



Joint Task Force National Capital Region Medical **DIRECTIVE**

NUMBER 5400.01
FEB 01 2013

ESO

SUBJECT: Freedom of Information Act (FOIA) Program

References: See Enclosure 1

1. PURPOSE. This Directive, in accordance with the authority in References (a) through (d), establishes policy and assigns responsibilities for administering the Joint Task Force National Capital Region Medical (JTF CapMed) FOIA Program consistent with DoD Directive 5400.07; section 552 of title 5, United States Code; DoD 5400.7-R; and Administrative Instruction 108 (References (e) through (h)).
2. APPLICABILITY. This Directive applies to the JTF CapMed Headquarters (HQ), Fort Belvoir Community Hospital (FBCH), Walter Reed National Military Medical Center (WRNMMC) [hereafter, FBCH and WRNMMC are referred to as Joint Medical Treatment Facilities (MTFs)], and the Joint Pathology Center.
3. POLICY. It is JTF CapMed policy to make the maximum amount of information available to the public on JTF CapMed operations and activities, while protecting national security, patient data, and other sensitive information from improper disclosure at either JTF CapMed HQ or in an associated medical facility.
4. RESPONSIBILITIES. See Enclosure 2
5. RELEASABILITY. UNLIMITED. This Directive is approved for public release and is available on the JTF CapMed Website at www.capmed.mil.
6. EFFECTIVE DATE. This Directive:

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- a. Is effective upon publishing to the JTF CapMed Website; and
- b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with JTF CapMed Instruction 5025.01 (Reference (i)). If not, it will expire effective 10 years from its publication date and be removed from the JTF CapMed Website.



STEPHEN L. JONES
Major General, U.S. Army
Acting Commander

Enclosures

1. References
2. Responsibilities

Glossary

ENCLOSURE 1

REFERENCES

- (a) Deputy Secretary of Defense Memorandum, "Authorities for Joint Task Force National Capital Region Medical (JTF CapMed)," February 7, 2012
- (b) Deputy Secretary of Defense Action Memorandum, "Civilian and Military Personnel Management Structures for the Joint Task Force National Capital Region Medical," January 15, 2009
- (c) Comprehensive Master Plan for the National Capital Region Medical, April 23, 2010
- (d) Supplement to the Comprehensive Master Plan for the National Capital Region Medical, August 31, 2010
- (e) DoD Directive 5400.07, "DoD Freedom of Information Act (FOIA) Program," January 2, 2008 as amended
- (f) Section 552 of title 5, United States Code
- (g) DoD 5400.7-R, "DoD Freedom of Information Act Program," September 4, 1998
- (h) Administrative Instruction 108, "Office of the Secretary of Defense and Joint Staff (JS) Freedom of Information Act (FOIA) Program," September 29, 2008
- (i) JTF CapMed Instruction 5025.01, "Formats and Procedures for the Development and Publication of Issuances," March 5, 2012

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ENCLOSURE 2

RESPONSIBILITIES

1. COMMANDER, JTF CAPMED (CJTF). The CJTF shall:
 - a. Administer, through the JTF CapMed Chief, Executive Secretariat Office (ESO), the FOIA program in accordance with Reference (e).
 - b. Appoint a JTF CapMed FOIA Manager in writing.

2. FOIA MANAGER AND JTF CAPMED ESO. The FOIA Manager and the JTF CapMed ESO shall:
 - a. Be the points of contact (POCs) for all FOIA matters.
 - b. Include a FOIA link to the Office of the Secretary of Defense (OSD)/Joint Staff (JS) FOIA Requester Service Center (RSC) (<http://www.dod.mil/pubs/foi/>) on the JTF CapMed public Website and other major entry points to assist requesters in directing their FOIA requests to the correct office for processing and response.
 - c. Receive and coordinate the processing of all FOIA requests forwarded to JTF CapMed by the Office of Freedom of Information (OFOI), Washington Headquarters Services, which manages the OSD/JS FOIA RSC.
 - d. Forward all FOIA requests that are received directly from the requester (known as “out-of-channel requests”) to OFOI for entry into the FOIA case tracking system.
 - e. Coordinate with the JTF CapMed Legal Advisor on proposed denials of records or release of information as needed when processing FOIA requests.
 - f. Alert OFOI when the issues raised by a FOIA request are of unusual significance, are precedent setting, or otherwise require special guidance and processing.
 - g. Provide instructions to employees who administer FOIA matters under References (e), (g), and (h).

3. JTF CAPMED EXECUTIVE DIRECTOR FOR ADMINISTRATIVE OPERATIONS. The Executive Director for Administrative Operations shall serve as Initial Denial Authority (IDA) and be authorized to deny initial requests for records or information under Reference (f).

4. JTF CAPMED DIRECTOR, EXECUTIVE SUPPORT SERVICES (DESS). The DESS shall serve as Alternate IDA and be authorized to deny initial requests for records or information under Reference (f).

5. JTF CAPMED LEGAL ADVISOR. The JTF CapMed Legal Advisor shall provide legal advice and counsel on FOIA requests with proposed denial of records or information where denials are discretionary in nature. A legal review is not required of non-discretionary denials, where the records are being withheld to protect the personal privacy of individuals (exemption (b) (6) under Reference (f)), but may be requested by appropriate members of the command and staff, including, but not limited to the IDA or Alternate IDA.

6. JOINT MTF COMMANDERS AND CENTER DIRECTORS. Joint MTF Commanders and Center Directors shall:

a. Designate an office and individual(s) as the POCs for FOIA matters, and provide written notice to the JTF CapMed FOIA Manager of POCs, including notice of changes.

b. Establish a FOIA link to the OSD/JS FOIA RSC (<http://www.dod.mil/pubs/foi>) on the Joint MTF or Center's Website and at other entry points to assist requesters in directing their FOIA requests to the correct office for processing.

c. Through the Joint MTF or Center's FOIA POCs, forward all out-of-channel requests to OFOI for entry into the FOIA case tracking system with a copy to the JTF CapMed FOIA Manager.

d. Process FOIA requests received from the JTF CapMed FOIA Manager, following guidance provided by the FOIA Manager and the ESO, in accordance with this Directive, and References (e) through (h).

e. Provide the JTF CapMed FOIA Manager with a statutory justification for the denial of access to responsive records in whole or in part, identifying the specific exemption(s) claimed to support withholding information or a record from a FOIA requester.

GLOSSARY

ABBREVIATIONS AND ACRONYMS

| | |
|------------|---|
| FOIA | Freedom of Information Act |
| CJTF | Commander, Joint Task Force National Capital Region Medical |
| DESS | Director, Executive Support Services |
| ESO | Executive Secretariat Office |
| FBCH | Fort Belvoir Community Hospital |
| HQ | headquarters |
| IDA | Initial Denial Authority |
| JS | Joint Staff |
| JTF CapMed | Joint Task Force National Capital Region Medical |
| MTFs | Medical Treatment Facility/Facilities |
| OFOI | Office of Freedom of Information |
| OSD | Office of Secretary of Defense |
| POCs | points of contact |
| RSC | FOIA Requester Service Center |
| WRNMMC | Walter Reed National Military Medical Center |