



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0247

1

RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Julian Tarver

DATE:

FEB 16 2017

DESCRIPTION OF REQUESTED RECORDS:

Past NRC contracts issued related to obtaining firearms, 2012-current date

PART I. -- INFORMATION RELEASED

- Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- 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.

None. Minimum fee threshold not met.

You will receive a refund for the amount listed.

Fees waived.

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

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information 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 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.
- You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

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

In conformance with the FOIA Improvement Act of 2016, the NRC is informing you that: (1) you have the right to seek assistance from the NRC's FOIA Public Liaison; (2) you have the right to seek dispute resolution services from the NRC's FOIA Public Liaison or the Office of Government Information Services; and (3) notwithstanding the language in Parts I.B and II.B of this form, you may appeal this final determination within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER

Stephanie Blaney



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2017-0247

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PART II.A -- APPLICABLE EXEMPTIONS

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
 - Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
 - Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
 - 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
 - The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
 - The information is considered to be another type of confidential business (proprietary) information.
 - The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
 - Deliberative process privilege.
 - Attorney work product privilege.
 - Attorney-client privilege.
- Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
 - (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
 - (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
 - (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
 - (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
 - (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- Other

PART II.B -- DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

| DENYING OFFICIAL | TITLE/OFFICE | RECORDS DENIED | APPELLATE OFFICIAL | |
|------------------|-------------------|----------------|-------------------------------------|--------------------------|
| | | | EDO | SECY |
| Stephanie Blaney | FOIA Officer/OCIO | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |

Appeals must be made in writing within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

ORDER FOR SUPPLIES OR SERVICES

PAGE OF PAGES
1 30

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

| | | | |
|--|--------------------------|---|----------------|
| 1. DATE OF ORDER 03/02/2015 | 2. CONTRACT NO. (If any) | 6. SHIP TO: | |
| 3. ORDER NO. NRC-HQ-30-15-P-0001 | | 4. REQUISITION/REFERENCE NO. OIG-15-0004 | |
| 5. ISSUING OFFICE (Address correspondence to) US NRC - HQ ACQUISITION MANAGEMENT DIVISION MAIL STOP TWFN-5E03 ATTN LATOYA COOPER WASHINGTON DC 20555-0001 | | a. NAME OF CONSIGNEE US NUCLEAR REGULATORY COMMISSION- | |
| | | b. STREET ADDRESS WAREHOUSE 4934 BOILING BROOK PARKWAY | |
| | | c. CITY ROCKVILLE | d. STATE MD |
| | | e. ZIP CODE 20852 | |
| 7. TO: HARRIS COUCH | | f. SHIP VIA | |
| a. NAME OF CONTRACTOR GLOCK INC | | 8. TYPE OF ORDER | |
| b. COMPANY NAME | | <input checked="" type="checkbox"/> a. PURCHASE | |
| c. STREET ADDRESS 6000 HIGHLANDS PARKWAY SE | | REFERENCE YOUR: | |
| d. CITY SMYRNA | | e. STATE GA | |
| | | f. ZIP CODE 30082-7204 | |
| 9. ACCOUNTING AND APPROPRIATION DATA See Schedule | | 10. REQUISITIONING OFFICE OFFICE OF THE INSPECTOR GENERAL | |

| | | | | | |
|--|---|---|---|---|------------------|
| 11. BUSINESS CLASSIFICATION (Check appropriate box(es)) | | | | | 12. F.O.B. POINT |
| <input checked="" type="checkbox"/> a. SMALL | <input type="checkbox"/> b. OTHER THAN SMALL | <input type="checkbox"/> c. DISADVANTAGED | <input type="checkbox"/> d. WOMEN-OWNED | <input type="checkbox"/> e. HUBZone | |
| <input type="checkbox"/> f. SERVICE-DISABLED VETERAN-OWNED | <input type="checkbox"/> g. WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOSB PROGRAM | <input type="checkbox"/> h. EDWOSB | | | |
| 13. PLACE OF | | 14. GOVERNMENT B/L NO. | | 15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) | |
| a. INSPECTION Destination | b. ACCEPTANCE Destination | | | | |

