liberties, and Transparency



## **DoD Components/33 FOIA Request Service Centers (RSC)**

<b>AIR FORCE</b>	Department of the Air Force
<b>AFRICOM</b>	U.S. Africa Command
<b>ASBCA</b>	Armed Services Board of Contract Appeals
<b>ARMY</b>	Department of the Army
<b>CENTCOM</b>	U.S. Central Command
<b>CYBERCOM</b>	U.S. Cyber Command
<b>DCAA</b>	Defense Contract Audit Agency
<b>DCMA</b>	Defense Contract Management Agency
<b>DCSA</b>	Defense Counterintelligence and Security Agency
<b>DeCA</b>	Defense Commissary Agency
<b>DFAS</b>	Defense Finance and Accounting Service
<b>DHA</b>	Defense Health Agency
<b>DIA</b>	Defense Intelligence Agency
<b>DISA</b>	Defense Information Systems Agency
<b>DLA</b>	Defense Logistics Agency
<b>DoDEA</b>	Department of Defense Education Activity
<b>DoD IG</b>	Department of Defense Inspector General
<b>DTIC</b>	Defense Technical Information Center
<b>DTRA</b>	Defense Threat Reduction Agency
<b>EUCOM</b>	U.S. European Command
<b>JPRA</b>	Joint Personnel Recovery Agency
<b>INDO-PACOM</b>	U.S. Indo-Pacific Command

<b>NAVY</b>	Department of the Navy
<b>NGA</b>	National Geospatial-Intelligence Agency
<b>NGB</b>	National Guard Bureau
<b>NORTHCOM</b>	U.S. Northern Command
<b>NRO</b>	National Reconnaissance Office
<b>NSA</b>	National Security Agency
<b>OSD/JS</b>	Office of the Secretary of Defense/Joint Staff
<b>SOCOM</b>	U.S. Special Operations Command
<b>SOUTHCOM</b>	U.S. Southern Command
<b>SPACECOM*</b>	U.S. Space Command
<b>STRATCOM</b>	U.S. Strategic Command
<b>TRANSCOM</b>	U.S. Transportation Command

\* SPACECOM's statistical data is combined with/included in STRATCOM's data in this year's report.

## 1.0 Steps Taken to Apply the Presumption of Openness

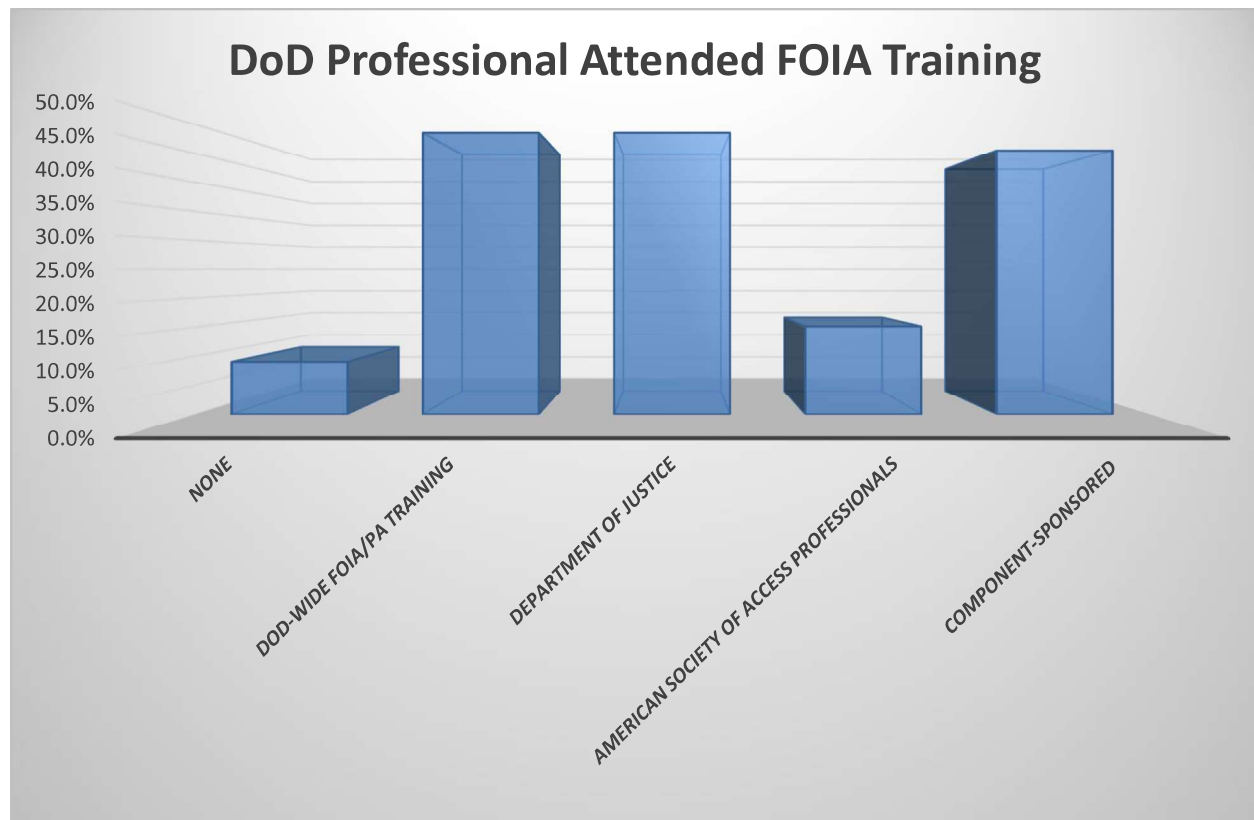
### 1.1 FOIA Training

The PCLFD is the office within DoD responsible for FOIA policy as well as encouraging and promoting FOIA and Privacy Act (PA) training within the Department. In this capacity, PCLFD conducts in-person FOIA/PA compliance workshops and virtual training. During this reporting period, PCLFD conducted one in-person training session. On November 3, 2021, PCLFD provided FOIA training to Air Force Judge Advocate Generals (JAGs) and Paralegals that process FOIA cases within the Air Mobility Command (AMC). Approximately 18 individuals attended in-person and six individuals attended virtually. The topics included: (1) Basic FOIA & Privacy Act (as it applies in FOIA) law, (2) FOIA Exemptions, (3) Legal Responsibilities, (4) FOIA Timelines, and (5) Redactions.

The PCLFD also continued to provide virtual training through the Joint Knowledge Online (JKO) tool, available to DoD personnel world-wide. The JKO tool allows the uploading of previously recorded material and is the current host platform for DOJ's Office of Information Policy (OIP) FOIA training videos.

In December 2021, DoD launched a new FOIA Virtual Training Program. This virtual training program will be available to the DoD FOIA Community and consist of training and refresher courses for FOIA professionals. The first training was held in December on DoD FOIA Quarterly Report preparation. Future trainings include FOIA Practices, specific training on various FOIA Exemptions, DoD Annual FOIA Report and Chief FOIA Officer Report preparation, and various other FOIA related topics.

During this reporting period, 91% of DoD FOIA professionals received some type of formal FOIA training(s) and over 49% of the DoD Components received DoD-wide FOIA/PA Training. Additionally, more than 49% of Components' personnel received DOJ's OIP training and 45% participated in component sponsored FOIA training. Approximately 15% of the DoD Components sent personnel to the American Society of Access Professionals (ASAP) training. Unfortunately, due to COVID-19, or the lack of personnel, 9% of DoD Components were unable to attend training this year. DoD intends to provide additional DoD-wide FOIA/PA Training Workshops and strongly encourages Components to conduct their own internal trainings to increase the overall percentage of training. Finally, 70% of DoD components reported attending federal records management training during this reporting period.



The DoD Components that reported hosting their own internal training for FOIA professionals provided a variety of venues and methods of substantive teaching regarding applying and implementing FOIA. For example:

- OSD/JS hosted training for its personnel, and OSD/JS components and defense agencies it services. OSD/JS personnel also attended Presidential Records Act and Court decisions training sessions throughout the year.
- ARMY participated in on-the-job, individualized, and virtual training sessions. These training sessions included refresher training on topics related to FOIA, the Army's FOIA case management system, FOIA policy, and FOIA procedures.
- AIR FORCE, CENTCOM, DCMA, DISA, DLA, DCSA, DTRA, DoDIG, NAVY, and NGA offered comprehensive training to their FOIA professionals and SMEs (Subject Matter Expert) on subjects such as component policies, case processing, FOIA challenges, and openness in government. SMEs are defined as individuals, who have special skills or knowledge on a particular function or topic and are routinely involved in the FOIA process.

## 1.2 Outreach

During this reporting period, 67% of DoD Components reported no engagement in formal outreach activities with the requester community, an improvement from last year's 75% of DoD's components that did not perform outreach. However, throughout the year, these Components proactively contacted individual requesters, engaging them in substantive exchanges designed to more fully educate, explain, and provide specifically detailed information. Some of the smaller Components with low requester volume indicated the types of record requests they received lend themselves to more personalized interactions with requesters from the beginning of the FOIA process. Smaller staffs also result in requesters working with the same FOIA professional, facilitating better anticipation of high-demand materials.

