

October 30, 2006

MEMORANDUM TO FILE

FROM: Annette L. Vietti-Cook, Secretary */RA/*

SUBJECT: STAFF REQUIREMENTS - COMSECY-06-0050 - RESPONSE TO OIG AUDIT OF NRC'S PROCESS FOR RELEASING COMMISSION DECISION DOCUMENTS (OIG-06-A-22)

The Commission has approved SECY's proposed revision to the Internal Commission Procedures, Chapter III, Record of Votes, Staff Requirements Memorandum (new number 7 on page III-10):

After the Commission issues a Staff Requirements Memorandum that has not been designated for public disclosure, SECY will review the Staff Requirements Memorandum, as well as the underlying SECY Paper or Commission Action Memorandum (COM), to determine whether the document must be released, in whole, or in part, in accordance with the disclosure provisions of 5 U.S.C. 552 (a)(1) or (a)(2). The Office of the General Counsel, and NRC staff as appropriate, will participate in this review when requested by SECY. These shall include all instances where SECY believes the documents could fall within the purview of one of those subsections.

For a brief period of time - perhaps a year - SECY should track the number of SECY papers and SRMs marked non-public and, as required by Internal Commission Procedures, the reason identified for this non-public status. At the end of the year, SECY should provide this information to the Commission where it would be useful in informing the Commission of how the SUNSI process is being applied to Commission level documents and the precise number of documents that are not being publicly released.

cc: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OIG