17. SCHEDULE (See reverse for Rejections)

| ITEM NO. (a) | SUPPLIES OR SERVICES (b) | QUANTITY ORDERED (c) | UNIT (d) | UNIT PRICE (e) | AMOUNT (f) | QUANTITY ACCEPTED (g) |
|-----------------|--|-------------------------|-------------|-------------------|---------------|--------------------------|
| | The contractor shall provide 22 pistols in accordance with the attached Technical Specifications. NRC Point of Contact: William Walls, (301) 415-5937, william.walls@nrc.gov Continued ... | | | | | |

| | | | | |
|---------------------------------|--|-----------------|--|------------|
| 18. SHIPPING POINT | 19. GROSS SHIPPING WEIGHT | 20. INVOICE NO. | | |
| 21. MAIL INVOICE TO: | | | | |
| a. NAME | US NUCLEAR REGULATORY COMMISSION | | | \$7,040.00 |
| b. STREET ADDRESS (or P.O. Box) | ONE WHITE FLINT NORTH 11555 ROCKVILLE PIKE MAILSTOP 03-E17A NRCPAYMENTSNRCGOV | | | |
| c. CITY | d. STATE | e. ZIP CODE | | \$7,040.00 |
| ROCKVILLE | MD | 20852-2738 | | |

| | | |
|---|------------|---|
| 22. UNITED STATES OF AMERICA BY (Signature) | 03/13/2015 | 23. NAME (Typed) LATOYA D. COOPER TITLE: CONTRACTING/ORDERING OFFICER |
|---|------------|---|

**ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION**

PAGE NO
2

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER
03/02/2015

CONTRACT NO.

ORDER NO.

NRC-HQ-30-15-P-0001

| ITEM NO. (a) | SUPPLIES/SERVICES (b) | QUANTITY ORDERED (c) | UNIT (d) | UNIT PRICE (e) | AMOUNT (f) | QUANTITY ACCEPTED (g) |
|-----------------|--|----------------------------|-------------|----------------------|---------------|-----------------------------|
| 00001 | <p>Glock, Inc. Point of Contact: Harris Couch, (770) 319-4763, harris.couch@glock.us</p> <p>Period of Performance: March 4, 2015, through June 3, 2015.</p> <p>Accounting Info: 2015-450300-FEEBASED-30-30D002-62-2-391-L302 1-3191</p> <p>8 Pistols: Model: G23 Gen4 .40 caliber, finger groove frame, Glock night sights configured with standard, 5.5lb trigger and 6-magazines/pistol</p> <p>8 Pistols: Model: G27 Gen4 .40 caliber, finger groove frame, Glock night sights configured with standard, 5.5lb Trigger and 6-magazines/pistol</p> <p>6 Pistols: Model: G22 Gen4 .40 caliber, finger groove frame, Glock night sights configured with standard, 5.5lb trigger and 6-magazines/pistol</p> <p>Please indicate your acceptance of this order by having an official who is authorized to bind your organization, execute this document in the space provided below.</p> <p>ACCEPTED:</p> <p>Signature: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Date: _____</p> <p>Continued ...</p> | 22 | EA | 320.00 | 7,040.00 | |

EX 4

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

\$7,040.00

**ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION**

PAGE NO

3

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER
03/02/2015

CONTRACT NO.

ORDER NO.
NRC-HQ-30-15-P-0001

| ITEM NO. (a) | SUPPLIES/SERVICES (b) | QUANTITY ORDERED (c) | UNIT (d) | UNIT PRICE (e) | AMOUNT (f) | QUANTITY ACCEPTED (g) |
|--|--|----------------------------|-------------|----------------------|---------------|-----------------------------|
| | The obligated amount of award: \$7,040.00. The total for this award is shown in box 17(i). | | | | | |
| TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H)) | | | | | \$0.00 | |

Dear FOIA Requester:

The FOIA Improvement Act of 2016, which was enacted on June 30, 2016, made several changes to the Freedom of Information Act (FOIA). Federal agencies must revise their FOIA regulations to reflect those changes by December 27, 2016. In addition to revising our regulations, we intend to update the Form 464, which we use to respond to FOIA requests.

In the interim, please see the comment box in Part I.C of the attached Form 464. The comment box includes information related to the recent changes to FOIA that is applicable to your FOIA request, including an updated time period for filing an administrative appeal with the NRC.

Sincerely yours,

Stephanie Blaney /S/

Stephanie Blaney
FOIA Officer