A few of the DoD Components engaged in formal outreach activity. For example:

- DHA encouraged requesters to contact its FOIA Requester Service Center (RSC) via phone, email, or through its Public Liaison mailbox on FOIA policies and procedures questions, and request status inquiries. Utilizing these communication methods allowed DHA FOIA RSC to directly communicate with requesters, stakeholders, and other members of the public in answering their questions more expeditiously.
- ARMY personnel attended the FOIA Advisory Committee meeting hosted by the National Archives and Records Administration's (NARA) Office of Government Information Services. These meetings focused on FOIA administration and solicited comments from the public. Additionally, ARMY requested requester feedback via Army's Interactive Customer Evaluation (ICE). Requesters could also submit feedback by email using the Army FOIA Office or component FOIA offices email addresses. Army also continues to work with the ARMY's Public Affairs officials, which engaged in outreach to members of the public and press via press conferences, meetings, traditional active media engagement, and news releases.
- DIA met with the Federal Advisory Committee and discussed changes to its FOIA program. DIA also conducted an interview with the local media American Broadcast Company (ABC) Washington DC affiliate, WJLA, on the program "Government Matters" to discuss improvements within its FOIA program. <https://govmatters.tv/new-defense-intelligence-agency-office-will-focus-on-efficiency-in-oversight-and-compliance/>
- The DOD IG FOIA Director engaged in structured outreach and dialogue as a member of the Chief FOIA Officer's Council Technology Committee. The duties of the Council include developing recommendations for increasing FOIA compliance and efficiency; disseminating information about agency experiences, ideas, best practices; and innovative approaches related to FOIA. Additional responsibilities include identifying, developing, and coordinating initiatives to increase transparency and compliance with FOIA; and promoting the development and use of common performance measures for agency compliance with FOIA.
- NSA presented a session entitled "Shaping Your FOIA Request & Records Searches for Success" at the ASAP National Training Conference, held virtually in May 2021. The

session expounded on understanding the ways in which the archival records structure differs from the common Structured Query Language database records structure, helping FOIA professionals be successful in requesting or searching for responsive government records.

- SOCOM, DTIC, NAVY, and EUCOM actively reached out to requesters to provide status updates, clarify requests, and answer requesters' questions. These components encouraged feedback from the requester community in order to maintain a positive customer service experience.

## 1.3 Other Initiatives

Similar to last year, the most commonly employed methods for informing non-FOIA professionals was general FOIA training for all personnel and more detailed training for SMEs. The general training is necessarily broad and introductory in nature while the SME training features detailed guidance on the proper application of FOIA exemptions, with the objective of SMEs understanding both the FOIA and the particular agency policies.

For instance:

- The DoD IG FOIA Office provided quarterly training slide briefings to the Defense Criminal Investigative Service classes on how to perform proper records searches. DoD IG also provided annual FOIA training to Component POCs on how to respond to search taskings, and how to utilize the case management system. In addition, DoD IG posted an information banner on their internal web page during Sunshine Week, reminding employees of the FOIA.
- AIR FORCE Senior Leaders and Commanders regularly remind, and reaffirm to the Office of Primary Responsibility (OPR), the AIR FORCE 's commitment to full compliance with the FOIA to mitigate litigation penalties; to support FOIA professionals; and to ensure FOIA programs are adequately resourced, and processes are continually analyzed for improvements. With the ongoing increase in the AIR FORCE FOIA backlog, senior leadership continually addresses the historically high AIR FORCE FOIA backlog with their OPR's to highlight the importance of providing responsive documents and records in a timely manner in order to remain compliant with the law. In addition, the AIR FORCE FOIA office and Requester Service Centers (RSC) provide their senior leadership monthly FOIA program updates and reiterate their obligations under the FOIA.
- DHA's FOIA RSCs moved under the newly established Enterprise Administration and Systems Integration (EA&SI) Division. DHA reached out monthly to different Directorates and offices via teleconference or MS Teams, informing non-FOIA professionals of their responsibilities under the FOIA. During the bi-weekly DHA New Employee Orientation, a representative from the EA&SI informs onboarding new DHA employees where to locate information regarding the FOIA Program and the link to the website.

- CENTCOM and AFRICOM provided FOIA support throughout the Command and to their directorates on an as-needed basis. AFRICOM also provided training and education to non-FOIA professionals at least two times a month through either one-on-one desk side training, email, or phone support.
- CYBERCOM's personnel, government employees and contractors, are briefed on their responsibilities under the FOIA as part of their Entrance on Duty. In addition, FOIA information sessions are provided to directorates with other mission-related duties upon request. CYBERCOM also held several virtual FOIA presentations through their "Lunch & Learn" series.
- CENTCOM and ARMY provided training to command leadership, staff, and support and servicing legal personnel, annually, upon request, or on an as-needed basis. Training was provided virtually (i.e. PowerPoint briefing slides), electronically, and on some occasions in-person.
- NGB developed comprehensive FOIA processing packages detailing the responsibilities of record holders and offices of primary responsibility. These packages included pointed instructions on conducting and documenting searches and adjudicating information for proper release and/or withholding, as well as information on statutory and regulatory guidance.
- Several DoD Components, such as NRO, DCAA, DoDEA, DCMA, NSA, OSD/JS, and TRANSCOM, conducted "one-on-one" trainings with SMEs on such topics as FOIA history, FOIA requirements, and proper FOIA searches for responsive documents.

Another DoD initiative is to ensure the presumption of openness is being applied throughout the agency. Some examples of this initiative are as follows:

- The annual DCAA Report to Congress highlights DCAA's audit performance, recommendations to improve the audit process, industry outreach activities, and key accomplishments. This report is posted online.
  - <https://www.dcaa.mil/Portals/88/Documents/About%20DCAA/508%20compliance%20docs/DCAA%20FY2020%20Report%20to%20Congress%20final%20wo%20ost.pdf?ver=oQmfWK424yqKn7RK3mPFuQ%3d%3d>
  - <https://www.dfas.mil/foia/foiarcadingroom/>
- AIR FORCE continues to publish written guidance AIR FORCE-wide to legal and FOIA professionals about the FOIA Improvement Act of 2016's impact and disclosure presumption, and specific FOIA exemption applications under this law. AIR FORCE also maintains a close working relationship with Public Affairs and Legislative Liaison Offices. Significant FOIA cases are routinely forwarded to Public Affairs and Legislative Liaisons for potential news releases, in addition to publishing in the FOIA Library website. AIR FORCE routinely publishes all FOIA responses to its online FOIA Library, except for responses

containing privacy information. AIR FORCE posted 41,625 pages of responsive documents during this current reporting period to the AIR FORCE FOIA library.

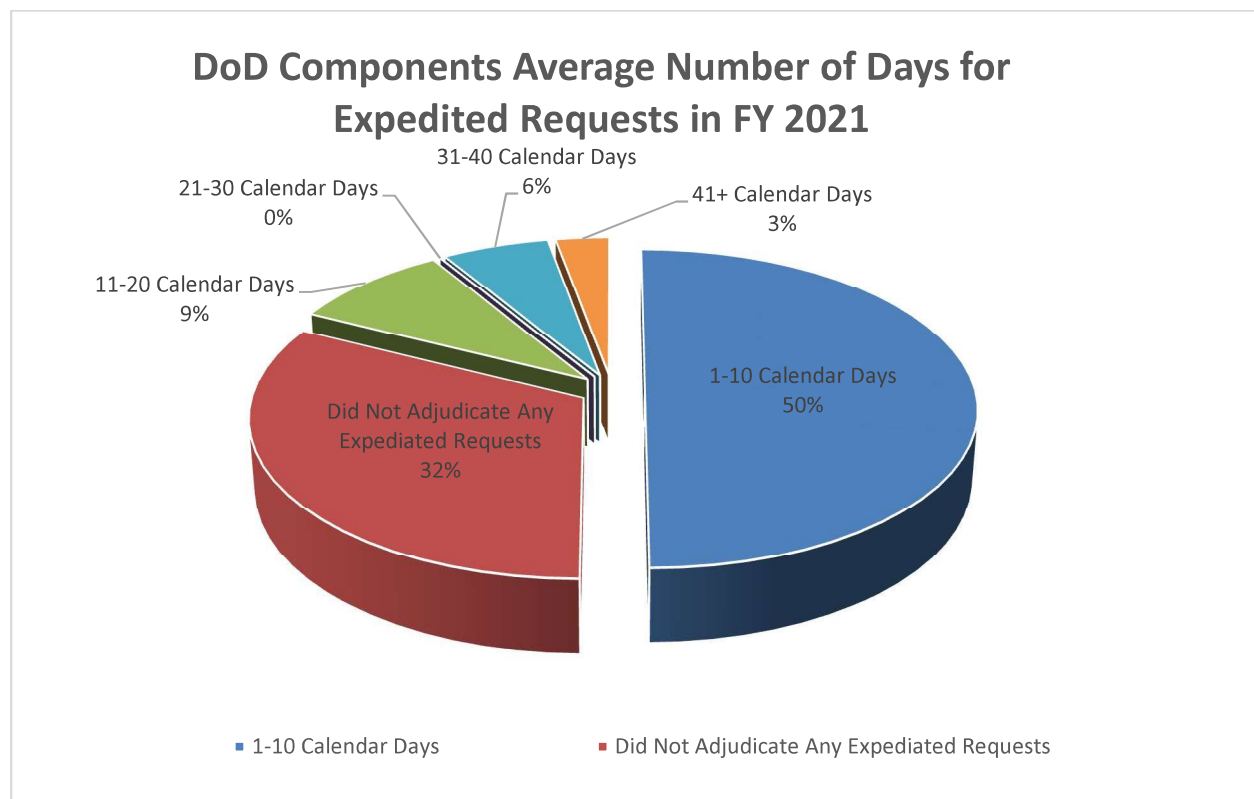
- <https://www.foia.af.mil/Library/>
- DoD IG regularly posts reports on its agency website in a searchable format. Some of the reports can also be located on the oversight.gov website. During this reporting period, DoD IG also proactively posted high public interest documents on DoD IG's FOIA Reading Room website.
  - <https://www.dodig.mil/reports.html>
  - <https://www.dodig.mil/FOIA/JEDI-Documents/>
- DCSA made significant modifications to its website to ensure the public has the necessary information to submit a request. This allowed for continued outreach to the public, clear guidance on how DCSA offices can be contacted for further information, as well as where to submit specific FOIA requests.
  - <https://www.dcsa.mil/contact/foia/>
  - <https://www.dcsa.mil/contact/foia/foip/>
  - <https://www.dcsa.mil/contact/foia/ar/>
  - <https://www.dcsa.mil/contact/foia/fr/>
  - <https://www.dcsa.mil/contact/foia/bir/>
- ASBCA's website provides a Freedom of Information Act link to guide potential requesters in submitting a request, and contact information to inquire on the same. In addition, the Board's website provides access to over 6,000 published decisions and Board-generated reports as far back as the year 2000.
  - <https://www.asbca.mil/FOIA/foia.html>
  - <https://www.asbca.mil/Decisions/decisions2021.html>
- The NSA Center for Cryptologic History posted 160 "History Today" articles spanning from 2018-2019 and 13 "Crypto Comics" to the NSA.gov website during this reporting period.
  - <https://www.nsa.gov/Helpful-Links/NSA-FOIA/Declassification-Transparency-Initiatives/Internal-Periodicals-Publications/>
  - <https://www.nsa.gov/History/Cryptologic-History/Historical-Publications/>



