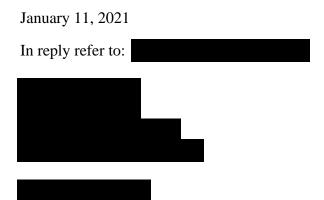
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# **Department of Energy**

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

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM



The Bonneville Power Administration (BPA) has received your request for records submitted to the agency under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). Your request was received December 20, 2020, and was assigned tracking number of use that number in any correspondence with the agency regarding your request. This communication is the agency's formal acknowledgment and final response to your request.

### **Request**

"A copy or printout of the YouTube Creator's Page for the Bonneville Power Administration, which shows nonpublic videos on the agency's YouTube account. This page is available from the agency person responsible for the agency's YouTube account."

### Acknowledgement

BPA reviewed your request and determined that it fulfills all of the criteria of a proper request under the FOIA and the Department of Energy's (DOE) FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

### Response

The agency collected 26 pages responsive records from knowledgeable agency personnel in the Employee Communications & Graphics office. Those 26 pages accompany this communication, with minor redactions applied under 5 U.S.C. § 552(b)(6) (Exemption 6), to protect the Personally Identifiable Information (PII) of non-BPA employees. A more detailed explanation of the applied exemptions follows.

# **Explanation 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)). Section (b) of the FOIA, which contains the

FOIA's nine statutory exemptions, also directs agencies to release to FOIA requesters any reasonably segregable, non-exempt information that is contained in those records.

# Exemption 6

Exemption 6 serves to protect PII contained in 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, photographs of individuals. Those images are redacted because they shed no light on the executive functions of the agency and BPA finds no overriding public interest in their release. BPA cannot waive these redactions as the protections afforded by Exemption 6 belong to individuals and not to the agency.

The above described analysis satisfies the standard set forth at 5 U.S.C. § 552(a)(8)(A) that agencies shall withhold information under FOIA "only if (I) the agency reasonably foresees that disclosure would harm an interest protect by an exemption...; or (II) disclosure is prohibited by law..." 5 U.S.C. § 552(a)(8)(A) also provides that whenever full disclosure of a record is not possible, agencies shall "consider whether partial disclosure of information is possible...and (II) take reasonable steps necessary to segregate and release nonexempt information." Therefore, we have determined that, in certain instances, a partial disclosure is proper.

# **Fees**

There are no fees associated with the processing of 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-2021-00235-F is now closed with the responsive agency information provided.

# **Appeal**

The adequacy of the search may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. 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.) The 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.

Questions about this communication may be directed to BPA FOIA Public Liaison Jason E. Taylor at 503-230-3537 or <a href="mailto:jetaylor@bpa.gov">jetaylor@bpa.gov</a>. 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, CorSource Technology Group LLC, at <a href="mailto:jiking@bpa.gov">jiking@bpa.gov</a> or 503.230.7621.

Sincerely,

Candice D. Palen

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Freedom of Information/Privacy Act Officer

Responsive agency information accompanies this communication.

This document is made available through the declassification efforts and research of John Greenewald, Jr., creator of:

# The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

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