



**DEPARTMENT OF THE NAVY**  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

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From: Chief of Naval Operations  
To: E-Mail Distribution List (FOIA)

Subj: FOIA POLICY ISSUES

Ref: (a) SECNAVINST 5720.42F

Encl: (1) How to Process a Request for a Successful Candidate's Application for  
Federal Employment (SF-171)

1. This policy memo is being e-mailed/faxed to you. Please disseminate to those activities that report to you.

2. Electronic FOIA Requests

a. Please ensure that you obtain a complete name and postal mailing address from requesters who file electronic FOIA requests. If this information is not included in the electronic request, return it by e-mail and apprise the requester that you need the information in order to process the request.

b. This information is important for several reasons:

(1) We are not required to respond to requests electronically and some activities do not possess the necessary software/hardware to scan and e-mail large documents.

(2) E-mail addresses may change and it may be difficult to locate a new e-mail address. Having a complete mailing address gives us another avenue by which to contact the requester.

(3) When referring a request to another activity or agency for action, we should be able to provide complete information to that activity to use when responding to a request.

(4) Some individuals use creative e-mail addresses, making it awkward to address the requester (i.e., [superman@yahoo.com](mailto:superman@yahoo.com)).

(5) The request is part of the administrative record and so we need to have complete information.

3. Referring requests to SECNAV/CNO/OGC offices or the Naval Historical Center. Please refer requests to the Chief of Naval Operations (N09B10), 2000 Navy Pentagon, DC 20350-2000, as we task and track all requests to these activities and compile their Annual FOIA report.

4. DD Form 2086. We continue to receive questions on how to properly complete DD Form 2086. To this end, the following guidelines are provided:

a. The DD Form 2086 is used to annotate all costs incurred by an activity to process a FOIA request. For example if you made several copies of a document, you reflect all duplication costs.

b. Not all the fees reported on the DD Form 2086 may be charged to the requester. For example if you made three copies of a document you can only charge the requester for the one copy he/she is provided. You can never charge for coordination and forms preparation or coordination/approval/denial costs and in most instances cannot charge for "review" and "other activity" costs.

c. Because requesters can challenge fees, it is imperative that you maintain accurate information on how fees are computed. Even if you do not charge a requester, you should complete the DD Form 2086 for use in compiling the Annual FOIA Report.

d. When responding to a FOIA request, ensure you break out the fees being charged and that you indicate in which category the requester has been placed for fee purposes. For example: "We have placed you in the 'All Other Requester' category for the purpose of fees. Accordingly, you are entitled to the first 2 hours of search and first 100 pages of duplication for free. In processing your request, we conducted a search that took a total of four hours and are releasing 440 pages to you. After deducting the first two hours of search and first 100 pages of reproduction your fee is \$91.00 (2 hours of search at \$25.00 per hour for professional search and \$.15 per page duplication for 340 pages).

5. How to process a successful candidate's application for federal employment (SF-171). Activities are reporting increased FOIA requests for disclosure of a successful candidate's SF-171. To ensure continuity and ease of processing, enclosure (1) is provided. It is a line-by-line review of what information can be released. Enclosure (1) has been reviewed and approved by Mr. Fredman, Office of the General Counsel (FOIA).

6. FOIA Web Site ([foia.navy.mil](http://foia.navy.mil))

a. We are constantly adding new information to our web site to better serve you. Recently, we added a power point presentation on FOIA Exemption (b)(5). We will be gradually adding information on other exemptions. So visit our web site often to see what's new and what can assist you in building a stronger FOIA program.

b. We still have Echelon 2 and 3 commands that have not complied with E-FOIA by hosting a FOIA page and button on their activity's web site. These commands should work with your web master to ensure that their site is compliant and apprise this office of your url for your FOIA page and electronic reading room if you are not already listed under Points of Contact at [foia.navy.mil](http://foia.navy.mil).

7. The Naval Sea Systems Command's FOIA office has moved. You can download their new address and phone numbers from <http://www.navsea.navy.mil/foia/index.html>.

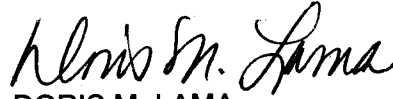
8. Annual FOIA Report

a. Information concerning due dates, instructions, common reporting errors, and the DoD Composite Rate Schedule for 2001 will be placed on our web site for downloading during the month of August. Please ensure you download all applicable report information from the FOIA Resource Materials section of foia.navy.mil/.

b. Ensure your total program costs include any costs you may have incurred for long distance telephone calls, classes you attended (TDY costs, course costs, etc), printing costs for training materials, FOIA coversheets, etc.

