

Departmental Level Notification Process For Significant DoD FOIA Requests and Responses

Significant FOIA Requests

- Components will send to DFOIPO (dfoipo@whs.mil) copies of significant FOIA requests and a short summary for each significant request. The subject of the email should be "Significant FOIA Request."
- A "significant" FOIA request is one where, in the Component's judgment, the subject matter of the released documents may generate media interest and/or may be of interest or potential interest to DoD senior leadership. Any requests involving the current administration (including requests for information on Senator Obama), previous administrations, or current or previous DoD leadership would be included. Requests involving Members of Congress should also be considered.
- If the request generates departmental level interest (DLI), the Component FOIA Office will be advised by DFOIPO. Components should assume that ALL FOIA requests that are White House or Congressionally related, such as requests for Congressional correspondence, correspondence logs, or travel, have DLI. The Component FOIA Office should advise its own chain of command of the departmental interest. The Component must also provide DFOIPO a weekly update on the processing of the request by Friday of each week on the requests that have departmental level interest.

Significant FOIA Responses

- About a week before a FOIA response is made on a request with DLI, the Components will send DFOIPO a short summary of the response containing as a minimum the name/organization of the requester, a summary of the information being released, and the estimated date of release. The responsive documents in their releasable form will be attached to the email. If the documents are too large to email, the Component should make arrangements with DFOIPO on transferring the documents via IntelDocs. The email should be sent to dfoipo@whs.mil, and the subject should be "Significant FOIA Response."
- These responses will include initial requests, appeals, and litigation. Additionally, it's not necessary for a Component to be releasing any documents for a response to qualify as "significant." A no record, Glomar (neither confirm nor deny), or a complete denial may qualify as "significant."
- If a Component FOIA Office has a significant FOIA response and they did not previously advise DFOIPO of the FOIA request, the process for advising DFOIPO of the response, two paragraphs above, should still be followed.
- If the significant FOIA response is White House or Congressionally related, then the Component FOIA Office will not respond to the requester until DFOIPO clears the documents for release. For all other responses, if the Component does not hear from

DFOIPO on whether the documents are cleared for release by the planned release date, they will contact DFOIPO for guidance on when they can be released.

Weekly Updates

- DFOIPO will keep the Director of Administration and Management informed each week of the status of significant FOIA requests and responses. DFOIPO will provide a copy of this weekly update to the DoD FOIA Public Liaisons every Tuesday.