



Department of Energy

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

PUBLIC AFFAIRS

December 26, 2007

In reply refer to: DK-7

Ms. Gail Wingett-Neal

RE: FOIA #08-007

Dear Ms. Wingett-Neal:

This letter responds to your request for information that you made to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. On Tuesday, December 4, 2007, we received an email clarifying and narrowing the scope of your initial request, dated November 26, 2007, and is listed below:

You are requesting the following:

A list of the names of individuals under Tina Weber (PGK) who received QSI's and/or monetary Performance Awards for FY06.

BPA is releasing with segregated information, two SF50 forms that show "Notification of Personnel Action" and have withheld the names, along with other personally identifiable information, of the recipients of the Quality Step Increases (QSI) because they are protected under Exemption 6 of the FOIA. Exemption 6 of the FOIA protects personnel, medical and similar files when disclosure would cause a clearly unwarranted invasion of personal privacy 5 U.S.C. 552(b)(6).

In determining whether the names of QSI recipients are required to be released under the FOIA, we balanced the privacy interests in the information against the public interest served by the disclosure. Exemption 6 is intended to protect individuals from the injury and embarrassment that could result from unnecessary disclosure of personal information. In order to determine whether an agency record should be withheld under exemption 6 an agency must: (1) identify whether a privacy interest exists, (2) identify whether release of the document would further the public interest by shedding light on the operations and activities of the Government, and (3) weigh the identified privacy interests against the public interest in order to determine whether disclosure would constitute a clearly unwarranted invasion of personal privacy.

First, we have determined that a legitimate personal privacy interest exists for information that reveals the details of an employee's job performance. Both favorable and unfavorable details trigger the interest. Unlike some other types of performance awards, in order to be eligible for

a QSI you must be a GS employee that received an “exceeds” rating-of-record. Therefore, revealing the names of QSI recipients would reveal details about the employee’s performance rating. Release of this type of information is likely to create concerns in the workplace with both the QSI recipients and their peers that may incite jealousies and cause discontent.

Second, we have determined that there is a legitimate public interest in ensuring that awards are fairly distributed and that agencies properly adhere to stated guidelines in distributing awards. However, release of the QSI recipient names will not significantly contribute to the public’s understanding of BPA operations or activities, or shed light on the performance of BPA’s statutory duties.

Third, we find the individual privacy interest in protecting the names outweighs any public interest in disclosure.

For the above reasons, BPA will not be providing you with names or other personally identifiable information, i.e. Social Security numbers, birth date, hire date, etc., of the two employees that received QSIs granted at BPA in PGK for FY06.

There will be no charge for the processing of this request.

If you are dissatisfied with this determination, you may make and appeal within 30 days of your receipt of this letter to the Director, Office of hearing and appeals, Department of Energy, 1000 Independence Avenue S.W., Washington, DC 20585. You must clearly mark both the appeal and envelope “Freedom of Information Act Appeal”.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at 503-230-7305.

Sincerely,

/s/ Christina J. Brannon

Christina J. Brannon
Freedom of Information Act Officer

Enclosure(s):
2 responsive SF50 forms

