



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

FREEDOM OF INFORMATION ACT PROGRAM

April 10, 2019

In reply refer to: FOIA #BPA-2019-00727-F

James E. Nielsen

(b) (6)

Dear Mr. Nielsen,

The Bonneville Power Administration (BPA) has received your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). BPA received your records request on April 9, 2019 and assigned your request a tracking number of BPA-2019-00727-F. Please use that tracking number in any correspondence with the agency regarding your FOIA request.

Request

"I would like to know if the crew that brushed my driveway were citizens or legal immigrants. Do your contract specifications call for laborers to be legally entitled to work in our country and is it enforced by your contract administrators?"

Acknowledgement

BPA has reviewed your request and has determined that you are seeking records regarding agency procedures for (1) verifying the employment eligibility for contractors and (2) enforcing contract provisions. Therefore, your request fulfills all of the criteria of a proper request under the FOIA and Department of Energy FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

Response

The information you seek is contained in the Bonneville Purchasing Instructions (BPI), and is publicly available at: <https://www.bpa.gov/Doing%20Business/purchase/Pages/default.aspx>. We are providing you with a physical copy of the BPI for your reference. In it, you will find tabs marking the following sections responsive to your request:

- Section 10.1.8 – Employment Eligibility Verification
- Section 10.1.8.2 – Procedures
- Section 10.1.8.3 – Contract Clause
- Section 35.2.95 – Clause 10-18, Employment Eligibility Verification

Fees

There are no fees associated with the response to your request.

Certification

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the search, determination, and information release described above. Your FOIA request BPA-2019-00727-F is now closed with all available agency records and information provided.

Appeal

The adequacy of the search may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to:

Director, Office of Hearings and Appeals
HG-1, L'Enfant Plaza
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-1615

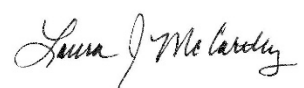
The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal by e-mail to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. (The Office of Hearings and Appeals prefers to receive appeals by email.) The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.

You may contact BPA's FOIA Public Liaison, Jason Taylor, at 503.230.3537, jetaylor@bpa.gov, or the address on this letter header for any 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 is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
E-mail: ogis@nara.gov
Phone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Questions about this communication may be directed to Jason Taylor, FOIA Public Liaison, at jetaylor@bpa.gov or 503.230.3537.

Sincerely,

A handwritten signature in black ink that reads "Laura J. McCarthy". The signature is written in a cursive style with a large initial "L" and "M".

Laura J. McCarthy
Freedom of Information/Privacy Act Officer

Enclosure: responsive agency records