



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
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10 FEB 2006

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
COMMANDERS OF THE COMBATANT COMMANDS
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF DOD FIELD ACTIVITIES

Subject: DoD Implementation of Executive Order 13392 on the Freedom of Information Act (FOIA)

Reference: Director of Administration and Management, Executive Order (EO) 13392 on the Freedom of Information Act (FOIA) – DoD Implementation, February 1, 2006

The referenced Director of Administration and Management (DA&M) memorandum provides guidance to DoD Components concerning the implementation of EO 13392, and it designates the Defense Freedom of Information Policy Office (DFOIPO) as the principal action agent to coordinate this significant project. As attachment 1 indicates, the DFOIPO has been established within the DA&M and is staffed with senior FOIA experts who understand DoD Component FOIA operations.

The referenced memorandum further states that the DFOIPO would provide additional information concerning the Review, Plan, and Report Phases of implementation cited in the EO. Therefore, this first DFOIPO communication provides initial instruction for the completion of DoD Component reviews of their FOIA operations to determine if practices are consistent with the standards of service prescribed in the EO. In order for the DoD to meet milestone dates specified in the EO, Components shall conduct extensive internal reviews of their FOIA programs and will submit the results of these reviews to the DFOIPO by May 1, 2006. Attachment 2 lists the specific DoD Components, Combatant Commands, Agencies and Activities required to conduct these reviews. The Freedom of Information Division, Washington Headquarters Services, will conduct the review of the Office of the Secretary of Defense and the Joint Staff.

Section 3 (a) of the EO details the specific areas of FOIA operations that DoD Components must evaluate and review in order to meet the goals of the EO. These specific focus areas are summarized below:

- Review of current FOIA processes to determine reasons for agency backlogs.
- Review of customer service practices by which the Component assists and informs the public on their respective FOIA processes.
- Review of current information technology (IT) systems used for FOIA processing.

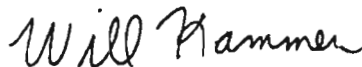


- Review of current resources committed to FOIA operations (funding, manpower, facilities, IT support, etc.).
- Review of the Component's use of websites to make information available to the public in compliance with 5 U.S.C. § 552(a)(2).
- Recommendations to improve shortfalls identified above.

To assist in the systematic collection of information from FOIA offices throughout the DoD, DFOIPO is developing a common survey instrument guided by the focus areas listed above. This survey will enable DoD Components to collect essential data on FOIA operations and will facilitate the analysis and review prescribed in the EO. This survey will contain core questions and will encourage the addition of Component unique data requirements. DFOIPO will distribute the FOIA data survey instrument with instructions on its use. The intent is to produce a candid analysis and review of Component FOIA operations at both the managerial and customer service levels. Components will consolidate reviews from subordinate elements and will submit an overall review that will help build the total DoD review. These reviews will serve as the foundation for the required plan to improve FOIA operations throughout the DoD. Most significantly, these reviews will identify the resources that would be required to meet the provisions for better customer service set forth in the EO. Capturing that resource requirement is essential to the DoD review, plan, and report that go forward.

DFOIPO will create a single DoD review and plan for the DA&M in his role as Chief Agency FOIA Officer to submit to the Secretary of Defense for approval. The plan will address the DoD implementation of the EO during fiscal years 2006 and 2007, and will include specific activities that the DoD will implement to reduce or eliminate the FOIA backlog. In turn, the Secretary of Defense will submit this plan, along with a report summarizing the DoD review, to the Attorney General and the OMB Director by June 14, 2006. The Attorney General will subsequently submit a combined report to the President by October 14, 2006.

We look forward to working with you in improving the FOIA service provided by the DoD to the public.



Will Kammer
Chief
Defense Freedom of Information Policy Office

Attachments:
As stated