

May 20, 2010

Via Federal Express

Ms. Linda Schuman
1000 Independence Ave., S.W.
Sapulpa, OK 74066

RE: FOIA 2010-8

Dear Linda,

This letter is in response to your Freedom of Information Act email request dated April 15, 2010, and received the same date. We agreed upon an extension extending the due date to May 21, 2010. You requested the 2009 Annual Performance Award percentage of each employee who entered duty after March 31, 2008. You want this percentage amount for non-supervisory employees to be broken out by less than 40 and over 40. You also requested the same percentage amount for supervisory/management employees less than 40 and over 40. Also the percentage amount for employees who transferred or were promoted after March 31, 2008.

A redacted copy of the award percentages for non-supervisory and supervisory/ managerial employees after March 31, 2008 is enclosed pursuant to Exemption 6 of the Freedom of Information Act, 5 U.S.C. 552(6) and 10 C.F.R. 1004(b)(6), the Departmental regulations implementing FOIA.

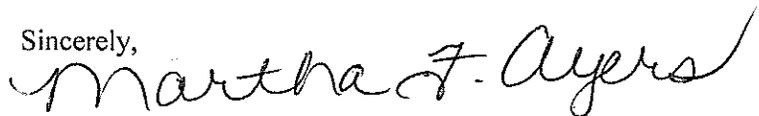
There are no documents in existence that would show a breakdown of employees over the age of 40 and under the age of 40 with award percentage amounts..

Exemption 6 authorizes the withholding of personal information of individuals found in "personal and medical and similar files" where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy.

Pursuant to 10 C.F.R. 1004.10(b)(6), Southwestern has determined that some of the information is exempt from mandatory public disclosure. The Freedom of Information Act Regulations at 10 C.F.R. 1004.8(a) state that you may appeal the decision to withhold this information. Such an appeal must be made in writing, within 30 calendar days of the receipt of this letter to the Director, Office of Hearing and Appeals, Department of Energy, 1000 Independence Ave., S.W., Washington, DC 20585-0107. If after your appeal to the Director you believe a further appeal is necessary, then judicial review in a district court will be available either with the district in which you reside or in the District of Columbia.

If you have any questions about this letter, please contact me at 918-595-6609.

Sincerely,



Martha F. Ayers
Freedom of Information Act Officer

Mass Performance Award Candidate

PC	Name	A	Rat	percentage	award
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7.50% q

2.25%

2.25%

6.00%

3.00%

6.00%

2.25%

4.50%

6.00%

3.00%

3.00%

3.00%

3.00%

3.00%

3.00%

3.00%

0.75%