



# Selective Service System

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National Headquarters | Arlington, Virginia 22209-2461  
[www.sss.gov](http://www.sss.gov)

March 19, 2021

Mr. Edward Hasbrouck  
[edward@hasbrouck.org](mailto:edward@hasbrouck.org)

Dear Mr. Hasbrouck:

I am responding to your administrative appeal letter dated March 9, 2021 regarding Freedom of Information Act (FOIA) request 21-07. You requested records of Selective Service Local Boards, District Appeal Boards, the National Appeal Board; Registrars; Reserve Service Members; and State Directors. The records were withheld citing FOIA Exemption 6.

Federal agencies may withhold records under FOIA Exemption 6, 5 U.S.C. § 552(b) (6), if the information is contained in personnel and medical files and similar files and the disclosure would constitute an unwarranted invasion of personal privacy. The individuals' right to privacy outweighs the general public's interest in seeing Personally Identifiable Information (PII). However, per FOIA Guidelines agencies should make discretionary releases of information whenever they determine that release would not cause foreseeable harm and to adopt a presumption in favor of disclosure. The agency's appeal decision for your request is detailed below.

## **1. Selective Service Local Board, District Appeal Board, or National Appeal Board**

a. You appealed the agency's decision to withhold under FOIA Exemption 6 Selective Service Local Board, District Appeal Board, or National Appeal Board members name, city or town and state or territory of residence, titles, date of appointment, board name or number or other identifier, any board office (e.g. chairperson, vice-chair, etc.) held, and the geographic jurisdiction assigned to that board. After a thorough review of these records and the applicable law, I have determined that these records are releasable and were improperly withheld under FOIA Exemption 6. I am therefore granting your appeal of these records.

b. The agency does not collect current or former military affiliation and current rank or highest rank attained, branch and starting and ending years of military service of each current member of a Selective Service Local Board, District Appeal Board, or National Appeal Board. The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by citing FOIA Exemption 6.

c. You appealed the agency's decision to cite FOIA Exemption 6 and not release the year of birth for Selective Service Local Board, District Appeal Board, or National Appeal Board members. A person's year of birth is considered PII if it can be linked to that same person's personal identity or used to identify a person. In this case the year of birth is directly linked to the board member's name and therefore is considered PII requiring withholding under FOIA Exemption 6. See *FOIA Exemption 6, 5 U.S.C. § 552(b)(6), the individuals' right to privacy outweighs the general public's interest in seeing PII*. Release of this information would constitute an unwarranted invasion of personal privacy. Therefore, your appeal for these records is denied.

d. Selective Service System collects occupation, employer, organizational or institutional affiliations. Manually collating this data from over thousand records would create an unreasonably burdensome search for records that FOIA does not require agencies to conduct when searching for records. Therefore, your appeal for these records is denied.

The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by invoking FOIA Exemption 6.

## **2. Selective Service Registrars**

a. You appealed the agency's decision to withhold under FOIA Exemption 6 Selective Service Registrar's name, city or town and state or territory of residence, titles, and date of appointment. After a thorough review of these records and the applicable law I have determined that these records are releasable and were improperly withheld under FOIA Exemption 6. I am therefore *granting* your appeal of these records.

b. The agency does not collect organizational or institutional affiliations, current or former military affiliation and current rank or highest rank attained, branch and starting and ending years of military service for each current Selective Service Registrar. The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by invoking FOIA Exemption 6.

c. You appealed the agency's decision to invoke FOIA Exemption 6 and not release the year of birth for Selective Service Registrars. A person's year of birth is considered PII if it can be linked to that same person's personal identity or used to identify a person. In this case the year of birth is directly linked to the board member's name and therefore is considered PII requiring withholding under FOIA Exemption 6. *See FOIA Exemption 6, 5 U.S.C. § 552(b)(6), the individuals' right to privacy outweighs the general public's interest in seeing PII.* Release of this information would constitute an unwarranted invasion of personal privacy. Therefore, your appeal for these records is *denied*.

d. Selective Service System collects occupation, employer, organizational or institutional affiliations. Manually collating this data from thousands of records would create an unreasonably burdensome search for records that FOIA *does not* require agencies to conduct when searching for records. Therefore, your appeal for these records is *denied*.

The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by invoking FOIA Exemption 6.

## **3. Reserve Service Members**

a. You appealed the agency's decision to withhold under FOIA Exemption 6 Selective Service Reserve Service Members (RSMs) name, city or town and state or territory of residence, titles, current or former military affiliation, current rank or highest rank attained, date of appointment. After a thorough review of these records and the applicable law, I have determined that these records are releasable and were improperly withheld under FOIA Exemption 6. I am therefore *granting* your appeal of these records.

b. The agency does not collect occupation, employer, organizational or business or institutional affiliations, branch and starting and ending years of military service of each current Selective Service RSM. The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by invoking FOIA Exemption 6.

c. In addition, you appealed the agency's decision to invoke FOIA Exemption 6 and not release the year of birth for Selective Service Reserve Service Members. A person's year of birth is considered PII if it can be linked to that same person's personal identity or used to identify a person. In this case, the year of birth is directly linked to the RSM's name and therefore would be considered PII requiring withholding under FOIA Exemption 6. *See FOIA Exemption 6, 5 U.S.C. § 552(b)(6), the individuals' right to privacy outweighs the general public's interest in seeing PII.* Release of this information would constitute an unwarranted invasion of personal privacy. Therefore, your appeal for these records is *denied*.

## State Directors

- a. You appealed the agency's decision to withhold under FOIA Exemption 6 Selective Service State Director's names, city or town and state or territory of residence, titles, occupation, date of appointment, state or territory of directorship. After a thorough review of these records and the applicable law, I have determined that these records are releasable and were improperly withheld under FOIA Exemption 6. I am therefore granting your appeal of these records.
- b. The agency does not collect current or former military affiliation, current rank or highest rank attained, branch and starting and ending years of military service of each current Selective Service state or territorial Director. The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by invoking FOIA Exemption 6.
- c. You appealed the agency's decision to invoke FOIA exemption 6 and not release the year of birth for Selective Service State Directors. A person's year of birth is considered PII if it can be linked to that same person's personal identity or used to identify a person. In this case the year of birth is directly linked to the RSM's name and therefore would be considered PII requiring withholding under FOIA Exemption 6. *See FOIA Exemption 6, 5 U.S.C. § 552(b)(6), the individuals' right to privacy outweighs the general public's interest in seeing PII.* Release of this information would constitute an unwarranted invasion of personal privacy. Therefore, your appeal for these records is denied.
- d. Selective Service System collects occupation, employer, organizational or institutional affiliations. Manually collating this data from over thousand records would create an unreasonably burdensome search for records the FOIA does not require agencies to conduct when searching for records. Therefore, your appeal for these records is denied.

The agency's denial letter did not provide this information and stated incorrectly that the records were withheld by invoking FOIA Exemption 6.

Attached are the responsive records per FOIA appeal 21-7A. Pursuant to 5 U.S.C. §552(a)(4)(B) of the FOIA, you may seek judicial review of this determination by filing suit against the Selective Service System. Such a suit may be filed in the United States District Court where you reside, where your principal place of business is located, the District of Columbia, or where the documents are located.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Scott W. Jones  
Acting Chief of Staff

### Attachments:

- 20210317\_RFO\_Export for FOIA.xlsx
- 20210317\_State Director\_Export for FOIA.xlsx
- 20210317\_BM\_Export for FOIA.xlsx
- 20210317\_Registrar\_Export for FOIA.xlsx