



January 22, 2026

VIA Electronic Delivery

Department of Defense
OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Via [FOIA.gov](https://www.foia.gov)

U.S. Army
Freedom of Information Act Office
Army Records Management Directorate
9301 Chapek Rd. Bldg 1458
Fort Belvoir, VA 22060-5605
Via [FOIA.gov](https://www.foia.gov)

U.S. Air Force
SAF/AMGI (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

U.S. Navy
Chief of Naval Operations, DNS-36
2000 Navy Pentagon
Washington, DC 20350-2000
Via [FOIA.gov](https://www.foia.gov)

U.S. Space Force
SAF/A&II (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, the National Women's Law Center ("NWLC") and Democracy Forward Foundation ("DFF") submit this request for records.

Introduction

Recent speeches, memorandum and other changes affecting military justice, equal opportunity, and sexual assault prevention programs have raised significant questions about staffing levels, institutional capacity, plans for policy changes, and the implementation of new policy directives across the Department of Defense ("DOD"). In particular, the impact of these changes on the recruitment and retention of women serving in the military is deeply concerning. Since early 2025, DOD components responsible for investigating and prosecuting sexual misconduct,

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providing legal support to victims, enforcing equal opportunity laws, and carrying out primary prevention efforts have experienced personnel shifts, policy reviews, and structural changes, including the transfer of attorneys, revisions to referral criteria, and the termination of long-standing advisory bodies, including several that focus on supporting women in the services and addressing sexual misconduct. Memoranda from senior leadership, for example, have directed comprehensive reviews and reforms of Military Equal Opportunity and Equal Employment Opportunity programs, with potential implications for complaint handling, accountability, and readiness. Understanding how these changes have affected staffing, operations, complaint volumes, and decision-making is essential to assessing whether these critical programs remain adequately resourced, effective, and capable of fulfilling their statutory and mission-critical responsibilities.

Records Requested

NWLC and DFF request that the DOD produce the following within twenty (20) business days:

1. Records sufficient to identify the number of personnel authorized to work and assigned to work in the following offices of your component on January 1, 2025:
 - a. Office of Special Trial Counsel (“OSTC”)
 - b. Sexual Assault Prevention and Response (“SAPR”) and any related Service SAPR/Sexual Harassment/Assault Response and Prevention (“SHARP”) offices
 - c. Military Equal Opportunity (“MEO”) and Equal Employment Opportunity (“EEO”) programs
 - d. DoD and Service Primary Prevention workforce
2. Records sufficient to identify the number of personnel authorized to work and assigned to work in the following offices of your component on January 1, 2026:
 - a. OSTC
 - b. SAPR and any related Service SAPR/SHARP offices
 - c. MEO and EEO programs
 - d. DoD and Service Primary Prevention workforce
3. Records sufficient to identify the number of Victims Legal Counsel authorized and assigned to work in your component on January 1, 2025.
4. Records sufficient to identify the number of Victims Legal Counsel authorized and assigned to work in your component on January 1, 2026.
5. Records sufficient to identify the number of Special Legal Counsel authorized and assigned to work in your component on January 1, 2025.
6. Records sufficient to identify the number of Special Legal Counsel authorized and assigned to work in your component on January 1, 2026.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, the National Women's Law Center and Democracy Forward Foundation request a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a

“demonstrated . . . ability to disseminate the requested information,” *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to “a reasonably broad audience of persons interested in the subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

DFF has a demonstrated ability to disseminate information of public interest requested through FOIA, and intends to publicize records DFF receives that contribute significantly to the public’s understanding of the impact of changes to Department of Defense policies on women service members. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.¹

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, “Happy to Do It”: Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump>

Similarly, NWLC plans to use the information received to educate the public about any changes to Department of Defense policies and practices that may significantly impact women service members. If NWLC received materials that are of significant public interest, NWLC will make the materials, summaries or any analyses thereof, available on its public website and promote their availability with members of the press and on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

Democracy Forward Foundation and NWLC are not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation and NWLC as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$100. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/
Lauren Khouri

[equal-pay-complicit-obama-1093833](#); Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

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National Women's Law Center
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/s/ Skye Perryman

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President & CEO
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Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, the National Women's Law Center ("NWLC") and Democracy Forward Foundation ("DFF") submit this request for records.

