

CASE NO: 2018-0007A  
DATE REC'D: 11/06/2017  
SPECIALIST: Stevens  
RELATED CASE: 2017-0677

**From:** [Samuel Miranda](#)  
**To:** [FOIA.Resource](#)  
**Subject:** [External\_Sender] FOIA/PA Appeal: - FOIA/PA-2017-0677  
**Date:** Monday, November 06, 2017 11:26:37 AM  
**Attachments:** [FOIA-2017-0677-appeal.pdf](#)

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Monday, November 6, 2017

[FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov)

FOIA/PA Appeal: - FOIA/PA-2017-0677

Dear Ms. Blaney:

I regret that I must file yet another appeal of an NRC FOIA Office response. This one concerns the FOIA Office's inadequate response to my FOIA request (FOIA/PA-2017-0677), which I made under the Freedom of Information Act.

Pages 23 through 43 of the response (attached) contain large blocks of redacted material, citing Exemption 5, which refers to a "deliberative process privilege". Pages 24, 25, 30, 31, and 40 through 43 are largely or entirely blank! These whole-cloth redactions are an abuse of Exemption 5! If Mary McCarthy were alive today, and were shown this FOIA response, she would probably say that every word the NRC staffer members wrote was redacted, including "and" and "the". I maintain that the FOIA Office can make more discriminating redactions without jeopardizing the NRC's "deliberative process privilege".

There are one or two individuals (one on page 23, in the Office of the Inspector General, and another individual (perhaps the same one, on page 30) whose names have been redacted, citing Exemption 6 (privacy). I don't understand why any NRC employee, who is copied on a work product (i.e., an e-mail message concerning an issue in which he or she has an interest), can expect to receive a higher level of privacy protection than that which is extended to the other addressees.

FYI, the dead-end web link that is listed on page 27 has been corrected by the ASME. Both links, on that page, are now valid.

Also FYI, the results of all these "deliberative" messages have not been disclosed to me, the Petitioner. This is why it was necessary to file a FOIA request. All I got was a collection of blank pages. A little diligence, by certain members of the NRC staff, could have saved the overburdened FOIA Office some work.

Your prompt attention to this appeal will be appreciated.

Sincerely,

Samuel Miranda