

**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST
(CONTINUATION)**

FOIA NUMBER(S)

FOIA - 95-265

DATE

JUL 14 1995

PART II B - APPLICABLE EXEMPTIONS

Records subject to the request that are described in the enclosed Appendix(es) E are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)

2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)

3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)

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).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).

5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:

Deliberative Process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

Attorney work product privilege. (Documents prepared by an attorney in contemplation of litigation.)

Attorney-client privilege. (Confidential communications between an attorney and his/her client.)

6. The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)

7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)

Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))

Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7(C))

The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))

OTHER

PART II C - DENYING OFFICIALS

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
<i>William T. Russell</i>	<i>Director, Office of Nuclear Reactor Regulation</i>	<i>E-1, E-3</i>	<input checked="" type="checkbox"/>		
<i>James A. Liebman</i>	<i>Director, Office of Enforcement</i>	<i>E-2</i>	<input checked="" type="checkbox"/>		

PART II D - APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

APPENDIX E
(RECORD WITHHELD IN PART)

ARLEN SPECTER

1. 5/30/91 Letter to Jeanne O'Brien from Thomas Murley with enclosures (3 pages) (Exemption 6, Part)
2. 4/16/93 Letter to Abdurrahman Unal from James Lieberman with enclosures (13 pages) (Exemption 6, Part)
3. 7/1/93 Letter to Christopher Hanshaw from Thomas Murley with enclosures (5 pages) (Exemption 6, Part)

FOIA-95-265

APPENDIX F
(RECORD RELEASED)

ARLEN SPECTER

1. 1/7/91 Letter to Clyde Hornberger from Jack Roe with enclosures (9 pages)

THE WALL STREET JOURNAL. DOW JONES & COMPANY, INC.

Publishers

110 WALL STREET
NEW YORK, N.Y. 10038
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Russell A. Powell
Chief, FOIA/LPDR
Nuclear Regulatory Commission
Two White Flint North Building
11545 Rockville Pike
Rockville, Maryland 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-95-265
Rec'd 6-14-95

June 12, 1995

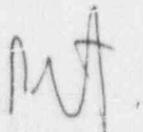
Dear Mr. Powell:

Please consider this a request under the Freedom of Information Act. I would like all records in your agency's possession showing communications to and from Sen. Richard Lugar.

There is no need to wait until you have all the information together before fulfilling to my request. Please release whatever information you gather as soon as it becomes available. If you have any questions, I can be reached at The Wall Street Journal's Washington D.C. bureau at (202) 862-9283. Please notify me by phone as soon as you have any information available.

Thank you very much for your prompt attention to this matter.

Sincerely,



Phil Kuntz
Staff Reporter

Pg 1 of 6

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Two White Flint North Building
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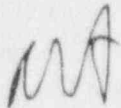
Dear Mr. Powell:

Please consider this a request under the Freedom of Information Act. I would like all records in your agency's possession showing communications to and from Sen. Arlen Specter.

There is no need to wait until you have all the information together before fulfilling to my request. Please release whatever information you gather as soon as it becomes available. If you have any questions, I can be reached at The Wall Street Journal's Washington D.C. bureau at (202) 862-9283. Please notify me by phone as soon as you have any information available.

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Sincerely,



Phil Kuntz
Staff Reporter

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11/22/95 10:17:04

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Nuclear Regulatory Commission
Two White Flint North Building
11545 Rockville Pike
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June 12, 1995

Dear Mr. Powell:

Please consider this a request under the Freedom of Information Act. I would like all records in your agency's possession showing communications to and from Sen. Bob Dole.

There is no need to wait until you have all the information together before fulfilling to my request. Please release whatever information you gather as soon as it becomes available. If you have any questions, I can be reached at The Wall Street Journal's Washington D.C. bureau at (202) 862-9283. Please notify me by phone as soon as you have any information available.

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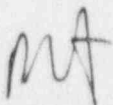
Dear Mr. Powell:

Please consider this a request under the Freedom of Information Act. I would like all records in your agency's possession showing communications to and from Sen. Phil Gramm.

There is no need to wait until you have all the information together before fulfilling to my request. Please release whatever information you gather as soon as it becomes available. If you have any questions, I can be reached at The Wall Street Journal's Washington D.C. bureau at (202) 862-9283. Please notify me by phone as soon as you have any information available.

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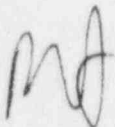
Dear Mr. Powell:

Please consider this a request under the Freedom of Information Act. I would like all records in your agency's possession showing communications to and from Rep. Robert Dornan.

There is no need to wait until you have all the information together before fulfilling to my request. Please release whatever information you gather as soon as it becomes available. If you have any questions, I can be reached at The Wall Street Journal's Washington D.C. bureau at (202) 862-9283. Please notify me by phone as soon as you have any information available.

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Rockville, Maryland 20855

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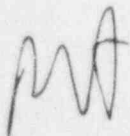
Dear Mr. Powell:

Please consider this a request under the Freedom of Information Act. I would like all records in your agency's possession showing communications to and from Rep. Newt Gingrich.

There is no need to wait until you have all the information together before fulfilling to my request. Please release whatever information you gather as soon as it becomes available. If you have any questions, I can be reached at The Wall Street Journal's Washington D.C. bureau at (202) 862-9283. Please notify me by phone as soon as you have any information available.

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ENCLOSURE)

Russell Powell
Nuclear Regulatory Commission
2 White Flint No. Bldg
11545 Rockville Pike
Rockville, MD 20855