



Department of Defense

DIRECTIVE

NUMBER 5160.64E
August 23, 2005

GC, DoD

SUBJECT: Legal Information Technology

References: (a) DoD Directive 5160.64, "Legal Information Technology," July 9, 1991
(hereby canceled)
(b) DoD Directive 5101.1, "The DoD Executive Agent," May 9, 2003
(c) DoD Directive 5530.3, "International Agreements," June 11, 1987
(d) DoD 8910.1-M, "Reporting Requirements," June 30, 1998
(e) Section 1535 of title 31, United States Code

1. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to:

- 1.1. Continue authorization for the operation of the Federal Legal Information Through Electronics (FLITE) system.
- 1.2. Continue authorization for the operation of the Defense Emergency Authorities Retrieval and Analysis System (DEARAS).
- 1.3. Establish DoD policy and assign responsibilities for administering the FLITE system and the DEARAS.
- 1.4. Designate the Secretary of the Air Force as the DoD Executive Agent for operation, maintenance, and continuous development of FLITE system and DEARAS (reference (b)).

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. DEFINITIONS

3.1. Defense Emergency Authorities Retrieval and Analysis System (DEARAS). A full-text portable, computer-assisted legal research system operated by the Air Force as the DoD Executive Agent for the Department of Defense. The database is focused on legal authorities related to national emergencies. It is distributed to users for use with portable computers.

3.2. Federal Legal Information Through Electronics (FLITE). A full-text computer-assisted legal research system with on-line research capability operated by the Air Force as the DoD Executive Agent for the Department of Defense. The database contains the full text of Federal legal authorities including statutes, regulations, treaties, court decisions, and administrative decisions. It is maintained on a mainframe computer accessed from remote sites through telecommunications.

4. POLICY

It is DoD policy to provide routine and emergency legal support functions to the field through the development and maintenance of FLITE and DEARAS automated data processing services and capabilities.

5. RESPONSIBILITIES

5.1. The General Counsel of the Department of Defense (GC, DoD) shall:

5.1.1. Provide policy guidance and general direction for the content, applications, and development of FLITE and legal databases.

5.1.2. Provide legal guidance, advice, and assistance to the Under Secretary of Defense for Policy on the content and development of the DEARAS and international agreements database.

5.1.3. Review legal databases and obtain the support of principal legal offices of the DoD Components in sending recommendations and documents for input into DEARAS databases.

5.1.4. Maintain the central international agreements repository for the Department of Defense in accordance with Directive 5530.3 (reference (c)) and make international agreements available to those Components delegated the authority to negotiate and conclude international agreements.

5.2. The Secretary of the Air Force shall administer and manage the FLITE system and the DEARAS.

6. INFORMATION REQUIREMENTS

The reporting requirement contained in enclosure 1 to this Directive is assigned Report Control Symbol DD-GC(AR)1846 in accordance with DoD 8910.1-M (reference (d)).

7. EFFECTIVE DATE

This Directive is effective immediately.

A handwritten signature in black ink, appearing to read "Gordon England", written in a cursive style.

Gordon England
Acting Deputy Secretary of Defense

Enclosures - 1

E1. Administration and Financing of the FLITE System and the DEARAS

E1. ENCLOSURE 1

ADMINISTRATION AND FINANCING OF THE FLITE SYSTEM AND THE DEARAS

E1.1. ADMINISTRATION

E1.1.1. The Air Force Legal Information Services Directorate (AF/JAS) of the Air Force Legal Services Agency shall administer the FLITE system and the DEARAS.

E1.1.2. FLITE system requirements (using available software products) include:

E1.1.2.1. Creation and maintenance of databases of legal information, including statutes, regulations, court decisions, administrative opinions, secondary sources, and other information useful in supporting legal work in related fields, such as personnel and contracting.

E1.1.2.2. Creation and maintenance of an on-line interactive search capability to access such databases.

E1.1.2.3. Full-text search and retrieval services of all established computer databases.

E1.1.2.4. Production and distribution of computer-generated research aids, such as key word in context indexes and compilations of legal materials.

E1.1.3. Using available software products, DEARAS requirements include:

E1.1.3.1. Creation and maintenance of full-text databases containing information to facilitate informed decision-making during mobilization, national emergencies, war, and other events having an impact on national security.

E1.1.3.2. Creation and maintenance of an interactive search capability for access to such databases during any level of emergency conditions using portable computers with stand-alone databases.

E1.1.3.3. Production and maintenance of appropriate portable data storage media that can be distributed to provide stand-alone databases for portable computer systems.

E1.1.4. In the administration of the DEARAS, the AF/JAS shall:

E1.1.4.1. Implement the DEARAS databases.

E1.1.4.2. Select and acquire an initial quantity of DEARAS work stations, including hardware and software, and order additional quantities, as requested, on receipt of funds from the requesting agency.

E1.1.4.3. Provide to the DoD Components technical instructions, advice, and assistance for their use of the DEARAS.

E1.1.4.4. Maintain, update, and distribute the principal DEARAS database at least once every 2 years.

E1.1.4.5. Issue regular calls to the DoD Components for data essential to ensure that the DEARAS contains, to the greatest extent possible, a current and complete compilation of the legal authorities that may be essential for the continuity of DoD operations in national emergencies.

E1.1.5. The AF/JAS shall ensure the FLITE system and the DEARAS are developed.

E1.1.6. When a DoD Component is responsible for legal materials that are to be included in a FLITE or a DEARAS database and it has the information on magnetic media readable by computer, it shall provide the magnetic form or any preferred format recommended by the AF/JAS to reduce costs and increase accuracy of the databases.

E1.2. FINANCING

E1.2.1. Commissioned officers and enlisted personnel from the Military Departments, augmented by qualified civilian personnel of the Air Force, may be assigned, as appropriate, to the AF/JAS and/or the OSD for administration of the FLITE system and the DEARAS.

E1.2.2. Except as otherwise provided in paragraphs E1.2.3. through E1.2.6. of this enclosure, the Department of the Air Force shall be responsible for programming, budgeting, and financing all expenses incidental to maintaining the FLITE and the DEARAS databases.

E1.2.3. The pay, allowances (including subsistence), and the permanent change of station travel costs of any personnel assigned to the staff dedicated to the administration of the FLITE system, DEARAS, and other legal information systems shall be borne by the DoD Component from which assigned.

E1.2.4. The AF/JAS may set reasonable fees, as necessary, to cover computer processing and communications costs for research services to be provided to DoD users. Search services may also be provided to non-DoD Federal users. They shall be provided on a reimbursement basis in accordance with Section 1535 of title 31, United States Code (reference (e)).

E1.2.5. Acquisition of an initial quantity of DEARAS work stations, including hardware and software, was funded by the Department of Defense. Additional quantities shall be ordered by the AF/JAS on receipt of funds from the requesting Agency. Alternately, users may order compatible work stations independently.

E1.2.6. If any Agency wants to add information to the FLITE or the DEARAS databases that is primarily useful only to that Agency, the AF/JAS may set reasonable fees, as necessary, to cover the costs of creating, updating, and maintaining such additions.

E1.2.7. Amounts received by the AF/JAS, as reimbursement for services provided under this Directive, shall be credited to the appropriation of funds against which charges have been made pursuant to providing the services.