



Department of Energy

Washington, DC 20585

June 3, 2011

Mr. William Wilson
Americans for Limited Government
9900 Main Street, Suite 303
Fairfax, VA 22031

Re: HQ-2010-01568

Dear Mr. Wilson,

This is in response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. §552. You asked for communications to or from Cathy Zoi, Assistance Secretary of Energy for Energy Efficiency and Renewable Energy and the corporation Serious Materials, Inc. and its officers and employees. You also requested all records of meetings held between Assistant Secretary Zoi and any officers, employees or directors of Serious Materials, Inc.

The Department's Office of Energy Efficiency and Renewable Energy (EERE) searched its records and enclosed is the result of our search. Upon review, the Department has determined that certain information should be withheld pursuant to Exemptions 6 of the FOIA, U.S. C. §552 (b)(6).

Exemption 6 is generally referred to as the "personal privacy" exemption; it provides that the disclosure requirement of FOIA do not apply to "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." In applying Exemption 6, DOE considered: 1) whether a significant privacy interest would be invaded; 2) whether the release of the information would further the public interest by shedding light on the operations or activities of the Government; and 3) whether in balancing the privacy interests against the public interest disclosure would constitute a clearly unwarranted invasion of privacy. The information withheld under Exemption 6 consists of personal telephone numbers, personal email addresses, and personal communications that are not related to DOE business. We have determined that the public interest in releasing this information in the document does not outweigh the overriding privacy interests in keeping this information confidential.

This satisfies the standard set forth by the Attorney General on March 19, 2009, that the agency is justified in not releasing material that the agency reasonably foresees that disclosure would harm an interest protected by one of the statutory exemptions or disclosure is prohibited by law. This also satisfies DOE's regulations at 10 CFR 1004.1 to make records available which it is authorized to withhold under 5 U.S.C. 552 when it determines that such disclosure is in the public interest. Accordingly, we will not make discretionary disclosure of this information.



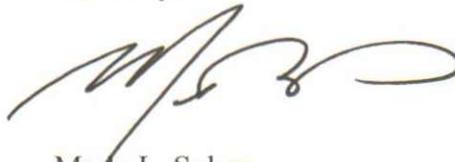
Pursuant to Title 10, C.F.R. 1004.7 (b)(2), I am responsible for the determination to withhold information under Exemptions 6.

Pursuant to 10 C.F.R. 1004.8, you may challenge the determination to withhold from the responsive documents by submitting a written appeal to the Director, Office of Hearing and Appeals, at HG1/ L'Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585-1615.

If you wish to appeal, you must submit this appeal within 30 calendar days of receipt of this determination. The written appeal, including the envelope, must contain all elements required by 10 C.F.R. 1004.8. Thereafter, judicial review will be available 1) in the district where you reside; 2) in the district where you have your principal place of business; 3) in the district where the DOE records are located; or 4) in the District of Columbia.

I appreciate the opportunity to assist you with this matter. If you have any questions about this correspondence, please contact Ms. Ruth Mosby at (202) 586-8757.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Sykes', with a large, stylized flourish extending to the right.

Melle L. Sykes
Deputy Assistant Secretary for Business Administration
Energy Efficiency & Renewable Energy

Enclosures