

HOW TO MAKE A FOIA REQUEST

Step 1: Preparing your request

Requests must be in writing and may be submitted by letter, fax, or email.

The FOIA is a disclosure statute for records/documents. Verbal/telephone requests for records will not be accepted. Also, FOIA does not require us to answer questions, express opinions, or conduct inquiries to satisfy requests.

- Label your request "FREEDOM OF INFORMATION ACT REQUEST," on the request (and also on the envelope, if you use a written request).
- Describe the specific record(s) you are seeking with enough detail so that a knowledgeable official of the activity may locate the record with a reasonable amount of effort. Such detail should include descriptive information, time-frame to be searched, etc. Because most Naval Special Warfare records are not retained permanently, the more information provided, the better opportunity there is to determine if the records still exist and where they are located. The FOIA clearly states that records must exist at the time the request is submitted to be considered.
- State your willingness to pay all fees or those up to a specified amount or provide a justification to support a fee waiver. We charge search, review (for commercial requesters only), and duplication costs. Total costs will depend on the fee category. The fee schedule is contained in enclosure (3) of [Secretary of the Navy Instruction 5720.42F](#).
- Include your complete postal service mailing address on your request since FOIA responses are provided to you via regular U.S. Postal Service. If possible, include a daytime telephone number and/or email address in the event we need to contact you about your request.

Step 2: Submitting your request

FOIA requests for records held by Naval Special Warfare Command may be submitted using any of the following methods:

- Submit a written request via USPS to:
Commander
Naval Special Warfare Command
ATTN: FOIA Officer
2000 Trident Way
San Diego, CA 92155
- Submit a written request via FAX to: (619)537-1986
- Submit a written request via email to: FOIA@navsoc.socom.mil

If you are not sure how to submit your request, you may call the Naval Special Warfare FOIA Manager at (619) 537-1963 for assistance.

Step 3: Processing your request

The FOIA allows "any person" to seek access to "agency records."

You will receive a response to your request. Please keep in mind that the 20 working day time limit begins when the activity holding the record(s) receives your request and does not include Saturdays, Sundays, or legal holidays.

Due to shrinking budgets, downsizing, complexity of certain requests, the need for classification and legal review, operational tempo, and coupled with the number of requests received for processing, Naval Special Warfare Command may not be able to respond to your FOIA request within 20 working days. To ensure fair and equitable treatment, your request will be placed in a multi-track "first-in, first out" queue; one for simple requests, one for complex requests, and one for expedited requests.

Withholding of Information

Our goal is to release the most information we can to requesters. However, FOIA provides that information may be withheld from disclosure if it is:

- currently and properly classified in the interest of national defense or foreign policy;
- related solely to internal personnel rules and practices, the release of which would allow circumvention of a statute or rule;
- protected by a statute that specifically exempts the information; trade secrets and commercial or financial information which was obtained from a private source which would cause substantial competitive harm to the source; pre-decisional opinions and recommendations, inter-agency or intra-agency memoranda or letters that show foreseeable harm if released.
- Also, attorney-client privilege and attorney-work product are covered; personnel and medical information the release of which would result in a clearly unwarranted invasion of personal privacy; and/or investigatory records or information compiled for law enforcement purposes, which (a) could reasonably be expected to interfere with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (d) could reasonably be expected to disclose the identity of a confidential source, (e) would disclose investigative techniques, and/or (f) could reasonably be expected to endanger the life or physical safety of any individual.