



May 6, 2025

VIA Electronic Delivery & Mail

FOIA Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-6 A60M
Washington, D.C. 20555
Via online portal

Re: Freedom of Information Action Request Appeal: #FOIA-2025-000469

Dear FOIA Appeals Officer:

We write to appeal the NRC's response to our attached FOIA request, which sought all approved agency RIF and Reorganization ("AARPs") or records reflecting such approved plans.

All approved Agency RIF and Reorganization Plans ("ARRPs") plans, or records reflecting such approved plans, following your agency's submission of ARRPs to OMB and OPM for approval as required by OMB Director Vought and OPM Acting Director Ezell's February 26, 2025 memorandum titled "Guidance on Agency RIF and Reorganization Plans Requested by Implementing *The President's 'Department of Government Efficiency' Workforce Optimization Initiative*".¹

Please provide all records from February 1, 2025, through the date the search is conducted.

Democracy Forward expects this request for a set of readily identifiable records regarding a high-profile matter will be assigned to the Simple processing track and processed expeditiously, in addition to receiving expedited processing.

On April 28, 2025, NRC responded to our request by stating that it was rejecting our request in full by citing (b)(5). We are willing to accept the exemption of any such records before an approval, however this request is for approved ARRP plans which are *not* pre-decisional and therefore should not be withheld pursuant to (b)(5). In addition, there is no foreseeable harm in

¹ Russell T. Vought and Charles Ezell, *Guidance on Agency RIF and Reorganization Plans Requested by Implementing The President's "Department of Government Efficiency" Workforce Optimization Initiative*, Office of Management and Budget and Office of Personnel Management (Feb. 26, 2025), <https://www.opm.gov/policy-data-oversight/latest-memos/guidance-on-agency-rif-and-reorganization-plans-requested-by-implementing-the-president-s-department-of-government-efficiency-workforce-optimization-initiative.pdf>.

the disclosure of approved plans as they have been approved and the agency has been given the all clear to proceed with implementation. Disclosure of actions the agency has decided to take cannot plausibly harm or chill the agency's deliberative process. At a minimum there is significant segregable material within any responsive records here. Agency RIF and Reorganization plans have received considerable coverage on the AARPs and other agencies have already begun releasing their own plans on the matter.²

We ask for prompt reconsideration and production of the requested records. We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

(b) (6)

² Department of Education, "U.S. Department of Education Initiates Reduction in Force," (Mar. 11, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-initiates-reduction-force>; Department of Health and Human Services, "HHS Announces Transformation to Make America Healthy Again," (Mar. 27, 2025), <https://www.hhs.gov/about/news/hhs-restructuring-doge.html>; Arthur Jones II, "'Your position is being abolished': Education Department staff get official reduction-in-force notices," ABC News (Apr. 10, 2025), <https://abcnews.go.com/US/position-abolished-department-education-employees-official-reduction-force/story?id=120699980>; Eric Katz, "IRS sends RIF notices as it begins widespread layoffs," Government Executive (Apr. 4, 2025), <https://www.govexec.com/workforce/2025/04/irs-sends-rif-notices-it-begins-widespread-layoffs/404317/>; Megan Lebowitz, Daniel Arkin, and Ted Oberg, "Several federal agencies launch a 'deferred resignation' effort to encourage workers to leave their jobs," NBC News (Apr. 1, 2025), <https://www.nbcnews.com/politics/trump-administration/federal-agencies-launch-new-deferred-resignation-effort-en-courage-work-rcna199069>; Rob Stein, Yuki Noguchi, Sydney Lupkin, Chiara Eisner, Selena Simmons-Duffin, Carmel Wroth, "'Your RIF notice is not cancelled.' Inside a chaotic week of massive layoffs at HHS," NPR (Apr. 5, 2025), <https://www.npr.org/sections/shots-health-news/2025/04/05/g-s1-58312/hhs-layoffs-rif-cdc-fda-nih>; Peter Wade, "Mass Layoffs at the Veterans Administration to Begin in June: Report," Rolling Stone (Mar. 9, 2025), <https://www.rollingstone.com/politics/politics-news/mass-layoffs-veterans-administration-june-1235292534/>.