



Department of Energy
National Nuclear Security Administration
Office of the General Counsel
P. O. Box 5400
Albuquerque, NM 87185



August 8, 2022

SENT VIA EMAIL

(b) (6)

Mr. Craig Goddard

(b) (6)

Dear Mr. Goddard:

This letter is the National Nuclear Security Administration's (NNSA) final response to your July 23, 2021, Freedom of Information Act (FOIA) request for a copy of the following:

"I am seeking all reports and material associated with any UAP (Unidentified Aerial Phenomena) or UFO (Unidentified Flying objects) incident(s) that have occurred in and around DOE assets or locations between the dates of January 1, 1945, and July 23, 2021. Material can include, but is not limited to; pictures, radar data, satellite data, videos, recovered UAP/UFO object analysis, emails containing word 'unidentified' in subject or body of email. And any other materials deemed relevant."

Your request was originally submitted to Department of Energy Headquarters (DOE HQ) under Control Number HQ-2021-00944-F. Your request was transferred from DOE HQ by copy of their August 3, 2021, letter to you, and it was received in this office on August 4, 2021.

Upon receipt, we contacted the NNSA Nevada Field Office (NA-NV), Livermore Field Office (NA-LL), Los Alamos Field Office (NA-LA), Sandia Field Office (NA-SN), Savannah River Field Office (NA-SV), Kansas City Field Office (NA-KC), Pantex Plant (NPO, Pantex), and Y-12 National Security Complex (NPO, Y-12) regarding your request. Each field office contacted their respective laboratory or site contractor, which includes the Mission Support and Test Services, LLC (MSTS), Lawrence Livermore National Security, LLC (LLNS), Triad National Security, LLC (Triad), National Technology & Engineering Solutions of Sandia, LLC (NTESS), and Honeywell FM&T, to process your request. The aforementioned field, lab, and site offices searched and identified eight (8) responsive documents, as outlined below.

Responsive Documents:

The following document is fully releasable and provided to you in its entirety:

- A-83-001_2-1

The following documents are provided to you with deletions pursuant to 5 USC § 552(b)(6) (Exemption 6 of the FOIA):

- Doc1
- Doc2
- Doc3
- Doc4
- Doc5
- Doc6
- Doc7

Exemption 6 permits the withholding of personnel and medical files and similar files when the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The purpose of Exemption 6 is to protect individuals from the injury and embarrassment that can result from the unnecessary disclosure of personal information. To determine whether disclosure would constitute a clearly unwarranted invasion of personal privacy, the public interest in disclosure, if any, must be balanced against the privacy interests that would be invaded by disclosure of the information. In this case, the names of laboratory security personnel and non-supervisory level employees have been withheld. Release of this information pertaining to these employees will cause inevitable harassment and unwarranted invasion of personal privacy for those individuals and could cause unwarranted scrutiny by persons or entities harboring political or philosophical or other objections. In addition, release of this information would not shed light on the operations of the federal government. Since its release will not reveal anything of significance to the public, the interest in protecting against the invasion of privacy that would result to the individuals in question far outweighs the public interest in such disclosure.

It is widely held that federal employees have no expectation of privacy regarding their names, titles, and duty stations. See 5 CFR § 293.311; Core v. United States Postal Serv., 730 F.2d 946, 948 (4th Cir. 1984); National W. Life Ins. Co. v. United States, 512 F. Supp. 454, 461 (N.D. Tex. 1980). Therefore, the disclosure of such information about federal employees would involve little or no invasion of privacy. Contractor employees, however, are not federal employees. Rather, they are private individuals. The Supreme Court has long found a privacy interest in the names of private individuals significant enough to warrant protection from disclosure under Exemption 6.

The Department of Energy (DOE) regulations 10 CFR § 1004.1 provides that documents exempt from mandatory disclosure under the FOIA shall be released regardless of their exempt status, unless DOE determines that disclosure is contrary to public interest. For the reasons described above, NNSA has determined that release of the information described above is not in the public interest.

Pursuant to 10 CFR § 1004.7(b)(2), I am the individual responsible for the withholding of information pursuant to Exemption 6 of the FOIA.

Please note that additional responsive records may be located at the DOE Savannah River Operations Office (DOE-SR). By copy of this letter, I am transferring your request to DOE-SR to search for responsive records. DOE-SR will correspond directly with you regarding the results of their search.

You may appeal our withholding of information pursuant to 10 CFR § 1004.8(a). Such an appeal must be made in writing within 90 calendar days after receipt of this letter, addressed to the Director, Office of Hearings & Appeals, HG-1, U.S. Department of Energy, 1000 Independence Avenue SW, L'Enfant building, Washington, DC 20585. Your appeal must contain a concise statement of the grounds for the appeal and a description of the relief sought. **Please submit a copy of this letter with the appeal** and clearly mark both the envelope and the letter "Freedom of Information Appeal." You may also submit your appeal by email (preferred method) to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. Thereafter, judicial review will be available to you in the District of Columbia or in the district where (1) you reside, (2) you have your principal place of business, or (3) the Department's records are situated.

You may contact me, NNSA's FOIA Public Liaison, Office of the General Counsel, at 1-866-747-5994, or by mail to Department of Energy, National Nuclear Security Administration, Office of the General Counsel, PO Box 5400, Albuquerque, NM 87185, for further assistance and to discuss any aspect of your request. 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 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; telephone at (202) 741-5770; toll free at 1-877-684-6448; or facsimile at (202) 741-5769.

There are no fees chargeable to you. If you have questions concerning the processing of your request, please contact (b) (6) by e-mail at (b) (6) or write to the address above. Please reference Control Number FOIA 21-00287-AG.

Sincerely,

Christina H. Hamblen
Digitally signed by
Christina H. Hamblen
Date: 2022.08.08 07:28:50
-06'00'
Christina H. Hamblen
FOIA Officer

Enclosures

ATTN: DOE-SR
(b) (6)
PO Box A
Aiken, SC 29802