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

### 2.1 Processing Procedures

For FY 2021, the average number of days reported for adjudicating requests for expedited processing in DoD was 10 days. Of the 33 Component FOIA Programs, 32% reported not adjudicating any requests for expedited processing, and 50% reported adjudicating requests within an average of 10 calendar days, an improvement from the previous year. Six components did not adjudicate these requests within a 10 calendar day average, and attributed this delay to human error and lack of close queue management. The Components continued to work to address previously reported processing procedure problems, office understaffing, additional duties, and other conflicting priorities.



Approximately 64% of the DoD Components reported conducting some form of a self-assessment of their FOIA programs. For example, the AIR FORCE's main FOIA office continued to conduct monthly backlog reduction reviews with all FOIA offices who did not meet the 10% reduction goal. This entailed obtaining and reviewing backlog reduction plans from those subcomponent FOIA offices, in accordance with the Air Force Manual 33-302, and tracking their progress. AIR FORCE also ran daily annual reports to track its backlog numbers, which provided a daily view of current FOIA requests trend (+/-). In addition, the AIR FORCE ran reports on perfected cases that were on hold or not closed out properly. This report also ensured that all cases were categorized correctly and allowed the AIR FORCE to target processing and administrative procedures that could be improved and/or modified. Furthermore, the AIR FORCE ran monthly reports to track all of the

oldest pending cases (FOIAs, Appeals, and Consultations) allowing assessment of these cases and formulating a way ahead for closure.

Throughout the Department, the most popular methods of self-assessing FOIA programs are analyzing the data from the previous year's FOIA Annual Report and continuous process improvement (CPI) style initiatives where staff members are encouraged to suggest and implement improvements and streamlining opportunities.

For instance:

- DCSA conducted an overview of its program by reviewing and analyzing annual report data and updating specific processing procedures. In addition, all three of the component's offices now use one case management system for processing FOIA requests.
- The NAVY conducted a self-assessment, which included annual report data reviews; weekly productivity comparisons to historical productivity; performance inspections and audits; internal procedures reviews; individual workload and capabilities examinations; and program management training. In addition, it established a FOIA working group to manage and reduce case backlogs.
- ARMY used the DOJ FOIA Self-Assessment Tool Kit. ARMY also analyzed its data provided for the DoD FOIA Annual Report to identify any unique or systemic issues. This information is then used to make updates (configuration changes, software enhancements) to its case management system.
- DFAS used its Risk Management and Internal Controls (RMIC) program. DFAS created business and tactical level processes within the FOIA Office, to include the control objectives, control standards, associated risk and key controls. DFAS FOIA Office self-assessments were conducted by using key controls that the office performed throughout the year on a daily, weekly, and monthly basis. During the RMIC testing for FY 2021, the FOIA Office garnered a 100% pass rating on 11 internal key controls. Additionally, the FOIA program produces monthly metrics for senior level review which monitor timeliness and quality. DFAS achieved above a 98% timeliness rate for FY 2021.
- ASBCA met bi-weekly to discuss incoming complex FOIA requests from requesters, and at least yearly to discuss training tools and review the current internal tracking database system.
- CENTCOM updated the Command's FOIA Program regulation; conducted weekly reviews of the oldest cases; established working groups to systematically review requests which yielded voluminous responsive information; conducted an annual manager's internal control program review and a risk assessment analysis; and conducted working groups for numerous aggregated requests submitted by the same requesters.
- DHA conducted a thorough assessment of the DHA FOIA Requester Service Center (reviewed SOP, quarterly reports, and case management), which resulted in a Plan of Action and Milestones (POA&M) to mitigate deficiencies found. Additionally, the DHA launched a

Compliance Risk Assessment to determine the posture of FOIA across the DHA enterprise-wide.

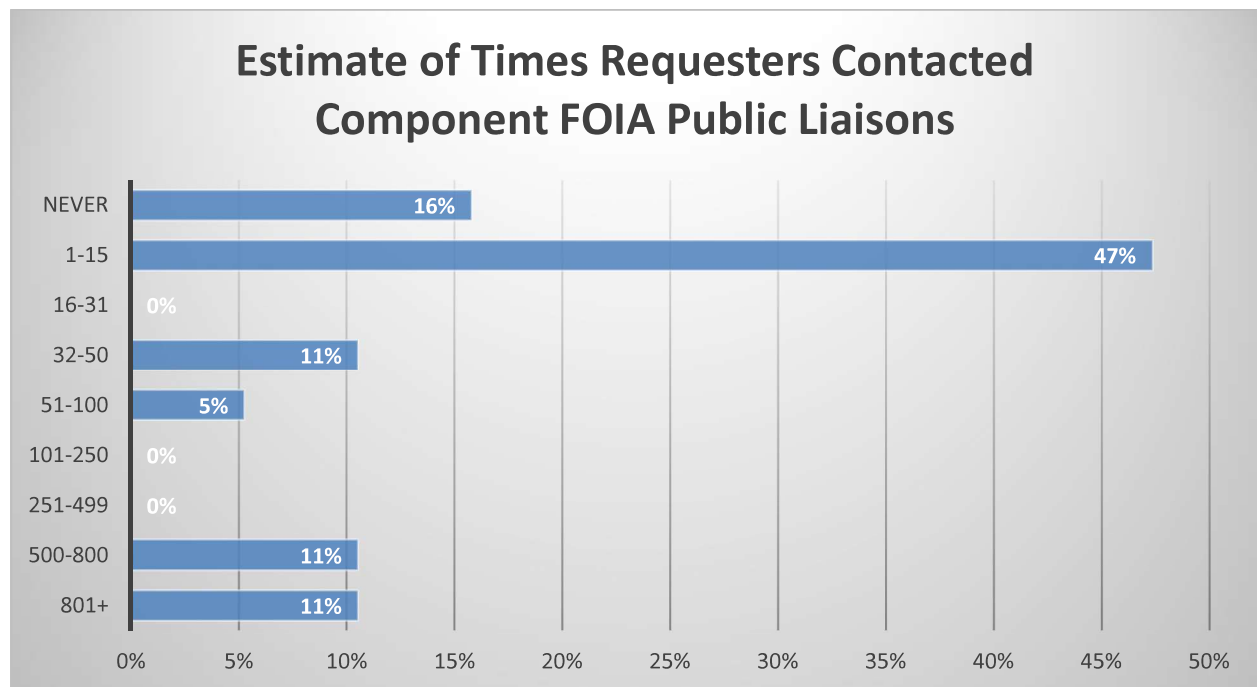
Standing Operating Procedures (SOPs) can improve the consistency and quality of an agency's FOIA process. Eighty-five percent of DoD's Components have SOPs. The majority of components review the accuracy of their procedures on an annual basis and some components review SOPs monthly, biannually, or on an "as needed basis." There were five components that do not have SOPs in place. The components that do not have their own written SOPs follow the processes set out in 32 CFR part 286, DoD Directive 5400.07, and DoD Manual 5400.07, which details DOD processing procedures.

Eighty-two percent of DoD FOIA Program Components have reviewed their FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands.

## 2.2 Requester Services

All DoD FOIA Program Components have FOIA Public Liaisons to receive and respond to public feedback, questions, and concerns. Contact information is posted on <https://www.foia.gov/report-makerequest.html> as well as Component websites. The FOIA Public Liaison's contact information is also included in response letters to requesters. Additionally, some Components provide an anonymous public feedback mechanism through online surveys.

The chart below indicates the frequency of FOIA requesters contacting FOIA Public Liaisons for assistance throughout FY 2021.



The DoD has 19 FOIA Public Liaisons for the 33 DoD Components. Eighteen Components have their own FOIA Public Liaisons, whereas the FOIA Public Liaison for OSD/JS also serves as the

FOIA Public Liaison for 15 other DoD Components. The DoD estimates well over 2,000 interactions, including the shared FOIA Public Liaison, during this reporting period.

A FOIA request made by a requester seeking records concerning themselves is called a "first-party" request. Within DoD, 58% of Components frequently receive this type of request. Common "first-party" requests at DoD are for personnel records or internal investigations.

