



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

FOIA/PRIVACY COMPLIANCE PROGRAM

April 20, 2022

In reply refer to: FOIA #BPA-2023-0062-F

SENT VIA EMAIL ONLY TO: [REDACTED] PII

Dale Church
Veterans Against Federal Corruption

[REDACTED] PII

Dear Mr. Church,

This communication is the Bonneville Power Administration's (BPA) final response to your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). Your request was received on October 18, 2022, and formally acknowledged on December 20, 2022.

Request

“[A] list of employees (first name, last initial) who have transferred from either the GS pay band schedule to the Bargaining Board pay band or from the Bargaining Board (or equivalent other Federal pay band) to the GS pay band for the last twenty (20) years at BPA. Please ensure that only conversions of non-prior positions are listed. For example, a conversion from a mechanic (WG or BB series) to a Supervisor (GS) without prior experience in the GS pay band. If there was 'acting' time in the conversion to justify the selection please indicate that on the list. Please provide the date of the conversion, the position title of the old position and the position title of the conversion, if the conversion was a promotion, the location of the former and new positions, and whether the individual was a veteran, and include their gender.”

Clarification

Following email exchanges with the agency's FOIA office personnel, on November 16, 2022, and December 15, 2022, you amended or agreed to amend your original request by limiting the time period of the request to the previous five years, or ten years if the five-year list contained less than five employees.

Response

BPA searched and gathered records responsive to your request. BPA collected one page of responsive records from knowledgeable agency personnel in the Human Resources Recruitment and Placement Office. The one page accompanies this communication, with redactions applied under 5 U.S.C. § 552 exemption (b)(6). A more detailed explanation of the applied exemption follows. We offer the following information to help you interpret the spreadsheet:

- Human Resources records do not indicate if an employee is in an “acting” position; rather, the records indicate that the individual is on detail, reassigned, or on temporary promotion.
- Column 4, “Action,” indicates that the transfer was a Demotion (Dem), Promotion (Pro), or Transfer (XFER). The terms “demotion” and “promotion” in this context do *not* reflect the performance of the individual, but are used only to indicate whether the move from one position to another resulted in a change in grade or level.
- Column 5, “Reason,” indicates that the transfer was a Return (RTN), Competitive (COP), Non-Competitive (NCC), Redirect (RED), or Management Direct (MRR). Again, these terms do *not* reflect the performance of the individual.

Explanations of Exemptions

The FOIA generally requires the release of all agency records upon request. However, the FOIA permits or requires withholding certain limited information that falls under one or more of nine statutory exemptions (5 U.S.C. § 552(b)(1-9)). Further, section (b) of the FOIA, which contains the FOIA’s nine statutory exemptions, also directs agencies to publicly release any reasonably segregable, non-exempt information that is contained in those records.

Exemption 6

Exemption 6 protects Personally Identifiable Information (PII) contained in an agency records when no overriding public interest in the information exists. BPA does not find an overriding public interest in a release of the information redacted under Exemption 6—specifically Employee ID number and Military Status.

Lastly, as required by 5 U.S.C. § 552a(8)(A), information has been withheld only in instances where (1) disclosure is prohibited by statute, or (2) BPA foresees that disclosure would harm an interest protected by the exemption cited for the record. When full disclosure of a record is not possible, the FOIA statute further requires that BPA take reasonable steps to segregate and release nonexempt information. The agency has determined that in certain instances partial disclosure is possible, and has accordingly segregated the records into exempt and non-exempt portions.

FEES

There are no fees associated with processing your FOIA request.

CERTIFICATION

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the records search and information release described above. Your FOIA request BPA-2023-00062-F is now closed with the responsive agency information provided.

Appeal

Note that the records released certified above is final. Pursuant to 10 C.F.R. § 1004.8, you may appeal the adequacy of the records search, and completeness if this final records release, within 90 calendar days from the date of this communication. Appeals should be addressed to:

Director, Office of Hearings and Appeals
HG-1, L'Enfant Plaza
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-1615

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal by e-mail to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. (The Office of Hearings and Appeals prefers to receive appeals by email.) This appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.

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: ogis@nara.gov
Phone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Questions about this communication may be directed to James King, FOIA Public Liaison, at jjking@bpa.gov or 503-230-7621. Questions may also be directed to Brian Roth, FOIA Case Coordinator, at bsroth@bpa.gov or 503-230-4383.

Sincerely,

Candice D. Palen
Freedom of Information/Privacy Act Officer
[Attachments: Responsive agency records accompany this communication.](#)

