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SUPREME COURT OF THE UNITED STATES

Syllabus

UNITED STATES DEPARTMENT OF DEFENSE
ET AL. V. FEDERAL LABOR RELATIONS
AUTHORITY ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE
FIFTH CIRCUIT
No. 92-1223. Argued November 8, 1993—Decided February 23,
1994

Two local unions filed unfair labor practice charges with respondent Federal Labor Relations Authority after petitioner federal agencies refused to provide them with the home addresses of agency employees in the bargaining units represented by the unions. The Authority concluded that the Federal Service Labor-Management Relations Statute (Labor Statute) required the agencies to divulge the addresses and rejected petitioners' argument that such disclosure was prohibited by the Privacy Act of 1974. The Court of Appeals granted enforcement of the Authority's disclosure orders. It agreed that the Privacy Act did not bar disclosure because disclosure would be required under the Freedom of Information Act (FOIA). In determining that FOIA Exemption 6—which exempts from disclosure personnel files “the disclosure of which would constitute a clearly unwarranted invasion of personal privacy”—did not apply, the court balanced the public interest in effective collective bargaining embodied in the Labor Statute against the employees' interest in keeping their home addresses private. It thereby rejected the view that, under *Department of Justice v. Reporters Committee for Freedom of Press*, 489 U. S. 749, the only public interest to be weighed in the analysis is the extent to which FOIA's central purpose of opening agency action to public scrutiny would be served by disclosure.

Held: The Privacy Act forbids the disclosure of employee addresses to collective-bargaining representatives pursuant to requests made under the Labor Statute. Pp. 4-16.

(a) *Department of Justice v. Reporters Committee for Freedom of Press, supra*, reaffirms several basic principles that have informed the Court's interpretation of FOIA: (1) in evaluating whether a request for information lies within the scope of an exemption that bars disclosure when it would amount to an unwarranted invasion of privacy, a court must balance the public interest in disclosure against the interest Congress intended the exemption to protect; (2) the only relevant public interest to be weighed in this balance is the extent to which disclosure would serve FOIA's core purpose of contributing significantly to public understanding of the Government's operations or activities; and (3) whether an invasion of privacy is warranted cannot turn on the purposes for which the information request is made. Pp. 4-8.

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(b) These principles are easily applied to this case. The relevant public interest supporting disclosure is negligible, at best. Disclosure of the addresses would not appreciably further the citizens' right to be informed about what their Government is up to and, indeed, would reveal little or nothing about the employing agencies or their activities. Respondents' argument that, because the unions' requests were made under the Labor Statute rather than directly under FOIA, the Labor Statute's explicit policy considerations should be imported into the FOIA balancing analysis, is rejected. In this case, the Privacy Act bars disclosure unless it would be required under FOIA. The Labor Statute's terms do not amend FOIA's disclosure requirements or grant information requestors under the Labor Statute special status for purposes of FOIA. Therefore, because all FOIA requestors have an equal and equally qualified right to information, the fact that respondents are seeking to vindicate the policies behind the Labor Statute is irrelevant to the FOIA analysis. The negligible FOIA-related public interest in disclosure is substantially outweighed by the employees' privacy interest in nondisclosure. For the most part, the unions seek to obtain nonunion employees' addresses. Whatever the reason that these employees have chosen not to become union members or to provide the unions with their addresses, it is clear that they have *some* nontrivial privacy interest in nondisclosure, and in avoiding the influx of union-related mail, and, perhaps, union-related telephone calls or visits, that would follow disclosure. Because the privacy interest outweighs the relevant public interest, FOIA Exemption 6 applies. FOIA thus does not require petitioners to disclose the addresses, and the Privacy Act prohibits their release. Pp. 9-14.

(c) Rather than thwart the collective-bargaining policies embodied in the Labor Statute, the Court does no more than give effect to the clear words of the provisions construed, including the Labor Statute. Not presented, and therefore not addressed, is respondents' concern that this ruling will allow agencies to refuse to provide unions with other employee records that they need in order to perform their duties as exclusive bargaining representatives. Finally, to the extent that the terms of the Privacy Act leave public sector unions in a position different from that of their private sector counterparts, which assertedly are entitled to receive employee home addresses under the National Labor Relations Act, Congress may correct the disparity. Pp. 14-16.

975 F. 2d 1105, reversed.

THOMAS, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and BLACKMUN, STEVENS, O'CONNOR, SCALIA, KENNEDY, and SOUTER, JJ., joined. SOUTER, J., filed a concurring opinion. GINSBURG,

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J., filed an opinion concurring in the judgment.