DoD Components have taken several steps to ensure their FOIA processes operated efficiently and effectively. For example:

- NGA implemented an Electronic Documents Review (EDR) tool in its case management system. This will assist in the processing of large documents, specifically identifying redundancy in email searches.
- ARMY's FOIA case management system is operating efficiently and effectively. The ARMY manages the system to identify and troubleshoot any existing issues and any issues were promptly reported. Various internal offices collaborated and ensured that any problems were resolved. Also, ARMY personnel are encouraged to provide feedback and submit recommendations for changes and/or updates to the case management system that will streamline their ability to process and track cases.
- CENTCOM established a single point of contact to perform certain searches; created working groups to consolidate reviews (held via Skype during COVID) and workflow processes, thereby eliminating redundancies in methodologies. CENTCOM reviewed standardized/specialized software for proper redaction requirements to formulate records search consistency and reviewed governing policies.
- DFAS completed an initiative to modernize its record-keeping system by eliminating four years of paper based records and by creating an electronic record-keeping system for its FOIA case files. This resulted in significant cost saving on paper, ink, and filing cabinets, but most importantly it significantly reduced search time for previous case histories.
- NGB identified various points of contact throughout its organization to assist with identifying and eliminating FOIA bottlenecks. Additionally, SMEs were identified and their roles clearly defined, in order to aid the SMEs in providing more timely responses. Finally, the legal review process was refined in order to expedite the receipt of legal sufficiency determinations.

The majority of DOD FOIA Program Components have not established alternative means of access to first-party requested records outside of the FOIA process, with the exception of DFAS.

AskDFAS was developed in house to meet customer inquiries by providing access to timely and useful information regarding professional finance and accounting services. This directional approach portal gives customers the ability to locate answers to frequently asked questions and the ability to submit first-party requests and track financial inquiries, reduce call/email traffic, and communicate outside the network using secure methodology. AskDFAS is available to the public in

order to identify and reach the necessary business line from any computer worldwide. This eliminates the need for unnecessary access to ePortal or other CAC-enabled systems and tracks the customer inquiry from submission to closure. More information regarding askDFAS can be located at <https://www.dfas.mil/dfas/AskDFAS/>

Finally, in accordance with the FOIA Improvement Act, DoD maintains current FOIA Regulations.

## 3.0 Steps Taken to Increase Proactive Disclosures

### 3.1 Posting Material

Several DoD FOIA Program Components have taken steps to improve proactive disclosure of records and many FOIA offices collaborate with non-FOIA professionals, to include Public Affairs Officers, SMEs, General Counsel, and IT Specialists, to ensure records are properly released.

- NSA consistently posted 400 pages per month pursuant to an ongoing litigation case. In addition, NSA released 13 NSA Office of Inspector General Semi-annual Reports to Congress spanning the years of 1997-2003.
  - <https://www.nsa.gov/Helpful-Links/NSAFOIA/Declassification-Transparency-Initiatives/NSAInspector-General-Reports/>
- NAVY posted multiple records relating to Unidentified Aerial Phenomena (UAP).
  - <https://www.secnav.navy.mil/foia/readingroom>
  - [secnav.navy.mil/FOIA/Pages/default.aspx](https://www.secnav.navy.mil/FOIA/Pages/default.aspx)
  - <https://www.hqmc.marines.mil/Agencies/USMC-FOIA/FRR/>
  - <https://www.doncio.navy.mil>
- ASBCA proactively posted opinions and significant orders.
  - <http://www.asbca.mil/FOIA/foia.html>
  - <https://www.asbca.mil/Decisionsdecisions2020.html>
  - <http://www.asbca.mil/Reports/reports.html>
  - <http://www.asbca.mil/Charter/charter.html>
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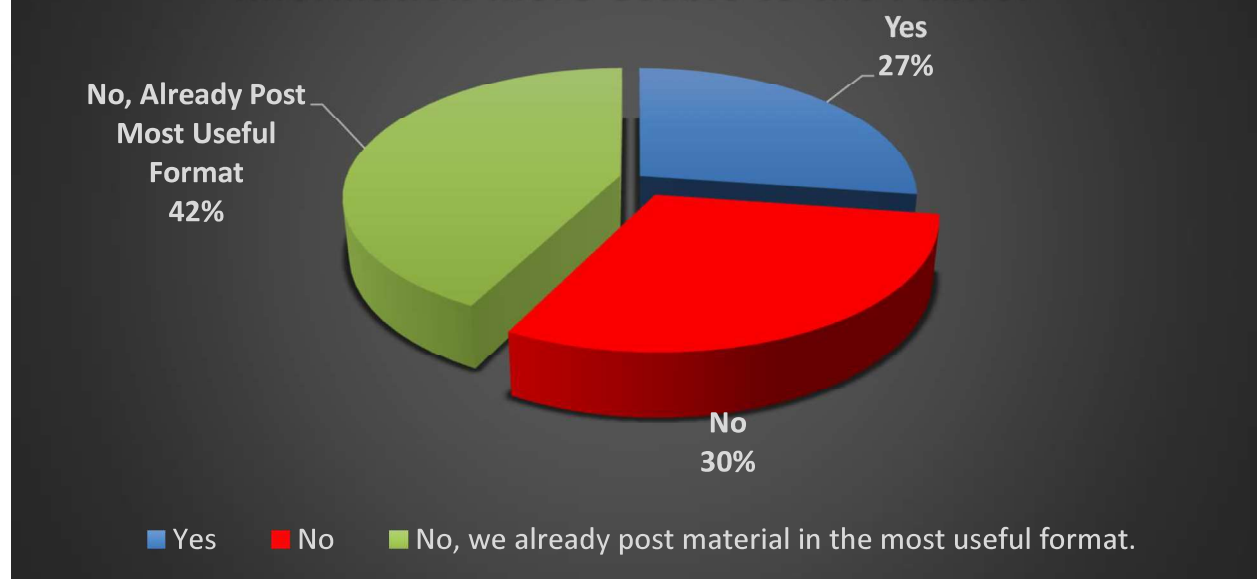
- <http://www.asbca.mil/Bios/biographies.html>
- SOCOM proactively disclosed material directly to its FOIA Reading Room website.
  - <https://www.socom.mil/FOIA/Pages/ReadingRoom.aspx>
- EUCOM proactively disclosed photos, videos, articles, and statistics related to USEUCOM support to the Afghanistan evacuation.
  - <https://www.eucom.mil/afghan-evacuation-support>
- NGB routinely released FOIA logs, information regarding contracts, and public interest documents, based on request history and reporting trends.
  - <https://www.nationalguard.mil/Resources/FOIA/Library/>
- DeCA proactively posted information on their FOIA Reading Room website.
  - <https://commissaries.com/our-agency/FOIA/FOIA-Electronic-Reading-Room>
- NGA increased posting records to its FOIA Reading Room by approximately 80%. In addition, all record material is reviewed by NGA's public release office prior to being uploaded to the reading room.
  - [https://www.nga.mil/resources/FOIA\\_Information.html](https://www.nga.mil/resources/FOIA_Information.html)
- DoD IG's audit reports and evaluations are posted on the agency website when possible. In addition, Reports of Investigation, semi-annual status reports, and policy documents are also posted.
  - <https://www.dodig.mil/reports.html/>
- AIR FORCE proactively disclosed material/documents via its online FOIA Library. These documents include records regarding the President of the United States, First Lady of the United States, congressional travel records, senior leader reports of investigation, records related to current news events, aircraft accident reports, historical reports, contracts, mission reports, government purchase card holders, audit reports, radar report, FOIA logs, FOIA annual reports, organizational charts, phone books/directories, policy, guidance, flight operation, unit history, historical honors, mechanical report, factsheets, and more.
  - <https://efoia.milcloud.mil/App/ReadingRoom.aspx://www.compliance.af.mil/Library/>
- DCAA's public website contains the audit guidance documents DCAA auditors use while conducting audits, as well as checklists to help businesses prepare for a DCAA audit. DCAA also posts the results of its outside auditor's review of the Agency's financial

statements. The statements provide important information on the Agency's financial health and compliance with applicable financial laws and regulations.

- [www.dcaa.mil](http://www.dcaa.mil)
- CYBERCOM updated its public website and added new categories to its FOIA Reading Room, to include all Annual Reports and Quarterly Reports.
  - <https://www.cybercom.mil/FOIA-Privacy-Act/Reading-Room/>
- OSD/JS proactively released over 350 records to its online FOIA Reading Room.
  - [https://www.esd.whs.mil/FOIA/Reading-Room/Reading-Room-List\\_2/](https://www.esd.whs.mil/FOIA/Reading-Room/Reading-Room-List_2/)
  - <https://www.esd.whs.mil/FOID/Proactive-Disclosures/>
- ARMY proactively posted 48 documents, totaling over 1000 pages to its Reading Room. Several components within ARMY contributed to these proactive releases. ARMY's Institute of Heraldry provided various documents throughout the year regarding military insignias (drawings for insignias, shoulder sleeve, coat of arms, distinguishing flags, etc.). The ARMY's Office of the Staff Judge Advocate-Criminal Law Division provides monthly Summary Reports of Results of Trial. In addition, to improve and increase proactive disclosures of information, ARMY continues to review all unclassified, non-sensitive information of interest to the public to post on Army websites or in the Army's FOIA Library. Finally, the U.S. Army Corp of Engineers posted numerous documents (charts, maps, journals, etc.) accessible by the public through its online Library Program Services for the Public.
  - <https://www.rmda.army.mil/readingroom/>
  - <https://www.usace.army.mil/Library/Library-Program/>
  - <https://corpslibrary.on.worldcat.org/>
- TRANSCOM automatically posts FOIA logs in its FOIA Reading Room at the end of the fiscal year:
  - <https://www.ustranscom.mil/foia/index.cfm?thisview=readroom#hideD>.

