

## 2021 U.S. Nuclear Regulatory Commission

### Chief FOIA Officer Report

David Nelson

#### **Section 1: Steps Taken to Apply the Presumption of Openness**

The guiding principle underlying DOJ's [FOIA Guidelines](#) is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

##### **A. FOIA Leadership**

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at this level?

Yes.

2. Please provide the name and title of your agency's Chief FOIA Officer.

David Nelson, Chief Information Officer.

##### **B. FOIA Training**

3. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

NRC FOIA Officer provided specific ad hoc FOIA training, which was tailored toward a regional offices' specific needs as well as tailored training for the Office of Investigations. Since the pandemic, the FOIA Officer and team provided virtual FOIA training on the Overview of FOIA and How to Redact in response to a FOIA.

4. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?

Yes.

5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.

NRC has a participant attend virtually the American Society of Access Professionals (ASAP) annual training conference and ASAP Item Writers and Reviewers Training. In addition, FOIA professionals participated virtually in the Department of Justice (DOJ) Best Practices Workshop on Technology, DOJ Exemption 4, DOJ Exemption 5, and DOJ Privacy Mini Considerations.

6. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

100% of the Government Information Specialists attended some or all of the above-mentioned training.

7. OIP has directed agencies to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

N/A.

### **C. Outreach**

8. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency’s FOIA administration.

Yes, the NRC continues to issue a survey to each FOIA requester at the completion of their FOIA request to provide feedback on NRC’s administration of the FOIA. The NRC Chief FOIA Officer, FOIA Public Liaison, and FOIA Officer met with a few of the FOIA requesters to discuss ways to improve the FOIA process by suggesting increasing FOIA staff which will have positive effect on the timing of NRC responses to FOIA requests.

### **D. Other Initiatives**

9. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff.

In addition to ad hoc training provided tailored to offices’ needs, we have now posted recorded training sessions, training slides and guidance documents on an internal website for non-FOIA professionals to use to aid them in understanding their obligations under the FOIA. In addition, the most recent recorded training session are accessible on Microsoft Stream.

The NRC FOIA program recommended the non-FOIA professionals take the DOJ Module “FOIA Training for Federal Employees” which was available in the agency’s talent management / learning system.

10. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

N/A.

## **Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests**

DOJ's [FOIA Guidelines](#) emphasize that “[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests.” It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that describes your agency's efforts in this area.

1. For Fiscal Year 2020, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report.

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2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

N/A.

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc.

Note: In September 2017, OIP released a FOIA Self-Assessment Toolkit as a resource for agencies conducting a self-assessment of their FOIA program. The Toolkit is available on OIP's website for all agencies to use.

The NRC underwent a FOIA assessment by the Office of Government Information Services (OGIS). The report was published on September 17, 2020, <https://foia.blogs.archives.gov/2020/09/17/ogis-publishes-nrc-foia-compliance-assessment/>.

The NRC has updated its management directive, other guidance documents, and templates used with FOIA requesters. The NRC is in the process of revising Form 507 used with FOIA requesters to seek verification of identity and or third-party authorization. There was a 60-day federal register notice issued on January 8, 2021.

4. Standard Operating Procedures (SOPs): Having SOPs can improve the consistency and quality of an agency's FOIA process. In addition, describing an agency's standard practices for handling FOIA requests on agency FOIA websites can help requesters better understand how their request will be handled.

a) Does your agency have SOPs that outline general processes for handling FOIA requests and appeals? Yes, the NRC has a management directive, desk guide and a “how to” guide that outline the general processes for handling FOIA requests and appeals.

b) If not, does your agency have plans to create FOIA SOPs? N/A.

c) If yes, how often are they reviewed/updated to account for changes in law, best practices, and technology? The management directive is updated every 8 years, or sooner if there is a need. Our other guidance documents are updated on an “as needed” basis.

d) In addition to having SOPs, does your agency post or otherwise describe your standard processes for handling requests on your website? Yes, we release publicly our guidance documents that help requesters understand our process.

5. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency’s FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency’s FOIA Public Liaison during FY 2020 (please provide a total number or an estimate of the number).

