

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

FOIA or Reference Number

FOIA-2024-000445-544

Response Number

1

Response
Type☐

Interim

☒

Final

Requester:

Mike Howell, The Heritage Foundation

Date:

10/01/2024

Description of Requested Records:

Each of your requests asks for communications from a named NRC official that mentions "Project 2025" or "P2025" or "Mandate for Leadership" or "Heritage Foundation," during the time period, January 20, 2021, through September 3, 2024 [the date of NRC's receipt of your requests].

PART I. -- INFORMATION RELEASED

- ☐ The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov>; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or the NRC Public Access Link (PAL), at <https://foia.nrc-gateway.gov/app/Home.aspx>.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (See Part I.D -- Comments) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Part I.D -- Comments.

PART I.A -- FEES

AMOUNT

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You will be billed by NRC for the amount indicated.

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You will receive a refund for the amount indicated.

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Fees waived.

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Since the minimum fee threshold was not met, you will not be charged fees.

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Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☒ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☐ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- ☒ You may appeal this final determination within 90 calendar days of the date of this response. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-6 A60M, Washington, D.C. 20555-0001. You may submit an appeal by email to FOIA.resource@nrc.gov. You may fax an appeal to (301) 415-5130. Please be sure to include on your submission that it is a "FOIA Appeal." You may file an appeal through the NRC Public Access Link (PAL) at <https://foia.nrc-gateway.gov/app/Home.aspx>.

PART I.C -- REFERENCES AND POINTS OF CONTACT

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-0717.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may email OGIS at ogis@nara.gov, send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



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PART I.D -- COMMENTS

For each of your requests, you made clear that you want attachments to be included with any responsive communications, as well as the entire email chains for completeness, but you excluded any correspondence that merely forwards press clippings, such as news accounts or opinion pieces, newsletters, and published or docketed materials, if that correspondence has no comment or no substantive comment added by any party in the thread. After receiving the search results, we reached out to you on September 27, 2024, to seek additional clarification from you as to the scope of responsive records. We told you that, of the emails that were retrieved by using any of the four terms you provided, they fall into a few buckets, although none of them concern Project 2025. Additionally, they seem to be of the same nature as your exclusion of mere transmittals of other documents. They may be characterized as follows:

1. Emails that circulate internally the weekly report that goes to the Commission; these weekly reports include a listing of the FOIA requests that have been received by the NRC for the previous week. To the extent the Heritage Foundation submitted requests in the 2021-present time frame, emails that circulate the report were included.
2. Emails that reflect the internal processing of the FOIA requests in this time frame. To the extent the Heritage Foundation submitted requests, these emails were identified.
3. Emails that were circulated between/among a named official and others within the NRC that transmitted an external organization's conference or program, which included the agenda of the conference/program and guest speakers. To the extent a speaker was from the Heritage Foundation, this email was identified.
4. Emails referencing or attaching court cases, proposed legislation, NRC orders or similar source material whose footnotes include referenced Heritage Foundation material.

In an email dated September 27, 2024, you confirmed that any emails falling into the 4 "buckets" described above may be excluded from the scope of these 100 requests.

Accordingly, no responsive records have been located.

Signature - Freedom of Information Act Officer or Designee

Alecia S. Sillah

Digitally signed by Alecia S. Sillah
Date: 2024.10.01 14:55:49 -04'00'