During the reporting period, many DoD Components publicized and highlighted these important disclosures for public awareness. Most components are on social media and report making announcements through a variety of platforms including Facebook, Twitter, YouTube, Flickr, RSS feeds, LinkedIn, and blog posts.

## Component Taking Steps to Make Posted Information More Usable to the Public?

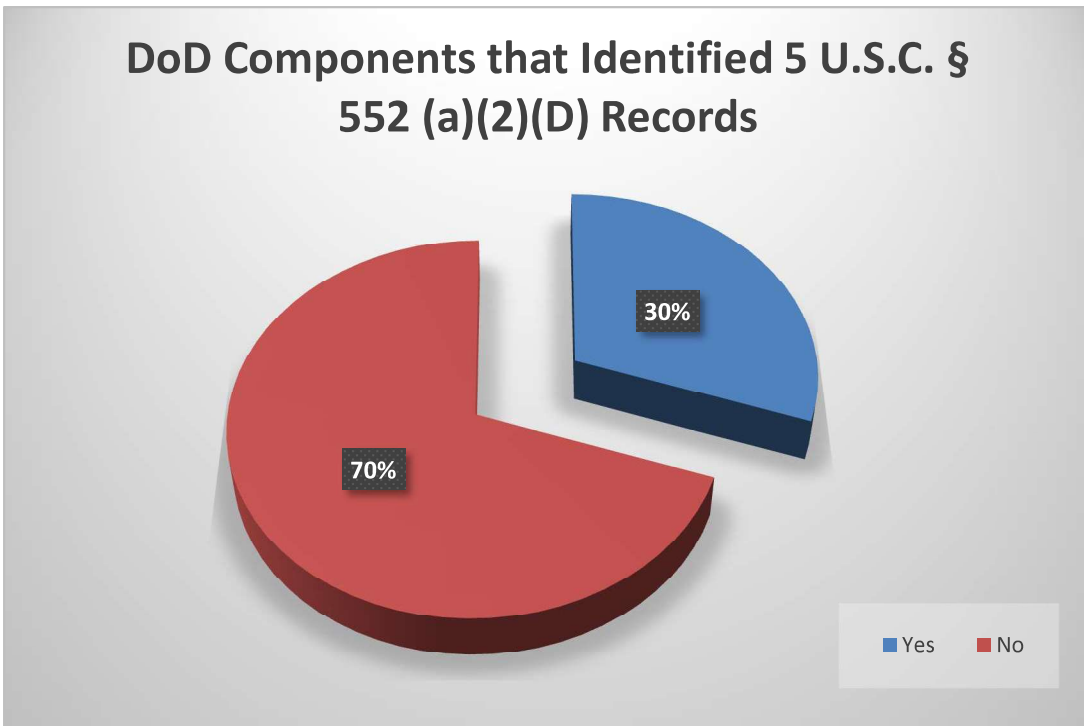


In FY 2021, 42% of DoD FOIA Program Components reported they already post information in the most useful format. This is an increase from 36% that was reported in FY 2020. This increase is partially attributed to the extra effort that DoD Components have made to proactively disclose information and make it readily available to the public.

Twenty-seven percent of DoD Components reported they are currently taking steps to make information posted online more usable to the public. For example, CENTCOM created a robust search capability tool which allows for Boolean searches and simplified name searches. Also, CENTCOM posted materials by type, which allows for easier community access to information. Also all of the information is accessible using mobile applications. DeCA added a search feature to its website, which allows the public to search by contract number.

DoD Components ensure documents are searchable and released if they are identified to have been requested three or more times, in accordance with 5 U.S.C. § 552(a)(2)(D).





In FY 2021, 30% of DoD Components identified records that were proactively disclosed pursuant to 5 U.S.C. § 552(a)(2)(D). These are records that have been requested and released under FOIA three or more times. These records are identified through various methods throughout the Department, such as: reviewing case logs; conducting searches for similar requests in the case management system; and FOIA Action Officer personal knowledge of previous requests.

### 3.2 Other Initiatives

Outside of the techniques and methods discussed above, DoD Components also reach out to requesters to determine what to post, encourage internal offices to proactively post material they determine is clearly releasable to the public, and seek authority from program offices for FOIA personnel to post new material.

## 4.0 Steps Taken to Greater Utilize Technology

### 4.1 Leveraging Technology

DoD continues to be committed to making its information technologies accessible to individuals with disabilities in accordance with Section 508 of the Rehabilitation Act (29 U.S.C. 794d), as amended in 1998. Throughout the year, all DoD Components were encouraged to ensure that FOIA websites were working and 508 compliant. DoD Components were also encouraged to review and ensure that websites are compliant with DOJ’s Guidance concerning FOIA websites, including clear links to the components homepage and ensuring FOIA homepages contain key information and available resources.

In FY 2021, approximately 58% of DoD Components reported that they were continuing to identify best practices to leverage technology to improve overall FOIA efficiencies. Several components reported working with their case management systems to automate internal steps and processes, improve case visibility, and implement document release automation. Components also reported using e-Discovery tools to search for and de-duplicate emails. This feature is particularly useful with multiple email strings where unmodified original messages are repeated as the electronic conversation continued. Some DoD Components also engaged in document sharing platforms to expedite record processing, which increased efficiency.

Fifty-five percent of DoD Components reviewed their FOIA-related technology capabilities to identify resources needed to respond to current and anticipated FOIA demands. Per the DOJ guidance provided in 2017, DoD regularly reviews FOIA websites to ensure the sites contain essential resources, and are informative and user-friendly. During the last reporting period, 97% of DoD's Components reviewed their sites.

## 4.2 Other Initiatives

DoD posted all four quarterly reports on time. The reports consisted of information from all 33 FOIA Program Components during FY21, and the data is accessible at the following link: <https://www.foia.gov/data.html>.

DoD also posted the data used for compiling the current and previous Annual FOIA Report. Those files, as well as the narratives, are available at the following link: <http://open.defense.gov/Transparency/FOIA/DoD-Annual-Reports-to-AG/>.

DoD continues to explore the feasibility of implementing an enterprise-wide FOIA case management system. This system would provide consistency in how DoD FOIA offices track cases, maintain records, conduct internal consultations and referrals, and produce reports. The objective is to provide DOD FOIA Offices with more consistent technical support and improved efficiency in FOIA processing.

Some components have identified best practices for leveraging technology to facilitate overall FOIA efficiency and appropriate levels of security. For example:

- CENTCOM used Content Manage (CM) as its electronic records management application (ERMA). CM also allowed it to conduct Boolean type searches for records uploaded into the ERMA. Once identified, CM allowed CENTCOM to export records to a location where de-duplication software is applied to the responsive records.
- The DoD IG FOIA Office uses the enterprise email archive to coordinate broad requests for email records. Using this enterprise-wide email search reduces duplicates and allows for comprehensive search results.
- NAVY, AIR FORCE, ARMY, and TRANSCOM used DoD SAFE, an encrypted file transfer tool, to securely transfer files for consultations, referrals, and requester responses.

- CYBERCOM consolidated, organized, and standardized its file record-keeping system on the various networks it uses in order to improve record search capabilities for FOIA-related cases.
- DLA, OSD/JS, DHA, and NGA are implementing de-duplicating software to de-duplicate documents within their FOIA tracking tools. Additionally, OSD/JS hopes to establish a FOIA eDiscovery team to improve record search capabilities and eliminate the need for individual OSD/JS offices to conduct most searches.

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

### **5.1 Simple Track**

In FY 2020, DoD received 54,023 requests and processed 50,004 requests for records under the FOIA. In FY 2021, DoD received 52,805 requests and processed 50,703 requests. Of the 50,703 cases processed, 20,821 were processed under the simple track. All DoD Components use a separate track for simple requests. The average number of days to process simple requests for DoD as a whole was 32 days. However, 76% of DoD Components reported simple request processing times averaging 10 days. Considering that 41% of all FY 2021 requests processed by DoD Components were in the simple track, most requesters had their FOIA cases resolved in fewer than 20 days.

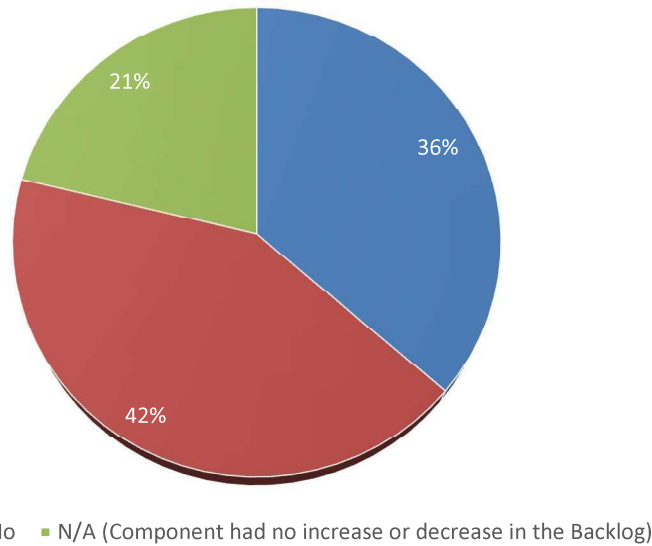
### **5.2 Backlogs**

Overall the backlog increased 10% from FY 2020. During this reporting period, DoD recorded a backlog of 17,597 FOIA request, which is an increase from 16,001 reported in FY 2020. DOD's overall percentage of requests that make up the backlog is 33.3%.

Of the 1,081 appeals received, 891 (81%) are identified as backlogged appeals. The number of backlogged appeals decreased from 1020 in FY 2020 to 891 in FY 2021, which is almost a 13% decrease.