Introduction

Recent speeches, memorandum and other changes affecting military justice, equal opportunity, and sexual assault prevention programs have raised significant questions about staffing levels, institutional capacity, plans for policy changes, and the implementation of new policy directives across the Department of Defense ("DOD"). In particular, the impact of these changes on the recruitment and retention of women serving in the military is deeply concerning. Since early

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2025, DOD components responsible for investigating and prosecuting sexual misconduct, providing legal support to victims, enforcing equal opportunity laws, and carrying out primary prevention efforts have experienced personnel shifts, policy reviews, and structural changes, including the transfer of attorneys, revisions to referral criteria, and the termination of long-standing advisory bodies, including several that focus on supporting women in the services and addressing sexual misconduct. Memoranda from senior leadership, for example, have directed comprehensive reviews and reforms of Military Equal Opportunity and Equal Employment Opportunity programs, with potential implications for complaint handling, accountability, and readiness. Understanding how these changes have affected staffing, operations, complaint volumes, and decision-making is essential to assessing whether these critical programs remain adequately resourced, effective, and capable of fulfilling their statutory and mission-critical responsibilities.

Records Requested

NWLC and DFF request that the DOD produce the following within twenty (20) business days:

All internal assessments, reports, analyses, guidance, or memoranda, created by or provided to your agency regarding:

- a. The staffing sufficiency of your component to conduct sexual assault, sexual harassment, or related investigations;
- b. The impact of transfers of attorneys from your agency to the Department of Homeland Security (“DHS”) or the Department of Justice (“DOJ”) to the operation of your component’s Office of Special Trial Counsel (“OSTC”) operations, Victims Legal Counsel program, Special Legal Counsel program, Sexual Assault Prevention and Response (“SAPR”) operations, and Military Equal Opportunity (“MEO”) and Equal Employment Opportunity (“EEO”) programs.

This request seeks records from January 20, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index,

as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, the National Women's Law Center and Democracy Forward Foundation request a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the

public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

DFF has a demonstrated ability to disseminate information of public interest requested through FOIA, and intends to publicize records DFF receives that contribute significantly to the public’s understanding of the impact of changes to Department of Defense policies on women service members. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.¹

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, “Happy to Do It”: Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, ‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’ Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees’ war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire*

Similarly, NWLC plans to use the information received to educate the public about any changes to Department of Defense policies and practices that may significantly impact women service members. If NWLC received materials that are of significant public interest, NWLC will make the materials, summaries or any analyses thereof, available on its public website and promote their availability with members of the press and on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

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Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/_____

Lauren Khouri
Senior Director of Workplace Equality
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/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation

preparedness funds for Ryan Zinke helicopter tour, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

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Dear FOIA Officer:

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Introduction

Recent speeches, memorandum and other changes affecting military justice, equal opportunity, and sexual assault prevention programs have raised significant questions about staffing levels, institutional capacity, plans for policy changes, and the implementation of new policy directives across the Department of Defense ("DOD"). In particular, the impact of these changes on the recruitment and retention of women serving in the military is deeply concerning. Since early

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2025, DOD components responsible for investigating and prosecuting sexual misconduct, providing legal support to victims, enforcing equal opportunity laws, and carrying out primary prevention efforts have experienced personnel shifts, policy reviews, and structural changes, including the transfer of attorneys, revisions to referral criteria, and the termination of long-standing advisory bodies, including several that focus on supporting women in the services and addressing sexual misconduct. Memoranda from senior leadership, for example, have directed comprehensive reviews and reforms of Military Equal Opportunity and Equal Employment Opportunity programs, with potential implications for complaint handling, accountability, and readiness. Understanding how these changes have affected staffing, operations, complaint volumes, and decision-making is essential to assessing whether these critical programs remain adequately resourced, effective, and capable of fulfilling their statutory and mission-critical responsibilities.