2.

6. Does your agency frequently receive common categories of first-party requests? If so, please describe the types of requests and if your agency has explored establishing alternative means of access to these records outside of the FOIA process?

The NRC often receives first-party requests for records pertaining to the Office of Investigations and Office of the Inspector General.

7. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?

Yes

8. Please explain how your agency worked to mitigate the impact of the COVID-19 pandemic on FOIA processing. Examples could include, but are not limited to: altering workflows, implementing new technology, providing notices and instructions or otherwise communicating directly with requesters.

To mitigate the impact of COVID-19 on FOIA processing, the NRC quickly notified its FOIA requester community by posting an alert on the NRC’s public website. The alert notified requesters that staff was working remotely and there may be additional delays in responding to their requests. NRC also notified requesters that the preferred method for new requests was to be sent electronically through FOIAonline or by email. NRC also informed requesters that requests for records, which were maintained in paper format, may be delayed. The NRC already had in place methods to receive records responsive to a FOIA request electronically.

9. Optional -- Please describe:

- Best practices used to ensure that your FOIA system operates efficiently and effectively
  - The NRC uses FOIAOnline, which is a shared service hosted by the Environmental Protection Agency (EPA). The NRC FOIA team continues to share ideas for areas of improvements to EPA.
- Any challenges your agency faces in this area
  - The challenges the NRC has faced in this area is that the improvements, suggested by the NRC may not necessarily be improvements which would benefit other participating agencies. A new challenge is with the requirement for

agencies to identify a solution to support electronic identity proofing and authentication by the CASES Act. In addition, with the current budget increases to keep FOIAonline operating, EPA has had to limit system enhancements to only those necessary.

### **Section III: Steps Taken to Increase Proactive Disclosures**

The Department of Justice has long focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

1. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.

The NRC has a longstanding policy of conducting its regulatory responsibilities in an open and transparent manner and actively makes records publicly available, without waiting for a FOIA request. The NRC has made available to the public at ML072770468, Guidance for Determining the Public Availability of Documents. NRC Management Directive 3.4, "Release of Information to the Public," provides policy guidance on proactive disclosures of agency information of interest to the public, when no request for information has been made under the FOIA. The policy statement found within MD 3.4 reads, "The U.S. Nuclear Regulatory Commission makes as much information as possible available to the public relating to its health and safety mission, in accordance with its legal responsibilities to protect specific types of information. It is the intent of NRC to routinely make information publicly available that is anticipated to be of interest to the public to make it unnecessary for persons to file a request for the information under the Freedom of Information Act (FOIA). This directive requires review of Commission Decision Documents (SECY papers [SECY's], Commission memoranda [COMs], and staff requirements memoranda [SRMs] for mandatory release under the FOIA, 5 U.S.C. 552(a)(1) and (a)(2)."

The records are released in the Agencywide Documents Access and Management System (ADAMS) with stringent time constraints to ensure timely release of non-sensitive records to the public in an accessible electronic format. <https://adams.nrc.gov/wba/>

- NRC regulatory guides: <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/>
- Office of the Inspector General reports: <https://www.nrc.gov/reading-rm/doc-collections/insp-gen/>
- Commission documents: <https://www.nrc.gov/reading-rm/doc-collections/commission/recent/2017/>
- Quarterly generic issues: <https://www.nrc.gov/reading-rm/doc-collections/generic-issues/quarterly/index.html>
- Congressional testimony: <https://www.nrc.gov/reading-rm/doc-collections/congress-docs/congress-testimony/>
- Nuclear Reactor Information - <https://www.nrc.gov/reactors.html>

Due to a large digitization effort that started in July 2019, 1,080,631 records from 1979-1999 were added to public ADAMS. These documents were digitized from 110,000 individual pieces of microfiche and 88,000 aperture cards (containing blueprints, schematics, or maps). They comprise more than 43 million images that are now available to the public in electronic format.

2. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

Yes.

3. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.

