



Department of Energy

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

July 25, 2014

In reply refer to: D-B1

Bryan Edwards

Ex 6

To obtain a copy of
the responsive
documents contact
the BPA FOIA
Office at
503-230-7305

FOIA #BPA-2014-00537-F

Mr. Edwards:

This is a final response to your request for Bonneville Power Administration (BPA) records under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request was received in our office on January 27, 2014, with an acknowledgement letter sent to you on February 5, 2014. In our letter dated February 27, 2014, we notified you that the due date for completing your request would be June 30, 2014. On June 26, 2014, we notified you with a new target date of August 14, 2014.

You requested the following:

"All emails and attachments sent between Marchelle Watson and HCM (J. Makela, V. McClary, L. O'Leary, or others) between the periods of May 15, 2013-July 1, 2014, regarding my status as a student intern conversion under Pathways or conversion under Schedule A hiring authority." In a phone conversation with Kim Winn on February 3, 2014, you clarified the date range of your request to be May 15, 2013, to July 1, 2013.

We have reviewed your request and have determined that it addresses all of the criteria of a proper request under the FOIA, DOE, and BPA regulation that implements the FOIA at Title 10, Code of Federal Regulations, Part 1004.

Response

We conducted a search of the electronic records of Marchelle Watson and Human Capital Management staff. We have located 31 pages of material responsive to your request. We are releasing 13 pages in full and releasing 18 pages with redactions under Exemption 6. Portions of two documents have been marked as nonresponsive where they were not within the scope of your request.

Exemption 6 protects information in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy" (5 U.S.C. § 552(b)(6)). Exemption 6 requires balancing the public interest in the information against the individual privacy interest at issue. Here, we assert this exemption to redact a mobile telephone number of a BPA employee. This information qualifies as "similar files" because it is information in which an individual has a privacy interest. Moreover, releasing the information could subject the individual to unwarranted or unsolicited communications. Since no public interest would be served by disclosing this information, and

since there is a viable privacy interest that would be threatened by such disclosure, Exemption 6 authorizes withholding the information.

Information that falls under Exemption 6 cannot be discretionarily released; the right of privacy belongs to the individual, not to the agency. Therefore, we did not analyze this information under the discretionary release guidelines in Attorney General Holder's March 19, 2009, FOIA Memorandum.

The Freedom of Information Act generally requires the release of all government records upon request. However, FOIA permits withholding certain, limited information that falls under one or more of nine statutory exemptions (5 U.S.C. §§ 552(b)(1-9)).

Appeal

This is our final response to your January 27, 2014, request. Pursuant to Department of Energy FOIA regulations at 10 C.F.R. § 1004.8, you may administratively appeal this response in writing within 30 calendar days. If you choose to appeal, please include the following:

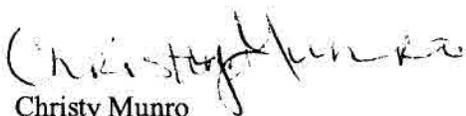
- (1) The nature of your appeal - denial of records, partial denial of records, adequacy of search, or denial of fee waiver;
- (2) Any legal authorities relied upon to support the appeal; and
- (3) A copy of the determination letter.

Clearly mark both your letter and envelope with the words "FOIA Appeal," and direct it to the following address:

Director, Office of Hearings and Appeals:
Department of Energy
1000 Independence Avenue SW
Washington DC 20585-1615

Pursuant to 10 C.F.R. Part 1004.7(b)(2), I am the individual responsible for the determination to withhold the information described above under Exemption 6. I appreciate the opportunity to assist you. If you have any questions, please contact Sarah A. Westenberg, FOIA Case Officer at (503) 230-3795.

Sincerely,



Christy Munro
Freedom of Information/Privacy Act Officer

Enclosure