
Re: Re: FOIA-2025-000459 Final Response

From Alecia Sillah <Alecia.Sillah@nrc.gov>

Date Thu 5/1/2025 4:07 PM

To Katherine Long [REDACTED]

Cc Kelsey Reese <Kelsey.Reese@nrc.gov>; FOIA Resource <FOIA.Resource@nrc.gov>

Hi, Katherine - Thank you for your email.

You will receive information regarding your appeal within the next 24 hours.

Kind regards,

Alecia S. Sillah

FOIA Officer

FOIA, Library, and Information Collections (FLIC) Branch

Data, Information Management and Enterprise (DIME) Division

Office of the Chief Information Officer

U.S. Nuclear Regulatory Commission

From: Katherine Lon [REDACTED]

Sent: Thursday, May 1, 2025 4:00 PM

To: Alecia Sillah <Alecia.Sillah@nrc.gov>

Cc: Kelsey Reese <Kelsey.Reese@nrc.gov>

Subject: [External_Sender] Re: FOIA-2025-000459 Final Response

I am attaching responsive records received from OPM that indicate the records are not deliberative, but instead relate to discussion of decisions already taken.

On Thu, May 1, 2025 at 3:58 PM Katherine Lon [REDACTED] > wrote:

Hello Alecia and Kelsey -- thank you for this response.

I contest your determination of withholding based on the deliberative process exemption.

1. OPM and NASA have returned records for this request. OPM is the originator of the records.
2. FOIA Exemption Five, 5 U.S.C. §552(b)(5), protects "predecisional" materials. The materials in this instance are post-decisional -- they relate to the implementation of already-enacted policies.

According to publicly-available bulletins from the Office of Personnel Management, the meetings in question were an opportunity for OPM officials to announce already-enacted policies and to answer questions about those policies. In other words, the meetings were not called for the purpose of deliberating upon policy, but rather to address implementation questions for policies that had already been decided. (Eg. Chief Human Capital Officers Council Update - 2/24/2025: "We will also be continuing to schedule special sessions this week as needed *to ensure full communication and*

assist with any implementation questions," (italics added), i.e., not to deliberate over potential policies; CHCOC Update 2/18/2025: "We are continuing this week to place holds on your calendars from 3:00-4:00 p.m. EST every day *to ensure there is time held to address any emerging issues*" (italics added), i.e., not to deliberate over potential policies; CHCOC Update 2/3/2025: "We sincerely appreciate all of your hard work and flexibility this last week with many special sessions and *pieces of guidance being rolled out...*As with last week, we have placed a daily hold on your calendar from 3:00-4:00 p.m. EST to ensure there is time held *to address emerging issues as we learn of them*" (italics added), i.e. not to deliberate over potential policies.)

Moreover, the risk of harm to public or private interests by disclosing this information appears likely to be low. The meeting notes pertain to discussion over implementation of human-resources policies that had already been enacted, through the publicly-available bulletins, official memoranda, and through presidential executive orders. To the extent meeting participants discussed employee PII or circumstances pertaining to specific employees, I would be content for that information to be redacted.

On Thu, May 1, 2025 at 3:55 PM <noreply@ains.com> wrote:

Good afternoon,

We are pleased to inform you that we have completed work on the above-referenced FOIA request. While this response will ultimately be made available to the public, we have attached a copy of the final Form 464 response to this email.

Please take a moment to help us improve our FOIA processes and let us know what your experience has been. Just click on this embedded link:<http://www.nrc.gov/reading-rm/foia/foia-user-survey.html>. Once you have completed the survey, just click the "SUBMIT" button and your survey response will be returned to us. (Note: You will need Adobe Reader in order to complete the survey online. If you do not already have Adobe Reader, you may download it for free at <http://get.adobe.com/reader/>.)

Please do not reply to noreply@ains.com; this email box does not accept incoming messages. To contact the assigned FOIA Specialist, please respond to kelsey.reese@nrc.gov. Thank you for your patience.

Kelsey Reese