



Department of Energy
National Nuclear Security Administration
Office of the General Counsel
24600 20th Street S.E.
Kirtland AFB, NM 87185-5400



March 20, 2025

SENT VIA EMAIL

John Greenewald, Jr.

(b) (6)

Dear John Greenewald, Jr:

This letter is the final response to your Freedom of Information Act (FOIA) request, received in this office on December 28, 2022.

Your request stated the following:

“A copy of records (which includes videos/photos), electronic or otherwise, pertaining to Unidentified Aerial Phenomena (UAP), Unidentified Anomalous Phenomena (UAP), Unidentified Flying Objects (UFOs), etc. Given the conversation about these topics in recent years, and the fact that the U.S. government is now taking in reports around sensitive facilities through various offices (i.e.: AOIMSG, AARO, etc.), I ask that you look for any memos, letters, emails from likely individuals involved in such an issue, reports, photographs, videos, etc., that pertain to this request.”

In an email exchange with (b) (6) (NNSA employee) dated December 30, 2022, you limited your request to the Congressional and Intergovernmental Affairs (NA-CI), the Counterterrorism and Counterproliferation (NA-80), the Defense Nuclear Nonproliferation (NA-20), Defense Nuclear Security (NA-70), and the Policy and Strategic Planning (NA-1.1).

We contacted the National Nuclear Security Administration’s (NNSA) NA-CI, NA-20, NA-70, and NA-80, about your request. All conducted a thorough search of their records. NA-70 located one record, which was determined to originate with the Los Alamos Field Office (NA-LA). NA-LA and the Management & Operating (M&O) contractor, Triad National Security, LLC (Triad) conducted a review of the document and determined that the enclosed document entitled “LANL Security Incident Team Security Call Assessment Record” be redacted pursuant to 5 U.S.C. § 552 (b)(3), (b)(6), and (b)(7)(C) (Exemptions 3, 6, and 7 of the FOIA).

Exemption 3 exempts the disclosure of information that is specifically prohibited from release by statute provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld. The Atomic Energy Act (AEA) of 1954, as amended, 42 U.S.C. § 2011 et seq., is an Exemption 3 statute. Section 148 of this Act (42 U.S.C. § 2168) prohibits the disclosure of information concerning atomic energy defense programs that is determined to be Unclassified Controlled Nuclear Information (UCNI) pursuant to the AEA, as amended.

The portions deleted pursuant to Exemption 3 consists of certain design and/or security information concerning nuclear facilities, nuclear materials and nuclear weapons that have been safeguarded as UCNI. Disclosure of the exempt information would have a significant adverse effect on the common defense and security by significantly increasing the likelihood of theft, diversion, or sabotage of nuclear materials.

Pursuant to 10 C.F.R. § 1004.1, and to the extent permitted by law, DOE will make available records that it is authorized to withhold under the FOIA unless it determines that such disclosure is not in the public interest. With respect to the information withheld pursuant to Exemption 3, the DOE has no further discretion under the FOIA or DOE regulations to release information currently and properly classified and safeguarded as UCNI pursuant to the AEA as amended.

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.

Exemption 7(C) of the FOIA protects personal information in law enforcement records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy.

The information withheld pursuant to Exemption 6 and/or 7(C) are names, Z badge numbers, and contact information of employees. Release of this information will cause inevitable harassment and unwarranted invasion of personal privacy for these individuals and could cause unwarranted scrutiny by persons or entities harboring political, philosophical, or other objections regarding actions surrounding NNSA. Furthermore, the information of these employees is maintained in secure law enforcement files. Release of these individuals' information may result in potential unwanted contact and would be a security risk to NNSA procedural or security practices, as the identified individuals may be approached with the purpose of obtaining information only available to those with access to confidential NNSA security practices. 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.

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

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the withholding of information pursuant to Exemptions 3, 6, and 7 of the FOIA.

You may appeal the withholding of information pursuant to 10 C.F.R. § 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.

For further assistance and to discuss any aspect of your request you may contact me, NNSA's FOIA Public Liaison, Annie Maxfield, Office of the General Counsel, at 1(866)747-5994, or by mail at Department of Energy, National Nuclear Security Administration, Office of the General Counsel, PO Box 5400, Albuquerque, NM, 87185. 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 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 for processing this request. If you have questions, please contact (b) (6) by e-mail at (b) (6), or write to the address on page one. Please reference Control Number FOIA 23-00057-M in your communication.

Sincerely,

ANNE
MAXFIELD

Digitally signed by
ANNE MAXFIELD
Date: 2025.03.20
14:17:02 -06'00'

Annie Maxfield
FOIA Officer

Enclosure