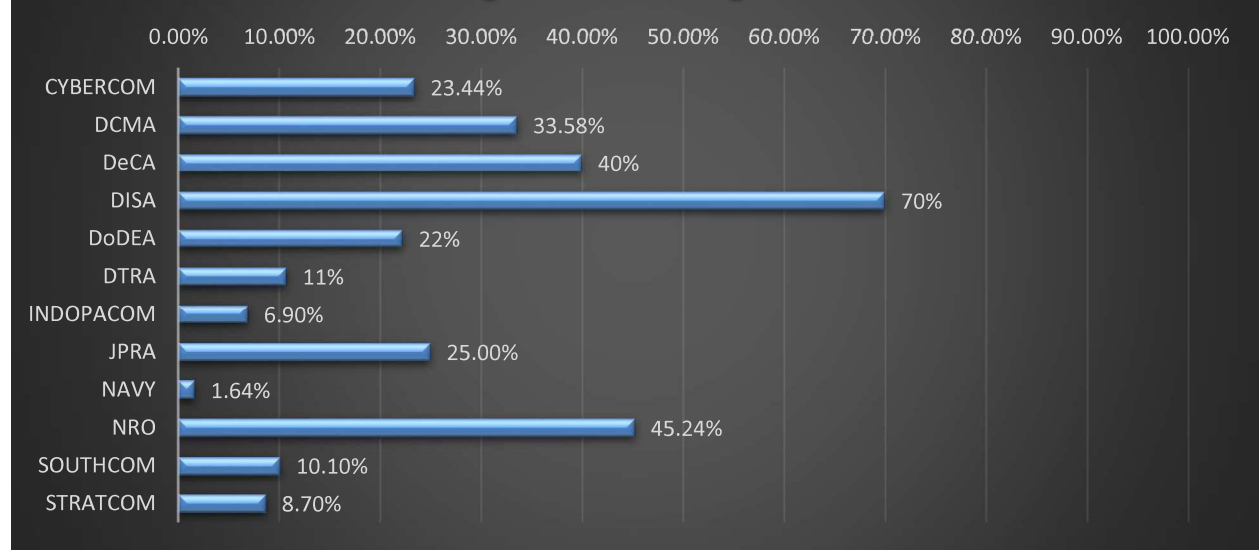
Of the 33 DoD FOIA Program Components, 15% had no request backlog at the end of FY 2021, while 30% had fewer than 10 requests backlogged at the end of FY 2021.

### Did the FY21 backlog decrease compared to FY20



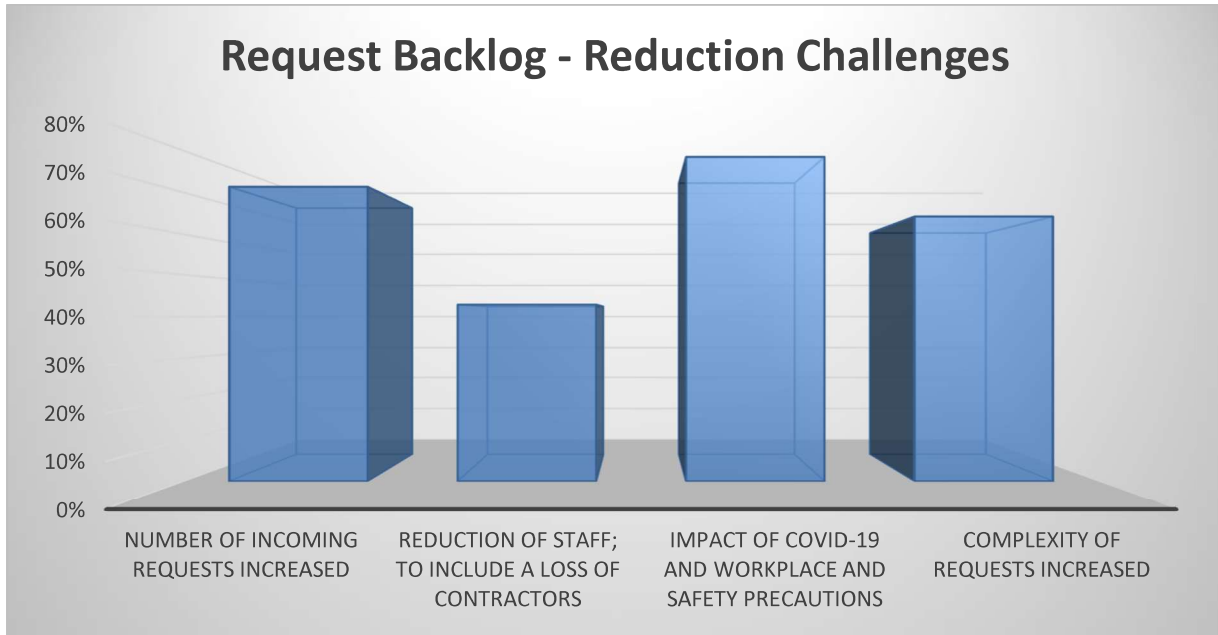
In FY 2021, 36% of DoD’s Components decreased their FOIA backlogs. This is an improvement from last year’s 32%.

### Percentage of Backlog Decreases

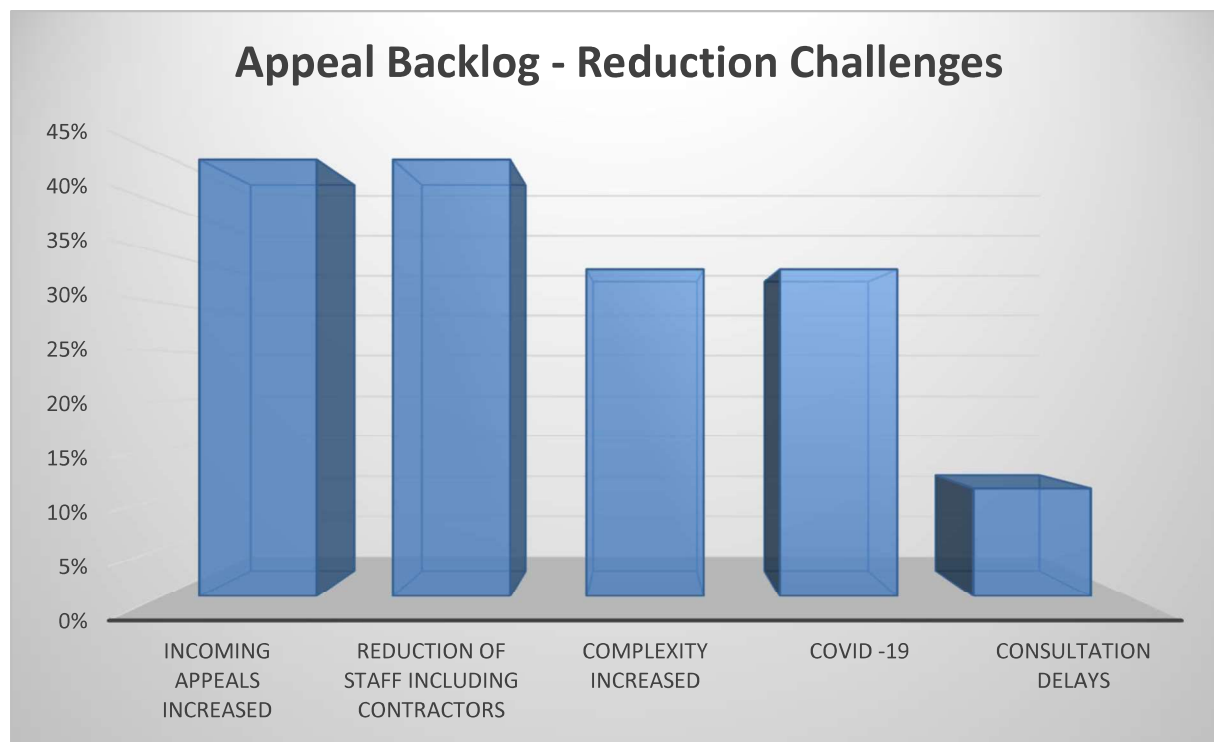


Fourteen components reported having no decrease, which is an improvement from last year’s nineteen components. Components reported having an increase of their backlogs for various reasons. The primary reason for a lack of reduction was COVID-19. Other reasons include an increase in the complexity of the requests received, followed closely by an increase in overall FOIA-related volume of work. Some of these complexities include the intake process; searches for

responsive records; applying exemptions; and the continuing issue of the lack of experienced personnel.



DoD FOIA professionals maintain a strong desire to assist the public in their efforts to find records of interest. Technology remains a driving force behind improving FOIA efficiencies; however, temporary setbacks with case processing, such as case management system failures and litigation efforts, diverted valuable resources, such as manpower, from backlog reduction efforts. More specifically, DoD Components increased litigation efforts by executing additional searches, and processing and creating Vaughn Indices and declarations for other DoD Components or agencies in response to litigation driven deadlines. These burdens subjected DoD Components to stringent court-ordered timelines. For Components that do not have dedicated FOIA litigation support teams, these litigation support activities take resources away from regular FOIA processing.



Overall, DoD received 1,081 appeals during the fiscal year. Of the 33 DoD FOIA Program Components, 14 do not process their own appeals because PCLFD handles those actions for them. Of the remaining 19 Components, 78% reported decreases or no appeal backlogs in comparison to 53% reported in FY 2020, which is a significant improvement. Overall, the DoD appeal backlog increased by 2%. Although DoD had a small increase in its appeals backlog, DoD processed 909 appeals in FY 2020 and 1095 in FY 2021, which is a 21% increase in total appeals processed for the year. The DoD Components experiencing an increase in their appeals backlog (AIR FORCE, ARMY, DIA, and DTRA) report similar overlapping issues as the FOIA request backlogs, namely the complexity and volume increases coupled with staff decreases, as depicted in the chart above.

