

October 2, 2000

MEMORANDUM TO: Natalie Brown  
FOIA/PA Specialist  
OCIO

FROM: Ronald D. Hauber */RA/*  
Deputy Director  
OIP

SUBJECT: DISCLOSURE OF RECORDS IN FOIA CASE NO. 2000-0268

The records sent to OIP for re-review on September 8, 2000, may be released with the following exceptions:

Item 2 (#19) -- "Possible Discretionary Sanctions." Withhold on pre-decisional grounds, Exemption 5. Release of the information could harm NRC's working relationship with the Department of State and other Executive Branch agencies.

Item 9 (or #22) -- "Agenda with enclosures." This "record" is of mixed origin. Pages 1, 2, and 5 originated in the Department of State and should be referred to them for their disclosure determination. (These three pages were handed out to participants in a closed, pre-decisional, interagency policy meeting chaired by the Department of State and the National Security Council. Independent release by the NRC could jeopardize our participation in future Executive Branch agency meetings of this nature.) Page 3 is NRC input to the meeting (identical to Item 2, "Possible Discretionary Actions") and should be withheld as stated above. Page 4 is an NRC draft that is on a separate subject and not within the scope of the FOIA request. It was erroneously included in the document search results and should be removed from the list.

Item 11 (or #4) -- "Fax cover sheet from R. Hauber to E. Ward-McKeen. Withhold on pre-decisional grounds, Exemption 5. Similar basis for exemption as Item 2 (which was attached to the fax); similar potential for harm to NRC's working relationship with Executive Branch agencies.

Item 12 (or #5) -- "Note from Joe G. to Trip/Grace." OGC may wish to withhold this under the attorney-client privilege provision. Please consult with them.

Please let me know if you have any questions.

cc: Dianne Johnson-Griggs, OIP

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