



United States Department of the Interior

NATIONAL PARK SERVICE

Pacific West Region

1111 Jackson Street, Suite 700
Oakland, California 94607-4807



IN REPLY REFER TO:

A 7221 (PWR-PA)

18 MAY 2011

Shannon Jay
8132 Grape Ave.
Forestville, CA 95436

Dear Mr. Jay:

This is the response to your Freedom of Information Act (FOIA) request sent via electronic mail to Howard Levitt on February 9, 2011. The Department of the Interior tracking number for this request is NPS-2011-0313. Please include this number in any future correspondence regarding your request.

You requested:

"... a report from an inquiry by EEO Manager Maxie Hamilton from the Pacific West Regional Office. The report is an EEO investigational report where upon I am was named a direct party."

Golden Gate National Recreation Area staff has forwarded your request to the Pacific West Regional Office for review as policy requires when documents might be withheld or redacted.

Your request is granted in part and denied in part. The enclosure contains a copy of the statement you gave to the investigator. The remaining witness statements are withheld pursuant to FOIA exemption 6 and alternately FOIA exemption 7c. Exemptions 6 and 7c seek to protect the privacy of individuals by shielding records pertaining to them, the exposure of which could result in an unwarranted invasion of the individual's privacy. Here, the witnesses' statements pertain to sensitive matters relevant to the complaining employee. Although release of this information to the public could offer the public insight into how the agency handles allegations of intimidation, we find that the public's desire for that knowledge is greatly outweighed by the potential harm that the release of the information could cause to the complaining employee.

You have the right to appeal this decision by writing to the Freedom of Information Act Appeals Officer, Department of the Interior, 1849 C Street NW, MS-6556, MIB, Washington, D.C. 20240. Your appeal must be in writing and received no later than 30 workdays after the date of this letter. A copy of your original request and this letter should accompany the appeal as well as a brief statement of the reasons why you believe this initial decision to be in error. The appeal should be marked "Freedom of Information Appeal" both on the envelope and on the face of the letter.

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You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

In addition to myself, Attorney Advisors Karen Glasgow and Deborah Bardwick, and FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your request, Mr. Killeen can be reached at 206-220-4051.

Sincerely,



Christine S. Lehnertz
Regional Director, Pacific West Region

Enclosure

cc: Howard Levitt, Golden Gate National Recreation Area