### 5.3 Backlog Reduction Plans

At the end of both FY 2020 and FY 2021, DoD had eight components with backlogs of more than 1,000 FOIA requests: AIR FORCE, ARMY, CENTCOM, DHA, DIA, NAVY, NSA, and OSD/JS. These eight components initiated plans to reduce their respective backlogs in FY 2021. While NAVY saw some reduction in its backlog in FY 2021, AIR FORCE, ARMY, CENTCOM, DHA, DIA, NSA and OSD/JS backlogs increased. Six DoD Components reported that the execution of their backlog reduction plans were complicated by staffing losses, the inability to locate and hire qualified personnel, and difficulties with FOIA case management systems. Several components reported COVID-19 protocols impaired efforts to decrease their backlogs.

DIA’s management is restructuring and redesigning its current processes. After analyzing their case load, DIA implemented an assignment process that factors in an assessment of the request’s complexity, analyst caseload and proficiency. DIA restructured the intake process and tasking process to better manage incoming requests and outgoing responses; improve searches/review from SMEs; and improve case processing. DIA also revamped and streamlined its tasking form,

eliminating confusion and redundancy, and increased its collaboration efforts to assist all parties in closing taskers quicker. This will also ultimately increase production and reduce processing times.

ARMY continues to focus on reducing its backlog through open communication and focusing on FOIA requirements, administration, receipt, and processing. ARMY also continues to make notifications to senior leadership, as well as command leadership, regarding its backlog case status. Finally, ARMY continues to identify required resources needed.

OSD/JS Freedom of Information Division (FOID) formed a team to work the 110 oldest FOIA requests within OSD/JS; however, because of COVID and the high classification level of the responsive documents, they were unable to make significant progress on the closure of these requests. OSD/JS FOID also formed a team dedicated to preparing acknowledgment letters and tasking components for document searches and reviews, leaving actual processing of the request to Action Officers. OSD/JS FOID sent overdue FOIA tasker reports to senior leadership of OSD/JS offices to improve the timeliness of those offices' response to FOIA taskers.

AIR FORCE senior leaders and commanders regularly remind and reaffirm to offices of primary responsibility (OPRs) the AIR FORCE's commitment to full compliance with the FOIA to mitigate litigation penalties; to support our FOIA professionals; and to ensure FOIA programs are adequately resourced and processes are continually analyzed for improvements. With the continued increase of AIR FORCE's FOIA backlog, senior leadership continually addresses the historically high AIR FORCE FOIA backlog with its OPRs to highlight the importance of providing responsive documents/records in a timely manner in order to remain compliant with the law. In addition, AIR FORCE provides its senior leadership monthly FOIA program updates and reiterates its obligations under the FOIA. The AIR FORCE FOIA Office conducted Site Assisted Visits and provided process improvement recommendations to assist with the reduction of the backlog. Such recommendations included but were not limited to, encouraging rolling/interim releases, and continuing to review and release complex classified consultations after 30 days instead of 90 days.

CENTCOM worked on expanding its FOIA operations and filled a number of vacant FOIA specialist positions. Also, CENTCOM is reviewing new technologies and systems to improve the FOIA process.

DHA developed and implemented a plan of action and milestone (POA&M) document. DHA also worked on FOIA backlogged cases, while working current cases simultaneously. Finally, DHA has increased its government staffing and contract support.

## 5.4 Status of Ten Oldest Requests, Appeals, and Consultations

In FY 2021, DoD closed seven of its overall ten oldest FOIA requests. Also, many DoD FOIA Program Components were successful in closing some of their ten oldest cases:

- DCAA, DCSA, DeCA, DFAS, DoDEA, and OSD/JS closed all of their oldest ten requests.
- DISA, DTRA, and TRANSCOM closed nine of the ten oldest.
- DCMA closed eight of the ten oldest.
- DIA, NSA, and SOCOM closed seven of the ten oldest.

- DoD IG and NAVY closed six of the ten oldest.
- AFRICOM, CENTCOM, and STRATCOM closed five of the ten oldest.
- NGB closed four of the ten oldest.
- EUCOM closed four of the eight oldest.
- ARMY, DHA, and NGA closed three of the ten oldest.
- NRO closed two of the ten oldest.
- DLA and SOUTHCOM closed one of the ten oldest.
- JPRA closed one of the four oldest.

In FY 2021, DoD closed three of the ten oldest appeals. Of the 19 DoD Components that process appeals, ten reported backlogged appeals at the end of FY 2021. Also, many Components were successful in closing some of their ten oldest appeals.

- DCSA, DISA, DLA, and NRO closed all of their oldest appeals.
- DoD IG closed seven of the ten oldest.
- NSA closed six of the ten oldest.
- DHA closed four of the ten oldest.
- ARMY and OSD/JS closed three of the ten oldest.
- DTRA and NGA closed two of the ten oldest.
- DIA and NAVY closed one of the ten oldest.

In FY 2021, DoD was able to close one of the Department's ten oldest consultations. Of the 33 DoD Components, 16 reported no outstanding consultations at the end of FY21. Components that have succeeded in closing some of their ten oldest consultations include:

- DHA, DLA, DoD IG, JPRA, NORTHCOM, and NRO closed all of their oldest consults.
- ARMY, CENTCOM, and OSD/JS closed seven of the ten oldest.
- NGA closed six of the ten oldest.
- SOUTHCOM closed five of the ten oldest.
- DIA closed four of the ten oldest.
- DTRA and SOCOM closed two of the ten oldest.



- AFRICOM closed two of the five oldest.
- INDO-PACOM closed three of the four oldest.
- AIR FORCE, NAVY, and STRATCOM closed one of the ten oldest.

During FY 2021, DoD focused on reducing the overall age of the backlog by concentrating on closing the ten oldest requests, appeals, and consultations. Some offices instituted bi-weekly meetings with appellate authorities to discuss processing efficiencies and applied resources to close more than the ten oldest, if possible. Some Components actively followed up with status inquiries to sub-components, for estimated dates of completion.

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

As with other challenging areas, the inability to close the remaining open ten oldest requests and consultations were a result of personnel turnover and limited staffing, voluminous cases, records classification status, complex requests, and COVID-19. Furthermore, some DoD Components reported that they were unable to close some of their ten oldest requests because they were awaiting responses from consultations.

### ARMY:

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
03/14/2015	7/30/2015	5/18/2021
11/18/2016	7/9/2019	6/1/2020

### CYBERCOM:

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
1/19/2017	7/23/2017	6/2/2021
11/17/2017	2/27/2019	5/26/2021
2/3/2018	5/23/2019	5/26/2021
8/3/2018	4/4/2019	12/2/2021
9/9/2018	12/10/2018	10/26/2021
9/21/2018	12/7/2018	5/26/2021
9/21/2018	2/27/2019	5/26/2021
2/13/2019	4/15/2019	12/2/2021
3/19/2019	4/24/2019	5/26/2021
3/19/2019	8/12/2021	8/12/2021

### DIA:

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
5/2/2012	2/6/2020	8/14/2019
6/22/2014	2/27/2019	9/10/2021
10/1/2014	3/6/2019	9/11/2021

11/3/2014	8/30/2021	10/5/2021
1/30/2015	9/18/2018	9/28/2021
8/19/2015	6/3/2018	9/30/2021

**DOD IG:**

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
1/14/2015	1/26/2018	11/15/2021
9/4/2015	3/15/2021	11/15/2021
6/24/2016	10/7/2021	10/7/2021
9/28/2016	10/13/2016	10/22/2021
3/7/2017	7/18/2018	10/10/2021
5/24/2017	5/2/2018	11/15/2021
10/9/2018	11/13/2018	10/25/2021
9/26/2017	11/6/2019	11/2/2021
12/19/2018	8/9/2019	11/19/2021
3/15/2019	5/30/2019	10/29/2021

**JPRA:**

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
5/15/2017	10/24/2017	2/26/2020
4/23/2019	11/5/2020	10/6/2020
6/17/2020	10/8/2020	9/27/2021

**NORTHCOM:**

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
02/08/2016	06/10/2016	9/21/2021
1/4/2019	4/8/2021	Unknown
1/10/2019	7/28/2020	12/30/2021
1/10/2019	7/30/2020	12/30/2021
2/19/2019	9/2/2020	12/30/2021
3/21/2019	9/2/2020	9/21/2021

**NSA:**

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
02/23/2007	2/21/2019	2/26/2020
2/25/2010	10/17/2018	6/21/2021

**SOUTHCOM:**

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
6/2/2010	6/6/2017	11/9/2021
8/20/2010	9/28/2017	11/9/2021
10/1/2010	9/8/2016	11/9/2021
3/24/2011	4/9/2015	11/9/2021

6/29/2011	4/13/2015	11/9/2021
9/12/2011	6/6/2017	11/9/2021
9/12/2011	5/31/2017	11/9/2021

**TRANSCOM:**

<u>Date received</u>	<u>Date consult sent to agency</u>	<u>Date last contacted agency</u>
4/15/2020	3/16/2021	7/7/2021

The DoD Components that did not close the ten oldest pending requests or consultations comprising the overall DoD oldest cases, described a variety of methods for how they intend to close them. The methods identified include restructuring the responsibilities of FOIA personnel, closely monitoring metrics, increasing the frequency of status checks as well as continued focus on prioritizing the oldest requests for processing and closure. Personnel are also being augmented where possible. The remaining components with ten oldest pending requests, appeals and consultations described similar strategies for regularly contacting agencies holding these older consultations.

