



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

JAN 25 2018

IN RESPONSE REFER TO:
NRC-2018-000273
NRC-2018-000172

Mr. Julian Tarver
Washington State Penitentiary IMU South H-2
1313 N 13th Avenue
Walla Walla, WA 99362

Dear Mr. Tarver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated December 15, 2017, in which you appealed the agency's December 7, 2017 response related to your October 31, 2017 Freedom of Information Act (FOIA) request, NRC-2018-000172 (formerly FOIA/PA-2018-0079). Your request sought, among other information not pertinent herein, the cell telephone number of Laura Pearson. You appealed the denial of the cell telephone number.

Acting on your appeal, I have considered the matter and have determined that the denial of any NRC staff member's cell telephone number, including Ms. Pearson's, was appropriate. Therefore, I have denied your appeal.

The NRC redacted Ms. Pearson's cell phone number under Exemption 6 in the FOIA. This exemption covers certain files "the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" (5 U.S.C. § 552(b)(6)). In determining whether the disclosure of information would meet this standard, an agency must weigh the privacy interest involved against any public interest in disclosure asserted by the person submitting the FOIA request. In the interest of maintaining the privacy of our staff, the NRC does not release their cell phone numbers. Your appeal letter states that there is no privacy concern with respect to a public paid cell phone number. I respectfully disagree. I note that not all NRC staff are provided government-paid devices; some NRC staff choose to use their own personal devices. Whether personally or government owned, a cell phone enables the NRC to reach our staff on matters of urgent official business. With limited exceptions not applicable herein, the office phone numbers at which NRC staff may be contacted by members of the public are publicly available at <https://www.nrc.gov/about-nrc/contactus/phone-directory.html>. Therefore, I am unable to identify any legitimate public interest in the release of this information that would outweigh the personal privacy interests at stake. 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 may seek judicial review of this decision in the district court of the United States in the district in which you reside or have your principal place of business. You may also seek judicial review in the district in which the agency's records are situated or in the District of Columbia.

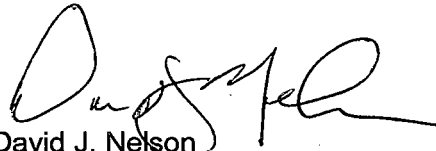
Tarver, J.

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Office of Government Information Services
National Archives and Records Administration
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Washington, D.C. 20401
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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", written over a printed name.

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