Records Requested

NWLC and DFF request that the DOD produce the following within twenty (20) business days:

1. All findings, recommendations, implementation plans, reports, studies, and impact analyses generated in response to Secretary Pete Hegseth's April 23, 2025, "Restoring Good Order and Discipline Through Balanced Accountability" Memorandum¹, including the "comprehensive review of Military Equal Opportunity and Equal Employment Opportunity programs."
2. All findings, recommendations, implementation plans, reports, studies, and impact analyses generated in response to the EEO Reforms section of Secretary Pete Hegseth's September 30, 2025, "Implementation of Military Equal Opportunity and Equal Employment Opportunity Reform Plan" Memorandum.²
3. All findings, recommendations, implementation plans, memos, reports, studies, data, and impact analyses leading to, provided or generated in response to Undersecretary of Defense for Personnel Anthony Tata's memorandum regarding the effectiveness of women in ground combat positions.³

This request seeks records from April 23, 2025 until the date of the search.

¹ U.S. Dep't of Def., *Restoring Good Order and Discipline Through Balanced Accountability* (Apr. 25, 2025), available at <https://media.defense.gov/2025/Apr/25/2003697394/-1/-1/1/RESTORING-GOOD-ORDER-AND-DISCIPLINE-THE-ROUGH-BALANCED-ACCOUNTABILITY.PDF>.

² U.S. Dep't of Def., *Implementation of Military Equal Opportunity and Equal Employment Opportunity Reform Plan*, (Sept. 30, 2025), available at <https://media.defense.gov/2025/Sep/30/2003812317/-1/-1/1/SECRETARY-OF-WAR-ANNOUNCED-MEMORANDUMS.PDF>.

³ See Tom Bowman, *Pentagon will begin review of 'effectiveness' of women in ground combat positions*, NPR (Jan. 6, 2026), <https://www.npr.org/2026/01/06/nx-s1-5667583/pentagon-review-women-in-ground-combat-roles>.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, the National Women's Law Center and Democracy Forward Foundation request a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a

“demonstrated . . . ability to disseminate the requested information,” *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to “a reasonably broad audience of persons interested in the subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

DFF has a demonstrated ability to disseminate information of public interest requested through FOIA, and intends to publicize records DFF receives that contribute significantly to the public’s understanding of the impact of changes to Department of Defense policies on women service members. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.⁴

⁴ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, “Happy to Do It”: Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump>

Similarly, NWLC plans to use the information received to educate the public about any changes to Department of Defense policies and practices that may significantly impact women service members. If NWLC received materials that are of significant public interest, NWLC will make the materials, summaries or any analyses thereof, available on its public website and promote their availability with members of the press and on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

Democracy Forward Foundation and NWLC are not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation and NWLC as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$100. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/
Lauren Khouri

[equal-pay-complicit-obama-1093833](#); Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

Senior Director of Workplace Equality
National Women's Law Center
1350 I St NW Ste 700
Washington, DC 20005

/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043



January 22, 2026

VIA Electronic Delivery

Department of Defense
OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Via [FOIA.gov](https://www.foia.gov)

U.S. Army
Freedom of Information Act Office
Army Records Management Directorate
9301 Chapek Rd. Bldg 1458
Fort Belvoir, VA 22060-5605
Via [FOIA.gov](https://www.foia.gov)

U.S. Air Force
SAF/AMGI (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

U.S. Navy
Chief of Naval Operations, DNS-36
2000 Navy Pentagon
Washington, DC 20350-2000
Via [FOIA.gov](https://www.foia.gov)

U.S. Space Force
SAF/A&II (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, the National Women's Law Center ("NWLC") and Democracy Forward Foundation ("DFF") submit this request for records.

Introduction

Recent speeches, memorandum and other changes affecting military justice, equal opportunity, and sexual assault prevention programs have raised significant questions about staffing levels, institutional capacity, plans for policy changes, and the implementation of new policy directives across the Department of Defense ("DOD"). In particular, the impact of these changes on the recruitment and retention of women serving in the military is deeply concerning. Since early

NWLC-DFF-MULTI-26-0126-0130

2025, DOD components responsible for investigating and prosecuting sexual misconduct, providing legal support to victims, enforcing equal opportunity laws, and carrying out primary prevention efforts have experienced personnel shifts, policy reviews, and structural changes, including the transfer of attorneys, revisions to referral criteria, and the termination of long-standing advisory bodies, including several that focus on supporting women in the services and addressing sexual misconduct. Memoranda from senior leadership, for example, have directed comprehensive reviews and reforms of Military Equal Opportunity and Equal Employment Opportunity programs, with potential implications for complaint handling, accountability, and readiness. Understanding how these changes have affected staffing, operations, complaint volumes, and decision-making is essential to assessing whether these critical programs remain adequately resourced, effective, and capable of fulfilling their statutory and mission-critical responsibilities.

