

January 20, 2011

Mr. Russell Carollo
1947 Newton Road Extension
Red Creek Ranch
Pueblo, CO 81005

IN RESPONSE REFER TO
FOIA/PA-2011-0003A
(FOIA/PA-2011-0007)

Dear Mr. Carollo:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated December 30, 2010, to the Freedom of Information Act/Privacy Act Officer in which you appealed the agency's December 22, 2010 decision regarding your October 14, 2010 Freedom of Information Act (FOIA) request (FOIA-2011-0007), for access to and copies of all databases containing information related in any way to travel by NRC employees or financed by the NRC. Specifically, you are appealing the agency's determination that a copy of the E2 travel database cannot reasonably or readily be reproduced in the format requested; as well as the agency not including all database fields and the NRC's failure to cite exemptions for denied fields in our August 31, 2010 response to your previous appeal.

Acting on your appeal, the NRC staff consulted with Carlson Wagonlit, the contractor which maintains the NRC's E2 travel database, and determined the database cannot reasonably or readily be reproduced in the formats requested. The FOIA does not require the NRC to create new records to satisfy a FOIA request when records being sought are not readily reproducible in "the searchable electronic format requested." Therefore, I am denying that portion of your appeal.

In our August 31, 2010 response, the NRC included a "carbon-copy" of its Federal Financial System (FFS) travel database maintained by the U.S. Department of Interior's National Business Center (NBC). The response included all fields within the database as well as a separate Microsoft Excel file identifying exemptions applied to all data withheld. Therefore, I am also denying this portion of your appeal.

Finally, the NRC, in our August 31, 2010 response to your previous appeal, already made a final determination on your request for a copy of the record layout (data dictionary) associated with the FFS travel database maintained by the NBC. Therefore, that portion of your appeal will not be addressed.

R. Carollo

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This is the NRC's final decision. As set forth in the FOIA, (5 U.S.C. § 552(a)(4)(B)), judicial review of this decision is available in a district court of the United States in the district in which you reside or have your principal place of business. Judicial review can also be had in the district in which the agency's records are situated or in the District of Columbia.

Sincerely,

/RA/

Darren B. Ash
Deputy Executive Director
for Corporate Management
Office of the Executive Director for Operations

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Sincerely,

/RA/

Darren B. Ash
Deputy Executive Director
for Corporate Management
Office of the Executive Director for Operations

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