



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

JAN 08 2018

IN RESPONSE REFER TO:
NRC-2018-000204
NRC-2018-000031

Julian Tarver

(b) (6)

Dear Mr. Tarver,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your December 10, 2017, letter, in which you appealed the agency's December 5, 2017, decision related to your Freedom of Information Act (FOIA) request, NRC-2018-000031, which sought all contracts and agreements between NRC and the Office of the Director of National Intelligence (ODNI). You appealed the search performed. Although you stated that you believe there is some sort of agreement being maintained, you provided no documentation in support of that belief.

Acting on your appeal, I have considered the matter and have determined that the searches performed by the NRC, which did not produce any responsive records, were reasonably calculated to locate any agency records responsive to your request. The FOIA obligates agencies to conduct searches reasonably calculated to locate any responsive agency records; that is, records maintained by, and under the control of, an agency at the time it receives a request. The Office of Administration (ADM) and the Office of Nuclear Security and Incident Response (NSIR) are the program offices most likely to have had any records responsive to your request. In the FOIA Officer's December 5, 2017, response to you, she noted that "you submitted an identical request within the past year (FOIA/PA-2017-0136), which also resulted in a 'no record' response." The identical search to the one conducted herein was then affirmed in response to your appeal challenging the adequacy of the search (FOIA/PA-2017-00113A)." Therefore, I have denied your appeal.

This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you can seek judicial review of this decision in a district court of the United States in the district in which you reside or have your principal place of business, in the district where the agency's records are situated, or in the District of Columbia.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974.

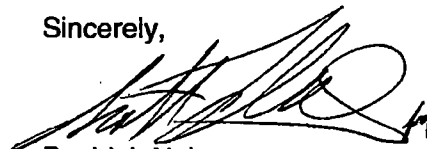
Tarver, J.

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You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
732 North Capitol Street, NW
Washington, D.C. 20401
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Nelson", with a stylized flourish at the end.

David J. Nelson
Chief Information Officer
Office of the Chief Information Officer