



ASSISTANT TO THE SECRETARY OF DEFENSE FOR  
PRIVACY, CIVIL LIBERTIES, AND TRANSPARENCY  
1155 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1155

December 2, 2024

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP  
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Directive-type Memorandum 24-008 – “Interim Policy for Disclosures of the Personal Information of Service Members”

References: See Attachment 1

Purpose. In accordance with the authority in DoD Directive 5148.11 and the September 1, 2021 Deputy Secretary of Defense Memorandum, this directive-type memorandum (DTM):

- Establishes policy for the appropriate disclosure of personal information of current and former Service members.
- Supersedes Paragraph C4.2.2.5.2. of DoD 5400.11-R to emphasize that DoD Components must apply the principles of Section 552 of Title 5, United States Code (also known and referred to in this issuance as the “Freedom of Information Act (FOIA),” as amended) when making determinations about disclosures of certain personal information of current and former Service members that was previously characterized as “normally releasable.”
- Is effective December 2, 2024; it will be converted to a new DoD manual. This DTM will expire effective December 2, 2025.

Applicability. This DTM applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this DTM as the “DoD Components”).

Policy.

- The DoD must protect the privacy of current and former Service members in accordance with applicable law and policy. The framework of privacy requirements applicable to the DoD includes, but is not limited to:
  - Section 552a of Title 5, United States Code (also known and referred to in this issuance as the “Privacy Act of 1974”).
  - The FOIA.
  - DoD Directive 5400.07.

- DoD Instruction 5400.11.
  - DoD Manual 5400.07.
  - Volume 2 of DoD Manual 5400.11.
  - DoD 5400.11-R.
  - Other relevant DoD policies.
- When evaluating potential disclosures of personal information of Service members previously characterized as “normally releasable” in accordance with Paragraph C4.2.2.5.2. of DoD 5400.11-R, DoD Components must apply the relevant FOIA exemptions addressed in Paragraphs C4.2.2.2. and C4.2.2.3 of DoD 5400.11-R. This does not prevent a Component’s release of certain personal information of Service members (e.g., general officers/flag officers, installation commanders, public affairs officers, other personnel designated as official command spokespersons, community liaisons, or military personnel serving as speakers or instructors at public events, seminars, and workshops) incident to their interactions with the public.

Responsibilities. See Attachment 2.

Releasability. Cleared for public release. Available on the Directives Division Website at <https://www.esd.whs.mil/DD/>.

Approved by  
Joo Y. Chung  
Assistant to the Secretary of Defense for  
Privacy, Civil Liberties, and Transparency

Attachments:  
As stated

ATTACHMENT 1

REFERENCES

Deputy Secretary of Defense Memorandum, “Disestablishment of the Chief Management Officer, Realignment of Functions and Responsibilities, and Related Issues,” September 1, 2021

DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007

DoD Directive 5148.11, “Assistant to the Secretary of Defense for Intelligence Oversight (ATSD(IO)),” April 24, 2013, as amended

DoD Directive 5400.07, “DoD Freedom of Information Act (FOIA) Program,” April 5, 2019

DoD Instruction 5400.11, “DoD Privacy and Civil Liberties Programs,” January 29, 2019, as amended

DoD Manual 5400.07, “DoD Freedom of Information Act (FOIA) Program,” January 25, 2017

DoD Manual 5400.11, Volume 2, “DoD Privacy and Civil Liberties Programs: Breach Preparedness and Response Plan,” May 6, 2021

United States Code, Title 5, Section 552

ATTACHMENT 2

RESPONSIBILITIES

1. ASSISTANT TO THE SECRETARY OF DEFENSE FOR PRIVACY, CIVIL LIBERTIES, AND TRANSPARENCY. The Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency:

- a. Oversees the DoD's implementation of this DTM.
- b. Provides policy oversight and supplementary guidance concerning the release of personnel information.
- c. Advises DoD Components in the development of processes to implement this DTM.

2. PRINCIPAL STAFF ASSISTANTS AND DOD COMPONENT HEADS. The Principal Staff Assistants and DoD Component heads:

- a. Implement and update procedures to ensure effective and responsible execution of the DoD's policies implementing the FOIA and the Privacy Act of 1974 in accordance with this DTM.
- b. Review current FOIA and Privacy Act activities within 120 calendar days of this DTM's effective date and, if applicable, draft standard operating procedures for their organizations for safeguarding the personal information of current and former Service members concerning disclosures, pursuant to this DTM.
- c. Establish processes to consolidate and maintain standard operating procedures and related documentation within their respective Components concerning the release of personnel information.

GLOSSARY

<b>ACRONYM</b>	<b>MEANING</b>
DTM	directive-type memorandum
FOIA	Freedom of Information Act