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Description of document: Letter from the Tennessee Valley Authority (TVA) Inspector General (OIG) to the Council of the Inspectors General for Integrity and Efficiency (CIGIE), 2010

Requested date: 16-December-2012

Released date: 28-January-2013

Posted date: 25-February-2013

Source of document: TVA FOIA Officer
400 West Summit Hill Dr. WT 7D
Knoxville, TN 37902-1499
Fax: 865-632-6901

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Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401

January 28, 2013

This responds to your letter dated December 16, 2012, requesting information under the Freedom of Information Act (FOIA) 5 U.S.C. § 552 (2006 & Supp. IV 2010). You requested a copy of a letter from the TVA Inspector General to the Council of the Inspectors General for Integrity and Efficiency.

Enclosed is a copy of the letter you requested.

For non-commercial requests, TVA's FOIA regulations (18 C.F.R. § 1301) provide that fees for the first two hours of search time and the first 100 pages of copying are waived. Since this response was made within those guidelines, there is no charge for processing your request.

If you have questions about this response, you may contact me at (865) 632-6945.

Sincerely,

A handwritten signature in black ink that reads "Denise Smith". The signature is written in a cursive, flowing style.

Denise Smith
TVA FOIA Officer

Enclosure



Office of the Inspector General

Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401

Richard W. Moore
Inspector General

January 14, 2010

Mr. Kevin L. Perkins
Chair, Integrity Committee
Council of the Inspectors General
for Integrity and Efficiency
935 Pennsylvania Avenue, NW
Room 3973
Washington, DC 20535-0001

Re: IC 622

Dear Mr. Perkins:

I am in receipt of your December 16, 2009, letter regarding the complaint from the confidential complainant. While we fully appreciate the necessity of protecting the identity of the complainant in describing the allegation to us, we are consequently limited in how we can respond. Our response can only be general based on the information provided to us, and we would not hazard a guess as to who the complainant mentioned generally in your letter might be. Given those limitations, we have made a good faith effort to analyze tips and allegations that have come into our office during the last 12 months, and we can offer a general statement as to our process for handling matters brought to us by those who want the communication to remain confidential.

The Tennessee Valley Authority Office of the Inspector General (OIG) makes every effort to ensure the confidentiality of complainants when such confidentiality is desired. Confidentiality is often waived but is otherwise granted even in the absence of explicit requests made by complainants. We have no reason to believe that we have failed to adhere to the above course of practice.

Mr. Kevin L. Perkins
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As you can appreciate, circumstances occasionally make it such that the source of the information provided to us will be known to management or others. For instance, a sole source safety-related complaint made to management before being made to the OIG simply does not lend itself to any meaningful measure of confidentiality. Moreover, as the information is safety related, it must be passed on to management. The inescapable dilemma is one of respecting the already reduced confidentiality protection of the complainant versus alerting TVA management to the possibility of an imminent safety issue where human lives may be at risk. As the information is sole source and has been brought to the attention of management by the complainant, the complainant has effectively ensured that his or her confidentiality is compromised beyond repair totally apart from OIG involvement relating to the specific complaint.

As a former federal prosecutor for 17 years, I know the value of informants and the delicate relationship between them and federal agents. Our special agents are rated for performance pay, in part, on their cultivation and utilization of sources. As you know, trust is at the heart of any good informant program. We have worked diligently for the last four years to build trust with those who bring us information, and we are very sensitive to anything that would potentially breach that trust. As I have stated above, however, when we believe human lives are at risk, we will not hesitate to share information even if our informant believes we have compromised his or her identity.

I trust that this response effectively addresses your inquiry into this matter. We stand ready to respond in greater detail if you are able to provide us with more information.

Very truly yours,

A handwritten signature in cursive script that reads "Richard W. Moore".

Richard W. Moore