

AUDIT OF NUCLEAR REGULATORY COMMISSION'S
FREEDOM OF INFORMATION ACT PROCESS
(OIG-14-A-17)

Recommendation 1: Implement technology, such as RedactXpress, in the regions and larger program offices to more efficiently process FOIA requests.

Response: Agree. The Office of Information Services (OIS) is implementing web-based Freedom of Information Act (FOIA) application technology for digital processing to enhance the efficiency of FOIA processing. OIS has purchased RedactXpress licenses for distribution to the regional offices, and larger program offices where more voluminous responsive records sets are returned, and has offered to train the staff at the regions and program offices in electronic processing.

Target Completion Date: December 15, 2014 for the initial distribution of the first set of licenses for electronic processing

Point of Contact (POC): Mark Graff, 301-415-8154

Recommendation 2: Conduct annual reviews to determine the feasibility of upgrading technology within OIS to more efficiently process FOIA requests.

Response: Agree. As part of its annual FOIA reporting process, OIS will develop a systematic process for conducting annual reviews to determine the feasibility of upgrading technology to increase efficiency in the FOIA process. OIS has already procured one software license for the deduplication of large volumes of records, as well as additional licenses to allow the electronic submission of release recommendations to OIS. Reviews will be conducted annually, and will outline possible upgrades, feasibility, cost, as well as the benefits.

Target Completion Date: October 31, 2015 (annually)

POC: Mark Graff, 301-415-8154

Recommendation 3: Develop a process to ensure that the FOIA office's information technology needs are met in a timely manner, specifically with regard to FOIAXpress updates.

Response: Agree. One of the technology upgrades that is contemplated in response to Recommendation 2 includes the updating of the FOIAXpress electronic processing application. OIS will ensure that the FOIA program technology needs are subject to the established IT technology refresh and enhancement process, which includes an annual review of available upgrades and updated versions. FOIAXpress, as well as other technology tool updates, functions, and upcoming releases will be reviewed on an

Enclosure

annual basis. OIS staff will attend the annual conference hosted by the vendor that outlines the latest versions and updates to FOIAXpress. These updates and revisions will be implemented pursuant to the same IT technology refresh and enhancement process.

Target Completion Date: October 31, 2014 (annually)

POC: Mark Graff, 301-415-8154

Recommendation 4:

Develop and implement an OCHCO and DOJ-approved formal training and development program for all FOIA office personnel.

Response:

Agree. OIS, in partnership with the Office of the Chief Human Capital Officer, (OCHCO), will develop a training plan (or Accreditation Plan) for all FOIA office personnel to ensure that they are well-trained and meet the requirements based on their level of FOIA experience. This plan will incorporate the e-learning training modules outlined in Recommendation 5. Also, on an annual basis, OIS, in coordination with the Department of Justice (DOJ) and Office of Government Information Services, will host FOIA training to all agency staff. This training event, as part of the training and development program, will satisfy the FOIA branch-led training for NRC staff outlined in Recommendation 6.

Target Completion Date: September 30, 2014 for the development of an NRC training plan

June 30, 2015 for the FOIA training for all agency staff (annually)

POC: Nina Argent, 301-415-5295

Recommendation 5:

Obtain DOJ FOIA e-learning training modules and encourage all agency staff to pursue completion through annual agency communications.

Response:

Agree. OIS will obtain the available DOJ FOIA e-learning training modules and will annually communicate to all agency staff, encouraging them to complete the modules. These modules will now be announced through network announcements when available, and will be incorporated into the training and development program outlined in response to Recommendation 4.

Target Completion Date: June 30, 2015 (annually)

POC: Nina Argent, 301-415-5295

Recommendation 6:

Reintroduce FOIA branch-led training for NRC staff on an annual basis.

Response:

Agree. OIS will conduct annual classroom training available to all NRC staff, totaling between 2 to 3 hours of instruction, on how to process FOIA requests and properly apply the statutory exemptions. These trainings will be made available via iLearn for all NRC staff. Additionally, OIS will conduct ongoing outreach efforts to individual program offices to provide specialized instruction based on the types of records likely to be found in those offices.

Target Completion Date: June 30, 2015 (annually)

POC: Stephanie Blaney, 301-415-6975

Recommendation 7:

Conduct a review of FOIA requests to determine if frequently requested nonpublic documents can be proactively placed into public ADAMS for future use.

Response:

Agree. A review of FOIA requests will be completed on an annual basis to determine which records can be proactively disclosed in the public agencywide Documents Access and Management System (ADAMS). The content of the records sought in incoming requests will be compared to existing prior requests using the FOIAXpress request-linking capability to determine the extent to which the material sought has been requested previously.

Target Completion Date: April 30, 2015 (annually)

POC: Karen Danoff, 301-415-5072

Recommendation 8:

Develop and implement a process to confirm appropriate program and regional office management review of FOIA records.

Response:

Agree. OIS, in collaboration with the Office of the General Counsel (OGC), will draft guidance outlining the need for office heads to designate a management-level official, based on the content, sensitivity, and classification level of the records, to review FOIA records to confirm that the records have been appropriately processed.

Target Completion Date: September 30, 2014

POC: Laura Pearson, 301-415-6244

Recommendation 9:

Either revise Management Directive 3.1 to comply with the disclosure review requirements found in 10 CFR Part 9.25(f) or revise 10 CFR Part 9.25(f) to allow office heads the authority to delegate the initial disclosure review determination responsibility to a designee at a managerial Grade 15 level or above.

Response:

Agree. OIS will work with the Office of Administration and OGC to develop a plan and timeline to revise Management Directive 3.1 and will also propose revisions to Title 10 Code of Federal Regulations (10 CFR) Part 9.25(f).

Target Completion Date: September 30, 2016

POC: Laura Pearson, 301-415-6244