

2015-0469

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

RESPONSE TYPE  INTERIM  FINAL

REQUESTER  
Takanori Eto

DATE  
October 9, 2015

#### 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.
- |       |
|-------|
| GROUP |
|-------|

 Agency records subject to the request that are identified in the specified group are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- |            |
|------------|
| GROUP<br>A |
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 Agency records subject to the request that are contained in the specified group are being made available in public ADAMS.
- |            |
|------------|
| GROUP<br>A |
|------------|

 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\*  You will be billed by NRC for the amount listed.  None. Minimum fee threshold not met.
- \$   You will receive a refund for the amount listed.  Fees waived.
- \* See comments for details

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

- We did not locate any agency records responsive to your request. *Note:* Congress allowed agencies to treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification that we give to all requesters; it should not be taken as an indication that any of these excluded records do, or do not, exist.
- We have withheld certain information in the records from disclosure pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal this determination at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination on your request.
- You may appeal this final determination within 30 calendar days of the date of this response, by writing to the FOIA Officer, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 . Please be sure to mark your letter/envelope or email that it is a "FOIA Appeal."

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

This is in response to your request, which asked for documents containing the number of, and details about, both successful and unsuccessful cyber-attacks directed at the U.S. Nuclear Regulatory Commission during the 2010-2014 time period. For purposes of this request, we have used the Nuclear Energy Institute's definition of cyber-attack: "Any event in which there is reason to believe that an adversary [i.e., an external source] has committed or caused, or attempted to commit or cause, or has made a credible threat to commit or cause malicious exploitation of a SSEP function." See NEI-08-09. [continued on next page]

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

*Roger D. Andoh*

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

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PART I.C COMMENTS (Continued)

The NRC reports to the Department of Homeland Security's U.S. Computer Emergency Readiness Team (US-CERT) on cyber incidents based upon seven reporting categories, which may be found at this link: <https://www.us-cert.gov/government-users/reporting-requirements#tax>. NRC staff determined that the incidents reported under US-CERT Categories 1 (Unauthorized Access - an individual gains unauthorized logical or physical access to a government network, system, application, data or other resource) and 5 (Scans, Probes, Attempted Access - any activity that seeks to access or identify a government computer, open ports, protocols, service, or any combination for later exploit) are responsive to your request. We have attached one document for each category of incidents. Please note that the CSIR/NRC incident number includes the date of the incident, which NRC staff detected the same day; for example, "2011-0112-001" means that the incident that occurred, and/was detected, on January 12, 2011. Please note also that NRC staff's analysis of the successful incidents resulted in no compromise of sensitive NRC information or information technology assets.

The incoming request will be made available in ADAMS as ML152587A126. Records with an ML accession number are publicly available in the NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm.html>. If you need assistance in obtaining these records, please contact the NRC's Public Document Room (PDR) at 301-415-4737, or 1-800-397-4209, or by email to PDR.Resource@nrc.gov.