9. Names, addresses, etc., of foreign nationals who are DoD employees, especially ones who are citizens of the host nation. DoD has advised that we will protect information on foreign nationals who are employed by or stationed with a unit meeting the criteria of 10 USC 130b under exemptions (b)(3) and (b)(6).

10. This policy memo will be posted under FOIA Resource Materials at foia.navy.mil/.



DORIS M. LAMA

By direction

(202) 685-6545/DSN 325-6545

# HOW TO PROCESS A REQUEST FOR A SUCCESSFUL CANDIDATE'S APPLICATION FOR FEDERAL EMPLOYMENT - SF 171

If you receive a FOIA request from an individual seeking copies of SF-171s that were reviewed as part of a position vacancy package, here is guidance on how to process that request.

First of all, SF-171s of individuals who were not selected for the position are withheld in their entirety under FOIA exemption (b)(6).

Secondly, a copy of the SF-171 for the successful candidate is releasable in part. [Note: OGC (FOIA), the appellate authority for these matters has concurred.]

Here is a breakdown of what information can be released and what information should be withheld:

## GENERAL INFORMATION

1. What kind of job are you applying for? **RELEASABLE**
2. Job Titles: **RELEASABLE**
3. Social Security Number: **WITHHOLD UNDER EXEMPTION (b)(6)**
4. Birth date: **WITHHOLD UNDER EXEMPTION (b)(6)**
5. Name: **RELEASABLE**  
Street Address: **WITHHOLD UNDER EXEMPTION (b)(6)**
6. Other Names: **WITHHOLD UNDER EXEMPTION (b)(6)**
7. Sex: **WITHHOLD UNDER EXEMPTION (b)(6)**
8. Home Phone: **WITHHOLD UNDER EXEMPTION (b)(6)**
9. Work Phone: Government Employee - **RELEASABLE**  
Non-Government Employee - **WITHHOLD UNDER EXEMPTION (b)(6)**
10. Were you ever employed as a civilian by the Federal Government? **RELEASABLE**
11. Do you have any applications for federal employment on file with the US Office of Personnel Management? **WITHHOLD UNDER EXEMPTION (b)(6)**

## AVAILABILITY

12. When can you start? **RELEASABLE**
13. What is the lowest pay you will accept? **RELEASABLE**
- 14 thru 17. Are you willing to work...**RELEASABLE**

## MILITARY SERVICE AND VETERAN PREFERENCE

- 18 thru 22. Have you served...**WITHHOLD UNDER EXEMPTION (b)(6)**

## WORK EXPERIENCE

23. May we ask you current employer...**RELEASABLE**
24. Employer Information:  
Non-Government job - **WITHHOLD UNDER EXEMPTION (b)(6)** the following:  
Salary or earnings; Name and phone number of immediate supervisor;  
reason for leaving; and if the job does not relate to the position being applied for it is withheld in its entirety (i.e., applying for a position as an attorney and show work experience as an grocery cashier).  
Government job - **WITHHOLD UNDER EXEMPTION (b)(6)** the following:  
reason for leaving and any work experience that does not relate to the position being applied for (see above example) .

**Note:** SF-171A - Continuation Sheet - **WITHHOLD UNDER EXEMPTION (b)(6)** the Social Security Number in Block 2.

**EDUCATION**

25. Did you graduate from high school? **RELEASABLE**
26. Name and location of last high school you attended: **RELEASABLE**
27. Have you ever attended college or graduate school? **RELEASABLE**
28. Name and location of college/university, etc: **RELEASABLE**
29. Chief Undergraduate Subjects: **RELEASABLE**
30. Chief graduate subjects: **RELEASABLE**
31. Have you completed any other course of training related to the kind of jobs you are applying for?: **RELEASABLE**

**SPECIAL SKILLS, ACCOMPLISHMENTS AND AWARDS**

32. List your special qualifications... **RELEASABLE**
33. How many words per minute can you... **RELEASABLE**
34. List job related licenses or certificates... **RELEASABLE**
35. Do you speak or read a language other than English? **RELEASABLE**
36. List any honors, awards, or fellowships: **RELEASABLE**

**REFERENCES**

37. List three people who... **WITHHOLD UNDER EXEMPTION (b)(6)**

**BACKGROUND INFORMATION**

- 38, 45, and 46: **RELEASABLE**. [Note: Under 45, names of relatives are not releasable]
- 39 thru 44: **WITHHOLD UNDER EXEMPTION (b)(6)**

**ADDITIONAL SPACE FOR ANSWERS**

47. Review above answers to determine what may or may not be released.

**SIGNATURE, CERTIFICATION AND RELEASE OF INFORMATION**

- 48 and 49: **RELEASABLE**

Please note if there is anything annotated in the "For Use of Examining Office Only" -**WITHHOLD UNDER EXEMPTION (b)(6)**