Records Requested

NWLC and DFF request that the DOD produce the following within twenty (20) business days:

Records sufficient to identify the criteria for sending sexual assault and harassment charges to your components' Office of Special Trial Counsel ("OSTC"), including any changes made to the criteria from January 20, 2025, through the date the search is conducted.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, the National Women's Law Center and Democracy Forward Foundation request a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

DFF has a demonstrated ability to disseminate information of public interest requested through FOIA, and intends to publicize records DFF receives that contribute significantly to the public's understanding of the impact of changes to Department of Defense policies on women service

members. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.¹

Similarly, NWLC plans to use the information received to educate the public about any changes to Department of Defense policies and practices that may significantly impact women service members. If NWLC received materials that are of significant public interest, NWLC will make the materials, summaries or any analyses thereof, available on its public website and promote their availability with members of the press and on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then

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please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

Democracy Forward Foundation and NWLC are not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation and NWLC as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$100. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ _____

Lauren Khouri
Senior Director of Workplace Equality
National Women's Law Center
1350 I St NW Ste 700
Washington, DC 20005

/s/ Skye Perryman

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043



January 22, 2026

VIA Electronic Delivery

Department of Defense
OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Via [FOIA.gov](https://www.foia.gov)

U.S. Army
Freedom of Information Act Office
Army Records Management Directorate
9301 Chapek Rd. Bldg 1458
Fort Belvoir, VA 22060-5605
Via [FOIA.gov](https://www.foia.gov)

U.S. Air Force
SAF/AMGI (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

U.S. Navy
Chief of Naval Operations, DNS-36
2000 Navy Pentagon
Washington, DC 20350-2000
Via [FOIA.gov](https://www.foia.gov)

U.S. Space Force
SAF/A&II (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, the National Women's Law Center ("NWLC") and Democracy Forward Foundation ("DFF") submit this request for records.

Introduction

Recent speeches, memorandum and other changes affecting military justice, equal opportunity, and sexual assault prevention programs have raised significant questions about staffing levels, institutional capacity, plans for policy changes, and the implementation of new policy directives across the Department of Defense ("DOD"). In particular, the impact of these changes on the recruitment and retention of women serving in the military is deeply concerning. Since early

NWLC-DFF-MULTI-26-0131-0135

2025, DOD components responsible for investigating and prosecuting sexual misconduct, providing legal support to victims, enforcing equal opportunity laws, and carrying out primary prevention efforts have experienced personnel shifts, policy reviews, and structural changes, including the transfer of attorneys, revisions to referral criteria, and the termination of long-standing advisory bodies, including several that focus on supporting women in the services and addressing sexual misconduct. Memoranda from senior leadership, for example, have directed comprehensive reviews and reforms of Military Equal Opportunity and Equal Employment Opportunity programs, with potential implications for complaint handling, accountability, and readiness. Understanding how these changes have affected staffing, operations, complaint volumes, and decision-making is essential to assessing whether these critical programs remain adequately resourced, effective, and capable of fulfilling their statutory and mission-critical responsibilities.

Records Requested

NWLC and DFF request that the DOD produce the following within twenty (20) business days:

Records sufficient to identify the nature, number and types of complaints that have been received by your component's Office of Special Trial Counsel, Military Equal Opportunity ("MEO") program and Equal Employment Opportunity ("EEO") including the status of each complaint and the results of any investigations.

