

2011-0237

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**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) / PRIVACY
ACT (PA) REQUEST**RESPONSE
TYPE

FINAL



PARTIAL

REQUESTER

Jennifer Selin

DATE

SEP 28 2011

PART I. -- INFORMATION RELEASED

- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☐ **APPENDICES** Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- ☐ **APPENDICES** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- ☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738.
- ☐ **APPENDICES** Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

PART I.A -- FEES

AMOUNT *

\$

* See comments
for details☐
☐

You will be billed by NRC for the amount listed.

You will receive a refund for the amount listed.

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☐

None. Minimum fee threshold not met.

Fees waived.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☒ No agency records subject to the request have been located.
- ☐ Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- ☒ This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

The incoming request can be located in ADAMS at ML11152A192. (Records with ML accession number (s) are available in the NRC's Library at www.nrc.gov/reading-rm/adams.html. For assistance in obtaining any records, please contact the NRC's Public Document Room (PDR) at 1-800-397-4209 or by email at pdr.resource@nrc.gov.)

Attached are listings of correspondence responsive to your request as you further directed us to provide in lieu of the actual documents.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Donna L. Sealing

APPENDIX A
RECORDS BEING WITHHELD IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>Accession No.</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTIONS</u>
1.	04/11/11	ML110730051	Letter to Congressmen Darrell Issa and Joseph Lieberman, from Chairman Jaczko provides written Statement of the actions taken on GAO Recommendations in report titled "Information Security – Agencies Need to Implement Federal Desktop Core Configuration Requirements (GAO-10-202 (2 pages)
2.	4/11/11	ML110730113	Enclosure to above (1 page)
3.	4/11/11	ML110470204	Letter to Congress, GAO, and OMB, from Chairman Jaczk0o, provides a summary of actions Taken by the NRC in response to Recommendations contained in various GAO Reports that address NRC activities (3 pages)
4.	04/11/11	ML110470263	Enclosure to above (25 pages)
5.	01/26/11	ML110100135	Letter to Congressmen Darrell Issa and Joseph Lieberman, from Chairman Jaczko, provides a Written statement of the actions taken on GAO Recommendations in report titles "Information Security: Federal Agencies Have Taken Steps to Secure Wireless Networks, but Further Actions Can Mitigate Risk (GAO-11-42SU) (2 pages)
6.	01/26/11	ML110100276	Enclosure to above (2 pages)
7.	02/03/11	ML103430080	Letter to Honorable Darrell Issa providing the Fiscal Year 2010 Federal Information Security Management Act (FISMA) (1 page) Ex. 5

**APPENDIX B
RECORDS BEING WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION (PAGE COUNT)/EXEMPTIONS</u>
1.	05/12/11	<p>Letter to Congressman Darrell Issa, from Chairman Jaczko, responds to request for documents on Yucca Mountain (ML111380724) (1 page)</p> <p>Enclosure to above is not in ADAMS. (Not for public disclosure)</p>
2.	03/30/11	<p>Letter to Congressman Darrell Issa from Chairman Jaczko, responds to request for an unredacted copy of the draft Volume III of the NRC staff's Safety Evaluation Report related to Disposal of High-Level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada (ML110830742) (2 pages)</p> <p>Enclosure to above is voluminous and is not in ADAMS. (Not for public disclosure)</p>
3.	04/14/11	<p>Letter to Honorable Darrell Issa provide the initial response to March 11, 2011 letter (ML110750175) (1 page) Enclosure not for public release. Ex. 5</p>
4.	04/21/11	<p>Letter to Honorable Darrell Issa partially provides response to questions 5, 7 and 9 of March 11, 2011 letter (ML110750175) (1 page) Enclosure not for public release. Ex. 5</p>
5.	04/26/11	<p>Letter to Honorable Darrell Issa provides documents addressing questions 1, 4 and 8 of March 11, 2011 letter (ML110750175) (1 page) Enclosure not for public release. Ex. 5</p>
6.	4/28/11	<p>Letter to Honorable Darrell Issa provides additional documents to questions 5, 6 and 7 of March 11, 2011 letter (ML110750175) (1 page) Enclosure not for public release. Ex. 5</p>
7.	5/03/11	<p>Letter to Honorable Darrell Issa provides additional documents to questions 5 and 6 of March 11, 2011 letter (ML110750175) (1 page) Enclosure not for public release. Ex. 5</p>
8.	5/10/11	<p>Letter to Honorable Darrell Issa provides additional documents to questions 4,5, 7 and 8 of March 11, 2011 letter (ML110750175) (1 page) Enclosure not for public release. Ex. 5</p>

APPENDIX C
RECORDS ALREADY PUBLICLY AVAILABLE

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	03/31/11	ML110940022	Letter to Honorable Darrell Issa from Commissioners regarding Volume III of the Draft Safety Evaluation Report related to Yucca Mountain (2 pages)