In 2018, NRC developed and posted on YouTube 14 "How To" videos on using the Licensing Support Network (LSN). The 14 videos are (1) Introduction, (2) Basic and Advanced Searches, (3) Accessing the LSN Library Search Page, (4) Finding a Record by the LSN Accession number, (5) Performing a Simple Content Search with Search Terms, (6) Advanced Search – Using Search Terms, Dates and Record Properties, (7) Saving Search Criteria for Future Use, (8) Wildcard Searches, (9) Refining a Search, (10) Using the Facet Tree and Facet Chart, (11) Using the Time-Series Chart, (12) Working with the Results, (13) Viewing the Results and Document Properties, and (14) Saving and Printing the Results. A link to the video series can be found on the public LSN Library web site at <https://www.nrc.gov/reading-rm/lsn/index.html>.

The agency plans to advertise the information about the newly digitized documents on the ADAMS Public Documents page, as well as steps to search for those specific documents.

4. Optional -- Please describe:

- Best practices used to improve proactive disclosures

The agency has also purchased software, which is being tested for use in electronically searching documents for terms, which may indicate documents that should not be released. This is anticipated to reduce the staff time to review documents for release to the public.

Reduced staffing across the agency has limited the resources for the review of older documents for public release.

- Any challenges your agency faces in this area

N/A.

#### **Section IV: Steps Taken to Greater Utilize Technology**

A key component of FOIA administration is using technology to make information more accessible. In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information which describes your agency's efforts in this area.

1. Please briefly describe the types of technology your agency uses to support your FOIA program. In addition, please highlight if your agency is leveraging or exploring any new technology that you have not previously reported. If so, please describe the type of technology.

The NRC utilizes FOIAonline as its case management system, RedactXpress as its redaction tool, and Microsoft Office products.

Yes, the NRC is exploring leveraging technology to facilitate efficiency in deduplication and conducting searches with using Microsoft Office 365 e-discovery tool or Active Navigation.

2. OIP issued [guidance](#) in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources, and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Yes.

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2020?

Yes.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2021.

N/A.

5. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2019 Annual FOIA Report and, if available, for your agency's Fiscal Year 2020 Annual FOIA Report.

<https://www.nrc.gov/reading-rm/foia/annual-reports/>

6. Optional -- Please describe:

- Best practices used in greater utilizing technology
- Any challenges your agency faces in this area

## **Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs**



The Department of Justice has emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

For the figures required in this Section, please use the numbers contained in the specified sections of your agency's FY 2019 and 2020 Annual FOIA Reports.

### **A. Simple Track**

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

Yes, the NRC utilizes separate tracks for simple, complex, and expedited requests.

2. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2020?

Yes, our average number of days was 17.11 days.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2020 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) *divided by* (requests processed from Section V.A.) x 100.

64.6%

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

N/A.

### **B. Backlogs**

Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

### **BACKLOGGED REQUESTS**



5. If your agency had a backlog of requests at the close of Fiscal Year 2020, according to Annual FOIA Report Section XII.A, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

No, NRC backlog increased from 66 in Fiscal Year 2019 to 81 at the end of Fiscal Year 2020.

6. If not, according to Annual FOIA Report Section V.A, did your agency process more requests during Fiscal Year 2020 than it did during Fiscal Year 2019?

No, the NRC received 80 fewer requests in Fiscal Year 2020 than it did in Fiscal Year 2019.

7. If your agency's request backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests. No.
- A loss of staff. The NRC's FOIA contract was unable to keep two vacancies filled (50% of contract) during FY 2020. The NRC federal Government Information Specialist was understaffed by 0.5 FTE for half of FY 2020, until filling the position in April 2020.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase. No, there was not an increase in the complexity of requests received.
- Any other reasons – please briefly describe or provide examples when possible. The NRC staff has been in a work from home status for 54% of the Fiscal Year due to COVID-19 pandemic which has delayed processing for information that is maintained by the agency in paper format.

8. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) *divided by* (requests received from Section V.A) x 100. If your agency has no request backlog, please answer with "N/A."

28%. However, if you were to also count for the number of requests the agency had pending at the start of Fiscal Year 2020 from section V.A of the annual FOIA report, the backlog percentage would be 21%.