**6.0 Success Story**

There were numerous activities undertaken by DoD and the DoD FOIA Program Components since March of 2021 to increase transparency. DoD remains steadfast in its administration of the FOIA, commitment to sustainable training, and outstanding customer service. Achieving these important goals across all DoD Components is furthered by purposeful action at all levels.

- The 33 DoD Components continue showcasing a commitment to the principles of openness by processing almost 51,000 FOIA requests during FY 2021. Given the often complex nature of requests submitted to DoD, the recent staff reductions, the additional COVID-19 safety protocols, and the extraordinary mission of protecting American assets at home and abroad, it is truly remarkable that over 75% of all received requests were processed in fewer than 100 days. DoD Components increased workplace flexibilities; implemented additional remote technology and collaboration tools such as Skype, GVS, and MS Teams; networked with other DoD Components and federal agencies to provide similar responses to the same types of requests; hired additional or reallocated staff to their FOIA programs; and increased engagement with requesters to ensure their FOIA Program was successful. Five DoD Components (ABSCA, DCAA, DeCA, DFAS, and DTIC) processed every new request received and open requests carried over from the previous years. Several DoD Components increased the posting of released records to their FOIA Reading Rooms and improved the Reading Rooms’ usefulness by adding a search feature. Finally, a couple of DoD Components purchased new FOIA tracking systems to better manage their caseloads.
- AIR FORCE: Although the AIR FORCE did not reduce their backlog this year, they processed almost 4,500 requests, 150 appeals, and 67 consultations. This year, AIR FORCE leadership focused on training. They facilitated virtual FOIA and eFOIA training, targeted root causes preventing closure of requests, held bi-weekly teleconferences with their directorates to address current FOIA guidance and updated statutes, and reviewed their processing practices. They also implemented mandatory FOIA training for all newly assigned AIR FORCE FOIA Managers and conducted Site Assistance Visits with their

FOIA Service Centers. In addition, AIR FORCE leadership required FOIA Managers who did not meet the 10% AIR FORCE backlog reduction goal to submit monthly backlog reduction plans to AIR FORCE FOIA leadership. Finally, AIR FORCE FOIA leadership encouraged FOIA Managers to reach out to requesters to narrow a request's scope and to expand proactive record releases in their public library website.

- ARMY: Despite the impact of COVID-19 protocols, staff reductions, and the increase in the amount, and complexity, of FOIA requests received, the Army successfully processed 24,409 requests during FY 2021. The Army, having one of the largest FOIA programs in DoD, processed more than 45% of the total number of DoD requests. Additionally, numerous commands/offices in FY 2021 focused their attention on the proactive release of information and FOIA processing operations. Also, the U.S. Army Materiel Command (AMC) and the Intelligence and Security Command (INSCOM) partnered with other DoD and federal government agencies in "Operation Warp Speed," a program focused on the development, manufacturing, and distribution of COVID-19 vaccine. Finally, the AMC processed, and proactively released, 165 contract records to the U.S. Department of Health and Human Services (HHS) FOIA Library for public viewing.
- CYBERCOM: This fiscal year, CYBERCOM commenced a digitization initiative in order to become a "paperless" FOIA workshop. This effort required that an estimated 350 closed FOIA cases be digitized, and that the contents of each closed case be described. This initiative should be completed by the end of Fiscal Year 2022. When this effort is concluded, new FOIA cases will be opened, processed, and closed digitally with no paper file for which to account. This effort will reduce the time it takes to open, process, and close FOIA cases, as well as increase productivity and efficiency by being able to put more focus on reducing backlog on complex cases, following up on consultations, and working on other efforts/initiatives to further improve the current program. Some other benefits resulting from this effort are:
  - Costs savings from printer upkeep, toner, physical storage, purchase of paper reams, and manual labor related costs.
  - Increased accessibility. Digitization of paper-based FOIA cases will allow FOIA personnel to have the necessary access to the records at all times.
  - Enhanced security of records. Digitization should reduce the risk of compromise to sensitive records by leveraging secure technology solutions, as well as inadvertent destruction or misfiling of FOIA case paperwork.
  - Easier and instant access to digital files. CYBERCOM's paperless initiative enabled them to decrease records search times, thereby providing more timely responses to requesters.
  - Environmentally friendly. CYBERCOM's reduced reliance on paper creates a more sustainable agency by decreasing CYBERCOM's reliance on paper, printers, ink, and ink cartridges, that are harmful to the environment. CYBERCOM's paperless FOIA Program's goal reduces the paperwork chaos, mitigates the fear of losing records, eliminates errors, and strengthens the security of the agency's record-keeping practices.

- DCSA: DCSA successfully merged three FOIA offices into one case management tracking system, simplifying every step of the FOIA request process. The IT solution is a joint, secure, and private library for DCSA FOIA professionals to exchange and share FOIA requests which improved DCSA's program administration and public access to information. In addition, it provided FOIA program visibility across the component and streamlined data collection for required reporting.
- DHA: Launched an enterprise-wide Compliance Risk Assessment Tool to conduct a compliance assessment. Assessment will determine the structure of DHA Markets and Military Treatment Facilities (MTFs), etc. to establish POCs to support DHA FOIA program requirements, while implementing subcomponents process improvements based on collaboration with the DHA Office of General Counsel, the Acquisition Directorate, and the Office of Inspector General. Also, updated DHA FOIA SOP and provided FOIA training to non-FOIA professionals, i.e. Office of Inspector General and other stakeholders as required.
- DIA: Established the Information Management and Compliance Office by consolidating the Office of Oversight and Compliance, and the records management, declassification, and the FOIA programs, into a unified office under the DIA Chief of Staff. This organizational placement signals DIA's commitment to modernizing and improving how they manage the full lifecycle of the Agency's data, ensuring they meet their obligation to share eligible information with the public. DIA also established four FOIA teams led by a senior FOIA SME who mentors and guides junior officers and new FOIA apprentices in providing excellent customer service to FOIA requesters.
- DOD IG: DoD IG FOIA Office received and processed its highest number of requests (1167/1093) since its inception. This effort required a tremendous amount of coordination and collaboration with internal FOIA Office staff, DoD OIG Components, DoD Components and other Federal agencies. The FOIA Office also provided internal training to DoD OIG Component FOIA Points of Contact, and in-house FOIA training to DoD OIG FOIA Office employees. Finally, DoD IG was forced to reconfigure its operations due to the pandemic and convert to virtual communications and processing. Despite this virtual work environment, DoD IG successfully hired and trained four new Government Information Specialists, enabling DoD IG to reduce its backlog by 13%.
- NAVY: In order to address the intense public interest in Navy records concerning Unidentified Aerial Phenomena, several Navy components coordinated to identify, review, and release a voluminous quantity of records on this matter, proactively uploading records to the Navy FOIA website as they were approved for public release. Due to the pandemic, telework has worked surprisingly well for at least one command by affording the FOIA Coordinator a much needed quiet space to read and redact records. This command has a well-coordinated team to facilitate the routing of records for release approvals and has reduced the overall request processing time to an average of approximately 4 business days. In addition, one command created and conducted FOIA training in a classroom setting and virtually as it has a high rate of FOIA coordinator turnover. Finally, another command worked with the local police department to resolve processing issues and reduce wait times for accident reports.

- OSD/JS: OSD/JS Freedom of Information Division (FOID) hosted a FOIA Update, Way Ahead, and FOIA Training Conference in January to update the OSD/JS offices on (1) how they did during the prior fiscal year, (2) where OSD/JS is headed, and (3) training on what they should look out for as they process FOIA requests. OSD/JS FOID significantly improved its relationship with the OSD/JS offices, considering these offices as part of the same team and striving towards the same goal. Although training was held virtually, it was well attended. Awards were given to OSD/JS offices that reduced their backlogs, encouraging one new office participant to strive to meet the goal next year in order to be on the list of awardees.
- STRATCOM: The STRATCOM FOIA manager closed a high-profile request in 4 hours, earning praise on social media and news outlets. This request involved a teleworking Public Affairs employee that left his laptop unattended, providing an opportunity for his three-year-old daughter to “access” his government computer and type “gibberish.” The media storm that followed implied the “gibberish” was some kind of secret code or possibly nuclear weapon codes. The STRATCOM FOIA manager also received a request from a deceased Air Force officer’s family to provide any information related to him that could be mentioned at his funeral. The funeral was to be held in less than a week. Although no information was available on the individual because of the search timeframe, the FOIA manager worked with the current Air Battle Manager Chief to obtain information about what the Air Force officer’s duties and responsibilities would have been and wrote a narrative that could be read during the memorial service. The family was very appreciative of the extra steps taken by the Command to respond in such a personal way.
- TRANSCOM: The FOIA Office created detailed FOIA SOPs addressing each area of the FOIA process, from receipt to final response. It posted DoD FOIA training videos on the Command’s SharePoint site and provided one-on-one training to the TRANSCOM Inspector General. The FOIA Office reached out to several small business owners to educate them on their rights to withhold or release their commercial information in DoD records, avoiding possible reverse FOIA (legal) ramifications. Finally, the FOIA Office closed its two oldest FOIA requests by research into three DoD instructions governing the release of classified information.
- The DoD FOIA Program Components continue to showcase a commitment to the principles of openness through the processing of 50,703 FOIA requests during FY 2021. Given the often complex nature of requests submitted to DoD and the extraordinary mission of protecting American assets at home and abroad, it is truly remarkable that over 88% of all received requests were processed in fewer than 100 days.