We do not object to the redaction of names or other personally identifying information such as dates of birth or Social Security numbers.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office,

installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, the National Women's Law Center and Democracy Forward Foundation request a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

DFF has a demonstrated ability to disseminate information of public interest requested through FOIA, and intends to publicize records DFF receives that contribute significantly to the public's understanding of the impact of changes to Department of Defense policies on women service members. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.¹

Similarly, NWLC plans to use the information received to educate the public about any changes to Department of Defense policies and practices that may significantly impact women service members. If NWLC received materials that are of significant public interest, NWLC will make the materials, summaries or any analyses thereof, available on its public

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, "Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron.'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

website and promote their availability with members of the press and on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

Democracy Forward Foundation and NWLC are not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation and NWLC as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$100. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ _____

Lauren Khouri
Senior Director of Workplace Equality
National Women's Law Center
1350 I St NW Ste 700
Washington, DC 20005

/s/ *Skye Perryman*

Skye Perryman
President & CEO
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043



January 22, 2026

VIA Electronic Delivery

Department of Defense
OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Via [FOIA.gov](https://www.foia.gov)

U.S. Army
Freedom of Information Act Office
Army Records Management Directorate
9301 Chapek Rd. Bldg 1458
Fort Belvoir, VA 22060-5605
Via [FOIA.gov](https://www.foia.gov)

U.S. Air Force
SAF/AMGI (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

U.S. Navy
Chief of Naval Operations, DNS-36
2000 Navy Pentagon
Washington, DC 20350-2000
Via [FOIA.gov](https://www.foia.gov)

U.S. Space Force
SAF/A&II (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000
Via [FOIA.gov](https://www.foia.gov)

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, the National Women's Law Center ("NWLC") and Democracy Forward Foundation ("DFF") submit this request for records.

Introduction

Recent speeches, memorandum and other changes affecting military justice, equal opportunity, and sexual assault prevention programs have raised significant questions about staffing levels, institutional capacity, plans for policy changes, and the implementation of new policy directives across the Department of Defense ("DOD"). In particular, the impact of these changes on the recruitment and retention of women serving in the military is deeply concerning. Since early

2025, DOD components responsible for investigating and prosecuting sexual misconduct, providing legal support to victims, enforcing equal opportunity laws, and carrying out primary prevention efforts have experienced personnel shifts, policy reviews, and structural changes, including the transfer of attorneys, revisions to referral criteria, and the termination of long-standing advisory bodies, including several that focus on supporting women in the services and addressing sexual misconduct. Memoranda from senior leadership, for example, have directed comprehensive reviews and reforms of Military Equal Opportunity and Equal Employment Opportunity programs, with potential implications for complaint handling, accountability, and readiness. Understanding how these changes have affected staffing, operations, complaint volumes, and decision-making is essential to assessing whether these critical programs remain adequately resourced, effective, and capable of fulfilling their statutory and mission-critical responsibilities.

Records Requested

NWLC and DFF request that the DOD produce the following within twenty (20) business days:

All internal assessments, studies, reports, analyses, guidance, or memoranda, created by or provided to your agency regarding:

- a. The termination of the:
 - i. Defense Advisory Committee on Women in the Services (DACOWITS)
 - ii. Defense Advisory Committee for Prevention of Sexual Misconduct (DAC-PSM)
 - iii. Defense Advisory Committee on Investigation, Prosecution and Defense of Sexual Assault in the Armed Forces (DAC IPAD), and
 - iv. Military Justice Review Panel (MJRP)
- b. Executive Orders 14151¹, 14168², and 14173³ on oversight and implementation of sex discrimination and sexual harassment and sexual assault prevention and response policies, practices, procedures, trainings and complaint processes at the DoD and your component.
- c. The effectiveness of women in ground combat positions

This request seeks records from January 20, 2025 until the date of the search.

Scope of Search

¹ Exec. Order No. 14151, Ending Radical and Wasteful Government DEI Programs and Preferencing (Jan. 20, 2025).

² Exec. Order No. 14168, Ending Radical and Wasteful Government DEI Programs and Preferencing (Jan. 20, 2025).

³ Exec. Order No. 14173, Ending Radical and Wasteful Government DEI Programs and Preferencing (Jan. 21, 2025).

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, the National Women's Law Center and Democracy Forward Foundation request a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates

records obtained through FOIA to “a reasonably broad audience of persons interested in the subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

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Democracy Forward Foundation and NWLC are not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation and NWLC as a result of this request and disclosed will be disclosed at no cost.

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Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/

Lauren Khouri

Senior Director of Workplace Equality

National Women's Law Center

Erin Dooley, Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, Buzzfeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

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/s/ Skye Perryman

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