



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 10, 2025

IN RESPONSE REFER TO:
APP-2025-000006
(FOIA-2025-000469)

Sent via e-mail to: (b) (6)

Skye Perryman
Democracy Forward Foundation

(b) (6)

Dear Skye Perryman:

I am responding to your letter/e-mail dated May 6, 2025, in which you appealed the U.S. Nuclear Regulatory Commission's (NRC) April 28, 2025, response to your April 2, 2025, Freedom of Information Act (FOIA) request, FOIA-2025-000469. You appealed the denial of approved Agency RIF and Reorganization plans (ARRPs) or records reflecting such approved plans on the basis that approved plans are not pre-decisional and therefore should not be withheld pursuant to Exemption (b)(5) (5 U.S.C. § 552).

Acting on your appeal, I have reviewed the records and have determined that your April 2, 2025 FOIA request, FOIA-2025-000469, was understood to be a request for ARRPs, or records reflecting such plans, that were sent for approval to the Office of Management and Budget (OMB) and Office of Personnel Management (OPM) pursuant to the OMB and OPM's February 26, 2025 memorandum "Guidance on Agency RIF and Reorganization Plans Requested by *Implementing The President's 'Department of Government Efficiency' Workforce Optimization Initiative.*" I have confirmed that any/all ARRPs submitted by the NRC were still in review and had not yet been approved at the time of your request. As such, those records were withheld in their entirety pursuant to FOIA Exemption 5 and the deliberative process privilege. Understanding now that your request was for records already approved by OMB and OPM, I have confirmed that, because any/all ARRPs submitted by the NRC were still in review and had not yet been approved at the time of your request, there were no responsive records. Therefore, I have denied your appeal.

This is the final agency decision. As set forth in the FOIA (5 U.S.C. 552(a)(4)(B)), you may seek judicial review of this decision in the district court of the United States in the district in which you reside or have your principal place of business. You may also seek judicial review in the district in which the agency's records are situated or in the District of Columbia.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Sincerely,

A redacted signature area consisting of two black rectangular boxes. A red scribble is present between the two boxes.

Scott C. Flanders
Chief Information Officer
Office of the Chief Information Officer