### **BACKLOGGED APPEALS**

9. If your agency had a backlog of appeals at the close of Fiscal Year 2020, according to Section XII.A of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

No, the backlog of the appeals stayed the same.

10. If not, according to section VI.A of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2020 than it did during Fiscal Year 2019?

No, the NRC received 32 fewer appeals in Fiscal Year 2020 than it did in Fiscal Year 2019.

11. If your agency's appeal backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals. No
- A loss of staff. The NRC's FOIA contract was unable to keep two vacancies filled (50% of contract) during FY 2020. The NRC federal Government Information Specialist was understaffed by 0.5 FTE for half of FY 2020, until filing the position in April 2020.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase. No, there was not an increase in the complexity of requests received.
- Any other reasons – please briefly describe or provide examples when possible. The NRC staff has been in a work from home status for 54% of the Fiscal Year due to COVID-19 pandemic which has delayed processing for information that is maintained by the agency in paper format.

12. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) *divided by* (appeals received from Section VI.A) x 100. If your agency did not receive any appeals in Fiscal Year 2020 and/or has no appeal backlog, please answer with "N/A."

12.5%. However, if you were to also count for the number of appeals the agency had pending at the start of Fiscal Year 2020 from section VI.A of the annual FOIA report, the backlog percentage would be 10.7%.

### **C. Backlog Reduction Plans**

13. In the 2020 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2019 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2020?

N/A.

14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2020, please explain your agency's plan to reduce this backlog during Fiscal Year 2021.

N/A.

### **D. Status of Oldest Requests, Appeals, and Consultations**

Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and

consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

### **OLDEST REQUESTS**

15. In Fiscal Year 2020, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2019 Annual FOIA Report?

No.

16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest requests to close, please indicate that.

4 out of 10.

17. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

The NRC continues to take steps to reduce the overall age of our pending requests through communication internally, with other agencies, and with FOIA requesters. This communication can be internal to the NRC with the record owners, with other agencies, and with public submitters. Through communication we stress the importance of timeliness in searching, reviewing, redacting (if needed) and providing the requested information to the FOIA requester. The NRC provides the requester with status updates regarding their FOIA request, as well as always offering the opportunity for narrowing the scope to receive their request more expeditiously.

### **TEN OLDEST APPEALS**

18. In Fiscal Year 2020, did your agency close the ten oldest appeals that were reported pending in Section VII.C.5. of your Fiscal Year 2019 Annual FOIA Report?

No.

19. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest appeals to close, please indicate that.

1 out of 4.

20. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

The NRC continues to take steps to reduce the overall age of our pending appeals through communication internally and with requesters. This communication is often internal with our program offices to make sure they are timely in performing reasonable searches and clarifying how they searched so that we can inform the requester.

### **TEN OLDEST CONSULTATIONS**

21. In Fiscal Year 2020, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report?

No.

22. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest consultations to close, please indicate that.

0 out of 3.

### **E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans**

23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2019.

Obstacles the NRC faced in closing its ten oldest requests, appeals, and consultations from FY2020, was due to the voluminous nature of the requests, and due to some of the records being maintained in paper format while staff has been in work from home status during COVID-19. In addition, as reported previously, an obstacle is that the NRC lacked equipment to view/listen to older records stored on out-of-date technology format and technology to convey the content is no longer routinely available. The NRC has taken steps to obtain the proper equipment and continuing to work towards closing this request.

24. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

None of the ten oldest requests were unable to be closed because of waiting to hear from other agencies.

25. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2021.

The NRC will continue to work aggressively and focus necessary resources to successfully reach our goal of completing the ten oldest requests during FY2021.

### **F. Success Stories**

Out of all the activities undertaken by your agency since March 2020 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas, but should not be something that you have reported in a prior year. As noted above, OIP will highlight these agency success stories during Sunshine Week. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

The NRC requested OGIS to conduct an assessment of its FOIA program. OGIS was able to complete their assessment of NRC the end of Fiscal Year 2020. The NRC is in the process of assessing the recommendations and developing plans on how to implement many of the improvements recommended by OGIS.